

# VERMONT TRANSPORTATION BOARD MEETING FEBRUARY 21, 2013

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## **Board Members Present:**

Timothy Hayward, term expires 2/28/2013  
Robin Stern, term expires 2/28/2015  
Charles Bucknam Jr., term expires 2/28/2013  
Wesley Hrydziusko, term expires 2/28/2015  
Nick Marro, term expires 2/28/2013  
James Fitzgerald, term expires 2/28/2015 (by telephone)

## **Board Members Absent:**

Maurice Germain, Chairman; term expires 2/28/2014

## **Others Present:**

John Zicconi, Executive Secretary  
Craig Keller, VTrans Utility & Permits Division  
Theresa Gillman, VTrans Utilities and Permits  
Joseph Zingale, Rutland Town Administrator  
Blair Enman, Enman Kesselring Consulting Engineers  
Karla Perkins, VTrans Right-of-Way Agent  
Tom Viall, Board Consultant

## **Call to Order:**

Acting as Chair, Timothy Hayward called the Thursday, February 21, 2013 meeting to order at 9:35 a.m., which was held in the AOT 3rd Floor Conference Room at One National Life Drive Montpelier, VT.

## **1. NEW BUSINESS**

### ***1.1 Review/Approve the Minutes of January 17, 2013 meeting***

**On a motion by Mr. Bucknam seconded by Mr. Hrydziusko, the Board unanimously voted to approve the minutes of the January 17, 2013 meeting with minor changes.**

### ***1.2 TB-400 Stowe/Morrisville Airport – appoint compensation hearing panel***

Ms. Perkins presented the Board with four copies of the legal packet for the Board's March 14 Compensation Hearing regarding the Stowe/Morrisville Airport. She told the Board the Agency has been unable to come to terms with two property owners. Acting Chairman Hayward appointed Mr. Bucknam, Mr. Marro and himself as hearing officers. The March 14 hearings will be preceded by a site visit beginning at 8:30 a.m. at the Tegu Building at 43 Portland Street in Morristown, VT.

### ***1.2 Executive Secretary's Report***

Mr. Zicconi informed the Board that the Motor Vehicle Arbitration Board also meets on the third Thursday of every month, and for him to properly keep a tab on both boards one will need to change its regular meeting date. He plans to have such a conversation with the chairman of the Arbitration Board in March.

Mr. Zicconi informed the Board that beginning next month VTrans will dismantle the third floor at National Life to construct new offices, which means the Board must find a new meeting room. For at least the next few months,

the Board will meet at the old records building (now called the Dewey Building) on the National Life campus in a meeting room located on the ground floor adjacent to VTrans Operations Division.

Mr. Zicconi informed the Board that the Vermont Byways Council, which was going to be eliminated on July 1, 2013, was given at least a one-year reprieve by the Department of Travel and Tourism. As a result, this year's Transportation Bill will not transfer some byway duties to the Board as anticipated.

## **2. OLD BUSINESS**

### ***2.1 TB-392 Teague***

The Board initially skipped over discussion of this item so that it could be included in a deliberative session to be held at the backend of the meeting.

### ***2.2 TB-325 Rutland Commons – extension request.***

At the Board's meeting on January 17, 2013, Mid Vermont Properties (MVT) principal John Kalish and Blair J. Enman, president of Enman Kesselring Consulting Engineers, met with the Board and asked what they needed to do to have the Board consider a time extension to the Town of Rutland's January 26, 2011 permit allowing a break in limited access along Route 7 south.

Board members told Mr. Kalish and Mr. Enman that the town needed to request a time extension prior to the permit expiring on January 26, 2013 and that the Board would schedule a hearing to discuss whatever was requested. Later that day, the Rutland Town Administrator Joseph Zingale wrote the Board requesting a two-year extension of the permit, which was set to expire on January 26, 2013.

Mr. Zingale and Mr. Enman attended today's meeting and said that the sluggish economy prevented MVP from developing the 19-acre parcel within the original two-year timeframe, but currently the developer appears to have an "anchor tenant" and plans to begin construction soon. He said that the permit extension request is unanimously supported by the Rutland Select Board as the project, known as Rutland Commons, is viewed as positive for the local economy.

Mr. Zingale also said that the town seeks only a time extension and no other changes to the permit that the Board issued on January 26, 2011.

Mr. Keller said that the Vermont Agency of Transportation determined that no substantial changes have taken place along Route 7 since the Board first issued a permit on January 26, 2011, and that the State supports a two-year permit extension provided that all of the permit's other terms and conditions remain unchanged.

**On a motion by Mr. Marro seconded by Mr. Fitzgerald, the Board unanimously voted to grant the Town of Rutland a two-year permit extension to open a new access into Route 7 South in Rutland Town, which is an established limited access facility. The extension will expire on January 26, 2015.**

### ***2.3 TB-383 Winterset – stay request.***

### ***2.4 TB-386 Miller Construction.***

**At 10:20 a.m. the Board entered into deliberative session, pursuant to Title 1 § 313, to deliberate on several cases, including TB-392 Teague, TB-383 Winterset and TB-386 Miller Construction.**

Mr. Zicconi and Mr. Viall were invited to attend the deliberative session.

**At 12:10 p.m. the Board exited deliberative session.**

**3 OTHER BUSINESS**

**3.1 *Round Table***

No Board members had anything to discuss.

**4 ADJOURN**

**On a motion by Mr. Marro seconded by Mr. Bucknam, the Board unanimously voted to adjourn at 12:12 p.m.**

Respectfully submitted,

John Zicconi  
Executive Secretary

**Next Board Meeting:  
March 21, 2013 at 9:30 a.m.  
VTrans Dewey Conference Room R235**