

TOWN OF PEACHAM  
Wednesday, October 2, 2024  
Selectboard Meeting

Location: Hybrid In-person at the Peacham Library Community Room and via Zoom

Attendance

In-person: Alfred Dedam, Selectboard Chair, Peter Craig, Selectboard, Rick Scholes, Dave Edwards, Michael Thomas, Mike McLellan

Via Zoom: Molly Willard, Selectboard

Minutes

1. Call to order by Alfred at 06:33pm on Wednesday, October 2nd, 2024.
2. Additions to the agenda-none
3. Highway Department Update-email from Jeremy Withers, Road Foreman
  - a. Found a contractor for the South Peacham work.
  - b. Completed Grants-In-Aid project on Old Cemetery Road on Monday.
  - c. Still hiring trucks to assist in hauling gravel and other associated work.
  - d. Placed one culvert on Peacham Pond.
  - e. Jeremy is leaning towards buying out the lease on the existing 10-wheeler that would be due to be replaced next year. For \$112,000, we'd get two more years of use under warranty, which is less than what we'd pay in lease payments. It could then be utilized for a trade in.
4. Town Clerk/Treasurer Update – email from Rebecca Washington, Town Clerk
  - a. Accounting software has been down, so unable to prepare AP, so she will ask for a special meeting to approve the AP when that is up and running again.
  - b. Ballots have been mailed to all active, non-challenged voters. Voters should reach out if they have not received one.
  - c. Provided information for Cross Vermont Trail
5. Cross Vermont Trail – Chairman of Cross Vermont Association, Michael Thomas and Mike McLellan
  - a. Trail goes from the Connecticut River in Wells River to Oakledge Park on Lake Champlain in Burlington. Goal is to go across Vermont, but also offer trails that spread from the main trail out into the nearby communities. Would like to make a connecting route from the Cross Vermont trail in Wells River to the Lamoille Valley Trail in Danville through Ryegate, Barnet, and Peacham. It would not be an off-road trail, rather a route on some of the roads through these towns. 1<sup>st</sup> step is to get the approval from Selectboard to move forward. Michael described the suggested route. Not planning to request expenses from the town, unless town volunteers to pitch in. Expenses would include road signs, which they intend to fund through grants and fundraisers. They are requesting permission and support for the project, as well as permission to work with the road crew for sign placement. They want to coordinate with existing bike routes and support awareness of riders for drivers. They could discuss using existing poles, where allowable. Selectboard explained that they cannot speak for the road crew at the moment, but they like the idea and encourage them to continue their work. Molly asked whether they had discussed making some of the less bike friendly roads more accessible with the dept of transportation. Michael would be happy to speak to local bikers about the route.
6. Fall Foliage Day

- a. Melissa Hough emailed to let the Selectboard know what was happening. Plan similar to previous years. Signage posted.
7. Public Hearing for Planning Commission proposed amendments – with Anna Rubin
- a. Anna recapped the Planning Commission's current mission to align the bylaws with state statutes as previously described. Rick Scholes, speaking for himself and his wife, advised there are serious legal concerns with the bylaws as they are written. He suggested a review with Joe McLean, a municipal attorney, to analyze the language. He said some issues are related to drafting and grammar, and some issues are with logic. He argued that the definition of "lot", that now includes streams as dividing lines if they have a drainage area of 10 square miles, would unfairly impact some lot owners' right to build and require expensive surveys. He gave an example of his neighboring landowners whose small lot with a stream through it could become unbuildable. Molly asked whether the language concerns Rick offered were determined by the State, thus out of our control, or by the town of Peacham. Anna agreed that there plenty of flaws in the document. However, she clarified that the bylaws are meant to be a step, and there are ways it can be amended and made more precise. They worked with consultants who are very experienced with this issue as well as Vermont League of Cities and Towns lawyers who vetted the document. She reiterated that this step is fundamental to bring Peacham in line with Vermont's Statutes. Anna suggested including these concerns on the agenda for the next steps, but that at this point, the Planning Commission is trying to make it so that Peacham is no longer in violation of State statute. Molly encouraged the Selectboard to focus on the immediate compliance need, whereas Rick disagrees because the state laws were rewritten for the larger cities, and that we are not required to adopt all of those definitions, and by doing so, we could take away rights of Peacham landowners. Molly asked for clarification as to whether we could choose which definitions we adopt. Anna expressed her concern about timing for the grant funding, and that these concerns were not brought up at the January public hearing. Anna assured Rick that the consultants were well-aware of the challenges between the larger cities' regulations compared to small rural areas and that they had been asked to make only necessary changes. She asked what action Rick would like to see taken. Rick said he would like the document to be sent to the lawyer mentioned. Molly clarified that the options for the Selectboard are to move forward with the approval, or seek legal advice on certain issues. She asked what the process should be for the flags Rick brought up. Discussion about what can be defined versus what was being inferred and the intent of the process. Anna offered to take the specific concern of Rick's to a lawyer. Rick offered some other grammatical concerns. Molly suggested asking a lawyer the implications of adopting the laws as is, noting that the Selectboard agrees with the intent and is aware that flaws exist, but recognize that the process will continue. Rick reiterated that having a lawyer review the document was important. Alfred asked about a clause that would grandfather in certain rules. Rick feels that clause is not specific enough. Anna agreed to look into the issue, but asked whether Rick would be offering up other concerns. Rick does not intend to analyze the rest of the document, but shared his concern that other similar issues may exist in the document. Alfred commented that the town would benefit from the overlap of someone who understands the institutional familiarity of Peacham as well as the law, and hopes that Joe McLean could fulfill that need. Anna agreed to move forward with further review, but requested that the final word from the agreed upon lawyer be accepted, knowing that it may not be perfect because the document still needs a lot of work, and this is just the first step. Dave Edwards commented that he feels the Selectboard should do what is in

the best interest of the town and respect the review and advice already brought forth by the Planning Commission. He thinks the Selectboard should approve the amendments with the note that the Planning Commission will review it with the lawyer and adopt any necessary amendments, so that the grant funding is not lost. Alfred feels it's important to avoid any collateral damage and feels more comfortable getting advice from the lawyer first, but recognizes all the work Anna and the Planning Commission has done. Anna reiterated she is ok with this step, but hopes that after that, it can be finalized because this is just a step towards correcting flaws that have existed for a long time. Anna will prepare the introductory information for the lawyer. Peter clarified that the lawyer will be reviewing the amendments, not the entire document.

- i. **Peter moved to engage Joe McLean, the municipal lawyer, to review language of the proposed amendments, seconded by Molly, all in favor, so moved.**

8. Public comment

- a. Peter asked what the town would need to do to adopt an ordinance allowing registered ATVs on class 3 roads like some neighboring towns. Rick Scholes noted that there are many unregistered and underage drivers already doing it anyways. Molly and Alfred ok with Peter reaching out to neighboring towns for ordinance language, but Molly has some concerns and feels it would need to be a broad discussion, especially concerning the level of regulation.

9. Approve minutes

- a. **Peter moved to approve minutes from Wednesday, September 18th, 2024, seconded by Molly, all in favor, so moved.**

10. Review and approve bills

- a. **Peter moved to approve payroll as presented, seconded by Molly, all in favor, so moved.**

11. Review correspondence

- a. Email – Julie Frost from UVM – Vermont Town Forest Census
- b. Email – Nancy Saidi – tree work by her house caused a small dimple in sidewalk. Will get it fixed.
- c. Email – Dean Bornstein – shared his appreciation for the road crew for the work they did rebuilding Governor Maddocks up to his house.

12. Peter moves to adjourn at 08:30pm, seconded by Molly, all in favor, so moved.