



**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting
Wednesday, April 24, 2024**

Present:

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

Attendees:

Acting Town Manager/Public Works Director Harry Shepard, Assistant Town Manager Will Fricke, Stowe Police Chief Don Hull, Marina Meerburg, Alan Oulette, Heather Coburn Snyder, Lisa Hagerty, Lucy Leriche, Barb Puddicomb, John Walsh, Paul Sakash, Leighton Detora, [unknown signature], Eric Chittenden, Lynn Altadonna, Drew Clymer, Loren Polk, Katrina Oulette, Scot Baraw, Pauline Lambert, Beth Gadbois

29 joined on Zoom

Call to Order

Selectboard Chair Adams called the meeting to order at 5:01pm.

Approval of the Agenda

The Selectboard moved Consent Agenda items 1 and 3 to regular business.

On a motion by Ms. Sabel Courtney, seconded by Mr. Donza, the Selectboard approved the agenda as amended. All were in favor (4-0).

Executive Session #1

Mr. Adams moved to find that premature public knowledge would clearly place the public body, or a person involved, at a substantial disadvantage. Ms. Sabel Courtney seconded the motion. All were in favor (4-0).

Mr. Adams moved to enter executive session to receive legal advice. Ms. Sabel Courtney seconded the motion. All were in favor (4-0). The Selectboard entered executive session at 5:03pm.

On a motion by Ms. Sabel Courtney, seconded by Mr. Donza, the Selectboard left executive session at 5:10pm. (4-0).

Mr. Donza moved that the Selectboard ratifies and approves the Settlement Agreement reached in the matter of Winer v. town of Stowe b/b/a Stowe Electric Department dated April 5th, 2024, effective upon ratification by the Stowe Electric Commission. Ms. Sabel Courtney seconded the motion. All were in favor (4-0).

Executive Session #2

Mr. Adams moved to find that premature public knowledge would clearly place the public body, or a person involved, at a substantial disadvantage. Ms. Sabel Courtney seconded the motion. All were in favor (4-0).

Mr. Adams moved to enter executive session to receive legal advice. Ms. Sabel Courtney seconded the motion. All were in favor (4-0). The Selectboard entered executive session at 5:11pm.

On a motion by Ms. Sabel Courtney, seconded by Mr. Donza, the Selectboard left executive session at 5:41pm. (4-0).

Ms. Sabel Courtney moved to approve the 237 Points North Road Settlement Agreement. Mr. Donza seconded. All were in favor (4-0).

Ms. Sabel Courtney moved to relinquish the Town's utility easement across 127 Mountain Road and authorize the Town Manger to endorse a final Quitclaim of Easement Deed on behalf of the Town conditioned upon (1) Quitclaim of Easement Deed be modified to require that Grantees and successors and assigns be responsible for the maintenance and functional operation of the stormwater detention and conveyance system proposed; and (2) The stormwater detention and conveyance system be constructed and certified to the Town as acceptable and complete in accordance with the approved design documents by the Engineer of Record, prior to the Town Mangers endorsement of the modified Quitclaim Easement Deed; and (3) The final Quitclaim Easement Deed be recorded in the Stowe Land Records. Mr. Donza seconded the motion. All were in favor (4-0).

Consent Agenda

2. FY'24 and FY'25 Paving Bid Award
4. Energy Committee Charge Statement Terms
5. Annual Appointments to Boards & Committees
6. British Invasion Special Event Application
7. Stowe 4th of July Celebration Special Event Application
8. Water-Sewer Allocation; Lot 2 Summit View Drive
9. Liquor Items

Ms. Sabel Courtney moved to approve the consent agenda as amended. Mr. Aumand seconded. All were in favor (4-0).

Arts & Culture Council Charge Statement

Ms. Sabel Courtney requested to remove “Center” in “Stowe Performing Arts Center.” She asked why the Stowe Theater Guild did not have a reserved seat on the Stowe Arts & Culture Council. Mr. Fricke said he would need to defer to the Council Chair for that information. The Selectboard tabled the amendments to the Arts & Culture Council Charge Statement.

April 10, 2024 Selectboard Minutes

Mr. Adams requested two edits to the April 10, 2024 Selectboard Minutes; he requested that the minutes reflect that he was also in favor of the discussion about amendments to the Short-Term Rental Registry Ordinance, and that he raised a previous request by Mr. Aumand that nothing heavy or contentious was to be put on the agenda for either April meeting with fewer than the entire Selectboard present. Ms. Sabel Courtney also requested that the spelling of an attendee’s name be corrected. The Selectboard tabled the April 10, 2024 Selectboard Minutes.

River Bend Final Closeout Hearing

Chair Adams opened the public hearing. Mr. Shepard said that the Town of Stowe participated in a pass-through agreement regarding the acquisition, construction, and rehabilitation of 14 units of affordable rental housing located at 605 - 635 Maple Street, referred to as the Riverbend Apartments. He said that this is a procedural requirement and when there is no further comment from the public the Selectboard should move to close the public hearing. Lucy Leriche, Lamoille Housing Partnership Interim Executive Director, was present to answer any questions the public may have.

Mr. Donza asked if the project is complete and whether the units are occupied. Ms. Leriche said that the project is complete, the units are completely leased, and they have met all of the beneficiary requirements for the grant. There was general discussion on the origin of the name “Riverbend.” Mr. Donza asked if the project came in on budget. Ms. Leriche said the project came in within budget. Mr. Donza asked what would happen to the additional leftover funds. Ms. Leriche said it depends on the funder; some funders allow them to put it into a capital replacement reserve or some other use to transfer it into an operating reserve fund. They need to get permission for keeping the funds, or return the funds.

Ms. Sabel Courtney moved to close the public hearing. Mr. Aumand seconded. All were in favor (4-0).

Alchemist 20th Anniversary Special Event Application

The Selectboard heard from John Walsh of The Alchemist about their special event application. Mr. Donza expressed concern about parking, noting that the predicted attendee count on the application far exceeds their parking capacity. He added that Selectboard has had discussions with other special events about parking as well, and that his concern is not specific to this event. Mr. Walsh said they are in discussions with the Stowe County Club about using their driving range parking so they can route people through the Stoweflake. They have permission from the new owners of the Stoweflake. Mr. Donza asked Stowe Police Chief Don Hull to comment on the parking. Chief Hull said he met with the Alchemist last week to go over the event because they had a parking issue during the solar eclipse. He said he has concerns about using the Stowe Motel for parking as pedestrians would need to cross Route 108 to get to the Alchemist, and he urged them to get as much parking on their side of 108 as possible.

The Selectboard tabled the application until May 8 and requested that the applicant present a parking plan with additional parking on their side of Route 108.

Friends of Waterbury Reservoir Petition to Prohibit Wakesports on Waterbury Reservoir

Eric Chittenden, President of Friends of Waterbury Reservoir, presented a petition to ban wakesports on Waterbury Reservoir, and requested the endorsement of the Stowe Selectboard. He provided background on the justification for a ban, including harm to the environment and negative impacts to other users of the reservoir. Mr. Aumand said he is concerned with supporting a petition to ban something in another municipality. He added that he has a question about the definition of wakesports, and is concerned that it would also ban smaller craft that are not disruptive. Mr. Donza concurred with Mr. Aumand, and added that he would prefer to wait until the Waterbury Selectboard gives their official support to the petition. Mr. Aumand voiced agreement with Mr. Donza. After further discussion about the specifics of wakesports and wake boats, the Selectboard agreed to table supporting the petition until the Waterbury Selectboard had taken action on it.

Selectboard Work Session - Short Term Rental Ordinance Fact Sheet

Chair Adams summarized the previous discussion on the fact sheet. He had said that they had asked staff to prepare a fact sheet on April 10. He also noted that at that meeting, there was discussion about a fact sheet and an informational session, and the Town Attorney had highly recommended they not produce a fact sheet. He added that the Town Attorney recommended tabling tonight's discussion. He requested that each Selectboard member confirm that they understood the Town Attorney's advice and if they are willing to review the document. They affirmed they were, and proceeded to discuss potential edits to the document.

Mr. Aumand said would opt to do nothing with this document. Mr. Shepard said that he was taking notes on the edits, and it seemed that if the Selectboard wanted to put something out for the May 1 meeting, it would need to get out quickly, and it is not clear what needs to be done. Mr. Donza said that he isn't pushing for a fact sheet and is fine with leaving it as is with the knowledge that it was a draft that the Selectboard did not adopt, and that the best place to get information is from the ordinance directly. Ms. Sabel Courtney said the draft is not necessarily what she was looking for, and that she is fine with not advancing it if there is an effort to get the ordinance out there, as the ordinance can be onerous for some people to read. Mr. Adams said that people should read the ordinance, and can reach out to the Town Manager and staff with any questions, as the ordinance can be confusing. He said the way it is written right now is a little bit confusing and it could use some cleanup.

No action was taken at this time.

Manager's Report

Mr. Shepard said the EPA has issued their final rules regarding PFAS, most notably PFOA which is in the village green water supply. The maximum level is set at 4 parts per trillion and Stowe is compliant with that. The maximum level they have seen in Stowe's water supply is 3.6. He added that the EPA rule also includes a maximum contaminant level goal of 0, which is what we all would hope for, but it is more of a policy expression as to what's likely to occur in the future. The reason that it isn't 0 now is because the technology, both in testing for this stuff and how to treat for it, isn't advanced enough to be able to get to that. What is really most important is to see what the State of Vermont is going to do now that the Feds have published their rules.

Mr. Shepard said that a watermain failure requiring emergency repairs occurred on Depot Street on April 4. The failure was caused by acid soils that exist in the area, likely a result of wood mill residual which creates acidic conditions that deteriorate the ductile iron pipe that exists on Depot Street. The FY19 Water Capital budget included a project to replace this section of watermain that was suspended because of COVID. Given the pipe conditions Public Works is going to prioritize this effort.

Mr. Shepard notified the Selectboard that Stowe Hollow Road was now open after a culvert replacement necessitated the closure of the road.

Mr. Shepard notified the Selectboard that the Vermont State Legislature is currently considering more than doubling the density requirement from 5 to 12 units per acre where there is water and sewer.

Mr. Shepard notified the Selectboard that the Town would be closing the lower Rec Path parking lot behind Town Hall until May 10 for sewer construction.

Public Comment to be Heard Non-Binding

Alan Oulette presented a letter to the Selectboard requesting the Town of Stowe consider taking on field maintenance at Stowe High School to reduce the burden on the Stowe School District budget.

Lisa Hagerty asked what the Town is doing for childcare at the May 1 special meeting. Mr. Fricke said that Stowe Parks and Recreation is taking pre-registration for on-site childcare which will be in the "little gym." The signup link is on the Town website.

Executive Session #3

Ms. Sabel Courtney moved to find that premature public knowledge would clearly place the public body, or a person involved, at a substantial disadvantage. Mr. Donza seconded the motion. All were in favor (4-0).

Ms. Sabel Courtney moved to enter executive session to receive legal advice. Mr. Donza seconded the motion. All were in favor (4-0). The Selectboard entered executive session at 8:58pm.

On a motion by Ms. Sabel Courtney, seconded by Mr. Donza, the Selectboard left executive session at 10:24pm. (4-0).

Ms. Sabel Courtney moved to appoint Stephen Friedman as the Stowe representative to the Lamoille Fibernet Communications Union District Governing Board, and to appoint John Woods as the alternate. Mr. Donza seconded. All were in favor (4-0).

Ms. Sabel Courtney moved to appoint Pauline Lambert and Stephen Edwards to the Stowe Free Library Board of Trustees. Mr. Donza seconded. All were in favor (4-0).

Adjournment

There being no further business, Chair Adams adjourned the meeting at 10:25pm.