

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting
Wednesday May 10, 2023**

Present:

Selectboard Members: William Adams, Lisa Hagerty, Paco Aumand, Nick Donza

In Person attendees: Mary Skelton, Jeff Jackson, Emily Rosenbaum, Toby Richman, Lynn Altadonna, Heather Snyder, Weston Noyes, Jessica Savage, Will Dodge, Missy Murrell Burgess, Allison Beckwith
There were participants on Zoom.

Call to Order

Chair Lisa Hagerty called the meeting to order at 5:00pm.

Approve the Agenda

Mr. Billy Adams requested changes to the agenda as reflected in the motion below. There was discussion regarding the placement of items on the agenda that Mr. Adams felt they were not ready to have, and requested an additional item to discuss a Selectboard -framework for -short term rental discussions in the future. It was noted that the proposal from Working Communities Challenge was only a proposal that could be accepted, changed or denied based on discuss during that business topic.

On a motion by Mr. Adams, seconded by Mr. Paco Aumand, the Board approved the adjustment to the agenda to pull item A-3, Minutes of April 10, 2023, from the consent agenda and place it as Business item B-6; Business item B-2, Short Term Rental Listening Sessions Facilitation Process, was moved to Item B-4; Items B-3 and B-4, AT&T small Cell Depot & Pond Streets and VELCO Substation Amendments to Previously Approved Plans, were moved up to Items B-2 and B-3; Additionally, Item B-5 was added to be Selectboard Short Term Rental Framework Discussion.

Executive Session

On a motion by Mr. Aumand, seconded by Mr. Adams, the Board went into Executive Session at 5:18pm to discuss personnel.

The Board came out of Executive Session at 5:58pm.

Consent Agenda

1. RCT Board Nomination
2. Contract Award Weston & Sampson PFAS Treatment Study
3. PULLED
4. April 24, 2023 Selectboard Minutes
5. Liquor Consent Items
6. Lamoille FiberNet CUD Representative Reappointment

On a motion by Mr. Aumand, seconded by Ms. Adams, the Board approved the Consent Agenda with item A-3 pulled as Business Item B-5.

IDEAL Vermont Presentation

Shalini Suryanarayana of IDEAL Vermont gave a presentation on the Statewide Equity Initiative. She stated that IDEAL stands for Inclusion, Diversity, Equity, Action and Leadership, and that this is run out of the State Office of Racial Equity, with a focus on local level equity initiatives. Currently there are 14 municipalities in the program, and 110 Towns, including Stowe, have adopted a Declaration of Inclusion. Ms. Suryanarayana spoke to the benefits of local equity for all communities, including diversity, stronger democracy and inclusive policies. This is an opt-in program for communities that are ready to do more

equity work, and they must be committed to the program and held to a higher community standard. She explained IDEAL uses a learn, think, do framework with monthly meetings throughout the state on different topics related to equity. They ask for three members of the community with the authority to affect change participate, such as Selectboard members, Town Managers and others with authority such as Sheriffs or school superintendents. This is an initiative that is expected to be ongoing and run for many years. It was noted that IDEAL gives its participants a sharing platform to support each other, as well as tools for implementing the work of a DOI. It was also discussed that there is some concern for staff - workloads.

There was no action taken on this topic. Chair Hagerty thanked Ms. Suryanarayana for her time and presentation.

AT&T Small Cell Technology at Depot & Pond Streets

At the December 12, 2022 Selectboard Meeting, the Selectboard met with members of the Planning Commission to review and a proposed small cell telecommunications tower/antenna proposed by AT&T to be located near the corner of Pond and Depot Street. The Planning Commission and Selectboard submitted a letter to the Public Utilities Commission requested that AT&T investigate less visible locations in accordance with the Stowe town Plan and Stowe Zoning Regulations. AT&T then proposed an alternate location within a residential setting on Pleasant Street, which was reviewed by the Planning Commission and Selectboard at their February 13, 2023 meeting. After receiving concerns from residential property owners, AT&T representatives agreed to further study alternate locations and/or incorporate design mitigation measures. AT&T now presents an alternate design at the original location of Depot & Pond Streets which includes a black ornamental pole approximately 43' in height above ground level with concealed antennas and equipment, one or two decorative light fixtures and conduit and equipment cabinet. The Historic Preservation Commission reviewed the revised plan and general felt that the new design visually reduces the height of the pole, however they did make suggestions related to the number, location and illumination levels of the proposed street lights. The Planning Commission reviewed the revised plans with the HPC input and agreed they were an improvement to the original proposed and supported the amended project.

On a motion by Mr. Aumand, seconded by Mr. Adams, the Board approved supporting the proposed alternate design consisting of an ornamental pole (~43') similar in design to the existing poles on Main Street and to contain one or two dark sky compliant or otherwise fully shielded light fixture(s) positioned approximately 14' above ground level. Also the Board approved withdrawing the Town's request for a public hearing before the Public Utility Commission if AT&T advances the currently proposed antenna location and design, with appropriate conditions, to the PUC for its consideration and potential approval.

VELCO (Cady Hill) Substation – Amendment to Previously Approved Plans/Case# 23-1119-PET

The Town of Stowe recently received a petition from the Vermont Electric Power Company, Inc and Vermont Transco LLC (VELCO) for a non-substantial change determination regarding the VELCO substation off Cady Hill Road. VELCO has requested that the Public Utility Commission determine that the construction of a storage building proposed by Stowe Electric Department and proposed modifications to the previously required landscaping berm and screening be considered a non-substantial change. The proposed project is the construction of a 120'X40' storage building with a main roof ridge that is approximately 33' tall to be located southeast of the existing substation on lands owned by SED. The proposed building is to be used for storage purposes by SED and will require removal and regrading portions of the berm and associated landscape mitigation plantings that were installed as part of the original substation project.

Mr. Safford clarified that there are two concurrent processes with this project – the application -to modify the term before the PUC and a building permit before the Development Review Board. At this time the Selectboard is being asked if they would like to preserve their party status in the case before the PUC, which would allow the Town to stay informed and reserve the right to actively participate in a hearing should they decide to go forward. There was no input from the public and no feedback from any abutters. It was noted that abutters can also obtain party status.

On a motion by Mr. Adams, seconded by Mr. Aumand, the Board instructed the Town Attorney to file comments on whether the proposal constitutes a “substantial” (or non-substantial) change within the meaning of PUC Rule 5.408 and a notice of appearance to preserve the Town’s party status to stay informed and reserve the right to actively participate in a hearing should the Selectboard decide to do so going forward. Also, clarify that the storage building is a proposal of SED and not of the Selectboard.

Short-Term Rental Listening Sessions Facilitation Process

Ms. Emily Rosenbaum, Project Director of Working Communities Challenge, and Jessica Savage of the Vermont Council on Rural Development, have submitted a proposal for facilitation of a community discussion in Stowe regarding Short Term Rentals. They explained that Vermont Council on Rural Development works in communities to help facilitate community discussions. Their proposal includes an in-person listening session with the Selectboard, facilitated by Ms. Savage and Ms. Rosenbaum, a virtual listening session facilitated by Ms. Savage and Ms. Rosenbaum, an online survey and a follow-up priority setting session. They would issue a report advising next steps for a task force or other group to move forward. It was noted that this is a System Creation/Change Approach to the topic, which would assess what data we have, what is missing and how to get that. The idea would be to hear from the community their concerns, successes and what they want to do about it in a way that is open and equitable. Selectboard Members discussed concerns about losing authority by involving outside facilitators. It was also discussed that there are larger topics such as housing and tourism that also coincide with Short Term Rentals and need to be discussed and addressed.

No action was taken at this time.

Selectboard Short Term Rental Framework

Mr. Adams explained that he requested this time to discuss the Selectboards framework for discussing Short Term Rentals going forward. He noted that this is a stepping stone in the process and nothing would be resolved in the short term. Many communities are already taking on STRs. There are a number of stakeholders that were identified, including Stowe Area Association, Homeowners Associations, Zoning, Public Safety, STR owners, and Realtors. - Members discussed the need to understand the legal basis of any regulation, collect data, identify the problems that need to be addressed, and to maintain a sense of community. Mr. Donza stated that he felt a registry was the next step to collect data. Mr. Safford indicated that - he would include a follow-up agenda discussion on the Selectboard’s 6/14/23 meeting agenda to continue the discussion.

No action was taken at this time.

April 10, 2023 Selectboard Minutes

Mr. Adams had previously pulled the minutes from the April 24, 2023 meeting for revisions, which are now proposed. He noted that he had concerns about the use of wording such as “agreed to” when no motion or action was taken. It was noted that with the availability of Zoom recordings of meetings, that should be noted in the minutes and minutes should be kept brief but in compliance with State Law.

Selectboard Meeting 5/10/23

On a motion by Mr. Adams, seconded by Mr. Donza, the Board approved the minutes of April 10, 2023 as presented.

Manager's Report

Mr. Safford noted that Stowe Police Sergeant Brooke O'Steen has been nominated and selected for first annual Law Enforcement Awards.

Mr. Safford provided the FY23 Property Tax schedules which breaks down where property taxes collected are distributed between the municipality, the local schools and the State Education Fund.

Mr. Safford provided the FY'23 Financials for April 2023. He noted that these will be provided at the first meeting of each month in a format from NEMRC that will provide raw data on percentages of budget expended.

Mr. Safford provided an update on the proposed monopole at Percy Park, indicating that the Historic Preservation Commission has submitted comments. Should the project advance to State permitting, both the Selectboard and Planning Commission would be given the opportunity to participate in the PUC process.

Mr. Safford let the Board know that Stowe Electric Department is currently conducting an opinion survey to measure customer satisfaction and help with strategic planning.

Mr. Safford noted that the Stowe Fire Department would be holding an open house on May 13 from 8:00am-noon to encourage people to volunteer.

Mr. Safford noted that the work to install a traffic light at the intersection of Route 100 and West Hill Road is advancing, with paving and light pole installation planned for the next couple of weeks. Mr. Adams requested that Mr. Safford follow up on the removal of trees and debris that were cut down for the project.

Mr. Adams asked about the status of mowing in Stowe. Mr. Safford explained that the Parks Department is currently down several people, both full-time and seasonal and that they struggle to get applicants in the current labor market. He also noted that the contract mowing was put out to bid, and only one bid was received that was significantly higher than in the past. Mr. Safford indicated that there are currently a number of openings in the Town, including in the Police Department and Highway Departments as well.

Mr. Donza asked about the recent news article regarding former Stowe Police Officer Cavaretta, noting that the incident occurred outside of Stowe and asked about the duty to stay within Town borders. Mr. Safford explained that Stowe Police do not patrol outside of the Town, however they do sometimes assist nearby towns- on a mutual aid basis. Also, people may be going to court or training. In this case the officer was coming back from the Vermont Police Academy. Mr. Aumand explained that in Vermont, certified police officers have jurisdiction throughout the State, and did not recommend limiting that jurisdiction.

On a motion by Mr. Donza, seconded by Mr. Aumand, the Board went into Executive Session at 8:44pm to discuss personnel and legal matters.

The Board came out of Executive Session at 9:40pm.

Selectboard Meeting 5/10/23

On a motion by Ms. Hagerty, seconded by Mr. Aumand, the Board appointed Julian Barran to the Recreation Commission as a Student Representative; Lyn Goldsmith to the Recreation Commission; Robi Artman Hodge to the Energy Committee; Patricia Gabel to the Development Review Board; Jill Anne to the Planning Commission. The Board also appointed Heather Snyder and John Muldoon to serve as non-voting members on the Planning Commission.

There being no further business, Chair Hagerty adjourned the meeting at 9:50pm.

Minutes respectfully submitted by Abigail Bourgeois.

*Note: The video recording of the meeting is available on the town's website www.townofstowe.org