

**Town of Ferrisburgh  
Selectboard Minutes / APPROVED  
June 6, 2017**

**Members present:** Jim Benoit, Rick Ebel, Steve Gutowski, Loretta Lawrence, Red Muir.

**Visitors present:** Julie Adams, Mark Berger, Bev Biello, Ed Biello, Carl Cole, Tim Davis, John Eisenhardt, Bob Hartenstein, Deb Hartenstein, Arabella Holzapfel, Anna Hopper, Dennis Hopper, Mary Hurlie, Jeanne Kelly, Giuseppe Lamanna, Katia Lamanna, Ken McEwan, Clifton Mix, Bessie Sessions, Cheryl Shea, Rod Viens, Gerard Vorsteveld, Hans Vorsteveld, Sean Willesford.

**1. Regular meeting: Call to order**

Loretta Lawrence, chair, called the meeting to order at 6:30 p.m.

**2. Approve minutes: May 9, 2017, special meeting on the town plan, and May 16, 2017, regular meeting**

Rick Ebel made a motion to accept the minutes of the special meeting on May 9, 2017, as submitted. Steve Gutowski seconded. Rick Ebel, Steve Gutowski and Loretta Lawrence voted in favor. Red Muir and Jim Benoit abstained. MOTION PASSED.

Approval of the minutes for the May 16, 2017, regular meeting was tabled because of information missing from the minutes was not available at the June 6 meeting.

**3. New business**

**(a) Resignation of Karen Brooks, minute-taker for the Planning Commission.** Loretta Lawrence read a letter from Karen Brooks, saying that she was, with regret, resigning as minute-taker for the Planning Commission effective May 22, 2017. Board members thanked her for her service. Red Muir made a motion to accept her resignation. Steve Gutowski seconded. All voted in favor. MOTION PASSED. Board members said they would take up the need to advertise for a new minute-taker under Other Business.+

**(b) Mary Hurlie – Re: Arnold Bay Road tree cutting.** Mary Hurlie attended the meeting to speak for residents of the Arnold Bay Road area about the tree cutting that had taken place on the east side of the road. The cutting was done on the Vorsteveld farm, but in the town's right-of-way along the road. The trees were cut down over about three quarters of a mile and were taken down without permission. The selectboard, along with town tree warden Cliff Mix, had discussed the issue at previous meetings. Loretta Lawrence said that the selectboard was now in the process of working with the town's attorney to address the issues raised, including monetary penalties and rehabilitation of the right-of-way.

Hurlie presented a letter to the selectboard, signed by 17 Ferrisburgh residents, as well as 22 Panton residents, thanking the town for addressing the issue, and detailing residents' concerns and recommendations for how to proceed going forward. The recommendations included the imposition of the strongest possible penalties, and requirements that the Vorstevelds clean up the right-of-way in a timely fashion, including disposal of trees, stumps and brush piles, and plant new trees and shrubs as required by the town. During the clean-up, residents would like any brush piles to be disposed of, but don't want them burned where they are currently piled, since burning the huge piles would smoke out residents on the other side of the road, and potentially cause health issues if poison ivy and perhaps

other problem plants were burned along with the brush. Residents also wanted to make sure there was no damage to the shared underground water line that runs along the right-of-way.

Hans and Gerard Vorsteveld attended the meeting, and discussed the issues with Mary Hurlie, Cliff Mix and board members. The Vorstevelds said they would look into the feasibility of disposing of the brush piles without burning them in place. They also plan to make some of the trees available for people to cut up for firewood, in what they described as a community firewood area. Cliff Mix said the trees were mostly elm, sugar maple and red oak with some basswood, and noted that there was more brush than firewood. He also said the farmers' concern that prompted the tree-cutting was the shading caused by tall trees, and that they would probably be able to replace the trees that were removed with shrubs and plants that would grow to an appropriate height. He said lilacs were one possibility and that would also be beneficial for wildlife. He noted that discussions on the restorative process were ongoing and would depend on advice from the town attorney.

Gerard Vorsteveld said he wished neighbors had picked up the phone or dropped in to discuss their concerns. Mary Hurlie and others said some neighbors were seasonal residents and hadn't heard about the tree cutting until the issue came to the attention of the selectboard and stories were published in the local papers. She and other residents said they would be glad to get together with the Vorstevelds in the future to discuss next steps. Loretta Lawrence thanked Hurlie for sharing residents' concerns and the Vorstevelds for attending the meeting.

#### **4. Selectboard old business**

**(a) Security camera quotes.** The board tabled this issue until the next meeting, since they had received only one quote in time for the June 6 meeting, and were expecting at least one more. The security cameras would be inside and outside the town hall.

#### **5. Selectboard general business**

**(a) Vermont Green Line (VGL) – committee update.** Rick Ebel, the board's representative on the committee, said he'd heard from chair Craig Heindel that the VGL developers had announced a pause in their official pursuit of state permits for the project. Ebel also passed out copies of a story on the development that appeared in the Addison Independent. VGL's stated reasons were the need for further study of the effects the project might have on other Vermont utilities and renewable power generators; and more time to assess a possible change in the route of the power line, coming ashore in Hawkins Bay on the north side of Kingsland Bay State Park, rather than in Kingsland Bay itself. Ebel said the move by VGL did not change anything for the town right now, since Ferrisburgh has submitted a proposed agreement to VGL and is waiting for a response.

**(b) Lincoln Lande – GroSolar – Greenbush Road.** Rod Viens, executive vice president of GroSolar, a White River Junction firm, was present at the meeting to speak on Lincoln Lande's behalf about the proposed solar installation. He said the company had not filed a request with the Vermont Public Service Board, preferring to work out a memorandum of understanding with town, and then the regional planning commission, before approaching the state. In answer to questions from board members, Viens said that the proposed site is well back from the road, and can be screened well, and that GroSolar was willing to do whatever was necessary to mitigate the impact of the project on neighbors' views. He said the project would involve about 35 acres covered with tracker-type solar panels, which rotate to follow the sun throughout the day. So the arrays would be oriented east and west, rather than north and south. He said he had discussed the project with the town's Planning Commission which was generally supportive. He said the project would likely mean \$20,000 per year in taxes for the town, but he could imagine the company making a deal with Ferrisburgh that would set a floor for an annual payment that

was considerably higher than that. He also envisioned setting up solar arrays for town use, perhaps at the town hall, the fire station and the highway garage. He suggested that GroSolar would write up a draft agreement to share with the town. He said the firm had an option on the property that it would not exercise unless the project received all necessary approvals. He said the company saw this as a project that would happen in 2018, at the earliest.

**(c) Credit card application.** Deb Healey, town treasurer, applied for Business Edition MasterCard credit cards that would be issued in the name of John Bull, highway foreman, for the amount of \$1,000; and in the name of Deb Healey, town treasurer, for the amount of \$1,000. The cards would have no annual fee. Steve Gutowski made a motion to approve the application. Jim Benoit seconded. All voted in favor. MOTION PASSED.

**(d) West Ferrisburgh bulletin board.** Board members had a brief discussion about whether to continue to use the bulletin board located in West Ferrisburgh, one of several spots in town now designated for posting public announcements. There was some question about whether the location is an effective one. One issue is that notices have to be stapled to the wooden board. Board members decided to continue using the board, and perhaps do some upgrades, adding a corkboard and/or a plexiglas cover. Rick Ebel and Steve Gutowski said they would work on the improvements. Board members said they would discuss in the future whether this should continue to be a designated message board.

**(e) Discuss date for selectboard's second Town Plan hearing.** Board members agreed to schedule the second hearing on the new town plan for June 27, 2017, at 6:30 p.m.

## 6. Public comment

Arabella Holzapfel, a member of the Planning Commission, said that, in light of the large solar project being planned by GroSolar, the selectboard might want to look at the section in the proposed Town Plan that will govern solar site development in the future.

Resident Jeanne Kelly asked about the removal of the stumps from alongside Arnold Bay Road. Hans Vorsteveld said they would be removed; Gerard Vorsteveld said the work might have to wait till things were a little drier, after all the recent rain. Mary Hurlie said she thought having a timeline was important. Jim Benoit said the Vorstevelds had committed to doing the clean-up as soon as possible, but that it was unrealistic not to take the weather into account.

Resident Mark Berger said the Arnold Bay Road tree cutting was a high-profile issue and that he and his neighbors would be watching carefully how the town and the town attorney resolved the situation. He suggested the town's response would set a precedent for dealing with such issues in the future. Loretta Lawrence said that all involved were trying to resolve the situation in a positive way for the future of Ferrisburgh, its residents and the land.

## 7. Other business

Steve Gutowski asked about the progress on a traffic study of Plank Road, and heard that the town is still waiting to hear from the Addison County Regional Planning Commission. He said he hoped that study could be wrapped up so that a traffic study could begin on Shell House Mountain Road.

Board members asked the town office staff to place an ad for a new minute-taker for the Planning Commission.

## 8) Correspondence

**(a) Letter to Hans Vorsteveld, and, (b) Letter to Gerard Vorsteveld.** The board wrote to both of the Vorstevels, including a copy of a report from the town tree warden on the Arnold Bay Road tree cutting, and inviting them to any future board meetings on the topic. The letter also noted that residents of the Arnold Bay Road neighborhood would be addressing the issue at the June 6 meeting.

**(c) Letter from two Panton residents regarding Arnold Bay Road tree cutting.** The town received a letter from two Panton residents saying they felt the tree cutting had been an improvement and that a lot of dead trees had been removed. They said the Vorstevels had done the town a favor by removing dead trees before they fell into the road. They also suggested planting lower-growing trees and shrubs to replace the trees that were removed.

**(d) Letter from IRS to the town.** The IRS has denied a request from the town to waive a \$1,320 penalty for late filing of tax information, dating to the 2014 tax year.

**(e) Powhatan LLC – Satterly Road quarry blasting notice.** David Shlansky, manager for Powhatan LLC, based in Vergennes, Vt., notified the town by letter on June 1, 2017, that blasting would take place the following day, June 2, at the quarry on Satterly Road. The town and some neighbors of the quarry had asked in 2011 to be notified in advance of any blasting.

## 9. Selectboard to approve or sign

**(a) Hall rental for Charlene Bemis, June 17.** Steve Gutowski made a motion to approve rental of the upstairs community hall to Charlene Bemis, from noon to 5 p.m. on June 17, at the Ferrisburgh residents rate of \$25 per hour. The event is a celebration of the life of Diane Seymour. Jim Benoit seconded. All voted in favor. MOTION PASSED.

**(b) Rescheduled hall rental, Champlain Valley Farmer Coalition, June 13.** Jim Benoit made a motion to approve the rental of the upstairs community hall to the Champlain Valley Farmer Coalition on June 13. The event had previously been scheduled for May 12. Rick Ebel seconded. All voted in favor. MOTION PASSED.

**(c) Tandem truck note.** Jim Benoit made a motion to approve a five-year, fixed-rate highway equipment note from Community Bank for the purchase of a 14-foot dump truck in the amount of \$190,000. The note calls for five annual payments with an interest rate of 2.25 percent. Red Muir seconded. All voted in favor. MOTION PASSED.

**(d) Fire warden reappointment form.** Board members signed a form, required by the Vermont Department of Forests, Parks & Recreation, reappointing Michael Coyle as town forest fire warden.

**(d) Selectboard warrant.** After board members review, Jim Benoit made a motion to approve the selectboard warrant, which details town expenses, for \$1,630,384.41. Rick Ebel seconded. All voted in favor. MOTION PASSED.

## 10. Adjournment

Jim Benoit made a motion to adjourn the meeting at 8:05 p.m. Steve Gutowski seconded. All voted in favor. MOTION PASSED.

Respectfully submitted,

Tim Etchells