

Town of Panton
Select Board Meeting
Tuesday, July 29, 2015
6:30 pm Panton Town Office

Draft Minutes

Attendance:

Select board

John Viskup, Chair

Beth Tarallo

Other Officers and Guests:

Hans Vorsteveld

Ralph Burt

J. Carroll, ESQ

6:30pm J. Viskup called meeting to order.

6:31 Public comment:

H. Vorsteveld provided overview of the farms current unpermitted town Right of Way (ROW) encroachment and application for permission/permit to use ROW on Jersey St.:

- Explained current process of milk trucks picking up milk from milk house. Since 1988 milk house has encroached ~12 feet into town ROW without permission/permit.
- Current practice has milk go into bulk cooling tanks in milk house, explained this is inefficient. Currently truck stops 3x per day for milk pick up, or 3 trips in and 3 trips out.
- Explained proposal (Plan B) for which he is seeking Select board approval to build/use town ROW:
 - Proposal seeks permission to add the following in the town's ROW:
 - A bay (8'x16' building) which would jut out an additional 8' into the town's ROW.
 - A 19' x 72' concrete pad for a milk trailer

- 8'x16' and 8'x8' compressors (3 compressors, 2 together=8'x16' and 3rd=8'x8'. Reports these would preferably sit on a concrete slab with a rubber pad.
- New proposed configuration would have:
 - An estimated 1 trip in and 1 trip out per 24 hour period
 - 2 trailers left at any given time on concrete pad.
 - Trucks backing up onto concrete pad to the bay (reducing current practice/hazard of trucks spending time in travelled portion of ROW).

Discussion ensued re the following:

- Noise created by proposed compressors. H. Vorsteveld unsure of decibel level of compressors; Reports compressors all electrical.
- Potential to move ROW Westerly 22' 3". J. Carroll explained legal process and statutory requirements for moving ROW (e.g. survey work required, public notice and hearings, etc).
- B. Tarallo expressed concern re: 1) safety of having proposed building and pad close to travelled portion of road (~13' from edge of road) and 2) need to keep ROW clear for future town needs, (road expansion/upgrades, utilities, etc.)
- J. Viskup reported on residents' concerns re: giving up town ROW.

7:35pm B. Tarallo **moved** that premature public disclosure of legal counsels advice re: legal options in connection with the Select board's deliberations concerning pending permit request of Vorsteveld pursuant to 19 VSA 1111 to utilize the municipal ROW, will, as advised by counsel, place Panton at substantial disadvantage.

J. Viskup seconded. So moved.

7:36pm B. Tarallo **moved** to enter executive session to confer with counsel concerning the Vorsteveld permit request to utilize the public ROW and to deliberate concerning the same.

J. Viskup seconded. So moved.

8:10pm J. Viskup **motion** to exit executive session.

B Tarallo seconded. So moved.

No action taken.

Select board to reconvene 8/19 at 6:30 pm to continue deliberative session.