

## Grafton Planning Commission

Regular Monthly Meeting

Tuesday, December 12, 2023 7:00 PM

Grafton Town Hall 2nd Floor

[https://us06web.zoom.us/j/81340393010?pwd=TDk5Y3FDaUNYNVBHNmRRVGNwbWRiZz09Grafton Planning Committee](https://us06web.zoom.us/j/81340393010?pwd=TDk5Y3FDaUNYNVBHNmRRVGNwbWRiZz09Grafton+Planning+Committee)

PC Attendees: Matt Siano, Chair; Eric Stevens; Ron Pilette; Buzz Fisher; Lester Schwalb

Public Attendees: Cheryl Kaufman; Sam Battaglino; Lisa Kissel; Pat Cooperman; Wendy Martin

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### 1 Meeting called to Order 7:05 Approval of the agenda

### 2 Approval of the November meeting minutes.

### 3 and 4 Wastewater Update and Creating a Fire District

Where does T &B fit into all of this, given the recent Select Board meeting?

Eric: I am not sure that they are aware of the discussions that we have been having about: purification stage between wastewater digestion technique and some kind of dispersal into the ground. We have been talking about using biological plants. That kind of system has not been considered by T&B. Perhaps because they are not required to purify water beyond any degree than they normally would. They don't see it as in their purview at all. We're trying to get them and the select board to consider greater purification before the water hits the ground. Ron: Is it our purpose to make contact with T&B and give them the information so that it can work for them?

Matt: We agreed as a committee that we follow what is going on, try to get information that would be in their wheelhouse.

Ron: Our work doesn't seem to go in any direction that they consider of any help to them.

Matt: They seem to be focused on the 90% report.

Lester: T&B has been trying to figure out places to do standard water treatment variations of drip dispersal.

Eric: They finally came upon drip dispersal as the only option for the land available.

Lester: Yes, and we have been trying to find an alternative that would have a smaller footprint and do better water treatment. What we have learned from last week, the living machine concept has 2 issues. 1) the state doesn't presently or routinely support it and the money is not available for the biological machine now. However, we thought, that the funds could become available because of communication and lobbying with the state. 2) I was surprised to learn, that the biological system is not an alternative to the drip dispersal but it is a supplement to improve the treatment of the water. And maybe that's why the state is not keen on it, because it's an extra step and an extra cost?

Eric: it is an extra cost for sure, but also has offsets but it would still cost more. You still need the drip dispersion, but the key part is that the water is cleaner. We are going to clean it better and so the drip dispersal would not be spreading PFAS. And we don't have any way of quantifying that cleaning of PFAS at this time. We do know that the PFAS won't be removed without the biological system. Yet, T&B says that there are no state standards for removing PFAS. However, there should be.

Townsperson: I'm confused that the Select Board and the Planning Committee don't seem to be talking. Wasn't there an action item in your minutes about bringing a person to educate the Select Board? From a town person's perspective, it would also be good for the two bodies to discuss the fire district together. I am hearing a separate conversation here.

Eric: I brought up the fire district here, at our last meeting, not knowing that the Select Board was going to discuss that issue. I was blindsided. Then I got this document [what document?], and sent to Matt but not to the rest of the PC. Definitely, there should be better communication.

Townsperson: The PC could be on the agenda at the Select Board.

Ron: maybe it's time to have a joint meeting where we lay our cards on the table. Because the alternative that we've been talking about just isn't part of the discussion out there.

Matt: we literally are on the edge of something new. We think that it can work with the right effort behind it. We found someone who is knowledgeable, and passionate about it. Hannah found and sent to me this information: there is a state law, from 2013 that says that the use of constructed wetlands in the design of a wastewater system is optional and may be proposed as a treatment component of a wastewater system. Yet we heard from T&B quite the opposite.

Townsperson: We hear at the Select Board that the grant doesn't cover it.

Matt: but we have a state regulation that allows it, so although we still don't know if we can get the State to cover it, we have an opening here.

Buzz: The grant is woefully short of what T&B are proposing. So, it could be a component. But, is that the right way to go?

Townsperson: The grant will now cover the filtration of water in the village, the grant has been expanded in scope.

Matt: Select Board's next meeting is 12/18. Should we go to the Select Board on that date? Who is going to be the ombudsman to go to the Select Board? Hannah has been willing to speak to them. It would be nice to have her there to explain everything more scientifically.

Buzz: Also, there is the issue of the fire district. There is a document that covers what to consider when forming a fire district. This document should be read to the town. It's essentially forming a municipal utilities district, power to levy taxes and hire and manage.

Matt: it basically becomes its own entity, separate from the village.

Townsperson: it's not going to happen. It takes a whole other infrastructure and set of people to run it. We don't have enough people. We're not going to do that. It's a diversion.

PC: Was the fire district a T&B suggestion?

Townsperson: No, the State, it was part of the 60% presentation.

Townsperson: there was only a brief line in the 60% report that the users in the district would be responsible for the cost but they didn't go into detail. Now we learn about this whole new entity.

Lester: by this introduction of the fire district item, the Select Board may have been trying to say to the people outside of the village, "not your problem". And to the people in the village, "the cost will be all yours and very high". The Fire District made it "us" against "them." Which may suggest the implication of backhandedly saying that that we're all in this together.

Eric: I don't know what their motivation was, but the fire district hit us unawares. I still haven't seen any regulation that says that if you make a wastewater system, you have to have a fire district.

Townsperson: such a regulation doesn't exist. That was a misunderstanding. Note that 20 residents would be required to request the creation of the District. We have only 28 households who can vote (the rest is the Windham Foundation and second homeowners). But, the idea of an ombudsman was a good idea and I see that in your minutes.

Eric: Chris (WRC) is passionate about this issue. It's a regional issue, and he does a good job in working a meeting so that everyone can speak and the meeting is productive, but the ombudsman should be someone from the community.

Townsperson: it was my assumption that the Select Board would rely on the PC to inform its decision. Is there language in the Town Plan that addresses the waste water system or town utilities?

Eric: no, there is only general language, about preservation of natural resources and water quality.

Townsperson: I'm surprised that the Select Board doesn't use the PC that it appointed to help direct the future of the single largest expenditure, one that is going to affect the future of the village. The SB seems to be ignoring the committee that they appointed.

Matt: well, it is just recently that we have gathered enough information about this biological system.

Townsperson: we can use the Grafton News to inform the town. It's time to let the community know. This is what we've been seeing. This is the kind of possible solution. It's time to discuss it with the Select Board and with the town. Not yet time for a town meeting about it.

Townsperson: is the town plan in revision? When does it expire?

Matt: 2028. Not being revised now. We cannot wait to 2027. It takes 3 years to do. Utilities and energy are in the town plan.

Townsperson: The fire district could do anything. It can exercise its own authority. It's super powerful. It would have wide sweeping authority, beyond authority of the elected officials.

Town person: There would be no Select Board or PC representation in the Fire District.

Matt: and how would it affect the town plan? Could they do as they wish?

Town person: For example, they have eminent domain and that is true for property outside of the district, including all the people who have told T&B that they have no interest in having a system on their land. The State may have seen it as a back door way of making the system possible. Decreased the number of people who could turn it down; increased the likelihood that it might pass.

Lester: is there any possibility of other grants in the future that wouldn't require this much citizen financing?

Townsperson and Matt: impossible to predict; grants change all the time.

Matt: It's time that we merge our information. We did bring our information about the biological system to T&B but they weren't interested. We talked to other experts and were informed that it is feasible.

Lester: Who does T&B work for, the town or the Select Board.

Town Person: Joe is no longer part of the small committee that meets with T&B. Joe recused himself because his land may be a potential site.

Eric: there is one other thing that would be good before the Select Board mtg. If someone could call the two people at A&R who know about the ARPA grant and ask them about the statute language and how it is being used There may be A&R rules that have been accepted by the legislature that embody what that statute is.

Matt: reading from the statute. Design of a constructed wetland shall be based on industry-accepted publication, construction requirements, . . . sampling results, the desire to treat septic effluent. Shall include plants that are native to VT. Plants that won't adversely affect existing wetland species. So, if it's a statute one would think that it would fall into a grant.

Eric: We need to know what rules the agency uses to implement the statute. A&R will have rules, and they will be dispersed in areas that don't talk to each other.

Resolved: Matt will write up something for the Grafton News. He can consult with Hannah. Then the PC needs to meet to discuss the wording. We can't comment on it until we sit as a board. We need to do that between now and Christmas, because that is the deadline for the News.

Buzz: We should mention Sharon as an example that they can go look at. It has been working for 20 years and improved its efficiency/capacity (more than tripled) over the years.

Eric: Explain that it's not a replacement for what T&B are proposing but would enhance water quality.

Lester: should we be lucky enough to get both systems, will that satisfy the State's requirements for new building in town?

Matt: yes, it will to some degree satisfy those requirements. Still would not big enough for a brewery.

Eric: The Fire District map line was entirely arbitrary. Maybe they used the map previously used to get Grafton recognized as a village center.

Townsperson: The village map does not include my property and some other properties and they are included in the fire district map. So, the previous map has been manipulated somewhat. It would be interesting to know what towns of our size have a fire district.

Resolved: Ask for the PC to be put on the Select Board agenda.

Resolved: Discuss with Select Board 1) we are going to do an update letter that will come out in the Grafton News in January; 2) we want to appoint an ombudsperson and merge our information with the Select Board; 3) introduce Hannah, 4) questions arise about the impact of creating a fire district on the town plan. [possibly missed an element? Also: Hannah will need a stipend.

#### **5. Budget.**

Matt: SB took out our request to improve the technical system for zoom, because they are doing it. They approved \$2,500 instead of 4k. Includes the \$500 for education/travel for us to be trained.

Eric: need some money for travel expenses for Hannah and to pay her for coming to inform the town.

#### **6. Municipal Technical Assistance Program Project Requests:**

PC: We should be thinking about EV chargers, to make it possible for thinking about EV chargers for people to visit Grafton. Should have multiple chargers somewhere in the village. If the town wants to remain visitor-friendly, we need to think about it. Possibly the Foundation would be involved. Solar panels on the town hall, probably not a good site (trees, historic structure, wrong orientation). However, lot across from the town shed could be very good for solar and could also work for EV chargers. Because we are turning to heat pumps, demand for electricity demand will go up. Need for battery back-up.

#### **7. VECAN.**

The energy and climate action consortium conference (core constituency is town energy committees).

Eric: Topics were 1) funding opportunities (there were many); 2) legislators discussing more, different green legislation.

#### **8. Next PC Meeting**

January 9, 2024 at 7pm