



# Village of Manchester, Vermont

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## DRAFT MINUTES

### Regular Meeting

Village of Manchester Board of Trustees

Monday, April 4, 2022 at 4:30 pm

Village of Manchester Office, 45 Union Street, Manchester Village

**In Attendance:** President Orland Campbell; Trustees: Brian Maggiotto, Nina Mooney and Jim Lewis; Clerk/Treasurer and Tax Collector Donald Brodie; Assistant Clerk/Treasure and Office Administrator Missy Johnson; Zoning Administrative Officer Curan Van Der Wielen

**Public:** Carmine Cole (Hildene); Keld Alstrup; Gary Walker (Amy's On The Road); Anthony MacLaurin; Cameron Gray; Albert Levis and Maxwell Levis (The Wilburton); Audrey Kolloff

President Campbell moved to approve the minutes from the March 7, 2022 Regular Meeting of the Board of Trustees with removal of wording concerning a part-time police officer and removal of mention of discussion on the difference between a State of Vermont Special Events Permit and the Village of Manchester Special Events Permit. Trustee Maggiotto seconded the motion and all voted in favor.

The Office Administrator provided a quick update and mentioned continuing improvement with projects related to backloading information into NEMRC and in regard to budget preparation.

President Campbell introduced Curan Van Der Wielen the Village of Manchester's new Zoning Administrative Officer. Mr. Van Der Wielen previously provided the board with electronic copies of a written report. He gave the BOT and attendees a quick summary of what has been handled since his hiring, and discussed changes to forms and procedures being made to bring the office compliant with state laws. He also provided information on a future project of digitization of Village zoning records. President Campbell thanked him for his work and then moved to change the name of the current Certificate of Use form to Certificate of Occupancy with no other changes to the form and no changes to the application process. Trustee Maggiotto seconded the motion and all voted in favor.

Mr. Brodie mentioned that he strongly supports the idea of digitization of zoning records and mentioned starting the project immediately. President Campbell disagreed with Mr. Brodie indicating that budget discussions would be scheduled shortly and this would be a topic for consideration at that time. It was confirmed that ARPA funds could be used to fund this project.

Mr. Gray introduced himself as a party involved with 155 Franklin Avenue. He questioned the procedure involved in obtaining a Certificate of Occupancy. Mr. Van Der Wielen provided the information requested.

Mr. Gray then continued with discussion on the possible annexation of property located at 155 Franklin Avenue. The property being discussed consists of a Village owned right-of-way that serves as the driveway for the home on this property. Mr. Gray indicated that the road has deteriorated and needed maintenance. The property owners would like to pave the road. President Campbell provided information on the state classification of the right-of-way as a paved road and as a dirt road and the subsequent

responsibilities of the Village regarding maintenance depending on that classification. President Campbell opined that if the Village BOT decided to allow the annexation of this area that there would need to be a public hearing. Paving the driveway is separate issue. President Campbell also mentioned that the culvert in this area was scheduled to be replaced.

The board then reviewed three Special Events Permits and an Iterant Vendor Permit:

- Hildene is applying for an Annual Special Event Permit with special consideration for amplified sound outside normal Village parameters. The requested time frame for amplified sound is 4:00 pm to 12:00 am. President Campbell mentioned a pending Noise Ordinance and the traditional time limit of 11:00 pm. He also mentioned that there have been noise complaints.

Mr. Cole mentioned that he had been working with many clients for over 18 months on their wedding contracts and that Hildene had been using a midnight cut off to assure the guests were off the premises. Trustee Maggiotto explained that Mr. Cole may have inherited the current timeline from his predecessor, but that this timeline was never approved by the Village of Manchester.

There was discussion regarding the Village cut off time of 11:00 pm. Trustee Lewis expressed his desire to wait until the Noise Ordinance was further along before making a decision as to whether the midnight cut off could be approved for Hilene. Mr. Cole indicated that he was ready to send out requests to Hildene's adjacent property owners to ask for endorsement to keep the midnight timeline for the current season. President Campbell mentioned that the subject would be dealing with more than the abutting neighbors due to the topography of the area and the way noise travels. Trustee Maggiotto mentioned that Hildene had made a commitment to its guests for this season and that if Hildene received letters of endorsement from abutting parcel owners, they should be approved for the midnight timeline for this season.

Other ideas to limit the timeline were mentioned and discussed. The matter will be added to the May BOT agenda. Mr. Cole questioned the 45-day pre-event requirement for the application. President Campbell answered by saying that his appearance at this meeting stayed that requirement. It was reiterated that contracts with Hildene will note the 11:00 pm cutoff (or the cutoff agreed to in the pending Noise Ordinance) beginning with the 2023 season.

A brief discussion of the Option Tax ensued.

- The Wilburton is applying for a standard Annual Special Events Permit. The Zoning Administrative Officer referred the permit approval to the BOT because of the number of noise complaints received by the BOT. President Campbell mentioned that The Wilburton's location at the top of a hill meant that the spread of sound coming from the location was greater than it would have been on level ground. He continued by saying that the complaints were in relation not only to weddings but to music on the terrace in general. The Levis' mentioned that music during the week was not scheduled for this coming season and the Annual Special Events Permit was being considered for weddings only. It was mentioned that endorsement from the neighbors would be needed for the next application in 2023. The board mentioned, again, that they would be adopting a Noise Ordinance due to the number of noise complaints received. It was noted that the Wilburton has, historically, stopped amplified sound at 11:00 pm. The board unanimously agreed to grant the permit as requested.
- Amy's on the Road is requesting an Iterant Vendor Permit for a 6-month season. Mr. Walker indicated that they may wish to move the Air Steam from the previous location so that it is up against the fence near the Ways Lane entry to the parking lot (facing Route 7A) instead of facing the entrance to the Perfect Piece. The BOT unanimously agreed to grant the permit.

Questions regarding the Jamaican Food Truck permit were posed, and it was clarified that there was a 6-month permit granted for the Orvis location. It was noted that a tent was not part of the permit nor was a sandwich board sign.

One bid was received from Pike Industries for the paving of Seminary Avenue and a section of Prospect and West Union Street. It was noted that another bid was forthcoming. The cost of fuel has affected the prices. The Pike bid was also subject to the price of asphalt at the time of paving. Trustee Lewis asked if BBA was finished with its projects. It was mentioned that sewer lines are being scheduled to be replaced and a new maintenance shed is also being discussed. President Campbell mentioned that BBA had asked to purchase the Village Maintenance Shed property and that BBA was informed that the Village was using the property at this time.

The board then opened the two 2022 Tree Bids received for tree work as indicated on the invitation to bid. After discussion and high praise for Kyke Zecher's work, Trustee Lewis moved to grant the bid to Mr. Zecher. Trustee Maggiotto seconded the motion and all voted in favor. Mr. Zecher will be notified immediately so that he can place the Village on his schedule. It was clarified that payment of this expense will be part of the 2022/23 budget.

The board then reviewed the State of Vermont Liquor Permit for outside consumption for the Croquet Field at the Ekwanok County Club. Trustee Mooney moved to approve the permit. Trustee Lewis seconded the motion and all voted in favor.

There was continued discussion on the Village of Manchester Ordinance on the Screening of Solar Facilities. The board reviewed areas of concern and discussed proposals regarding changes in language in a couple of sections of the draft ordinance. Trustee Maggiotto moved to accept the ordinance with the changes as discussed. Trustee Mooney seconded the motion and all voted in favor. The notification and appeal process for this ordinance was discussed.

#### Reports:

**Road and Trees:** Trustee Lewis discussed the installation of a new culvert on Franklin and Dillingham and mentioned that a grant may be available to off-set the cost. Ms. Johnson briefed the board on work that will be done on a historical horse trough in right-of-way at the Kimball property on Route 7A. It was mentioned that a grant may be available for the paving of Seminary, etc.

**Clerk, Treasurer and Tax Collector's Report:** Mr. Brodie mentioned that budget meetings will be scheduled within the next week or so. He mentioned that the BOT would need to make a determination on whether to hold the tax rate or decrease it this year. He mentioned that he had discussed property values with the town listers and that no real changes to property values are expected this year. Next year - re-assessments will come into play.

Mr. Brodie then provided a list of items he would like to see the Village use ARPA funds for (funds for file digitization; increases in pay/bonuses for the staff; a donation to the American Museum of Fly Fishing [should they receive a grant for a pending project], and the remainder to government services.)

Mr. Brodie mentioned the Fidelity account was now open and the transfer from Schwab was forthcoming

President Campbell moved that the BOT agree to take the “Loss of Revenue”/Standard Option for ARPA distribution and that all ARPA funds be used for government services. He mentioned the Standard Option provides many more options for use of the funds than previously existed including using the funds for road and tree work. Trustee Lewis seconded the motion, and all voted in favor. Parameters of the program, reporting requirements and deadlines were discussed. President Campbell also mentioned that continued discussion on allocation of the funds and remaining open to public comment were important.

**New Business:**

- Mr. MacLaurin asked what, if anything, was going to be planted in the islands in front of the Equinox Hotel this summer. It was mentioned that the Equinox Hotel is no longer planting flowers in the islands due to the Town Water Department’s decision to shut off water to this area. It was mentioned that it would be a good idea to start discussion again with the town to determine if the prior arrangement for water can be rectified. Mr. MacLaurin was given authority to make contact with the town in regard to this matter. The trustees expressed thanks to Mr. MacLaurin and many were glad this subject was discussed.
- Mr. Alstrup asked if some of the ARPA funds could be used for repair to the stonewalls on River Road. He mentioned the number of times he has brought up the subject of repairs to the walls and he noted that there are a couple of areas where it appears the walls may be falling in. President Campbell commented that he had recently taken a tour of this area with the road foreman and that, pertaining to parts of the wall, he agreed with Mr. Alstrup’s assessment. Mr. Alstrup provided that perhaps the Village could schedule a kind of rotating maintenance to the wall. He also stated that the Village was not going to be successful in getting the property owners to pay for repairs to the walls. It was mentioned that one area of the walls may be repaired this spring depending on the availability of Ed’s Masonry.

There being no further business, Trustee Lewis moved to adjourn. Trustee Mooney seconded the motion, and all voted in favor. The meeting ended at 6:11 pm.

The next couple of BOT meetings will be Budget Workshops and will be warned as Special Meetings.

The next Regular Meeting of the BOT is currently scheduled for Monday, May 2, 2022.

Respectfully Submitted,  
Missy Johnson, Office Administrator