

DRAFT MINUTES
MAIDSTONE PLANNING COMMISSION
PRESENTATION AND DISCUSSION ABOUT TOWN SURVEY AND RESULTS
Wednesday, January 17, 2024, 7:00 pm
Hybrid Meeting, in-person at Maidstone Town Hall and via Zoom

Members present in Town Hall: Chris von Alt, Chair; Bob Champagne-Willis; Selectboard and Ex-Officio Planning Commission Members Brad McVetty and Bruno McKenzie

Members present via Zoom: Bruce Barker; Chair of the Selectboard and Ex Officio Member of the Planning Commission Scott Lovell

Town Officials and Staff present at Town Hall: Town Clerk Amy Pear; Administrative Assistant to the Planning Commission Mary von Alt

Town Official Present via Zoom: Lister, Auditor, and Health Officer Sandra Gray

Also present (via Zoom): Jesse Noone of NVDA, Ray Lovell, Lin Mixer, Brian Connary, Jim Bennett, Lisa and Paul Flourde, Alexa Bernotavicz, Ed Tully, John Kascenska of the Vermont Community Development Board in the Agency of Commerce and Community Development

Chris von Alt, Chair, called the meeting to order at 7:03 pm. He told attendees that the meeting would begin with a presentation about the 2023 Maidstone Town Survey, during which questions would be welcome; after the presentation, the floor would be open for questions and discussion.

The Planning Commission's presentation, which is [posted on the Town website](#), included:

- the step-by-step Plan to update and re-adopt the Town Plan, from the Town Survey (Phase One) through revisions, informational public sessions, and public meetings (Phase Two) to both ensure that the Plan reflects the Townspeople's vision and that it complies with State law, and through review by NVDA and by the Selectboard, with another public meeting before final approval and adoption;
- Historical information about the founding of Maidstone and about previous Town Plans and surveys;
- The fact that Vermont is a Dillon State, meaning municipalities receive all of their legal authority from the Vermont Legislature; Maidstone can only exercise powers that are specifically granted to it through State statutes;
- The benefits of having a Town Plan that is approved by the Regional Planning Commission, NVDA:
 - provides access to State grant funding;
 - is a component of eligibility for the Town to receive the maximum State assistance in a flood disaster;
 - is a component of eligibility for residents to purchase flood insurance through the National Flood Insurance Program, which is less expensive than privately purchased flood insurance;
 - enables the Town to update its Bylaws.
- State required elements and goals; where the questions came from;
- Information about responses to the Survey.

No questions were asked by any attendees during the presentation. After the presentation concluded and the floor was opened for discussion, John Kascenska asked about the high level of concern reflected in the survey results about "failed, improperly maintained, or improperly installed septic systems". The consensus of the Planning Commission was that this was associated with the Lake District. This is a general concern, not based on any definite knowledge by the Town that septic systems are failing or have failed. Bob pointed out that the Town does have data about a number of septic systems on the Lake showing that, according to when the systems were installed, they are reaching the end of their effective life. Chris, who now does the lay monitoring of the Lake, said that this year the State began looking at the presence of caffeine in water samples, as that is a symptom of a failed septic system. The State is grappling with the difficulty of making such measurements, but will continue this effort next year. If caffeine is detected, that would indicate that there is a problem, with the next step being trying to zero in on why and where.

Brian Connary said, "There is a pretty good chance that your survey has no value for the whole town, because the results are very skewed, because the overwhelming responses are only from the lake. So, I would consider that, if you are planning on making changes for the whole town." Bob responded that everyone who was a land/property owner was sent the survey, as were all voters and also people who are residents. Everyone had the opportunity to respond to the survey, with multiple appeals that they do so. Brian said he is a landowner, but did not receive the Survey. Everyone on the Grand List was mailed a survey, said Bob, so why Brian did not receive one is unknown. Later in the meeting, Amy asked Brian to contact Town Hall so she could verify his address, as she is concerned that the Town might not have his correct address. *(The Town Clerk later verified that a survey was mailed to Brian Connary at his Groveton address.)*

The fact that surveys were not returned proportionally should have some weight, said Brian. Chris said that the number of surveys from people in the Lake District is known, but the responses of those individuals are not known. Brian replied that he "thinks it's pretty clear."

Bob called attention to the fact that the basic question asking, "Do you think Maidstone should be a SMALL residential community with LIMITED business and industry, a LARGER residential community with LIMITED business and industry, a SMALL residential community with MORE business and industry, or a LARGER residential community with MORE business and industry?" is the exact same question that was asked in the 2006 Survey, and received virtually the same response - Maidstone should be a SMALL residential community with LIMITED business and industry. Brian responded, saying that's fine if you are retired at the lake, but not if you are a young resident living here and trying to make a living. He said there is no one farming in Maidstone anymore. The people who own those farms are going to have to sell land or develop land, because they are not going to be able to hold that property without income off it. He said if the Town wants to keep agricultural land, you will have to figure out a way to help.

Brian stated his view that "There are a lot of things in that survey that don't seem very well represented for people who actually live here and work here. If you have a place at the lake and you are retired or whatever, you are certainly in a different boat than a young person trying to live down here on 102 and travel to work." Bob said, "Point well taken." Chris agreed and said that there will be a series of meetings to go through and develop this, and any input is welcome. This is a Town Plan, not a Lake Plan." Brian said that, "From a lot of residents that I have talked to, they have felt for years that the lake rules the town. Let's face it, the lake is a major part of the town and a huge part of the tax base ... so certainly their say should carry a lot of weight, but I think a lot of the residents that I know and talk to have basically just kind of gone away from town politics and let the lake do their thing, and it's kind of unfortunate. I think they feel unrepresented." Brian apologized, saying he is not a resident so feels like he is butting in, but he thought something should be said.

Chris responded that his comments are important contributions to the discussion. Chris said he is not interested in trying to tell the Town what to do; he is interested in putting together a Plan that serves the residents of the Town in the future. The Planning Commission is trying to go through a process that the State mandates in order to be able to give the Town the ability to get flood insurance and grants to offset the cost of all that the State puts on municipalities now.

Mary, picking up on Brian's comments about farming, referred to a discussion at a previous Planning Commission meeting about the changing picture of agriculture in Maidstone, given the loss of dairy farming and big farms, but the presence of smaller operations, such as Ed Tully's. Ideas and input are needed about what the Town can do to be supportive of these smaller agricultural operations.

Ray Lovell asked where the Planning Commission thought flood insurance was important, as he thought it was pretty impossible for people to be flooded out in the Town of Maidstone. Chris responded that this is a State required element that has to be included in the Town Plan; if the Town has the Plan, being able to buy flood insurance at a lower cost is a benefit, whether people use it or not. Mary added that the flooding element must be included for the Town Plan to be approved by the regional planning commission (NVDA), and that approval is required for the Town to be eligible for some State grants. Ray returned to this question again; Mary said that there are aspects of the question of flooding that are beyond the Planning Commission. The Commission is just doing what the State mandates; it is not telling anyone they have to buy flood insurance.

Ray returned to this question several more times during the meeting. In response to Ray again questioning where flooding could possibly happen to people's property in Maidstone, Alexa Bernotavicz thanked the Planning Commission for their work and told Ray her opinion about who might be vulnerable to flooding that did not come from the river.

Bruno said that he and a lot of locals do not want a lot of change, that "I don't know what you guys' plans are, but you should try to keep it as simple as it can be. I am speaking not just for myself, but for quite a few locals that I have talked to." Chris replied, "In response to that, I don't see anything that came back in the survey that says there should be large changes to anything. What I see is that what the people in the Town want hasn't changed very much; it's very consistent... The people want this to be a rural, agricultural community. I don't think that's the consensus of just the people at the lake - that's the Town as a whole. We are just going to do our best to interpret this and keep it as simple as possible." Bruno said we all have to understand that this is Maidstone, a small community, not Burlington.

Amy said, "It is also one community though. It looks like in this survey the one community spoke with one solid voice. It didn't matter whether you lived on 102, on North Road, or at the lake. Everybody seemed to be in total agreement. Isn't that what everybody wants?" Bruno said that unfortunately, a lot of the people he talked to had not done the survey, although he told them they really need to fill out the survey; he commented that not doing the survey will come back to bite them. He talked about doing the Bylaws, defining them so people understand them, and then predicted that with the prices of property, we would see a huge change in people because the locals won't be able to afford that, referring to the State taxes that are increasing based on the price of property.

Chris said, "Every town has to have a Planning Commission, so somebody has to sit in these seats. I am not thrilled to be sitting here - I have other things I could be doing. And I am certainly not here with some kind of agenda to change the Town or to ignore anybody else that is here...I fell in love with this place. We camped here for years...That's why I'm here. But you get in this job and people start throwing darts at you like you are trying to change what the world's all about, and that's not it. Nobody else would step forward to take this position. And it's in the Town's benefit to have a Plan in place. Regardless whether you get flood insurance or not, it's a good idea to have access to grants and to be on the good side of being able to get money out of the State in the event something terrible happens... You're not going to make everyone in Town happy, but we certainly want to support what the community is. And it seems really clear. 139 people*, a lot more than the 99 from the lake, said they want to preserve the farms, the forest, and those things that I put up (*in the presentation*). I didn't see anything in the survey that said we have to change things that are drastic." Bob added that the Bylaws do have to be updated because there are elements that didn't exist before. Mary highlighted the change in State law from saying the Town Plans "may" comply with State goals, to saying that Plans "shall" comply with State goals.

*(*Note: 145 people responded to the Survey in total, though some people did not answer all the questions.)*

Ray Lovell suggested that we have two tier zoning "where the Maidstone Lake people can police themselves the way they want to, and the town folks, the farmers, and local people who have been here forever are not restricted any worse than they are now; the same Plan goes through." He spoke about the number of landowners who will have to sell because they can't afford the increasingly high taxes. Bob said this is happening throughout the Town, that the property values have to reflect fair market values according to State law, which is the responsibility of the Listers, not anything that the Planning Commission and Zoning Board are involved in. He agrees that the taxes are horrible, and they are going to get worse. Ray said, "The Town has changed a whole bunch, and is not the same as it was 30 years ago... It will go by the wayside like all the other towns if we don't be careful and somehow control the growth. To protect the farmland, there should be a limit to the taxes that can be charged on that land, so it doesn't become developed... That would save that land from development."

Jesse Noone of NVDA introduced himself as the person from the regional planning commission in the Northeast Kingdom who will be working with the Town of Maidstone on the Town Plan. Jesse said the survey is just one phase of outreach that will happen; the Planning Commission will have more sessions to gather input. He stressed the fact that the Town Plan is not a regulatory document; it does not create zoning. It offers

guidance and ultimately represents community values, hopefully informing future decisions by the Selectboard.

Referring back to Bruno's comments earlier about people not filling out the survey, Amy encouraged Bruno to tell those people to come to the meetings even if they don't want to do the survey. These meetings are the opportunity to add your voice to the planning process. She said she thinks that the more people are heard from, the more it will be clear that people agree on much. This participation by different people contributing their own opinions is powerful, she said.

Chris addressed the tax issue, clarifying that it's the State education taxes that are increasing, not the municipal taxes. The Town cannot control State taxes.

Ray asked the Planning Commission to consider the two tier zoning. Bob replied that there are already different zoning rules for the different districts. Ray said, "The lake people want to have more restrictions on their neighbors than the farmers in the down country here want." Chris pointed out that the State education tax would be uniform for everyone anyway. The education tax is based on the value of your property, and you can't two tier that.

Ray then said, "The townspeople down here don't want to be controlled as much as the people from the lake want to be controlled. You had all these people from the lake send in their thing telling you how they want to be controlled, how they want their little part of the Town controlled, but I am sure that a lot of the people who have been here for years are not really happy about the changes that have happened to this Town. That's my opinion."

Chris responded to Ray that he would look at Ray's two tiered system, that he respects Ray as a member of the community, is glad to hear from him, and always enjoys his comments. Bruce Barker said he agrees with a lot that Ray said, and also agreed that a two tiered or multi-tiered system is something we should look at. Ray concluded his remarks by saying he is just saying what he thinks, will see the people at Town Hall tomorrow, and "we are still friends; I am just telling you what I think about this."

Amy pointed out that there will be more such informational meetings with the opportunity for input, as well as the official public meetings that are part of the overall process. Chris suggested that anyone who did not already fill out a survey, but still wanted to, should contact Town Hall. Surveys are available there or can be emailed on request.

Chris asked Lin Mixer if he had any comments. Lin said, "Ray, some of us who have been here (*on the lake*) for a long time, either full-time or part-time, we don't feel - a bunch of us don't feel, I dare say - that we are trying to restrict our neighbors or control our neighbors. So I can't say everyone here at the lake might go along with your thinking there." He expressed respect for Brian Connary's opinions and concluded with, "At this point here, there is not much else I can add. Let's go to the next meeting."

With that, Chris asked Jim Bennett if he had any comments, which Jim did not. The meeting was then concluded and adjourned at 8:07 pm.

Respectfully submitted,
Mary von Alt