



MONTGOMERY
FOUNDED 1788

**Town of Montgomery - P.O. Box 356
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**REGULAR MEETING OF THE
SELECTBOARD & WATER COMMISSION**
Temporary Town Office (86 Mountain Road)
Monday, December 2nd 2019
6:30pm

Selectboard: Charlie Hancock, Darren Drevik, Leanne Barnard, Mark Brouillette, Jacob Recusin
Clerk: Suzanne Dollois

Visitors: Ken Fiske, Christine Convard, Melinda Swearingen, Judith DeRanecourt, Sue Wilson, Susan Reagan, Kristin Khan, Daniel Khan, Michael Snider, Brent Godin, Don Ellis, Barry East, Viola Woodward, Christina Bilodeau, Sarah Snyder, Laura Snyder, Phillip Snyder, Lynne Drevik, Melissa Haberman, Nick Barletta, Susan Baker, Jill Antillon, Rafael Antillon, Karen Frascella, Marijke Dollois, Sarah Silva, Matt Silva, Lynn Locher, Peter Locher, Abram Barnard, Barry Kade, Judith Lapointe, Sarita Khan, Lynda Cluba, Justin Green, Michael Perry, Carol Farmer, Pat Farmer, Nick Lyons, Joe Sherman, Luke Hardy, Alissa Hardy, Nafis Khan, Journey Johnston, Mary Tryhorne, Brad Quinton, Greg Lameroux

Charlie called the meeting to order at 6:35PM.

1. Review and make any changes to the agenda—no changes made
2. Review/approve minutes of the November 18th meeting
→ Mark made a motion to approve the minutes of November 18th as written; seconded by Leanne. Unanimous, 5-0.
3. Public Works
 - a. Roads and Bridges
→ Most of the significant damage from the Halloween storm has been completed; some small projects remain until spring.
 - i. Grants (*status updates*)
→ Reimbursements are coming in from work completed.
 - ii. Fixed radar speed signs—speed study; request for installation to Vtrans (*update*)
→ Carry over as study has been delayed due to NWRPC attention to VEM/FEMA following storm
 - b. Buildings and Grounds
→ Post Office building work completed for now (remediation from flood damage). Insurance adjuster has visited site; appraisal pending

→ Grange Hall closed up for the season.

Town Garage Boiler/Heating System—repairs/replacement

→ Repairs have been completed and is working accordingly.

c. FEMA update

→ Charlie met with State and FEMA last week. Multiple tracks for assistance pending:

1. FEMA Public Assistance—**declaration pending**; assistance to Town for infrastructure damage (roads, culverts, etc)
2. FEMA Individual Assistance—**potential declaration pending**; assistance to private individuals for structural damage; individuals will need to apply directly
3. Business Impacts—via State and SBA; SBA administrative declaration has not been made, likely won't based on conversations
4. FEMA Mitigation Grant for Stream Bank Stabilization—comes with Public Assistance declaration, eligibility w/in one year of event
5. **Emergency Watershed Protection Program (EWP)**—*for private landowners - must be sponsored by municipality*: EWP is designed for installation of recovery measures to safeguard lives and property as a result of a natural disaster. Threats that the EWP Program addresses are termed watershed impairments. These include, but are not limited to:
 - debris-clogged stream channels,
 - undermined and unstable streambanks,
 - jeopardized water control structures and public infrastructures,
 - wind-borne debris removal, and
 - damaged upland sites stripped of protective vegetation by fire or drought.

4. Complaint re: 204 Main Street

→ Judith Deranecourt provided a breakdown; submitted complaint to Health Officer and a zoning complaint regarding health and safety concerns: carbon monoxide and flames due to faulty gas stove installation by unqualified individual; flooding through the roof into the apartment; junk and trash stored in and around the property. Sue Wilson visited property and evaluated the complaint. Sue spoke with landlord, Rosaire Robitaille, and he has agreed to remedy complaints will by Friday, December 6th.

5. **PUBLIC HEARING on DRAFT SHORT TERM RENTAL ORDINANCE—7pm**

Charlie provided a background of the topic for attendees—original draft created as a means to frame discussion (11/4) following limited number of issues brought to boards attention, attempt by board as potential means to address immediate concerns, and to look forward to future potential growth. Draft was revised based on discussion and reviewed again on 11/18 before releasing draft for public comment. Board acknowledges that the draft has issues, but hopes it will serve a means to facilitate discussion on the subject.

- a. Discussion ensued, with key points re: Draft raised during public comment (and board follow-up for clarification) summarized:

-Significant issues with waste water provisions as written (intent re: health and safety concerns) (section 5.1) DEC permit; board acknowledges issues; specifically re: state of VT 2007 grandfathering, permit expense, feasibility, may be better tagged to occupancy per Lister Card.

-Questions around occupancy and liability (section 4.5)

-Questions are parking (section 4.6) availability and enforcement (noting recent passage of parking ordinance, and larger plans for Center (VI/II) to increase parking/traffic flow)

-Discussion around best way to handle owner contact information (on site posting vs. availability via town website)

-Problematic language around “reasonable peaceful occupancy”

-Discussion re: on-site host (room/apt rental) vs. off-site (whole house) and implications

-Discussion on enforcement and adjudication

-Nuisance and noise (best ways to handle, this ordinance vs. other means)

-Discussion of applicability for limited rentals (second homes) vs. investment properties

-Statutory authority (24 VSA 2291)

- b. Broader issues were raised during the course of discussion around availability of housing stock, specifically around “affordable” housing and senior housing, and what potential impacts the growth of STROs may have on this; discussion also included issues of “neighborhood character” and larger issues re: zoning and town plan.
- c. Board will take discussion back up on 12/18, reflecting on Public Comment and discussion for next steps regarding draft. While no formal decisions were made, limited discussion involved potential for revisions to draft, potential to address narrow concerns through separate noise ordinance, the potential to address concerns through zoning/zoning revisions and existing Conditional Use Review Process.
- d. *Note: written comments submitted to the board at the hearing are attached herein for the record*

6. Water Commission Issues

→ None at this time.

7. Old Business

a. Sale of Ambulance (*update*)

→ Carry over.

b. Potential Contract with Franklin County Sheriff (*continued discussion, no planned board action*)

→ Carry over.

8. New Business

a. Overweight Truck Permits

b. Liquor/Tobacco Licenses

9. Open Mail / Sign Orders / Administrative Matters

→ Mark made a motion to authorize the payment of the invoice from John Mercy for the work at the Town Garage covering the new heating system; seconded by Darren. Unanimous, 5-0.

→ Mark made a motion to approve the report of expenditure from VTRANS for the culvert work on Route 58; seconded by Darren. Unanimous, 5-0.

→ Mark made a motion to adopt the VTRANS Town Road and Bridge Standards; seconded by Jacob. Unanimous, 5-0.

10. Review Action Items for Board Members

11. Adjourn

Jacob made a motion to adjourn the meeting at 9:27; seconded by Leanne. Unanimous, 5-0.