

## **BOARD OF SELECTMEN MEETING**

7:00 pm  
Tuesday April 11, 2023  
Fayette Central School

**ROLL CALL OF SELECTMEN** Lacy Badeau, Brian Holman, Toby Pond, Michael Carlson  
(Jon Beekman absent)

**PUBLIC ATTENDANCE** Robert Black, Scott Pelletier, Gerard Bourassa, Jamie Ward, CEO Jess Leighton, Brent St. Clair, Mary Ann Hayes

### **Pledge Stated**

#### **Public Comments:**

Brent St. Clair asked who was doing utility work on Sandy River Rd. Mark said it was Lucas Tree, who is contracted by CMP.

### **OLD BUSINESS**

#### **23-34 Road Paving Bid Award**

This meeting is being held to select and award a bid from the companies who submitted a bid last week. All companies were represented via zoom or in person.

Michael Carlson asked if three roads were being paved, or if just one was being done. Mark said there are more costs associated with paving all three roads than the town has funds for.

Brian said that on Saturday he and Dave Hutchins will be reviewing all three roads in Fayette. He would like to wait until after that meeting before selecting a bid.

Toby Pond agreed with Brian that he'd like to hear what comes of the Saturday meeting. Michael Carlson agreed as well. Scott Pelletier recommended that the original road committee report be taken with them on this visit. Chairperson Lacy Badeau emphasized that we want the work to get done properly because this is a big investment in infrastructure.

### **NEW BUSINESS**

#### **23-38 Solar and Land Use Ordinance**

CEO Jessica Leighton is looking to have the Selectboard approve the two warrant articles at this meeting. The solar ordinance has no suggested changes. Board member Michael Carlson went through a few suggested changes that were necessary to ensure consistency and intent.

CEO Jess Leighton agrees with all changes and said that the Board will have to recommend all these changes tonight because there's not enough time to send it back to the board.

Michael Carlson asked why, when the lease is provided in a solar application, does the applicant not have to provide details of financial compensation. The answer to that was not clear, but Jessica Leighton said that it was the language included in the other ordinances. Toby Pond said that if the language was present in other town's ordinances, then we shouldn't remove it without legal advice.

Michael Carlson motioned to approve the proposed Town of Fayette Utility Scale Solar Energy Facility Ordinance for Town Meeting as written and reviewed at the meeting on April 11, 2023. Seconded by Brian Holman, no discussion. **VOTE: 4- 0**

### **Land Use Ordinance Changes:**

CEO Jess Leighton went through changes that she made after the first public hearing: a typo in the dimensional requirements table, and an omission from the original approval that the Planning Board made.

The other change was a point brought up by Mary Ann Hayes at the last public hearing, about using the term “Dwelling Unit” and including that in the Land Use Ordinance definitions and striking out the definition of dwelling.

Mary Ann Hayes brought up that she also would like to see “square footage” changed to “land area” in the Table of Dimensional Requirements. CEO Jess Leighton agrees with this if the board is comfortable making the change.

In the definition of accessory dwelling unit, the last phrase should read: “-shall be owned by the owner of the principle dwelling unit.”

Mary Ann would also like to see the language “by a single household,” added to the definition of Dwelling Unit. She reasoned that “intended for human habitation” wasn’t specific enough to differentiate that each unit in a duplex or multi-family would be considered a separate dwelling unit.

CEO Jess Leighton said that she took the State’s definition of Dwelling Unit, but she agrees that making it more specific and clarifying intent is a good thing. She emphasized the importance of wording the motion so that it reflected everything that was discussed and altered at this meeting.

Toby Pond motioned to accept the land use ordinance proposed changes, including striking out the definition of “dwelling” and replacing with “dwelling unit,” as just defined in discussion. Seconded by Brian Holman with no further discussion. **VOTE: 4 – 0**

### **23-39 Planning Board Member Appointment**

Toby Pond motioned to appoint Belinda Bothwick to the Fayette Planning Board, seconded by Brian Holman. Discussion: Lacy Badeau wanted to mention that she appreciates those who volunteer for these boards, because it’s a big commitment and important work that needs to be done.

**VOTE: 4 – 0**

### **23-40 Planning Board Virtual Attendance Policy**

Toby Pond motioned to accept the Town of Fayette Planning Board Virtual Attendance Policy. Brian Holman. Discussion: Toby asked why it was mandatory that someone be in person. Lacy thought it was to allow public participation. Jess Leighton said that she thought that it was mandatory statewide to have a physical location for public meetings, since the state of emergency is over.

**VOTE: 4 – 0**

### **23-41 Executive Session regarding personnel**

**Toby motioned to go into Executive Session regarding personnel, excluding Town Manager Mark Robinson, at 7:50 pm.**

Mark mentioned that he needs to be a part of the executive session for a quick moment to discuss another personnel matter, and then he will excuse himself for the evening.

**Meeting adjourned at 8:20 pm**