

January 15, 2020

Draft. Minutes Pomfret Selectboard

Present: Emily Grube, Steve Chamberlin, Scott Woodward, John Peters, Frank Perron

Members of the Public: Jim Potter (Road Foreman), Patty Cominski, Will Emmons (Planning Commission), Betsy Siebeck, Mike Zube, Ellen DesMeules (Treasurer), John Moore (Planning), Karen Hewitt Osnoe (ZA), Nancy Matthews (Auditor), Neil Lamson (Lister), Cynthia Hewitt (Select Board Assistant)

1. Call to Order 6:07 pm
2. Public Comment:
3. Review of Agenda: Add two catering permits, Radios, Adoption of Budget with approved accounting changes. Remove F. re: Capital planning. Listers have decided to go ahead with Library appraisal. Radios. Emily moved and Scott seconded approval of these agenda change; unanimous
4. Recurring Items:
  - a. Approval of 12/18/2019 minutes: Emily moved, Scott 2<sup>nd</sup>, approved as amended re: development of pay scale and benefit package. Approval of 12/27/2019 minutes Emily moved and Frank 2<sup>nd</sup>, approved after removing “in lieu of taxes” phrase. Approval of 01/08/2020 minutes: Tabled until editing is finished.
  - b. Warrants for Approval:

19071	\$ 8493.49	Payroll
19072	39,051.98	Accounts payable
5. Business Items for Discussion or Vote
  - a. Road Foreman Report. Jim has had a plumber to flush the shop drains. Plumber recommends the tank get pumped when weather is suitable. The crew has repaired the plows. They will fill Howe Hill potholes. They have been using sand mixed with 3/8” stone, at Jim’s negotiated price. Jon Harrington had to add reclaiming to the Howe Hill bid. The RFP will go online to the State website on Friday.
  - b. Certificate of Highway Mileage Report. Emily moved and Steve seconded the certificate be approved and submitted as there are no changes from previous reports. Unanimous
  - c. Zoning Ordinance. Due to some slight modifications a second Hearing is required. We need to adapt the same noise ordinance/sound provisions as were accepted in a recent settlement. Industrial use within and without “rural districts” seem to be opposed; these will be modified. Betsy Siebeck had some commentary regarding decibels and durations; she was assured that all spheres of noise “pollution” had been deliberated for several months and were in compliance with state ordinance. Mike Zube questioned why an ADU (accessory dwelling unit) must be taxed when the premise for creating an ADU was to create affordable housing. Members of Zoning, Listers, Planning, and the Board explained the reasons.

Scott moved and Frank seconded the motion to adapt the changes appended to these minutes, the Board meet with Planning to present the changes, and another hearing be scheduled. The new Ordinance is in effect for 150 days.

d. Town Meeting Items

1. Budget – The ambulance contract arrived with a \$36,000 increase in price. After much discussion of processes, petitions, etc. it was decided to apply \$90,000 of the surplus to the paving reserve and \$86,381 too reduce taxes.
2. Draft Selectboard Annual Report – Emily will continue to work on this; tabled to 01/21/2020 Special meeting.
3. Draft Budget Narrative – Scott will correct to correlate with the above accepted budget
4. Sound system for town meeting – John will make the arrangements
- e. Emily moved and Steve seconded approval of a Silo Distillery catering permit for 01/19/2020 at Artistry. Unanimous.
- f. John moved and Steve seconded approval of Teago Store’s request for renewal of their liquor license. Approved.
- g. Town Meeting Warning. Please send suggestions to Emily. There will be a change in Article 11. The Fire Department Budget will be visible – auditors now have their figures. John moved and Steve seconded that the budget as resolved in d.1. above be approved. Unanimous
- h. Radios/Repeaters. John reports that the new radios have arrived and installation will occur on 01/31/2020. Frank, Kevin, Jimmy, and John will meet to determine programming, channels, repeater, and pagers. They will be programmable with Suicide 6 emergencies, Woodstock & Sharon highway departments.
- i. PACIF grants. John would like to apply for and potentially use a PACIF grant from VLCT to install smoke alarms in the town hall and the library. He will check with both TASCOS and Royal Security for more information.
- j. HR Resources. Scott will contact Ms. Miele to determine what she would like to do in the next steps toward making some of her suggestions for improvement of our personnel strategies, adopting VLTC’s new standards, etc.

9. Meeting Wrap Up

- a. Correspondence. Emily received a letter from the Local Emergency Planning Commission (LEPC) stating that Kevin and Frank have been named our representatives but have not been attending meetings. Bill Emmons asked what had been decided about the Cloudland repair and was told that Horizon had been hired and we are hoping for a Structures Grant to help with the expense. Nancy Matthews complimented the board for their timely completion of all the necessary paperwork for the Town Report. Frank asked about his 2017 FEMA Invoice.
- b. Review of Assignments: A Special Meeting is scheduled for Tuesday, 01/21/2020 to finalize the Town Meeting Documents.
- c. Agenda Items for next meeting -- Selectboard Narrative, Budget Narrative, Town Warning

10. John moved and Frank seconded for Adjournment at 8:51 pm.

**Modifications to Draft Zoning Regulations**

**Section 4.1(7), pg. 17**

Replace:

**Noise.** With the exception of customary activities incidental to residential uses, activities that emit noise in excess of 70 decibels (dBA scale of a standard sound meter) at or beyond the property line are prohibited.

With:

**Sound Provisions.** To avoid creating unreasonable noise, property owners or occupants shall conform to the following sound standards in connection with the use of property in Pomfret:

- a) Sound levels shall not exceed the following limits:

		<b>Location</b>	<b>One Hour Equivalent Average dBA (L<sub>1h</sub>)</b>	<b>Instantaneous Slow-Response Maximum dBA (L<sub>Smax</sub>)</b>
<b>Daytime</b>	<b>Between 7:30am and 10:00pm</b>	Property Lines	70 dBA	80 dBA
<b>Nighttime</b>	<b>Between 10:00pm and 7:30am</b>	Dwelling or Temporary Lodging Facility	45 dBA	60 dBA

- b) Noises associated with temporary building construction, temporary home improvement/renovation projects, and noises associated with routine and customary uses of property (e.g., lawnmowers), are not subject to the standards above.
- c) Upon application, the Zoning Board of Adjustment (ZBA) may waive or modify the noise limits set forth above for a specified period, frequency and/or purpose, subject to reasonable conditions and safeguards, and provided the ZBA finds that the noise limits, as waived or modified, will not result in unreasonable noise that disturbs, injures or endangers the peace and health of another or endangers the health, safety and welfare of the community.

### **Section 2.2.1.3(7) – Prohibited Uses in the Village District, pg. 9**

Replace: Industrial

With: Heavy Industrial

**Reasoning:** To be consistent with Chapter 4 of the Town Plan, Specific Land Use Policies: South Pomfret Village Area, paragraph 2, which states in relevant part, “*Light commercial and industrial activities, and primary retail establishments, shall be located within or adjacent to the Village Area.*” Prohibiting all industrial uses would conflict with the Town Plan.

### **Section 2.2.2.3(3) - Prohibited Uses in the Rural District, pg. 10**

Replace: Heavy Industrial

With: Industrial Not Associated with Home-based Businesses

**Reasoning:** To be consistent with Chapter 4 of the Town Plan, Specific Land Use Policies: Rural Areas, paragraph 1, which states in relevant part, “Except for new homebased businesses, secondary retail, or existing commercial or industrial activities, *new commercial or industrial activities not associated with home-based businesses shall not be located in the rural areas.*” Allowing any non home-based industrial activities would conflict with the Town Plan.