

Grafton Planning Commission

Regular Monthly Meeting

Tuesday, May 13, 7:00 PM

Grafton Town Hall 2nd Floor

<https://us06web.zoom.us/j/81340393010?pwd=TDk5Y3FDaUNYNVBHNmRRVGhNwWWRiZz09>

Planning Committee: Matt Siano, Eric Stevens, Buzz Fisher

Public in Attendance by Zoom: Cathy Siano Goodwin

MINUTES

Approval of Agenda

Approval of April Minutes

Town Planning Update:

Matthew Bachler from Windham Regional Council (WRC) to consult with the PC about Town Plan update.

PC: We have objections to the ANR river corridor hazard plan that was not done scientifically and it lacks an appeal process, so please can guide us to how our adjustments can go successfully into the next town plan.

We also need advice on any statutory requirements that would affect our plan and necessitate changes.

WRC: There have been no statutory changes to the river corridor laws since your last plan, so what you had last time would be accepted. However, in 2028, there will be new laws regarding river corridors flood hazard.

PC: We have concern about the lack of transparency in legislators making rules with such broad discretion.

WRC: There is always a process for public input re: rule-making process. There is a roundtable, if you can't make that meeting, you can watch the recording and put in questions/comments. Town Plan is an advisory document not a rule-making document. There is not much opportunity in the Town Plan to change the rules that will be made by the State. Most towns have flood hazard by-laws, but many towns don't have flood hazard regulations, and the state sees it as a state-wide regulations because each town making its own decision can affect the other towns on the same river.

PC: But it uses an arbitrary width from the river and it doesn't take into account material (ledge or granite), doesn't take account height from the river. State regs problematically sees a highway as a barrier, but flood water can go over the road.

WRC: Yes, the intent is to limit development in those areas, but if it's not done scientifically, then it is not identifying the flood-prone areas.

PC: The river is being turned in a flood, and the material, such as ledge, affects the water flow. What if the town provided the data; Grafton has done some alluvial surveys. But, we don't have elevations.

Does the law allow for town's adjustments?

WRC: Only if the town is making the law stricter.

PC: That doesn't address the need to adjust that the property is not really in a flood zone because of the topography/kind of terrain.

WRC: There will have to have some kind appeal/adjustment process. FEMA has Floodway (primary area prone to flooding) and flood plain is the adjacent area. The river corridor laws are state law, concerned with development (roads, buildings) which are in a place where the river wants to flow. Flood hazard and river corridor areas have a lot of overlap but not exactly the same.

PC: We will need data for the new town plan.

WRC: WRC provides a standard set of data, called community profile, to towns.

PC: What about goals from 2020 that we have not met, such as energy goals. Grafton has an enhanced energy plan.

WRC: Those goals are aspirational. There is no one who is monitoring the town. There is no harm in being aspirational but best to balance that with realistic achievable goals/action steps for how to implement. It's a good to have a few successful projects.

PC: What is achievable depends a lot on the state's laws. Problems arise because of those constraints.

WRC: If your goals and policies are aligned with state-wide planning goals law, there should be some recommended achievable action steps.

There is new energy data from the state; so you will update the enhanced energy plan as you update the town plan. WRC is in the process of breaking down that regional data for each town. You don't need a separate contract or grant to get those kinds data (community profile, energy data). It probably makes sense to wait a little bit to get that data so it's closer to the new town plan.

PC: Do town plans have legal standing?

WRC: it's helpful to have strong language like "shall" and "must" instead of "consider" for example primary areas of concern, historic values, because Act 250 requires looking at the town plan when making decisions. Some of the town's policies are more about the direction the town wants to take and other policies are more about having standing in the state permitting process.

PC: There is another issue from the previous plan which we didn't work out in detail regarding wildlife corridors and forest blocks.

WRC: Some towns have strong policies and others don't. ANR's hope is that towns would take the ANR plan and build off of it. Towns might prioritize some forest lots but a town may want to do its own mapping.

PC: We already have in the plan the idea that the town may purchase easements, but because it takes money, nothing has happened. It would be good for the town to act proactively rather than ANR stipulating to the town.

WRC: Do you see yourselves as tweaking the current plan or making substantial changes?

PC: the big change has been the AirBnB growth and housing in general.

PC: Do you have data on AirBnBs?

WRC: the Vermont Housing Finance Authority has a data portal where they collect statewide housing data. (Matt will send a link.) A company called AirDNA tracks and aggregates short-term rentals and that's where the VT housing finance authority get the short-term rental data. They capture the short-term rentals on the major platforms, which are the majority. Towns have passed ordinances. Some are just to keep track of the short-term rentals. Some towns have set a cap.

PC: Best to wait for current legal cases to be decided before setting a cap.

WRC: Statewide biggest challenge is more housing. Many towns are challenged by the wastewater issue, as well as the rising costs of constructing homes. It's a big challenge. Wide discussion of housing, housing that is built mostly has state's support for low-income and "missing middle."

Municipal Planning Grant:

WRC: Next grant for municipal planning, applications opens in September. WRC can help for the application writing so send me a draft. It's helpful in the application to have a few key issues that we want to work on in the town plan. The state has a lot of priorities around flood resilience planning and housing. When the application is announced, priorities are listed. It is competitive, so good to pay attention to the priorities. Also good to mention the planning that has been going on with the Outdoor Alliance. And, good that Grafton has a well-known historic village center. Make note of things that have changed in town.

Town Plan Review Chapters 6 Education:

Invite the Superintendent. The forthcoming legislation (re: consolidation from over 100 to 5 districts) will have a big impact. Small schools will lose their control. You would have X number of representatives for the whole district. Also, Windham Northeast is now \$1 million dollars in the hole, because federal money was withdrawn. We are all in limbo wondering what will happen next.

Old Business:

Eric: the Waste Water task force met with an engineer re: the 200K grant. Two main potential uses for the money.

- 1) Drinking water sampling from a geographical area of the village
- 2) Inspection of septic systems.

Much discussion at that meeting re: looking at water sources. But best to gather the information about the quality of the water so that townspeople would know whether contamination is growing, then more likely that action would be taken. Other use of the money could be future purchase of easement or purchase of property for future waste water. But that is probably not going to happen.

Matt: so it's a two-step process. Make the ordinance to require more frequent inspections of septs. Then hiring a company to conduct testing of water quality.

Eric: probably could get a good sampling about the underlying aquifer by testing 12 places. Including PFAS testing. So, estimating \$750 x 12. Not looking to shave off quality re: price; if we have to do 20 homes to have good confidence, should do that. Maybe it should be added to the town budget. This testing should be carried out over 10 years. This grant has to be spent by Aug 1, 2026. So need to start now: have done 2025 and 2026 from this money. We can guarantee the expense through a multi-year contract. Matt will contact Mark Johnson from RCAP, maybe he can help with water testing. Morgan can also research companies.

Eric: River Aware cell-phone app and need a rain sensor.

Matt: Will get more information about PFAS remediation from the person at Texas A&M.

New Business:**Public Comment:**

Cathy Siano Goodwin: There is huge pressure on the housing stock, it puts immense pressure on the school population. We are down to 31 students, combined Athens and Grafton combined. We have lost several families because of lack of housing and it affects the program. If there are only 3

kindergarteners, they will have to go into the 1st and 2nd grades. There are 10 families that are doing home schooling. We have encouraged them to come in for arts and music so that they can see what is happening in the school.

PC: It is possible that half of the student population is not choosing to go the Grafton school.

Public comment: We are working to encourage family involvement with the school.

PC: the legislators need to be looking at all of this because it is not just happening in Grafton. How many towns in VT don't have a school? It's almost becoming a norm.

Public comment: when we built the new school, we built it for 120 students. There are many of the students now who are special ed, interventions with speech, OT, so we do use every inch of that building and we have a great staff, but we do have parents who want their kids at home or want to send their kids somewhere else. PC: if we have so many kids with special ed., we almost need 2 schools side by side in there.

PC: 10 years ago there was 63 students combined; 31 Grafton alone. This decline in student population has been going on for awhile.

.

Next Meeting June 10, 2025

Meeting Adjourned