**Town of Tinmouth**

**Select Board**

**Special Meeting and Hearing for Proposed Zoning and Subdivision Amendments**

**August 23, 2018**

Members present: Frank Sears, Michael Fallar, and Cathy Reynolds

Others present: Sherry Johnson, Kim Harbaugh, Beth Carroll, David Birdsall, Bob Lloyd, Grant Reynolds, Jo Reynolds, Clayton Morris, Eric Buffum – Road Commissioner, Chuck Bronk, Vito Macaluso, Doug Fontein and Gail Fallar – Select Board Assistant

Frank called the meeting to order at 7:00 pm. Hearing for proposed amendments of Zoning and Subdivision was opened. Frank read the warning. Michael, as Planning Commission (PC) Chair, briefly explained that the amendments were mostly to bring the regulations in line with the newly updated Town Plan which had removed planned unit development due largely to issues that arose with all three PUD’s that had been permitted over the past 15 years. Other members of the PC present were Grant, Vito, Bob and Kim.

Beth Carroll expressed concerns about the amendment to remove the setback from the lake requirement on decks that were attached to a dock. It was explained that the decks would be limited to 300 square feet or less, and the amendment was created in large part as the Zoning Board of Adjustment had a couple applications for waivers to allow that to happen and the ZBA felt it should be permitted by the Zoning Administrator and not have to apply to the ZBA. There was much discussion about protecting the shoreline, whether the state would grant a permit for such a deck, the need to care for the lake in its entirety, the need to have advised all lake property owners about the proposed change, etc.

Cathy moved to move forward with the proposed amendments, but split them into two questions, one about the PUD’s and the other the change to the Lakeshore District. Michael 2nded, all voted in favor. Hearing closed at 7:23 pm. Voting will be warned to coincide with the General Election in November. The Select Board asked the PC to reach out with education in *Tales of Tinmouth* and on Front Porch Forum to explain the amendments.

Agenda was reviewed, added David Birdsall and Clayton Morris.

Clayton expressed concern with the condition of Ezra Stone Road, the sides of the road are washing out; there is no place for two cars to pass without driving in the ditch; it needs more gravel; and is dangerous. He noted Eric is doing a good job, but the road needs attention. Eric noted it is on the fix-it someday list, not a small job. Frank advised that he and Eric will take a look.

Eric reported that the new truck is nearly done, will be here soon. Ronnie is still out west fighting forest fires. He has been keeping busy as a one man show, has installed the new decals on trucks and equipment. He is still waiting for more information regarding the chloride process. Frank noted that he has been talking to Pawlet and Wells town road crews about chloride – they entered a 3 year contract without having to purchase the equipment. Proposed cost is $1,000 per mile, dust control is a secondary benefit, it main purpose is to keep the road stable. More information will be obtained before the next SB meeting.

Board and Eric discussed special projects – crack sealing, cutting roadside brush or chloride, will discuss again in September. Eric inquired about purchasing a roll of hard facing wire for the welder, about $500. Board approved.

Board opened structural engineering bids. Marble Valley Engineering, from Rutland, bid “up to $2,000”; STS Engineering, from Richmond bid $2,000 plus costs. Board reviewed proposed

scope of work for both, then held further discussion until minutes of 8/4/18 and Scott Lepley’s email was discussed.

Minutes of August 4, 2018 were approved after discussion to include Cathy’s version as an addendum to those written by the Select Board Assistant. Cathy’s included details of the town garage and equipment important to the process for upgrading the town garage, Frank moved and Michael 2nded, all voted in favor.

Cathy read portions of an email from Scott Lepley, and asked that it be attached to the minutes of this meeting. Scott provided insight after his inspection of the town garage, noting he did not think it was prudent to try to construct additions to it, building something new would be the better option. After discussion, Frank moved to accept the Marble Valley Engineering bid, Michael 2nded, all voted in favor. Select Board Assistant was asked to arrange a walk-through with the engineer, Eric, Cathy and Michael (special Select Board meeting will need to be warned).

David raised concerns with the pig situation at the Baker farm. Frank provided Board with update of the process, visit by a veterinarian – animals were not malnourished, but care could be improved. A plan was devised for Mr. Wilkinson to follow which was delivered by the Deputy County Sheriff. John Roberts from the Vermont Department of Agriculture visited to check on water quality issues – the stream that is there disappears in the meadow and does not travel to the Poultney River, but there is potential for damage – more steps may be taken.

David noted that he believes there are issues for the Health Officer to address – the day-old food has deteriorated into trash attracting rats and ravens; and he is concerned for the animals and the water quality.

Gail advised that FEMA is finally nearly finished processing the claims for last year’s July storm for McCoy Road.

Board reviewed job description for the Select Board Assistant, changing website maintenance to maintaining the content of the website. Cathy moved and Michael 2nded, all voted in favor.

Frank advised he had visited with the Regimbalds on East Road, Howard expressed concern with trees dying on his property. Gail was reminded to contact an attorney to help the Board deal with the situation.

Frank also reported on his visit to the Hill property on Mountain View Road, some of the trash has been removed, he will follow up with another visit.

Solid Waste Ordinance – Gail advised she is still waiting to hear from the Vermont League of Cities and Towns about its review.

Michael, as Planning Commission Chair, reported the PC recommended that Pat Psholka be appointed to the Planning Commission. Michael moved, Cathy 2nded, all voted in favor.

Frank reported the Rutland County Sheriff’s Department was not going to revise its annual contract to reflect the four town agreement, the other towns have already signed. Board signed it reluctantly. Deputy Hunter is moving on to become the school resource office in Fair Haven so a new deputy will be assigned to the four towns, who will be attending select board meetings to introduce himself – there is no four town meeting scheduled.

Meeting adjourned at 9:02 pm.

Respectfully submitted,

Gail Fallar, Select Board Assistant

**Attachment**

**From:** Scott Lepley [mailto:skeethree@aol.com]   
**Sent:** Friday, August 10, 2018 11:35 AM  
**To:** Frank Sears <fsears@gci.net>  
**Cc:** Doug Fontein <djfontein@gmail.com>; Cathy Reynolds <eworks@vermontel.net>; Tinmouth Office <tinmouthtown@vermontel.net>; Michael Fallar <mpfallar36@gmail.com>; Eric Buffum <Pickupman1978@aol.com>; sherry johnson <vtsjohnson@icloud.com>; kimharbaugh@vermontel.net  
**Subject:** Re: Draft Minutes from August 4 SB meeting

Hello All, I am sending this to summarize this week’s thoughts and actions regarding the town garage:

1) Engineer Chad Virkler does not carry E&O insurance. He advised he can obtain it if needed, but said he would also be willing to act simply as a helpful local citizen in terms of reviewing the garage condition.

2) Ray Page recommended Kevin Smith of Marble Valley Engineering. I spoke to Kevin, he would be happy to submit a proposal and wondered if he could be copied on the town RFP.

3) I made a quick impromptu walk-thru of the garage yesterday morning after seeing Eric at the church parking lot. This visit served to confirm my fears that the existing building is not a good candidate for renovation or additions. Issues were evident with decay of untreated lumber at grade level, damaged 6x6 member in the rear gable wall, holes in roofing and siding, untreated OSB sheathing extending into the ground at interior walls, and marginally functional garage doors. I also ran a quick load calculation on the double 2x10 at the top of the two sidewalls, and estimate it’s capacity at 40% of the local design snow load. Trusses should also be analyzed for a 40’ span based on local snow loading. Lastly, the 6x6 posts should be exposed for a distance below grade to check for decay, which usually will start at the earth/air/water interface. Even the best pressure treated lumber that I am aware of nowadays carries only a 30 year ground contact warranty.

4) the ceiling height of the building does not appear adequate for today’s vehicle service needs. Any west side addition will result in an even lower ceiling in the addition as the roof slopes down. The existing wall framing will also not likely carry any additional load, let alone current loads, so any addition will have to be self-supporting.

5) if the current condition of the structure is deemed adequate,  very careful consideration should be given to what could happen in the future. If successful additions are constructed, and then a significant snow event causes failure of the original roof, repairs will only be made more complicated by any additions.

To me, any attempt to make this building acceptable for vehicle maintenance and parking is not a reasonable approach. Whether or not the building is acceptable for salt/sand storage should be carefully analyzed by your chosen professional.

About 20 years ago, a used 50’x100’ pre-engineered steel building was donated to our local utilities authority. My firm prepared plans to dismantle and relocate the building and outfit it for their vehicle maintenance. After bids were awarded, the winning contractor came back to the authority and offered them a brand new building at no additional cost, saying he would sell the donated building for scrap and save tremendously on the labor of salvaging an aging building. The owners were unable to accept this offer as it was not in keeping with the bid spec, and the reconstructed building has since been removed as it aged beyond its life expectancy.

Please let me know your thoughts and feel free to call with any questions.

Scott