

## MINUTES FOR SELECT BOARD MEETING

Tuesday, September 28, 2021

6:00 P.M.

### Attendees

**Select Board Members:** Jared Cadwell (Jared), Chuck Martel (Chuck), Mike Jordan (Mike)

**SB Assistant/Town Clerk:** Patti Lewis (Patti)

**Minute Taker:** Betsy Carter (Betsy)

**Guests:** Tony Italiano, Greta Close, Karen Sauther, Erika Nicols-Frazer, Kevin Russell, Douglas Day, Elizabeth Chant, Freddie Graves, Jill Burley, Richard Davis, Woody Dugan, Lisa Koitzsch, Gregory Viens, Pete Colgan, Caroline Van Hallen, Sally Dwyer, Etienne Dupoonpve, Wendy & Ben Bridgewater, Karrie Thomas, Richard Davis.

1. Meeting called to order at 6:01
2. Approve Select Board Minutes of September 7, 2021
  - a. *Motion to approve Select Board meeting minutes from September 7, 2021 made by Mike, seconded by Chuck; all in favor, none opposed. Minutes approved.*
3. Road Foreman Update
  - a. Paving completed on North Fayston Road. Shoulder work still to be completed.
  - b. Replacement and new signs for North Fayston road and other locations are being ordered.
  - c. New pickup truck has been purchased for the town and town emblem needs to be applied to sides.
  - d. Gravel pit work (crusher) to begin week of October 4.
4. Planning Commission re: Short Term Rental Bylaws
  - a. Presentation shared by Karen Sauther of the Fayston Planning Commission
  - b. Planning Commission seeking to understand SB position on short term rentals.
  - c. Key points from presentation:
    - i. There is no definition of “short term rental” in any of the MRV municipalities’ land use regulations
    - ii. Assumed benefits: STR provide available beds for tourists, tourist visit benefit local retail and restaurants.
    - iii. Impacts and risk factors considered: housing (depletion of long term and seasonal housing, inflation of housing market values), health & safety (infrastructure impacts, waste management, increased traffic), economic factors (decreased labor force due to lack of housing, student enrollment), community externalities (noise, parking, property maintenance, neighborhood character & value)
    - iv. Current data from AirDNA (AirBnb/VBRO) indicate 470 active listings in MRV.
    - v. 18.9% of Fayston’s housing units are STRs.
    - vi. Housing supply: between 2014 and 2018, there were more vacation home sales each year than residential homes sales.
    - vii. 2019 Housing Study Survey: of 57 employers that responded, 80% of all respondents agreed that growth in the number for STRs is having a negative impact on housing availability in the MRV.
    - viii. Ideas for action: no action, wait for multi-town commitment to resource, further data collection, formation of registry protocol and/or make STRs permitted to use with or without fees, ban new STRs or set cap on allowable STRs (planning commission not recommending at this time), inclusion in land use regulations (LUR) or in next LUR draft submittal.
  - d. Discussion/questions:

- i. Jared: There was a staff member on with the planning district working on this, but the person has vacated the position and the analysis is on hold while the position is backfilled. The planning district is the logical wheelhouse to engage the Valley towns in discussion of the STR landscape. The Warren planning commission has been discussing it, but I'm unaware if they are developing a unified stance with the Warren select board.
  - ii. Mike: It does sound like we are at the step to collect data and determine what to do to course correct from a town perspective.
  - iii. Chuck: I agree with both Mike & Jared; there is a lot to flush out here and needs to be addressed valley-wide.
  - iv. Jared: Karen, I know you've spent a lot of time on this in the past 6 months; do you feel you have any time to work with Josh (MRV planning district) to engage the Warren and Waitsfield planning commissions? Karen: It's clear they don't have the time/resources to compile the data.
  - v. Josh at MRV Planning District is ready to engage the three towns in discussions on STRs.
  - vi. Karen: The planning commission is undergoing a review/revision to the LUR. Jared: I think what I hear you saying is that when the planning district is staffed and ready to engage, but I think the priority is the LUR work. Karen: Are there things we can do in parallel while we are updating the LUR? We are looking for guidance from the SB as to where the go. Jared: Of course, there's nothing precluding the PC from sending out a survey.
  - vii. Karen: Could we get a response from the SB regarding what data should be collected and what actions are recommended to the PC in the near term? Jared: What would be the importance of defining STRs per the state statute? I think until we understand why this section of the market needs to be addressed? I think we still have so much more to learn until we step into regulating this area of the housing market. I think we need to look to other towns in the state to see what they've done and what they are planning.
5. Richard Davis re: North Fayston Road Speed Issues
- a. Summary of findings from September 7 meeting
    - i. The cost of the signage was researched with the company Richard recommended.
      - 1. Smaller trailer model sign with speed indication was \$9695, with extra options pushed the price to \$13k.
      - 2. Larger option was \$19k.
      - 3. Lease option for \$750/month for larger sign.
    - ii. Sherriff coverage: Waitsfield for 16-20 hours weekly is \$24k annually (mainly for speed coverage); Warren \$30k annually for 16-20 hours weekly. Constables are primarily trained as first responders and for various reasons are not authorized to deal with speeding issues.
  - b. SB recommendation and approach that we endorse is for education and sign replacement. Several haven't been replaced for 30+ years and include educational signs in the area of Sharpshooters/North Fayston/Center Fayston junction and the top of North Fayston road.
    - i. Mike: the yellow signs are having an effect and should be placed in other areas of high traffic. I think some people are just so used to the area that they don't notice the existing signs.
    - ii. Freddie: I spoke with the Vermont Horse Council and they are interested in a quick way to replicate the signs for use elsewhere; however, with the foliage changing we may need to think about seasonal color changes.
    - iii. Richard: I do wonder if there is a less expensive option for a radar sign that can be budgeted for next year. I also wonder if we captured the license plate of offenders and have the town constable provide a courtesy call. Jared: that's an interesting idea but I'm unsure if the constable can legally research license plate data. Richard: How would we go about handing off that information? Jared: The two constables' numbers are published

and any citizen that has a concern can call the constable to discuss the issue. The constable cannot arrest or issue a speeding ticket to those offenders, but they are town officials that can be contacted.

6. Kevin Russell re: #9 School House
  - a. A few months ago, it was advertised for sale and I (Kevin) contacted Jill Burley. It is owned by Burley Partnership (architectural firm).
  - b. Upon informal review from a few building assessments the building does need work, but generally it's in good shape.
  - c. We reached out to Preservation Trust Vermont and they provided direction and support; the idea is to create a non-profit community supported enterprise.
  - d. Next steps:
    - i. Partner with existing non-profit to act as agent and assist with grants and management (Fayston Historical Society is logical organization).
    - ii. Looking for legal assistance (grants available)
    - iii. Marketing support and public outreach.
  - e. No current ask of the select board; this is informational at this point.
7. Boyce Hill Town Forest Update (Chuck)
  - a. Mowing is scheduled to take place next week and there has been some discussion on the draft mowing plan.
  - b. Map 2 is the latest draft; the steering committee is looking for SB guidance.
    - i. Jared: we are now in year 2 and the shift in the mowing strategy is to do it once a year in the fall for numerous reasons. In this proposed mowing map for next week, is this new area that will be mowed. Woody: We are showing a greater area for mowing this year than what was done last year.
    - ii. Mike: I think map 2 aligns with what we discussed (hand cutting, no straight lines, etc).
    - iii. Woody: There has been a lot of flagging with survey tape. The flagging as it stands is the greatest extent that the mower is welcome to approach. The map is what we understand as the most crucial and necessary. The map is the recommendation and the flagging indicate the limits.
    - iv. Jared: Are any of the current "no mow" zones for this fall potentially mow-able in the future? Woody: Yes. Where we'd like to arrive at is a series of zones where we can enter into a rotation of mowing. Carrie: The intent of this year's mowing plan to tackle the areas that may be unrecoverable if they are not mowed this year. Map 2 is not the final map, just our plan for this year.
8. Mad River Resource Management Alliance Update
  - a. There will be no hazardous waste collection in October due to labor shortage with the contractor that usually collects for the towns. We hope to get it back on track in May barring any difficulties from the contractor.
9. Abby Dreyer Road Name off Abby Road
  - a. Suggested names: Kona Drive, Kona Lane, Kona Avenue.
  - b. SB recommends Kona Drive.
10. Mike Schaffer Road Name off Slide Brook Road
  - a. Suggested names: Slide Brook Road Extension, Black Bear Pass, Slide Home Drive
  - b. SB recommends: Black Bear Pass.
11. Read Mail and Sign Warrant
  - a. Mike and Jared to sign.
12. Other Business:
  - a. Big Basin Parking (Sally Dwyer)
    - i. Cars have been blocking the gate preventing people from getting in and out of camps and driveways.

- ii. Owners would like this issue to stop happening. Does the select board approve of the language for the sign?
  - iii. Town of Fayston sign should be posted indicating towing/fines for cars blocking gate. SB can be contacted for calling the police and/or tow company. Mike will be primary contact for this weekend.
  - iv. Freddie: There should be logs or something to delineate where people should park.
  - v. We have a meeting upcoming with the Green Mountain Club to manage how many cars can be parked there and work with the land owners to understand issues.
- b. ARPA funding
    - i. Defining what the money can be spent on; general agreement on the topic of stormwater management (culvert replacement) and cyber security (protection of town records).
    - ii. October 7 and 19 meetings with VLCT will hopefully provide more information regarding which projects can be funded.
  - c. Permit for upcoming ski/skate sale at MRG
    - i. Is a permit required? What has been done previously when schools have used ski areas for sales? The town does not have a permit for sales; current permitting is for festivals. No permit required.
13. Motion to adjourn at 8:02 by Jared, seconded by Mike; all in favor, none opposed.

Dates of Interest:

October 12, 2021 Next Select Board Meeting 6 p.m

Respectfully submitted,  
Betsy Carter

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Approved: Jared Cadwell