

CORNWALL SELECT BOARD
Regular Meeting, Cornwall Town Hall
April 16, 2019

MEMBERS PRESENT: Ben Marks, Ben Wood, Magna Dodge, Brian Kemp

ALSO PRESENT: Sue Johnson; Mary Dodge, Rene Langis

The meeting was called to order at 7:03pm.

QUORUM—*established.*

GENERAL FUND AND HIGHWAY ORDERS—*signed.*

REPORT OF RECONCILED BANK STATEMENT—*reviewed.*

AGENDA: Ben M. reviewed the Agenda to make sure all were using the latest version. Ben W. MOVED / Magna SECONDED a motion to approve the agenda as the one intended for this evening. *Motion passed (4 in favor, 0 opposed).*

MINUTES:

April 2, 2019 Ben W. MOVED / Magna D. SECONDED a motion to approve the minutes with one change: Under Public Comments, third sentence from end: delete one of the two periods. *Motion passed (4 in favor, 0 opposed).* Ben M. will send to Sharon.

CORRESPONDENCE REVIEW: No new correspondence to review.

PUBLIC COMMENT—Mary and Rene came to present information the Conservation Committee has acquired to date regarding the possibility of changing the Cornwall Swamp classification from Class II to Class I, and the attendant issues, time-frame, pros and cons of such a change.

- **Classifications** run from III (relatively minor, little impact) to I (exceptional, irreplaceable). The swamp is currently a Class II wetland. The criteria for classifying is more defined and detailed than when the Cornwall Swamp was originally classified. The criteria (10, including: fish/flora/fauna habitat, wildlife generally, water improvement, flood abatement, Education, Research, ...) are based on scientific data of the wetland's functional impact.

Class II

Generally under .5 acres
Not accurately mapped
Soils not significant
50' buffers

Class I

Generally 10–15 acres
Always mapped using GIS
Soils are significant
100' buffers

- Rene noted Zapata Courage, Vermont Department of Environmental Conservation, District Wetlands Ecologist, would want to make a presentation to the Board prior to the project being submitted.
- Mary noted that the project would likely be a joint application from Middlebury, Salisbury, Cornwall, and Brandon, with input wanted from land-owners and municipal officers. Of the towns named, Cornwall appears to have one of the largest—if not *the* largest—area affected. Mary also said the swamp's uses would remain the same as now (silviculture, forestry, agriculture). She noted that there are reports that the Swamp's flood absorption capabilities may have saved Middlebury \$1.8-million in flood damages from Tropical Storm Irene.
- Mary and Rene indicated that the process—local > State > Legislature— could take two to three years.
- **Impact on/Residual Rights of property owners with abutting parcels.** Mary felt the

likelihood of negative impacts on Swamp Road abutters if reclassification is pursued. She noted the importance of the swamp in absorbing flood waters, noting that the swamp is part of a 15,000-acre wetland ranging from Middlebury to Brandon.

Board noted that more information would be needed on the impact on the Cornwall/Salisbury bridge, adjacent land values, farming practices/impacts, Cornwall's zoning regulations, and more minor issues like wood-cutting procedures.

- **Project Expenses**— This topic remains to be discussed.

The Board agreed that a presentation, along with some additional Q&A time with Zapata Courage would be desirable. Ben M will pursue this with John Roberts who has had some contact with Zapata Courage on this issue.

Mary indicated that Marc Lapin has resigned from the Conservation Committee and the SB will be asked to appoint Katherine Branch to fill his term. The Board noted that they had not received a resignation letter from Marc and would appreciate it if she would ask him to submit one to them.

TOWN CLERK / TOWN TREASURER'S REPORT—Sue Johnson

- **Notifications**—Sue noted that she was unaware that the Swamp Road was closed. She requested that the Road Foreman be sure to let her know when roads are closed, which roads are closed, and when those that are are reopened. She gets calls for that information.

ROAD COMMISSIONER'S REPORT—Brian K.

- **Delong Road**—the grant needs to be finished, and a smaller grant from the Regional Planning Commission due this summer would be used for work on Ridge Road.
- **Grading** continues as weather permits, to be followed by spring discing.
- **The winter plowing plan** needs reviewing along with reviews of products used, and prioritizing of roads.
- **The paving budget** has \$135,000—Brian is considering asking vendors to come to view Swamp Road and advise Cornwall on ideas for paving it. Also a couple of other spots that would benefit from paving.
- **Mower**— Two new mowers have been identified as strong possibilities. It remains now for one to be chosen. It won't be ready for this spring, but the old one should suffice.

OLD BUSINESS

- **Over-Weight Vehicle Permits**—Cornwall will continue to issue permits as it has been doing. The Sheriff's Department will return fees collected so far to Cornwall permit holders. Additionally, while the Town has been the Notice Party when a truck's insurance has expired, the Sheriff's Department wants to be the Notice Party going forward. Ben M will talk with them again—perhaps there can be two Notice Parties.
- **Zoning Regulations**—
 - *Magna* has reviewed the Proposed Regulations and has divided them into “new” sections and the older ones from the current Zoning Regulations. She wants to find out how the Statutes are worded in places where the regulations are taken from Vermont Statutes and is not clear on how to determine which sections those are (if not so stated in the Proposed Regulations).
 - *Ben M*, has reviewed the subdivision sections and finds they need more intense review. He hopes to meet with Jim Duclos for some insight into what issues with the existing regulations have been resolved by the newer additions. Input from the DRB will also help.
 - The Board agreed to set an initial hearing date of June 27, and a Special Meeting for May 14 to discuss their progress.

NEW BUSINESS

- **LEMP**—Sue has been working on the Town's *Local Emergency Plan* and advised the Board that she has discussed with Andrew LaRoe (Emergency Planner at the Regional Planning) the possibility that she will not be ready to submit until May 7. He is OK with that.
- **Fire Tower**—The requested letter of support is needed by April 26. Magna MOVED/Brian SECONDED that the Board supply a letter of support for the Cornwall Volunteer Fire Department's radio communications tower project. *Motion passed* (3 in favor, 1 abstention, Ben M.). The Board discussed the plans for the tower and what might be in the letter of support.
- **Mowing Bids**—Two bids received (Lawn Cuts for Less: \$4,500; S&J Stearns: \$4,500) while a third bid failed to include what the charge would be. Brian MOVED/Magna SECONDED to accept the bid from Lawn Cuts for Less. *Motion Passed* (3 in favor, 1 against).

Ben W. MOVED /Magna D. SECONDED a motion to adjourn the meeting. *Motion passed* (4 in favor, 0 opposed).

The meeting was adjourned at 9:50 pm.

Submitted by

Robin Conway, Interim Minute Taker