

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting
Monday October 24, 2022**

Present:

Selectboard Members: William Adams, Jo Sabel Courtney, Nick Donza, Lisa Hagerty, Paco Aumand
In Person attendees: Sara Teachout, Walter Frame, Jon Wehse, Paul Sakash, Tiffany Donza, Bobby Murphy, Matt Frazee, Larry Lackey, Rob Moore, Arnold Ziegel, Maura Wieler
There were 16 participants on Zoom

Call to Order

Chair Billy Adams called the meeting to order at 5:03pm.

Approve the Agenda

On a motion by Ms. Jo Sabel Courtney, seconded by Mr. Paco Aumand, the Board approved the agenda as presented.

Executive Session

On a motion by Ms. Lisa Hagerty, seconded by Ms. Courtney, the Board went into Executive Session to discuss personnel.

The Board came out of Executive Session at 5:28pm.

Consent Agenda

1. 10/1122 Selectboard Minutes
2. Water Allocation Lot 3 Summit View Drive
3. VAST/Snowmobile Club Use of Public Roads & Bridges
4. Stowe Mountain Rescue: MOA Swiftwater/Flood Rescue Team Deployment and License for Fire Safety Rescue Vessel
5. Stowe Electric Line of Credit Renewal
6. Liquor Consent Items

On a motion by Ms. Hagerty, seconded by Ms. Courtney, the Board approved the Consent Agenda as presented.

Interim Zoning Bylaws Public Hearing

Sarah McShane, Director of Planning and Zoning, presented the proposed Interim Zoning Bylaws related to Cannabis Establishments. She noted that the Interim Bylaws were originally brought to the Selectboard on September 6th, but subsequent to those discussions the Planning Commission met and discussed revisions as proposed to the Selectboard tonight. That included consulting with the Town Attorney regarding Tier 4-6 indoor and outdoor cannabis cultivation (10,000-25,000 sqft) and whether the Town needed to have a designated district for those operations. They also looked at locations for cannabis retail, but felt they wanted to stick with their recommendation of it being allowed only in the Mountain Road Village district. They did reduce the buffer zone for the Stowe Recreation Path from 500' to 250' to allow for more options within that district. At this time, the Town of Stowe has not opted into allowing retail cannabis, but these regulations will be in place if and when the Town votes to allow or not allow retail sales.

The Selectboard raised concern about large indoor and outdoor cultivation in regard to the character of Stowe due to it being out of scale and character such and public nuisances such as smell. Bob Davison, who is a member of the Planning Commission asked if the Selectboard wanted the Planning Commission to draft a public nuisance ordinance regulating odor. The Town Manager suggested that the Planning

Commission is currently working on affordable housing. The Town Manager can draft something in consultation with legal counsel, should it become an issue and something the Selectboard desires. By then, there may be a model ordinance that the municipality can use. Also, should it become an issue throughout Vermont, the State may develop further statewide regulations.

On a motion by Mr. Nick Donza, seconded by Ms. Courtney the Board approved the Interim Zoning Bylaws with the amendment of removing zoning districts for Cannabis Cultivation Tiers 4-6 Indoor and Outdoor.

It was noted these regulations would go into effect immediately and would remain in effect for two years from the date of adoption unless they are extended or replaced by amendments to the Town of Stowe Zoning Regulations.

Memorial Park Playground Fence

Stowe Elementary School has requested permission from the Town to install a black, 4' high chain link fence around the portion of the playground that is adjacent to the public parking lot. The purpose of the fence is to provide safety for children through creating a barrier between the playground and parking lot. The School has offered to pay for the cost of the fence and installation, with the Town taking ownership and responsibility for maintenance on the portion of the fence on its property. The playground is owned and maintained by the Town of Stowe and is considered public property for all to enjoy, although the school requests that individual users not use the playground while the school is using it. There would be a 4' wide unlocked gate that would allow the public to enter and access the park. If possible, the fence will be installed prior to the winter.

On a motion by Mr. Aumand, seconded by Ms. Courtney, the Board approved Stowe Elementary School's request to purchase and install a fence as proposed with the Town of Stowe assuming ownership and maintenance responsibilities.

Stowe Highway Capacity and Congestion Evaluation – Planning Consultant Appropriation & Award

The Selectboard considered a proposal for the Town of Stowe undertake an independent comprehensive traffic flow, capacity and congestion evaluation. This is in response to a number of traffic concerns, particularly related to congestion on holidays and during the winter season. Staff undertook a Qualification Based Selection Process seeking a consultant who could complete such a study. Stantec has been identified as an international consulting firm with expertise in traffic engineering and transportation planning, has a local office in South Burlington, VT and has a team of professionals who specialize in peak traffic demand and congestion analysis. Stantec has prepared a proposal for a one-year project which will utilize Location Based Data Technologies along with other studies and means for data collection to analyze traffic flow in Stowe. The work as proposed by Stantec will include both graphic and technical deliverables at key phases of the work. They will analyze traffic flows during winter, summer and fall, using past and current data. They will also work to identify the causes of congestion and what the current highway capacity. The models created by Stantec can be used in many ways, including for future traffic impact studies when considering future developments. Also, to allow the community to have context to consider alternatives, so that they can have informed discussions and also assist with the update to the Stowe Town Plan. Other demographic information that can be obtained would be age, origin and destination, and lengths of stay. The analysis will also take into account special events and weather events by identifying unusual days in the data. Mr. Arnold Ziegel stated he supported this study but also encouraged the Town to look at this as not just a Stowe-centric problem but think also about the surrounding towns who travel through Stowe.

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On a motion by Mr. Aumand, seconded by Ms. Courtney, the Board advanced the agreement with Stantec as presented by staff and authorized the expense of \$80,000 out of the Undesignated Capital Reserves Fund.

Manager's Report

Town Manager Mr. Charles Safford reported that Green Mountain Transit has requested to include a bus stop at Events Field A parking lot and use it to turn around their bus. The Town currently plows the parking lot in the winter and it will remain open to the public for parking along with Events Fields B&C parking lots. GMT will install signage. It was noted that Lot A could be reconfigured to include more parking in the same space, which Public Works will look at. It was also questioned if this use of the parking lots would impact the Mayo Farm Conservation Easement, which Mr. Safford said he would double check with Stowe Land Trust. Assuming there are no issues with the Easement, the Selectboard was in agreement with using Field A parking lot as a bus stop.

Mr. Safford also noted that ECI, the contractor for the VTrans project to install a traffic light at the Route 100/West Hill Rd intersection will resume work on Monday October 31, 2022. They will have one-way alternating traffic from 8:30am-3pm. Work is anticipated to last three weeks for this season and will resume in the spring with the installation of the light.

Mr. Safford reported that a private underground fuel tank at the Stoweflake has leaked an estimated 1,200 gallons of fuel into the soil approximately 650' from the Village Green Water supply well and within the Source Protection Area. Emergency testing of the water indicates no detection of VOC's (hydrocarbon petroleum product). The tank has been removed; however further monitoring will be necessary to assure the fuel in the ground doesn't move into the source area. Monitoring wells will be installed. Mr. Shepard did note that this event has raised concern that tanks less than 1,100 gallons can be located underground within the Source Protection Area without the Town being aware, and that Public Works will begin trying to obtain an inventory.

Mr. Safford also reported that a small sewer overflow occurred earlier in the month near Trapp's Hill. The cause was found to be due to debris closing the manhole drops in the main collector sewer line, as well as a small portion of collapsed sewer, which has been repaired. Some follow up work needed to repair invert bricks and clear further debris.

On a motion by Ms. Hagerty, seconded by Ms. Courtney, the Board went into Executive Session to discuss legal matters & personnel at 8:16pm.

The Board came out of executive session at 8:55pm.

On a motion by Ms. Hagerty, seconded by Ms. Courtney, the Board appointed Sara Teachout to the Stowe Electric Commission to fill a vacant term effective November 1, 2022 through April 30, 2024 by a vote of 4-1 with Mr. Adams, Ms. Hagerty, Ms. Courtney and Mr. Aumand voting in favor and Mr. Donza voting against.

There being no further business, Chair Adams adjourned the meeting at 8:56pm.

Minutes respectfully submitted by Abigail Sweetser.