

# VERMONT TRANSPORTATION BOARD MEETING JANUARY 16, 2014

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## **Board Members Present:**

Tom Dailey, term expires 2/28/2016  
Vanessa Kittell, term expires 2/28/2016  
Nick Marro, term expires 2/28/2016  
Wesley Hrydziusko, term expires 2/28/2015  
Maurice Germain, Chairman; term expires 2/28/2014  
Robin Stern, term expires 2/28/2015

## **Board Members Absent:**

James Fitzgerald, term expires 2/28/2015

## **Others Present:**

John Zicconi, Board Executive Secretary  
John Hasen, Board Legal Counsel

## **Call to Order:**

Chairman Maurice Germain called the Thursday, January 16, 2014 meeting to order at 9:35 a.m., which was held at Meeting Room R235 of the Dewey Building at the National Life Campus in Montpelier, VT.

## **1. NEW BUSINESS**

### ***1.1 Review/Approve the Minutes of the December 06, 2013 Meeting***

**On a motion by Ms. Kittell seconded by Mr. Marro, the Board, with Mr. Germain and Ms. Stern abstaining, unanimously voted to approve the Minutes of the December 06, 2013 Board meeting as submitted.**

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

**TB-387:** Mr. Zicconi told the Board that the Town of Rutland is now prepared for the Board to move forward with its application, which requests a break in U.S. Route 7's limited access at Farrell Road. Statute requires that the Board hold a public hearing regarding the request before it schedules testimony. The town indicated it would be prepared for such a hearing in late March. Mr. Zicconi said that if the Board is prepared, he would work with the town to schedule the public hearing in late March. The Board agreed.

**TB-406:** Mr. Zicconi said he spoke with Monsalvat Farm General Manager Kevin Lessard, who informed him that the Farm does not wish to seek an amendment to its Certificate of Approval for a private landing area. Mr. Lessard in December indicated that the Farm may have erred in its application when it concluded that a round trip equals two trip ends. Instead, Mr. Lessard indicated that a round trip may actually consist of four trip ends, and that the farm was considering requesting an amendment to its Certificate. But in a recent conversation with Mr. Zicconi, Mr. Lessard said the Farm is OK with the Certificate as issued and will not seek an amendment.

**TB-407:** The Town of Manchester in early January provided the Board a letter expressing its support for the Wallace Spur's railroad crossing with Richville Road to be designated as "exempt." At the Board's meeting on December 6, 2013, the Board pursuant to 5 V.S.A. 3581(b) agreed to approve the exempt designation, which was

requested by VTrans and supported by the railroad, so long as the town also supported the proposal. Mr. Zicconi said that, barring any objections, he would now draft a written Decision and Order for the chairman to sign. There were no objections.

Mr. Zicconi informed the Board that he will be away on vacation during the first two weeks of February and that the Board's office would be closed during that time.

### ***1.3 Location of February Meeting***

Pursuant to 5 V.S.A. § 3670, the Agency of Transportation in December asked the Board to waive the 23-foot train overpass standard at a bridge location in Castleton. The Agency will be ready to meet with the Board regarding this case, TB-409, in March.

Given the fact that the Transportation Board's office will be closed from February 1-18, and considering that the Board has to conduct a public hearing in Rutland during March regarding the town's request for a break in Route 7's limited access, Mr. Zicconi suggested that the Board forgo its February meeting and instead hold its March meeting in the Castleton/Rutland area that would accommodate both TB-387 and TB-409. Such a meeting would begin in Castleton sometime after lunch, and conclude following a public hearing in Rutland that would be conducted in the early evening.

The Board agreed, and instructed Mr. Zicconi to work with the various applicants to coordinate a date in March that will accommodate both of these cases.

## **2. OLD BUSINESS**

### ***2.1 TB-383 Winterset – Meet with Counsel***

**At 9:37 a.m. the Board on a motion by Mr. Marro seconded by Mr. Dailey entered into deliberative session, pursuant to Title 1 § 313, to discuss TB-383 Winterset.**

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

**At 11:50 a.m. the Board exited deliberative session.**

### ***2.2 2013 Legislative Report***

Since the Board last met on December 6, 2013, Mr. Zicconi via email circulated to all Board members a draft copy of the Board's 2013 Annual Report to the Legislature. Board members reviewed the draft and offered changes and comments. Mr. Zicconi incorporated those changes, and presented a new draft to the Board for its review. Mr. Zicconi asked the Board to either offer additional changes, or approve the report so that it could be submitted to the Legislature.

**On a motion by Ms. Kittell seconded by Mr. Marrow, the Board unanimously approved the report.**

Mr. Zicconi said he would have the report printed and posted on the Board's website. Both he and Chairman Germain will meet with the House and Senate committees on Transportation by month's end.

**3. OTHER BUSINESS**

***3.1 Round Table***

No Board members had anything to discuss.

**4. ADJOURN**

**On a motion by Mr. Marrow seconded by Mr. Dailey, the Board unanimously voted to adjourn at 12:25 p.m.**

Respectfully submitted,

John Zicconi  
Executive Secretary

**Next Board Meeting:  
March 27, 2014 at 1 p.m.  
Site Visit at VTrans Castleton Highway Garage followed by a  
Board Meeting at Hoff Hall Conference Room, Castleton State College**