



Stowe Selectboard Liquor Commission & Water/Sewer Commission Meeting

Wednesday, July 10, 2024

Akeley Memorial Building
67 Main Street
Stowe, Vermont

Selectboard Members: Billy Adams, Paco Aumand, Jo Sabel Courtney, Nick Donza, Ethan Carlson

In-Person Attendees: Town Manager Charles Safford, Assistant Town Manager Will Fricke, Public Works Director Harry Shepard, Parks and Rec Director Matt Frazee, Planning and Zoning Director Sarah McShane, Beth Gadbois, Shap Smith, Bob Davison, Peter Livaditis, Rich Scott, Patti Cignoli, and two others (13)

Zoom Attendees: Doug Kennedy, Mila Lonetto, Josie Kytly, Blake Blundell, Lyn Goldsmith, Missy Merrell Burgess, Paul Sakash, Michael Diender, Deb Drinkwater, and fourteen others (25)

Call to Order

Selectboard Chair Adams called the meeting to order at 5:30pm.

Approval of the Agenda

The Selectboard amended the agenda to move consent items A1 and A5 to business as items B2 and B3.

Mr. Donza moved to approve the agenda as amended. Mr. Carlson seconded. Motion carried (5-0).

Executive Session

Ms. Sabel Courtney moved to enter executive session to discuss personnel. Mr. Carlson seconded. Motion carried (5-0).

The Selectboard entered executive session at 5:03pm. The Selectboard left executive session at 5:35pm.

Consent Agenda (Items A-2 through A-4, A-6 through A-9)

1. *[June 26, 2024 Selectboard Minutes, Moved to Business as Item B-1]*
2. Quiet Path Signs
3. FY'24 Audit Contract Approval
4. Stowe Electric General Obligation Bond Warning Approval
5. *[Stowe Housing Task Force Charge Statement, Moved to Business as Item B-2]*
6. IBEW Contract Approval
7. Policy for the Collection of Current and Delinquent Taxes Amendment
8. Consecutive Water System Agreement – Straw Corners
9. Liquor Items

Mr. Aumand moved to approve the consent agenda. Mr. Carlson seconded. Motion carried (5-0).

Lamoille County Housing Study Presentation (Item B-1)

Doug Kennedy of Doug Kennedy Advisors presented a housing needs assessment on Lamoille County. The study was sponsored by the Lamoille Housing Partnership, the Lamoille County Planning Commission, the Stowe Land Trust, the Lamoille Economic Development Corporation, and the Lamoille Area Board of Realtors.

Recording of presentation available at townofstowevt.org/selectboardrecordings

Mr. Adams noted the data that showed 45% of new housing units in Lamoille County are in Stowe and said that a huge component of that is second homes. He asked if Mr. Kennedy has data that support that. Mr. Kennedy said a deeper dive into the report shows that.

Mr. Carlson asked if a seasonal home and a short-term rental are defined differently in the study, noting that they are not necessarily the same. Mr. Kennedy agreed that they are defined differently, and the data comes from different sources. Mr. Adams asked for clarification on the percentage of housing units that are seasonal and STRs. Mr. Kennedy said that STRs in his dataset are 989 units or 25% and when you add seasonal units they comprise 58% of housing units. Mr. Adams asked if condominiums are included. Mr. Kennedy said that condominiums are a form of ownership as opposed to a form of use and can be year-round, seasonal, or STR the 58% includes some condominiums.

Mr. Carlson asked if household size includes seasonal units. Mr. Kennedy said it only includes year-round residents. Mr. Carlson noted the data may show that Stowe needs to attract more households with children. Mr. Donza noted that the data show that 70% of the people living in the region are in homes with 1-2 people but 40% of the housing is for 1-2 people, and asked Mr. Kennedy if that would indicate that 30% of homes have the capacity for more than two people but aren't using it. Mr. Kennedy said there is a substantial number of housing units out there that could accommodate more than people than they are accommodating right now.

Mr. Adams asked if the report has data that shows increases in the number of housing units by number of bedrooms. Mr. Kennedy said that data is available from the census.

Ms. Sabel Courtney asked how missing middle housing would be defined. Mr. Kennedy said it would be housing that middle income people would live in, but it would be different for each community.

Mr. Carlson asked if Mr. Kennedy had examples of deed restriction programs after a build. Mr. Safford and Mr. Donza said there are.

Mr. Adams asked Mr. Kennedy for his thoughts on the trends in multi-family units. Mr. Kennedy said there has been a huge amount of new multi-family development in Chittenden County. In outlying towns such as Wolcott and Belvedere they cannot develop those due to the lack of sewer and water infrastructure, whereas Stowe and Morristown have the infrastructure to support it.

June 26, 2024 Selectboard Minutes (Item B-2)

Mr. Adams requested the minutes be amended to clarify that he introduced a document with housing study goals and data questions to be answered through the housing study, and that Mr. Aumand had requested the document be an addendum to the Housing Task Force Charge Statement.

Ms. Sabel Courtney moved to approve the minutes as amended. Mr. Carlson seconded. Motion carried (5-0).

Stowe Housing Task Force Charge Statement (Item B-3)

Mr. Adams presented a document of recommended changes to the Housing Task Force charge statement.

Mr. Adams suggested clearer language that this committee will end once the final report is submitted. Mr. Donza and Mr. Carlson voiced agreement. Mr. Carlson suggested adding clarification that the Selectboard may extend the committee if desired.

Mr. Adams suggested increasing the number of appointees from 7 to 9, or have 2 alternates in addition to the 7 appointees. Mr. Donza said he would like to keep it at 7. The Selectboard agreed to include the option to appoint alternates.

Mr. Adams suggested a clearly defined role for the chair as a facilitator of meetings and acting as a neutral participant. Mr. Safford said the chair is a facilitator and different chairs have different styles, but they would at some point have the right to vote, but it could be specified to be reserved as a tiebreaker. Ms. Sabel Courtney asked

if the Selectboard decides which officers the task force would have. Mr. Safford said it's a given they will have a chair. All other boards and task forces have chosen their own chair. Mr. Donza said he thinks they will get good applicants and they can trust them to run their own meetings and select their own chair, and the Board's directive ends at appointing who they want to appoint. Mr. Adams said he wants to ensure the agenda is set by group consensus. Mr. Aumand said they could have the task force recommend a chair to the Selectboard and then bring that person in discuss expectations with the Selectboard. Mr. Carlson said he struggles to see the scenario where the Selectboard picks seven people and then the task force picks the wrong person to be chair. Mr. Adams said he framed it as the Selectboard having some input in who the chair is, but he's not sure what that is yet. Mr. Donza said it could be a slippery slope and there is already a process to remove a chair if the committee is not satisfied with them. Mr. Safford said these are at-will positions. Mr. Aumand said the message is that the Selectboard is very concerned about this important task force and they want to maintain some control without tying their hands. Mr. Donza said the Selectboard has ultimate control in deciding whether or not to implement their recommendations.

Mr. Adams suggested including language in the charge statement that the consultant would help facilitate task force or work with the group in some capacity. Mr. Aumand said it wouldn't be binding on the contractor unless it's in the contract. Mr. Aumand suggested language saying the consultant should work with the chair and the committee to facilitate the necessary information needed to complete the study.

Ms. Sabel Courtney asked if staff have an RFP for a consultant. Mr. Safford said they will make a rough draft for the Task Force so they can hit the ground running as the due date for the study is July 2025. They hope to get people interview at the July 24th meeting. Mr. Safford said the study may be in stages, maybe with data analysis up front and using that data to see what they want to delve into further. Mr. Adams said it could be important to specify in the contract that it isn't just a one-time thing of doing a study and giving it to the Task Force, but rather working with the Task Force through the duration and engaging with them. Mr. Aumand said it's important for the Task Force to know they have support options. Mr. Fricke said that staff discussed housing studies and RFPs with a consultant, and that the current budget in the charge statement may be on the lower end for housing studies. He said that if Selectboard wants a consultant to work closely with the Task Force over time, they may want to consider increasing the budget. Mr. Safford said that it will be a qualifications-based selection process and the Selectboard can amend their budget at any time. Mr. Donza said he would rather not see the number grow. Mr. Carlson said he wants to make sure they get actionable recommendations. Mr. Safford said they could stay silent on the budget and see what they get for proposals and if it's worth it based on the qualifications. The Selectboard agreed on this course of action.

Mr. Adams suggested language for the charge statement that would require regular reporting to the Selectboard. The Selectboard agreed to require quarterly reporting.

Mr. Donza suggested changing "support the development of affordable, workforce, employer provided, and market rate housing in Stowe" to "better support year-round residential housing at more affordable price points." The Select agreed with the change.

Mr. Safford said staff will incorporate the changes and put the updated charge in the next consent agenda.

Chair Adams asked for public comment.

Mila Lonetto asked if they are planning to have a Planning Commission member as a member, for knowledge of zoning and the Town Plan and to keep the Task Force out of a silo. Mr. Safford said Planning Commission members can apply to be on the Task Force. Mr. Adams said he would leave it up to the Board in the interview process. Mr. Aumand said he would hope the Planning Commission would assign someone to attend Task Force meetings. Beth Gadbois said if a Planning Commission member is on the committee they can give information and perspective in real time.

Beth Gadbois said that the charge statement in requesting a specific background in creating affordable housing or real estate doesn't leave space for homeowners or community members who are interested and passionate about the subject. The Selectboard agreed to drop the additional qualifications.

Josi Kytte said she agreed with having a Planning Commission member on the Task Force as a lot of the conversations will overlap, perhaps as a non-voting member, and added that a Selectboard member should also be a non-voting member. She also said that they should ensure there is enough time for community outreach as part of the housing study.

Blake Blundell said the Selectboard should make sure there is a diverse set of voices on the Task Force. He said that if a Planning Commission member is a part of the task force it should be in an advisory role.

Mr. Aumand suggested to add that a Planning Commission member shall be an ex-officio non-voting member. Ms. Sabel Courtney and Mr. Carlson voiced agreement. Mr. Adams asked if the Planning and Zoning Director was planning to be involved. Mr. Safford said they will be an integral part of the staff effort but they are updating the Town Plan currently, and he and the Assistant Town Manager are planning to provide support as well. Mr. Adams said he would prefer to leave it up to the interview process. The Selectboard agreed to add language to the charge statement about a Planning Commission member being appointed as an ex-officio non-voting member.

Memorial Park Tennis/Pickleball Courts Capital Appropriation (Item B-4)

Mr. Safford said there are a number of facilities in Memorial Park that are facing challenges. A few years ago the community appropriated \$175,000 to replace the tennis courts. Subsequent to that the Memorial Park Master Plan was advanced which would potentially move some facilities around, but it was stalled due to uncertainty about the town-wise reappraisal and concerns about projected increases in the education tax rate. The Recreation Commission received input from park users and from staff that the tennis courts are in rough shape, and they would like to do something sooner rather than later. There were concerns about going forward with the tennis courts without more substantive work in the park, and how the master plan would be permitted and advanced. They are recommending saving money by utilizing highway and parks staff to complete preliminary work this fall to prepare the courts and lot for paving and surfacing. They are also recommending changing the tennis courts to pickleball courts. However, due to recent flooding, staff in public works are jammed up and will not be able to do so this year.

Mr. Carlson said the court is an embarrassment and he has never seen anyone play tennis on it. He said it should be redone as soon as possible, within reason and recognizing that the roads are a higher priority. Mr. Donza said he is worried this would just be a band aid to larger flooding issues at Memorial Park, and would like to see it be redone and wait 3-5 years and go with the right fix, rather than spending this money along the way on a short-term fix. Mr. Safford said there is a risk that at some point there is a risk they would need to mothball the court, but that is a policy decision whether the Selectboard wants to do something in the short-term, but it will not happen this year. Mr. Donza said it sounds like they have \$350,000 to move the next phase of the master plan forward, and he would like to wait until the budget season this year and potentially have that as a capital project. He added that it could be offset with the \$175,000 from the tennis courts. Mr. Carlson said the \$350,000 doesn't get new tennis courts, just the study. Mr. Safford added that the \$350,000 would be for advancing the design and seeing if it could be permitted. He said the timing of the permits is important as they only last for so long, and you would want to time the permit application to when you think you will be able to advance the final implementation phase to the voters. Mr. Safford added that it is not assured the master plan can get permitted; it involves a substantial amount of fill and impact fees that are substantial, and at some point they will need to know whether they have a go or a no-go. He also said that improvements and drainage that would benefit the park and the school, and that may be one of the most important investments that can be made in terms of the ability of the park to function.

Mr. Donza the state of the facilities are unfortunate relative to the tax base they have when compared to other towns and that they can do better as a community. Mr. Carlson said if it will take five years they should do something in the mid-term. Mr. Safford said the Selectboard needs to decide where they want public works spending their time

and energy as it is not infinite, and they may need to decide whether they want time spent on replacing the court in the short or mid-term or trying to advance the master plan and seeing if it is permit-able. Mr. Adams said it is a question of what they consider to be short and mid-term, and whether it is truly a five-year program and then the tennis court gets ripped up or if it is something they will try to get 15 years out of. Mr. Safford said they would not get 15 years out of the courts, and the master plan calls for moving them to a different location. Mr. Safford said they do not need a permit for the tennis court resurfacing as long as it is in the same location. Mr. Adams said they may end up waiting for the big project that needs a permit and not getting the permit, so if they go with the resurfacing at least they could end up with something that could be used. He said they could do something now that doesn't require a permit; he doesn't like spending money on band aids but in this case, it could be a while.

Mr. Carlson asked what the chance is of getting the master plan permitted within the next three to five years. Mr. Shepard said they would have a lot of work to do to get it permitted in that time span. There are a lot of wetland impacts. He said he would not want to provide confidence that it could be permitted. Mr. Donza said they can pay wetland impact fees. Mr. Safford said the preliminary estimates are \$500,000 in wetland impact fees.

Mr. Donza asked if there was a reason this needed to be decided tonight as the highway department is overwhelmed and it can be discussed in the budget season. He said moving the school is cost prohibitive, and the park is in a natural location for use by children; there may be an opportunity to redefine how the Mayo Fields are used in 2028, but there isn't anywhere else to fit a park in town and not having an acceptable park for community members is upsetting.

Mr. Safford said that the Board will likely need to start looking at the Mayo Farm in 2026 as the conservation easement potentially expires in 2028; one thing the Recreation Commission has been talking about is reprioritizing the events fields and polo field in an updated management and conservation easement plan. One possibility would be to move the ball fields there. One part of that will be maximizing and prioritizing different use of the properties.

Mr. Carlson asked what would change if action was not taken today. Mr. Safford said it would not make a difference as you won't be able to do anything this year. He said the Board could reappropriate the money from tennis courts to pickleball courts and leave it, address what if anything you want to do as part of the FY26 capital plan, but the decision doesn't need to be made tonight. In terms of the memorial park master plan, you are at best three to five years out. Mr. Carlson asked if it was an either/or discussion. Mr. Safford said they could do both.

Mr. Adams asked about the FY26 budget process. Mr. Safford said there are some constraints: a FEMA disaster declaration, a Depot Street reconstruction, and staff resources in the public works department. The reality is that we are struggling to get projects out the door and keep the community functional under the conditions, which is why you see us not guarantee things and give pause. He added that there is a need in memorial park, and the Board may have a better sense after the reappraisal and the tax rate comes out as to what fiscal capacity they have.

Ms. Sabel Courtney asked how close they are to shutting down the courts. Mr. Shepard said he doesn't see it that way and he has seen courts in much worse shape. There are not safety issues and are functional.

Mr. Carlson noted that the recommendation tonight doesn't do anything except recognize the use of the courts for pickleball but it does in some small measure move the ball. Mr. Safford said that depending on how well it goes they would need to decide at some point whether they are giving them to go ahead. Mr. Adams said that if it moved forward and reappropriated it would indicate to the community that there is a direction of interest there and movement to do that. Mr. Carlson said they have higher priorities, but they should do something about the park. Mr. Donza said he feels if they are to spend money, they should spend it once. Ms. Sabel Courtney said that if it deteriorates more they could spend more money. Mr. Adams said the appropriate has been on the schedule for quite a while and the discussion has been similar.

Chair Adams called for public comment.

Bob Davison said lots of people use the court for pickleball and the part may take ten years to get done. There is a risk of losing the ability to use the courts in the meantime.

Paul Sakash said the courts should be multi-use and they can't guarantee pickleball will continue to be popular. Matt Frazee said the courts can be striped for both, and he sees about a 90/10 split in pickleball/tennis at the courts. Mr. Adams said they should continue to include tennis at the courts.

Mr. Donza moved to table discussion. Mr. Aumand seconded.

Michael Diender said temporary solutions happen and the courts are not acceptable in the short-term.

Deb Drinkwater said it's important to have pickleball courts due to the number of players in the area.

Mr. Donza said he is not opposed to pickleball courts and think the park should have both. He said he does not want to spend the money on a long-term solution.

Shap Smith said they should use the money to fix it next spring for a temporary solution.

Mr. Carlson said they should fix it and take action. Ms. Sabel Courtney agreed. Mr. Carlson added that the money is a drop in the bucket and they don't give themselves anything of quality trying to cut corners. Mr. Adams said he agrees with Mr. Donza and he isn't in favor of the appropriation as they should still offer tennis at that location.

Motion carried (3-2). Mr. Adams, Mr. Aumand, and Mr. Donza voted in favor. Mr. Carlson and Ms. Sabel Courtney voted against.

Memorial Park Playground Capital Appropriation (Item B-5)

Mr. Safford said a VLCT inspector identified problems with the memorial ground playground equipment that need to be repaired or replaced for safety purposes. In addition, mulch had washed away in the June 23rd flooding that needs to be replaced to get it back to inspectable depth. Fencing damaged in the flooding also needs to be repaired or replaced. The cost of the repairs is estimated at \$22,157.08.

Ms. Sabel Courtney moved to approve an amendment of the capital fund to include the replacement and/or repairs for the Memorial Park Playground for the amount of \$25,000. Mr. Aumand seconded. Motion carried (5-0).

Town Plan Update and Discussion (Item B-6)

Item tabled to July 24th

Manager's Report (Item C-1)

Item tabled to July 24th

Public to be Heard Non-Binding (Item C-2)

Item tabled to July 24th

Adjournment

Chair Adams adjourned the meeting at 8:09pm due to inclement weather.

Notes

Minutes submitted by Will Fricke.

The Selectboard of the Town of Stowe meets on the second and fourth Wednesday of each month at 5:30pm.

A recording of this public meeting is available at: <https://www.townofstowevt.org/selectboardrecordings>