

TOWN OF LYNDON
PLANNING COMMISSION
June 9, 2021 Meeting Minutes

Planning Commissioners: Ken Mason, Sean McFeeley, Curtis Carpenter, Tammy Martel, Andrea Day, Nedah Warstler

Public Official(s): Nicole Gratton, Chris Thompson

Press: NONE

Public: Pauline Harris

Ken Mason chaired the meeting, which was called to order at 6:02 p.m.

Sean McFeeley made **a motion to approve the minutes of May 26th, 2021.** Curtis Carpenter **seconded the motion.** The Commission **voted 6-0.**

Sean noted that there has been no update regarding the Better Connections grant/work because there was no meeting on Thursday June 3rd.

Sean gave an update on the Bylaw definitions review. Sean has merged the definitions into the land use matrix and should have it emailed to everyone by the next meeting (June 23, 2021). Ken asked if there are definitions that still need to be defined. Sean will seek out definitions for those that are still missing. Sean's main priority is organizing the work that has been done already. Nicole noted confusion on a different definition "accessory building and use". Sean will separate the definitions out of the matrix for official purposes after the PC reviews and discusses.

Ken gave an update on the Kennametal building that has been circulating in emails and news articles and notes that agreement has been reached for demolition of the Kennametal building. Andrea Day asked if there was anything in the regulations that will give the Town authority to direct how the land will be left after demolition. St. Johnsbury has encountered a similar situation with the demo of their McDonald building. Curtis noted that there are ordinances about the way lots/buildings are left in the Town. Ken thinks we should wait on reaching out to see what happens. Curtis thinks DEC is going to have some say in how this is taken care of because the DEC will have to approve any site remediation plan and Curtis hopes it will not come to fencing it off and will instead require the lot to be remediated. Andrea asks to follow up with Dave and Annie- what is the process on your end? Nicole will be calling EPA on Monday and will ask if there is anything that can support this issue. Chris would like a letter drafted to Kennametal to let them know what the Town would prefer the lot to be left like. Chris mentions Northeast Tool and how it was paved over and wrapped with fence, and this is not what we want for Kennametal site. **Chris will draft the letter. Support letter from PC, 1st draft by Curtis.** Curtis wonders if someone from the PC should meet with someone from the DEC to be aware of what the expectations are: will the known contaminants be remediated? **Curtis will reach out to DEC- Rich Speise and Patricia Coppolino- this week- regarding Corrective Action Plan.**

(Minutes 19-55) Ken gives update on USACE and phone conversations with USACE representative. Received feasibility study last week which was started in 2018 and sponsored by ANR of DEC. Ken wonders why the Town had not been informed of this study happening. Reaches out to USACE in Essex

Junction, VT. Arranged for a Webex conversation with USACE representative Janet Cote on Thursday June 3rd. Public notice on the study was determined to not be required. Chris, or any Selectboard member, was not informed that this study was occurring. The study covers the entire Connecticut River Basin and offers three different options for dealing with the flooding issues in Lyndon. Option 1: buyout and floodproofing. Option 2: Structural Infrastructure changes and non-structural changes including elevations and floodproofing. And Option 3: only non-structural changes. Buyouts were determined by an unknown entity to not be an option. Ken reached out to Sacha Pealer (ANR) and Alison Low (NVDA) to get information, but they had none to provide. Curtis notes that there is no longer a Non-Federal Sponsor of this study, which includes the monetary commitment of 35%. Ken and Curtis will be calling someone at DEC tomorrow, Thursday June 10th, 2021. Ken notes that Lyndon understands there are flooding issues, and there have been many studies and the question remains, when will implementation of the recommendations take place and who will pay for it? Curtis had asked at the meeting: When does an USACE recommendation become a VTRANS priority? Janet did not have an answer to that question.

After review of the situation, phone conversations and current standing, dialogue opens. Chris notes that the report stated the DEC forced the Corps to rule out infrastructure changes, which Chris feels is unfortunate. This study is not going anywhere- “forever a draft”. Andrea thinks that the State level persons were disconnected from the local level issues. Chris notes the issues with “locally preferred option” as the language used in the document when there was not local input. **Ken and Curtis are meeting DEC representative on Thursday and will be talking about the standing of this situation.** Andrea wonders if Brattleboro & know about the study. They are referenced in the document. **Andrea will reach out to Brattleboro.** Chris links this study with the Ice Jam study that started in 2020. He hopes the Ice Jam study doesn’t follow a similar course. Ken asks if Ice Jam study has been reviewed by anyone. Chris stated no. Pauline Harris comments that it is too bad the information was not shared and that the only local input was with Justin. She comments that it is too bad that the ACE was unaware that zoning regulations were changed at the local level and that the least expensive option, to raise elevations and floodproof businesses, was picked as the preferred option. Chris raises the question of whether there is there any data from this study that was collected that could be useful? **Ken will ask about data at the phone meeting on Thursday.**

No other business, news & announcements, comments from the public. Next meeting agenda items include: Update on Better Connections, review of Bylaw Definitions and Land Use Matrix, update on Kennametal, and review of 2020 Lyndon Municipal Plan Year 1 actions under the responsibility of the Planning Commission.

COVID-19 guidelines are considered and discussed in relation to the reopening of the municipal building and having meetings in person. Next meeting will be virtual. Future meetings may be in a hybrid format so that participation stays high and consultants from distance locations can still be in attendance.

Next meeting is scheduled for Wednesday June 23, 2021 on Zoom.

The meeting adjourned at 7:06 p.m.

Respectfully submitted by: Nicole Gratton

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