

Town of Waitsfield, Vermont
SELECTBOARD MEETING MINUTES
October 3, 2011

I. Call to Order: The meeting was called to order at 7:00 by Charlie Hosford at the Waitsfield Elementary School.

SB Members Present: Chair Kate Williams, Vice Chair Charlie Hosford, Paul Hartshorn, Bill Parker and Sal Spinosa

SB Members Absent: none

Staff: Town Administrator Valerie Capels and Zoning Administrator Susan Senning

Others: Evan Detrick, Brent Pearson, Jennifer Stella, Dick Kingsbury, Laura Kingsbury, Jim Despres, Fred Viens, Jessica Long, June Anderson, , Tony Italiano, Anne VanZyl

II. Regular Business

1. Public forum.

No one was present for public forum.

2. Public Hearing: Interim Flood Hazard Area Bylaws.

Ms. Senning explained that the original intent of the interim bylaws was to help those impacted by Irene. The Agency of Natural Resources (ANR) provided a template. It was warned for this meeting, but after the warning was published, the Town attorney advised that an interim bylaw should not be adopted. The grounds to do so, though provided by ANR, were not well founded. There are 7 or 8 damaged structures in the flood plain, but only a few may qualify as substantially damaged (50% of the pre-flood market value of the house). Others are historic and are therefore exempt. If the interim bylaws were passed, it would only involve at most a few owners. Asked what the procedure will be for those who need to rebuild, Ms. Senning said that there would only be a few persons that possibly need a permit from DRB. Everybody else should be able to proceed like they typically could with home repairs without need of any permits.

MOTION: Mr. Spinosa made a motion that the proposed interim flood hazard bylaws not be adopted. Mr. Hosford provided the second. All voted in in favor.

3. Consideration of permit fee waiver for flood victims.

This item was created in anticipation that there could be a few applications. The typical fee is \$60.00 to \$140.00. One applicant has paid an \$80.00 fee.

MOTION: Mr. Hartshorn made a motion to waive permit fees for applications needed for recovery from the flood, retroactive to include the one applicant who has already paid the application fee. The Zoning Administrator was given the authority to determine what applications are flood related. Mr. Hosford provided the second. All voted in favor.

4. Covered Bridge Repair Alternatives: DuBois & King.

Ms. Capels explained that DuBois & King is the engineering firm that had presented the options for repairs needed to the Covered Bridge prior to Irene. After the storm, they were hired to assess the needs of the bridge due to storm damage and to present alternatives for repair.

Mr. Evan Detrick presented the findings of DuBois & King. Damage to the bridge included damage to the siding, the sidewalk on the far side from the village collapsed and the adjacent concrete retaining wall, on the village side the material from under the sidewalk and roadway washed away, there are pieces inside the bridge that are broken, and there is a back wall on the village side that is cracked. The bridge does not appear to have settled or appear to be otherwise damaged structurally, although there may be some other concrete that is damaged.

There are two alternatives. Alternative one includes just what is needed for immediate repairs. It would require less funds now and would get the bridge open more quickly. DuBois and King recommends this alternative. Some of the work done would be wasted when the permanent fixes are done in the future, but not much of it. There is a rough estimate of two weeks of work and a cost of about \$22,000. There was consideration of reopening the vehicle portion of the bridge without reopening the sidewalk. It was determined that most of the work would need to be done either way so that there was not enough financial benefit to offset the inconvenience of having no side walk pedestrian access for the winter. Alternative One would reopen the bridge to vehicle and pedestrian traffic.

The second alternative is more extensive. It is estimated that the work would take twelve weeks delaying the opening of the bridge until early winter. The weather would not be conducive to paving so a portion of the road as gravel all winter. The later portion of the work would be done in less than ideal weather conditions especially in regard to curing concrete.

There was discussion about FEMA reimbursement. Many answers are unknown. There was discussion about using the Town road crew for a portion of the work, but it was decided that using a contractor would be better given the amount of flood related work already taking time away from preparation for winter by the road crew.

Dubois & King will prepare bid documents and final design to be given to contractors for bidding using the alternative chosen by the Selectboard.

MOTION: Mr. Spinosa made the motion that Alternative One be accepted. Mr. Hosford provided the second. Mr. Hartshorn abstained. All others voted in favor.

5. Hurricane Irene response review and follow-up.

*** Debris removal; river management**

Ms. Williams reported that the Town has been authorized to have “in stream” work done for the purposes of channel restoration and for flood recovery issues. As a result of that work, some gravel does come out of the river; however, gravel extraction is not the purpose of the work.

There will be a meeting on October 27th, held in conjunction with the Friends of the Mad River, to discuss the broader issues of river management.

A summary of actions taken thus far are as follows.

On September 5th, Patrick Ross from ANR met with a few Selectboard members to review the Mad River as it runs through Waitsfield. Five sites were identified that needed to be addressed. He gave instructions and authorization for specific and limited work. Work at two sites, including the site downstream from the bridge, is complete. Mr. Ross came back on September 22nd to review the work done thus far and to make further recommendations. Mr. Ross recommended specific work to be done in the channel upstream from the bridge to relieve, for the short term, pressure that could be put on the Covered Bridge, Bridge Street and the municipal properties located there by the river. Kingsbury Construction had done the work

downstream from the bridge. They mobilized quickly and began the recommended work on September 23rd. That work has been completed. Mr. Ross has verified in writing that the work has been completed to date is in compliance with his direction. ANR used verbal authorizations as their method during this emergency period. Kingsbury moved onto the Lareau site.

Recently, there have been some questions with VTrans and the Army Corp of Engineers. The Town is working diligently to follow all applicable rules. Kingsbury Construction was notified by VTrans that one of their trucks was overweight for a bridge on Route 100. Kingsbury adjusted their trucking accordingly. There is also a VTrans concern about a temporary curb cut on Route 100 being used to truck debris out of the Lareau site. Kingsbury changed their route to not use that location.

The Army Corp of Engineers contacted the Town to say that they may have jurisdiction on the river in addition to the State. Ms. Capels has been in contact with Marty Abair from the Corp of Engineers. Ms. Abair confirmed that their jurisdiction does not apply to the work at Mill Brook, Lareau, or the Tardy site.

When the questions arose on Friday, September 30th, the Town asked Kingsbury to temporarily stop work. There was discussion about whether the work should proceed now that the questions have been resolved and if indeed the issues have been resolved. Consensus was reached that Kingsbury can resume their work with a few logistics to be worked out.

The work at Lareau is in progress. There are two remaining smaller sites to be addressed in the list of five sites chosen by Patrick Ross.

Shepard Brook

Jessica Long, owner of one of the properties affected by the Shepard Brook flooding, reported on the situation of the residents. Patrick Ross authorized work to begin in the brook. The residents are concerned about future flooding. The owner of #570 has agreed to the removal of his demolished house from the brook by contractor Fred Viens. The downstream neighbors are concerned about possible health hazards of the destroyed house in the brook. Further work is needed on the brook. Mr. Viens has provided a quote to do that work as well. Before Mr. Viens could proceed he would need to meet with Patrick Ross to confirm the exact details of the work that is allowed. The affected homeowners also need to determine how they will pay for it. They are going to apply for grants from the Mad River Valley Community Fund as individuals. Mr. Hosford will continue to work with the Shepard Brook neighbors .

Status of volunteer efforts

June Anderson provided an update on the work at Headquarters. They are wrapping up phase one. They plan to close the Headquarters location by October 30th to give the building back to the Masons. In the last week over 70 volunteers were placed, including UVM students, and 30 projects were completed. Volunteers ranks are decreasing but the request for help is not, especially now as farmers need help dealing with invasive knotweed. The upcoming need will include a lot of sheetrock and flooring work. The funding from the initial allotment will get them through to October 30th. They are looking for a fiscal agent. The Town will serve in that capacity if possible. Ms. Capels will help HQ coordinate with the Town Clerk to serve in that function.

Ms. Anderson reported on clothing being donated by Lenny's/Carhartt for individuals who have a flood relief application number.

6. Consideration of sign at Town Pond for Mad River Valley Community Fund.

The Mad River Community Fund has requested permission to erect a temporary thermometer style sign on Town property at the Town's pond. The sign will indicate the progress of the fund raising efforts.

MOTION: Mr. Hartshorn made a motion that permission be granted for a sign this community effort. A second was provided by Mr. Hosford. All voted in favor.

7. Bills payable & Treasurer's warrants.

Bills payable and treasurer's warrants were circulated.

8. Selectboard roundtable.

Mr. Spinosa raised the issue of the official disassembling of the incident command model. Flood recovery decisions can no longer be made in the field. They will be made by the full Selectboard. Incident Commander Fred Messer is in agreement that the appropriate time has come.

MOTION: Mr. Hosford made a motion the "incident command" from Tropical Storm Irene be officially disbanded. Mr. Spinosa provided the second. All voted in favor.

Mr. Hosford raised the issue of where the gravel from the Lareau site should be placed. The original plan for hauling didn't meet VTrans requirements. Mr. Hosford recommends that haul trucks be used to haul it to the Tardy parcel. Some restoration work will be needed to repair the grass in the park after the trucks drive through. A plan will be needed to do that work either this fall or in the spring. The Town will ask Kingsbury to erect the appropriate silt fencing for gravel storage.

Mr. Hosford also raised for discussion the need to add soil and seed at the river bank near the Covered Bridge. Mr. Hosford will look into it with the Town road foreman to see if the road crew can move material from the Sugarbush snowmaking pond that Sugarbush is offering for free. Then the material could be placed and it could be seeded.

Mr. Parker asked what the Town's role signing off on the demolition of the house in Shepard Brook. The Zoning Administrator will be involved.

Mr. Parker reported on a meeting he attended with Joshua Schwartz in conjunction with the Mad River Valley Planning District Economic Development subcommittee. Mr. Schwartz has applied for an economic development grant. Policy related areas will be looked at in regard to the changing economic circumstances in the Valley. All the towns will need to support it. The three town meeting will be Thursday, November 3rd. This meeting may provide a good opportunity for the three towns to communicate about general issues. It has traditionally been a more specific budget meeting. Maybe a three town summit is needed or some additional communication can take place at the Planning Commission meetings.

9. Town Administrator's Report

Ms. Capels drew attention to the upcoming Selectboard meeting schedule. The only October meetings are the 3rd and the 10th. The river meeting is October 27th. Ms. Capels recommends that the Selectboard meet on November 7th and 14th and possibly the November 28th. The Selectboard accepted the recommendation.

