

Town of Grafton Planning Commission Minutes
Tuesday, August 28, 2018, Grafton Town Garage

Planning Commissioners Present: Eric Stevens, Liisa Kissel, Dave Culver, Kim Record, Valerie Rooney, Chris Wallace, Matt Siano, Chuck Wise. Community Members Present: Christine Tattersall, Daniel Michaelson, Sam Battaglini, Carol Lind, Charles Hooker

Call to order: 6:30PM

Agenda Review:

No changes.

Public Comment:

No comment.

Turner Hill/Windham Foundation Subdivision:

Chuck handed out copies of the proposed subdivision. This is a 5 acre lot for the purposes of separating this homestead (as a historic site) from the larger conservation parcel. This is more of a 'legal' exercise than it is a subdivision of land in the classic sense. No development is being proposed or will be proposed. The land will remain as is but the management of this area will transfer from the State of Vermont owned land to the Windham Foundation for lease or ownership. This is an informal meeting to conduct the first review of this project and to prepare ourselves for a subdivision hearing. The Applicants were in route to attend our last meeting that was cancelled, they have schedule conflicts for this special meeting. Chuck advised the Applicants that he could present the project and get the Commissioners to determine if it's a major or minor subdivision with the requirement that someone must attend the regularly scheduled meeting/hearing. The plan is to have the hearing at the September 11th meeting. Chuck solicited feedback from the Commissioners.

During the discussion, Commissioners provided the following questions;

- What is the purpose of the subdivision?
- Why 5 acres versus a smaller or larger acreage parcel?
- What types of improvements are envisioned?
- Will there be any increases in traffic volume?
- Is there additional subdivision planned for this parcel? The parent parcel?
- This road is currently not maintained in the winter, will the Windham Foundation need this land accessible all times of the year? The town does not intend to plow this road in the winter. They used to plow, but no one wanted the route because it was so dangerous.
- What are the plans for emergency access of this parcel? Is there an alternative access being considered?
- Are there any other easements associated with this parcel? When VELCO turned the property over to the State, was there any restrictions on future subdivision? Are there other permits that need to be amended such as Act250?

Commission unanimously agreed to define the proposed subdivision as a minor subdivision and to proceed with a public hearing. Chuck will pass along the questions to the Applicants and prepare for a public hearing on September 11th.

Windham Regional Commission update

Liisa informed Commissioners that the Regional Commission is preparing for a comprehensive update of the Regional Plan.

Correspondence:

Dave reviewed a Springfield Hazard Mitigation plan, GMP application utility line relocation project update, update on an existing Windham Foundation subdivision and their Act 250 permit, State Government Municipal Days conference opportunity, leadership conference opportunity, and a Greater Falls Prevention Partnership letter informing the Commission they want to meet with us. Dave will approach the Selectboard for conference funding – Commissioners will volunteer their time but that the direct costs of the conference and travel should be covered by the Town.

Unfinished business:

David Acker subdivision is in development. The structures were added manually, the road name is still not correct. Chuck wanted the structures to be added to the plan because this is typical of what we require in survey, this has been more difficult to get accomplished than originally anticipated. At this point, it might be better to simply go forward with the structures. Although it is important to have, on a minor subdivision of this scale it will not impact the Commissioners review and approval process.

Commissioners discussed having the two hearings next month, procedural requirements for opening and closing hearings, and whether to amend the hearing time. Chuck indicated that how a Board chooses to open or close hearings, go into deliberative session or do it in open session – these are all at the discretion of the Planning Commission. Eric stated that it has been the habit of the Planning Commission to decide a subdivision following the public hearing.

Town Plan:

Village Center Designation Liisa stated the language needed to support a village designation is already in the draft of the Town Plan. This work was done in 2014. The process for village center designation has not changed since that time. The only change is a village center re-designation must be completed every 8 years (not 5 years). Eric stated a lot of the benefits associated with Village Center designation flow to private businesses and not the Town. Chris asked about getting Cambridgeport designated as a village center because of its economic needs. Commissioners agreed this would be a good idea but that the primary goal is getting Grafton Village designated. Kim summarized the process again and that we need a current Town Plan before applying for village center designation.

Grafton Elementary well has a low level of PFOA water contamination. Liisa stated this water test is not usually done. Grafton Elementary was randomly chosen by the State for a water sample and test. This PFOA contaminant is spread in the air and water and seems to be showing up in all water sampling across the state. Matt indicated this chemical is present in a number of consumer products to include water repellent clothing and personal care products.

The water tested slightly above the accepted amount – Vermont sets a very low limit of allowable contaminant whereas other states have higher limits (which would have allowed the Grafton Elementary School a passing water test). The plan going forward is to test the water at two locations that are near the school to better understand the extent of water contamination. Liisa stated the big issue for us is to continue monitoring water testing in our town and to make sure water quality remains an important issue. As new information comes available, this should be brought to the Commissioners attention.

Dave discussed a waste water treatment workshop he attended a few months back. As a representative for Grafton, Dave recently got an inquiry from a number of towns who are interested in pursuing a municipal planning grant to further study this issue. Right now the Town is not eligible for municipal planning grant funds, but would be eligible to participate in a town consortium. Dave got this feedback from Chris Campany who is aware that our town plan has lapsed. Dave will be attending an upcoming meeting to determine if Grafton should participate in this consortium and will keep Commissioners informed of his progress.

Liisa discussed the cyanobacteria outbreak that was recently recorded in the Saxtons River Recreation Area. The swimming area was closed down because of this algae bloom. The Grafton pond was reviewed and does not have a bloom, but this is an issue that we should continue to monitor in the future.

Town Plan:

Selectboard feedback

Dave outlined some options that include incorporating Selectboard feedback now or waiting until we turn the Town Plan over to the Selectboard. Once we turn it over to the Selectboard this it is their Plan and they can do whatever they want with the document. Valerie stated that feedback is welcomed from individuals. Those individuals may either submit materials in writing or participate in a public meeting. Comments that are not attributable to any person are not as helpful. Dave stated technically the Town Plan is not available for public review. Liisa summarized the Town Plan discussions at the Selectboard meetings and repeated how members of the Selectboard provided their comments on the Town Plan. Eric stated it is better to post this document online and to make sure we are as transparent as possible. The Plan has been available to some people anyway, but right now that requires a lot of work. It would be better to just make it easily available to everyone. Dave asked about mechanisms for posting this document online – Chuck will work with Bill to make the Plan more accessible to the public.

Dave summarized the conversations and stated he will provide the following input to the Selectboard – Feedback from all citizens is welcomed, but as a Selectboard they will provide their input after the Town Plan is passed off to them.

Review of draft Town Plan

Dave handed out copies of the revised Town Plan. There are no substantive changes to this version of the Town Plan. It is a working document and has not even been posted to Dropbox. There is a ton of editing and formatting that was completed. Pictures were added. Essentially the Town Plan is publication ready. Dave emphasized there have been no edits that alter the meaning or substance of the Plan – everything is exactly what the Planning Commission has reviewed and approved. These edits are strictly formatting, clerical, readability. The

Commissioners have the two versions electronically – one shows all the edits in track changes, the other hides the track changes. Dave stated the track changes copy shows all the edits made and makes the document twice as long as the version without track changes highlighted. Chuck noted this is an extreme improvement over the existing Town Plan and that Dave had to have spent a significant amount of time editing this document.

Land use and maps

Dave reviewed his attached map that was completed using crayons. The Town of Grafton Crayola Future Land Use Map is based on land use definitions that were created by the Windham Regional Commission. If we accept those definitions, then this map is how those land use categories could be applied to Grafton and can be considered by Commissioners as a starting point in our conversation. Dave emphasized this map is not something fixed in stone and Commissioners are welcomed to make changes, draw their own maps. The proposed map is just a starting point for Commissioners to consider how the Windham Regional Commission land use categories could fit in the Town of Grafton.

There are 8 land use categories and Windham Regional Commission is considering a 9th category to separate resource lands from critical resource lands. These land use categories cover everything from village/hamlets that support high-density development to those critical resource areas that should support very little development.

Liisa agrees that we should use the Windham Regional Commission land use categories. As these categories are updated, then we can incorporate those changes in future plan rewrites.

Eric agreed that using the land use categories makes sense but to adapt those categories to a Grafton specific map. It has been the case that resource lands have been used too broadly to block various types of development and that a better balance can be struck. Having our resource or critical resource areas defined by us helps address this issue. Some of the state and regional maps basically paint the entire town a resource area. If we are to designate our own resource areas, focus those areas to riparian buffers, steep topography, and other special circumstances then this is a better balance. Unless there are specific reasons for a resource area, keep Grafton lands as productive rural land that can better support a balance between development and resource conservation.

Valerie and Matt stated that using the existing maps to move the town plan adoption process is important. If we lack the money to do a new map, it would be better to use what already exists to get a town plan adopted. This is an issue if creating a new map would delay the town approval process.

Chris wants to review the issue in more detail. Kim agreed with Valerie and Matt's comments, but supports the proposed map that is specific to the Town of Grafton.

Dave reminded people this is not a zoning map and does not factor into land use development issues unless it's a larger project being reviewed, permitted by the State. Only in those instances could the State review our maps and allow that to influence their permitting processes.

Valerie suggested adding a provision in the map that provides a disclaimer that all development needs to be reviewed on a case-by-case basis (particularly those areas found on the borders of these zones). Chuck stated the point of Town Plan maps is that they are for planning purposes only, these are not zoning maps that get to the specificity of parcel by parcel and create a regulatory document. This is a planning only document and unlikely to be involved in regulatory proceedings. There are ways to make these zones fuzzy so that there are not specific lines drawn on the maps. Dave emphasized this same language can be found in the Windham Regional Plan – this is a ‘satellite view’ or a ‘coarse map’ not intended for site specific analyses.

Move to accept Dave’s proposed land use map. (Liisa, 2nd Valerie) PASSED Map Amendment for town garage lands being redefined as productive rural lands (Eric, 2nd Kim) PASSED Chris asked about the choice to define the garage lands as productive rural, Eric stated that the garage lands are surrounded by productive rural lands and it makes sense to include this in the District. Furthermore, even though this is town land, there is forestry work and the garage which means the land operates already as productive rural.

Town Plan development deadline

Dave asked the Commissioners about finalizing this Town Plan. He is aiming for the Town Plan to be completed no later than this month and that we start with the public hearing phase in October. Commissioners generally agreed that this is possible. Dave told Commissioners that their homework assignment is to review the Town Plan for mistakes, needed edits. Start at Page 1, get a pen out, and work your way through the entire Town Plan. Dave reminded people that the official document is in Dropbox because the current draft has not yet been voted on. Dave pointed out that he needs guidance on the tables/graphs/appendices – do we need all of them because there is a whole lot in this document. Dave talked about the state law and how our Town Plan addresses state law. Chuck stated this current list, more or less overkill in terms of its specificity, is up to date (based on the version in the Dropbox and not up-to-date with Dave’s recent changes). Dave also stated there is a whole lot of recommendations that are unlikely to be done – it would be better to reduce the number of recommendations to a manageable number. Eric mentioned it might be better just to leave things as they are – tables, policies, etc. Just stick with it for now and approve the Town Plan. Long term it would be better to reduce tables, charts, recommendations.

Valerie asked if the current draft can be presented to Windham Regional Commission for another review. Dave asked the Commissioners if this was acceptable and everyone agreed. Dave to present the updated draft to John Bennett for one more review.

Round of Commissioner applause for all of Dave’s hard work on the Town Plan. Dave indicated that he and the Town Plan are the very closest of friends.

Dave reminded Commissioners that we will have three separate meeting minutes to review. We chose not to do minutes approval during special meetings, hence the backlog. Kim stated she will have financials ready at the next meeting, but that Chuck needs to submit his hours so we have an up-to-date set of financials.

Adjournment

8:35 PM

Next regular meeting:

September 11, 2018

Next special meeting:

September 25, 2018 (tentative – will make official on September 11th)