

BETHEL SELECTBOARD MINUTES SEPTEMBER 12, 2016

Present: Select Board Members: Carl Russell, Lisa Hill, Vanessa Brown, Chris Jarvis and Moe Brigham; Town Manager Keith Arlund, Town Office Assistant Kelly Hill, Lisa Campbell, Linda O'Brien, John Pitrowski, Andrea Dotolo, Joann Wood, Ola Odell, Cynthia Quilici, Bruce Amsden, Paul Feeney, Joseph Russo, Walter Mills, David and Edith Aiken, Phil and Peg Mollitor, Cliff and Nancy Cyphers, Colin Floyd, Mary Floyd, Wade Floyd, Tim and Kim Aldrighetti, Mary Braley, Brenda Badger, Lang Durfee, Andrew Durfee, Matt Durfee, John Durfee, Wendy Bailey, Dawn Chittenden, John Chittenden, Arlene Nelson, Alfred Nelson, Peter Johnson, Carla Hodgdon, Robert Gaiko, David Eddy, Dennis Wood, Mary Pavone, Bill Brainard, Neil and Shirley Putnam, Greg Fedak, Newt Whitcomb, Tim Mills, Angel Emmons, Debbie Brooks, Eric Benson, Leonard MEEK, Nelson Lyford, Kevin Barry, Steve Vargo, Mike Bilodeau, Alex Riesterer, Fred and Penny Griffin, Leroy Jackson, Lucien Hinkle, David Sambor, and Lisa Warhol for the "Herald of Randolph."

Call to order 6:00 pm Carl Russell.

Approval of Agenda

Appointments:

Lisa Warhol from Bethel Revitalization Initiative spoke of Bethel's Better Block Project. Projects being worked on are the BBB weekend September 30- October 2. There will be live music, guided hikes, bike lane, bus stops, pop up shops. To prepare for the weekend volunteers will clean properties inside and out. Outdoor seating will be added to spaces around town as well. Warhol discussed the timeline of the event as well as clean up following the event. Sunday following the event, 1 pm to 5 pm will be the cleanup time for anyone wanting to volunteer and help. Warhol mentioned connecting with the Board following the events to discuss what went well and what did not go well.

Public Comment or Inquiry:

Robert Gaiko thanked the Town and Board for the new speed limit signs that have been placed in various locations downtown. Gaiko mentioned that he feels they have made a difference and are helping with enforcing the speed limit.

Public Hearing: Draft Unified Bylaw (Zoning and Subdivision):

This portion of the meeting was recorded by O'Brien Reporting Services. Please refer to the transcript for this portion.

Reports, Motions and Ordinances:

1. Considerations of Zoning Bylaws:

Hill suggested deferring the decision at this time due to concerns with the designated area of the river corridor and it being so far outside the 50 ft. set back. Hill mentioned more discussion is needed. Russell agreed and mentioned that they can have as many meetings as needed and that they recognize the public's concerns and at this time will "table" the zoning. Russell also suggested that at the next meeting he would like the two maps from Two Rivers-Ottawaquechee Regional Commission that do not have all of the overlays on them. He would like the map with just the River Corridor. Hill motioned to have this deferred at this time, seconded by Vanessa Brown. All were in favor.

2. Designation for Voting Delegate for VLCT'S annual meeting:

Arlund mentioned interest and that he would be at the annual meeting. Russell motioned to make Arlund voting delegate and Hill seconded; all were in favor.

3. Potential Appointment of representative to the Clean Water Advisory Committee:

Brown said she was interested and would be representative. Brigham motioned, Hill seconded, all were in favor.

4. Approval of Change in Terms for Loan:

Arlund explained this had been approved previously was a change in terms of the loan. Hill motioned to approve, Russell seconded, all were in favor.

5. Discussion on Town Manager's Evaluation:

Board agreed to have the evaluation completed by the end of November. Correction to the bottom of evaluation needs to be made as it had only 3 spots to sign, need 5 for 5 member board.

Russell would like forms back by the end of September and or to check in at next board meeting.

Town Manager's Report:

Arlund thanked staff for support and extra work while he was out.

Updated Board on Alternate Projects, Old Route 12 looks good. Buyout property bids are due September 16, 2016. Russell attended the pre-bid to discuss the three properties, parking sites, signage, trails etc.

Constable Report: Mentioned Belisle is doing a good job. Discussed needing a new cruiser soon and have been researching options. Currently have a 1997 Tahoe that is not in great shape. Paul Feeney addressed the Board mentioning that Gateway Ford gets used Cruisers and would be worth checking with them.

Action Items:

1. Camp Brook Road paving will be taking place the last week of September. Keith will be meeting with Dick Covey from Pike to check in and go over project.
2. Prepare-a-thon: Something will take place in October because of the Forward Fest and the Better Block events. October is less busy and more time available.
3. Arlund made mention of the VT Alert System and that they will utilize it more because of how well it worked.
4. Russell spoke with Chief Aldrighetti about meeting with the Fire Department and Hill would like both to meet together at least once a year. Russell mentioned to Arlund to set up a meeting that they can go to at the Fire Station.
5. Town Hall paint: Arlund got info from a California Paint representative that it will need to be sanded and painted with a latex/metal paint. Town can apply for a Historic Preservation Grant but the entire project will cost approximately \$45k. Arlund is trying to get a more accurate figure.
6. Brigham updated Board on Solid Waste meeting. Brigham goes to next board meeting on Wednesday September 14. Brigham will find out if Board will agree to a joint meeting with Bethel Board. It was noted that Sherman spent time with Kristen going over processes on Bethel's end.
7. Russell brought up BRI and their question of whether or not they should clean up road paint from their weekend events. Board agreed that BRI should clean this up rather than letting it fade. Russell would like to know more about what type of paint it is etc.

Approval of Minutes from August 22, 2016

Hill motioned to approve, Brigham seconded. All were in favor.

Reviewed Committee Minutes

Energy Committee will be attending September 26, 2016 meeting.

Other Business

1. Discussion on applications for Bookkeeper position. Next meeting will get update from Arlund regarding applications for Bookkeeper position.

No other discussion.

Brigham moved to adjourn, Hill seconded. All were in favor.

Carl Russell

Lisa Hill

Vanessa Brown

Chris Jarvis

Moe Brigham

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TOWN OF BETHEL, VERMONT

PUBLIC HEARING

DRAFT UNIFIED BYLAWS

held on Monday, September 12, 2016, at the Bethel Town Hall, 318 Main Street, Bethel, Vermont, commencing at approximately 6:15 p.m.

PRESENT:
 SELECTBOARD MEMBERS
 CARL RUSSELL, BOARD CHAIR
 VANESSA BROWN
 CHRIS JARVIS
 LISA HILL
 MOE BRIGHAM

KEITH ARLUND, TOWN MANAGER
 KELLY HILL, OFFICE ASSISTANT

LINDA C. O'BRIEN, Registered Professional Reporter
 and Licensed Court Reporter in NH - #130

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 1-802-747-0199

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1 PUBLIC HEARING
 2 September 12, 2016
 3 Bethel, Vermont
 4 6:15 P.M.

5 MR. RUSSELL: So I will start off
 6 now making sure that anybody has a question,
 7 you can raise your hand now and we'll see if
 8 we can address it. Yes, Lucien?

9 MR. HINKLE: Thank you, Carl.

10 MR. RUSSELL: And I need to
 11 reiterate that everybody state their full name
 12 when they speak and please use the microphone.

13 MR. HINKLE: Lucien Hinkle. My
 14 question is, in the town plan, there were two
 15 separate designations in the flood way. One
 16 was called the flood -- one area was
 17 designated the flood way and another area was
 18 designated the flood plain. Now, in the town
 19 plan, development is allowed in the flood
 20 plain. But it looks to me, from these bylaws,
 21 that they are now combining the flood way and
 22 the flood plain into just one area, the flood
 23 hazard, is that correct?

24 MR. RUSSELL: Yes?
 25 MR. HINKLE: Thank you.

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1 MR. RUSSELL: Oia?
 2 MS. ODELL: Yes. My question is
 3 about --
 4 MR. RUSSELL: Can you please state
 5 your name? And it would be great if you can
 6 come up and use the microphone.
 7 So, if anybody else wants to speak,
 8 then maybe coming toward the front of the room
 9 can save us some time.

10 MS. ODELL: My question is about the
 11 water bills. I don't think it's fair and I
 12 think we should be metered because this one
 13 little old lady lives in that house by
 14 herself, that neighbors have swimming pools
 15 and lots of kids and their water bill is the
 16 same.

17 MR. RUSSELL: Thank you, Oia.
 18 MS. ODELL: And I think I want a
 19 meter or something.

20 MR. RUSSELL: Thank you.
 21 MS. ODELL: You're welcome.
 22 MR. RUSSELL: We're in a hearing
 23 that's dealing with the bylaws now.

24 MS. ODELL: Well, I thought this was
 25 a public thing before that?

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1 MR. RUSSELL: We're all done with
 2 that -- no, that's good. Thank you. Okay.

3 MR. COLIN FLOYD: Colin Floyd. I
 4 just have a question about the setbacks. I
 5 understand property lines 50 feet in the area
 6 that I'm in. What about these river corridors
 7 and stuff, is there going to be setbacks from
 8 those or are you allowed to build right on the
 9 edge of them just like --

10 MR. RUSSELL: Yeah, I think --
 11 Carla, do you have that information?

12 MS. CARLA HODGDON: The setback is
 13 50 feet and that is usually the measurement of
 14 the river corridor.

15 MR. RUSSELL: Well, he's speaking
 16 about from the edge of the river corridor.

17 MR. COLIN FLOYD: From the edge of
 18 the map corridor.

19 MR. RUSSELL: So, in other words,
 20 Carla is saying the typical measurement of the
 21 river corridor would be 50 feet back from the
 22 bank. But we can see easily on the map that
 23 that's actually not. And so there isn't
 24 actually in the bylaws a setback from the
 25 river corridor, no.

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1 MR. COLIN FLOYD: Okay. Thanks.
 2 MS. DETOLO: Andrea Detolo. There
 3 just was a little bit of confusion in the
 4 table in 4.12.3.1. It says that all new
 5 structures in the flood hazard zone, the flood
 6 way and the river corridor are prohibited.
 7 The little "x" there. And, if you go on to
 8 the next page, under conditional use it says
 9 that new structures would be allowed if they
 10 were in the village district. And that was
 11 just conflicting to me. I was wondering if --
 12 MR. RUSSELL: On the next page,
 13 which number are you referring to?
 14 MS. DETOLO: 4.12.3.4. And it's the
 15 first one, new residential or nonresidential
 16 structures in the village district.
 17 MR. RUSSELL: And that doesn't jibe
 18 with what ls says on the --
 19 MS. DETOLO: In the table.
 20 MR. RUSSELL: Yeah.
 21 MS. VANESSA BROWN: I'm sorry. I
 22 was just saying that I think it would be
 23 helpful to me if you could slow down a bit
 24 because I'd like to understand what you're
 25 saying and I'd like to make notes.

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1 MS. DETOLO: Yes.
 2 MS. VANESSA BROWN: So I'm on page
 3 40 and you're saying what is going on; what is
 4 your concern?
 5 MS. DETOLO: Yes. On 42, the table?
 6 MS. VANESSA BROWN: On page 42?
 7 MS. DETOLO: Yes.
 8 MS. VANESSA BROWN: Okay. Great.
 9 MS. DETOLO: The first thing on
 10 there says new structures and it says "X" for
 11 prohibited in all three of those hazard zones.
 12 MS. VANESSA BROWN: "X" prohibited,
 13 in the hazard zones you are talking about are?
 14 MS. DETOLO: The special flood
 15 hazard area.
 16 MS. VANESSA BROWN: The special
 17 flood hazard area and you're looking at the
 18 new structures, the storage and the fill.
 19 MS. DETOLO: Yup. And that's the
 20 same for special flood, flood way and river
 21 corridor.
 22 MS. VANESSA BROWN: Okay. So your
 23 concern about the limited --
 24 MS. DETOLO: So I was -- yeah,
 25 because under here it seems like if you're

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1 within the overlay zones and you're within the
 2 village district, it would be a conditional
 3 use.
 4 MS. VANESSA BROWN: Your concerned
 5 that it would be a conditional use?
 6 MR. RUSSELL: That it's not clear.
 7 MS. DETOLO: Right. The question
 8 is: It strictly prohibited or is it allowed
 9 in the village district?
 10 MS. VANESSA BROWN: Okay.
 11 MR. RUSSELL: Is that something
 12 you're familiar with, Carla, that you can
 13 clarify for us?
 14 MS. HODGDON: Kevin might also --
 15 now, my understanding, he asked the same
 16 question, is because so many Vermont villages
 17 are located in flood plains along the rivers
 18 and the valleys, that the state has been
 19 willing to be a little bit more flexible in
 20 village districts.
 21 MR. RUSSELL: And that's what we
 22 were talking about the other day.
 23 MR. GEIGER: Yeah. I can't answer
 24 that question, but I think it's a good
 25 question because the --

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1 MR. RUSSELL: Can you say your name,
 2 please?
 3 MR. GEIGER: I'm Kevin Geiger. I'm
 4 with the Regional Planning Commission.
 5 4.12.3.3 talks about no new structures outside
 6 the village district, but the chart doesn't
 7 have an inside-outside kind of, you know,
 8 separation. So I think it's one of those
 9 things where there's two parts that need to
 10 get squared.
 11 MS. HODGDON: Carla Hodgdon,
 12 Planning Commission member. Some of the
 13 conditional use references are also for the
 14 improvements with existing structures and for
 15 the accessory structures that are conditional
 16 use.
 17 MR. RUSSELL: Great, Carla. Could
 18 you come sit up front so that, when you
 19 answer, then we can have you on the
 20 microphone, please? And I just want to --
 21 we're getting -- it's nice that we can move
 22 quickly, but I want to make sure that we
 23 adhere to the protocol and people come to the
 24 microphone when they are speaking. So are
 25 there any other questions before we begin?

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1 MR. FEENEY: Yeah, Carl, I have one.
 2 My name is Paul Feeney. I'm from River
 3 Street, Bethel. In 1.1 in the introduction,
 4 line six and line seven, it says, any current
 5 land use that is legal prior to the adoption
 6 of this by-law may continue. Then I want to
 7 point out in 1.4 the bylaws on line 18 says
 8 it's the general welfare of the inhabitants of
 9 the town of Bethel and your job is to protect
 10 and conserve the value of the property. And
 11 then down in 1.5 under intent in line 30 this
 12 by-law is not intended to deprive individual
 13 property owners of the reasonable use of their
 14 land. And then --
 15 MR. RUSSELL: Do you have a
 16 question, Paul?
 17 MR. FEENEY: Yup.
 18 MR. RUSSELL: All right.
 19 MR. FEENEY: And then under 1.8,
 20 it's a contradiction to what your intent and
 21 everything is because under 1.8, upon adoption
 22 of the bylaws or amendments thereto all prior
 23 Bethel ordinances and subdivision regulations
 24 shall be superseded. So what is it?
 25 MR. RUSSELL: What is -- what you're

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1 getting at is whether or not the authority
 2 given to us to make zoning regulations is, in
 3 fact, taking or affecting property values of
 4 people?
 5 MR. FEENEY: No. I'm curious of
 6 what your intent is because you clearly say
 7 you want to protect the value of the
 8 homeowners here. And then in that 1.8 you
 9 clearly just said anything that's before is
 10 wiped out under the bylaws. So -- and it says
 11 I can use the land prior to, so I'm just
 12 curious.
 13 MS. VANESSA BROWN: So, if I
 14 understand what you're saying, I think that
 15 perhaps you're making more of an observation,
 16 a comment, rather than a question? I guess it
 17 could be considered both.
 18 MR. FEENEY: It's actually a
 19 question for you guys to answer what the
 20 intent -- is that truly the intent or what?
 21 MR. RUSSELL: The -- 1.8 states that
 22 all prior zoning ordinances and subdivision
 23 regulations will be superseded. It doesn't
 24 say that all prior uses will be superseded.
 25 Anything that's in place already is now

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1 superseded by these regulations.
 2 MR. FEENEY: Right. But prior -- if
 3 you adopt these laws, my prior use of my land
 4 is going to change. I will be in the river
 5 corridor, in the flood plain, and I will not
 6 be able to build a single thing on my
 7 property, so that's why I'm asking this
 8 question.
 9 MR. RUSSELL: The intent is to pass
 10 bylaws that protect the property rights of all
 11 the residents in the town through regulation.
 12 That's the purpose of the zoning process. So
 13 it's to protect the property rights of the
 14 people in the town. So, if you've got a
 15 specific question? I mean, this is --
 16 MR. FEENEY: I thought I was pretty
 17 specific.
 18 MR. RUSSELL: No.
 19 MR. FEENEY: Is your intent to
 20 protect the value of the people --
 21 MR. RUSSELL: Yes, it is.
 22 MR. FEENEY: But then you supersede
 23 the use of with that last line, so that's what
 24 I'm curious about.
 25 MR. RUSSELL: Because it's in the --

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1 these are drafted with the idea that they're
 2 in the best interest of all the property
 3 owners in the Town of Bethel.
 4 MS. VANESSA BROWN: So I'm going to
 5 say again that I think that the nature of the
 6 question is more of a comment. As Carl has
 7 said that we are updating our bylaws, we're
 8 revising our bylaws, and the purpose that --
 9 the statement under 1.8 is saying that these
 10 would update the current regulations that we
 11 have.
 12 MR. RUSSELL: All right. We'll save
 13 more for when we get started with the
 14 comments. Lang, do you have a question?
 15 MR. LANG DURFEE: Please.
 16 MR. RUSSELL: Could you state your
 17 name, please?
 18 MR. LANG DURFEE: Yes. Lang Durfee.
 19 Bethel. First of all, I want to thank the
 20 Planning Commission, Carla and her team. I've
 21 served on that committee. I know how tough it
 22 is. So thank you, Carla. I pass that along.
 23 I know it's difficult. And thank the board
 24 for standing tough with all these things. I
 25 know how tough it is up there, so thank you.

<p style="text-align: center;">Page 13</p> <p>1 This is tough stuff. 2 I've got five questions. Just jot 3 them down; you can answer them now or 4 whenever. A, have we conducted what the 5 impact on the town would be passing the law 6 versus not passing the law, you know, what do 7 we get by passing this? What are the state 8 incentives that benefit the town versus what 9 are the tax impacts or, you know, businesses 10 move out or properties not developed down the 11 road. Just driving through, it's just a 12 comment, driving through Bethel, it doesn't 13 look like we're doing stellar. So maybe some 14 economic vitality might be of benefit to the 15 town, so we want to keep that in mind. 16 Two, can we get a clear map on the 17 river corridor? They've cleverly kind of 18 blended that in so it's difficult to see. I 19 don't know if that was intentional or just 20 inept, but can have a good corridor map from 21 the state; maybe a stand-alone map? 22 MR. RUSSELL: Yes. 23 MR. LANG DURFEE: Three, what if we 24 disagree with the designation? I've got 25 property down behind Casting's that wasn't</p>	<p style="text-align: center;">Page 15</p> <p>1 accurate and what's not. 2 MR. RUSSELL: That's actually 3 prepared -- proposed. The bylaws actually 4 refute that quite well. 5 MR. LANG DURFEE: Okay. And last 6 may be a question for the Two Rivers, but how 7 do you designate a hydroelectric plant that by 8 nature is supposed to be in the flood plain? 9 How is that taken care of within the -- 10 MR. RUSSELL: I don't know. How do 11 you designate it? 12 MR. LANG DURFEE: You know, if I 13 need to do repairs, I want to make sure that I 14 can fix a hydroelectric plant that's 15 intentionally supposed to be in the river. 16 MR. RUSSELL: You have a permit 17 through the Public Service Board for that. So 18 you are actually exempt from any of the local 19 zoning concerns -- 20 MR. LANG DURFEE: Well, there are 21 associated structures with that, that's what 22 I'm saying. So those are my five. 23 MR. RUSSELL: Great. Thank you. 24 Does anybody on the board want to answer any 25 of those in detail?</p>
<p style="text-align: center;">Page 14</p> <p>1 touched in the '27 flood, wasn't even come 2 close in the Irene flood, but that's in the 3 river corridor. That's vital to my business. 4 What if we disagree that they put us into a 5 designation that doesn't properly fit; is 6 there a method to exclude property that may 7 not fit? 8 MR. RUSSELL: Yes. 9 MR. LANG DURFEE: I mean, I know my 10 lumberyard, that's obvious. But down there it 11 wasn't touched. 12 MR. RUSSELL: There is, yes. 13 MR. LANG DURFEE: Will the board or 14 the planning commission put out a piece that 15 either refutes or clarifies a lot of the 16 information circulated? When I read through 17 this, there's probably a lot that's accurate, 18 maybe a point or two that's not accurate. But 19 it's being circulated and I'd like to know, as 20 a taxpayer, what's right and what's not? Are 21 we going to -- you can't refute everything, 22 but this is some -- a lot of effort was put 23 into -- I haven't had a chance to read through 24 it, but a lot of effort was put there. I want 25 to make sure I know, as a taxpayer, what's</p>	<p style="text-align: center;">Page 16</p> <p>1 MS. VANESSA BROWN: I want to make 2 sure that I understand the questions before -- 3 I'm more interested in understanding them. 4 But I heard the last one that there's some 5 existing structures and that the gentleman is 6 concerned about them, his property rights 7 being impacted by the changes in the bylaws. 8 I think I understood that question about sort 9 of the legal ramifications to his property 10 rights, which I don't think it's the board's 11 to answer that question. That's a job for 12 your attorney, possibly. But I wasn't quite 13 -- maybe someone else on the board can help 14 clarify the other questions to make sure that 15 we got them down? 16 MR. RUSSELL: Well, he was wondering 17 about the impact on the town for the adoption 18 of these rules and primarily the river 19 corridor, whether or not we had reviewed that. 20 He wanted to know what we get in the town, 21 whether or not there are incentives versus 22 what the cost in taxes are if the regulations 23 change the economic situation here. He asked 24 if we can get a clear map of the corridor. 25 And the other questions I didn't write down</p>

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1 because I answered.
2 Oh, what do you do if -- if you
3 disagree with a designation?
4 MS. LISA HILL: And rebuttal of the
5 facts as provided in this -- to refute or
6 rebut or prove those facts and that how would
7 this affect a hydro plant. Did I get them all
8 in?
9 MR. LANG DURFEE: Well, you call
10 them facts. I call it information. I just
11 want to refute, are they facts or are they --
12 MS. LISA HILL: Yes.
13 MR. RUSSELL: All right. So we do
14 have a map of the actual -- of the corridor
15 without all the other overlays on it. Kevin,
16 I think, has one now. And we would need one
17 -- we're going to need one in the town office,
18 anyway. But if you get this -- if you have a
19 computer and want to use this electronic
20 version, it's really quite good. It blows up
21 and gives very good detail of all of the
22 overlays. It gets clearer as you blow it up,
23 so we actually do have very good maps at our
24 disposal right now.
25 UNIDENTIFIED SPEAKER: Where do you

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1 get that?
2 MR. RUSSELL: We can get it through
3 Two Rivers or through the town. I got it on
4 my electronic version. When I get -- you can
5 actually download this. It's probably on the
6 electronic version on the website of the town.
7 MS. KELLY HILL: It's on our website
8 on the right-hand side under bylaws.
9 MR. RUSSELL: And so that there is a
10 process, it's complicated, but there is a
11 process that can be used to modify the
12 boundary of the river corridor. Kevin, do you
13 want to expand on that?
14 MR. GEIGER: Yes, on the modified
15 river corridor?
16 MR. RUSSELL: Yes.
17 MR. GEIGER: Again, I'm Kevin Geiger
18 of the Regional Planning Commission. I'll
19 talk to you, but they can all hear me.
20 So there is a process to modify the
21 river corridor. There's also a process to
22 modify the flood plain map which was made by
23 FEMA. And both of those basically involve
24 some engineering work, potentially, but also
25 just straight kind of common sense work that

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1 the town and the river engineer -- so, for the
2 river corridor map, the river engineer has the
3 ability to modify that on their own based upon
4 evidence given to them. So if, you know, if
5 the river corridor is halfway up the hill over
6 here, they can just move the line down and
7 that type of thing.
8 MR. LANG DURFEE: Without an
9 engineering study?
10 MR. GEIGER: Without an engineering
11 study. The river corridor -- the river
12 engineer has that power.
13 MR. RUSSELL: Great. Thank you.
14 And then, in terms of refuting or -- like I
15 said, I think that the plan and the zone --
16 there's quite a few good -- there's an awful
17 lot of information in these proposed zoning
18 bylaws. So we're getting some good answers to
19 some questions. I don't want to go too much
20 longer with the questions and answers because
21 we need to start hearing testimony. Are there
22 other questions? Great. Thanks.
23 MR. ALDRIGHETTI: Tim Aldrighetti.
24 Getting to the river corridor map -- actually,
25 if you go online to maps dot vermont dot gov,

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1 it shows it a lot better than that and it's
2 quite scary what it shows. I have two
3 properties that are in it that have never been
4 flooded. So, a couple of questions I do have.
5 Under the proposed river corridor
6 plan, what rights do all these people that are
7 now going to get looped into this have to
8 protect their property from erosion, storm
9 damage; what can we do now after this has
10 passed, if it passes?
11 MR. RUSSELL: That's the basis of
12 this, the definition of the river corridor is
13 that area that the river would naturally erode
14 to through its meanders over a long period of
15 time. And the idea is that, as we develop in
16 that zone, we're putting private lands -- if
17 we allow development in those zones, we put
18 private landowners' assets at risk and we also
19 compromise the rest of -- other people in
20 other portions of the river by whatever damage
21 could occur. So, if we protect assets that
22 are in the corridor, then, as we can see with
23 all of the rip rap that already occurs on the
24 river, we're basically preventing the river
25 from its natural meanders where it would

<p style="text-align: center;">Page 21</p> <p>1 dissipate energy and we're sending more energy 2 downstream so that we get the kind of effect 3 of Irene. So, in essence, there is no -- 4 there is nothing that you can do. So the 5 initiative is to try to get development out of 6 that natural river corridor. 7 MR. ALDRIGHETTI: So I'm clear on 8 this, my house I built 25 years ago, which was 9 not in a river corridor, I can't protect my 10 property down there from damage after this 11 passes, is that the way we're reading this? 12 MR. RUSSELL: The river corridor has 13 always been there. We've never designated it 14 before. And, even if we don't accept the 15 designation, it will be there. That's what 16 we're referring to. This is not an arbitrary 17 concept. It's a reality of how the river 18 works. And we have never taken a step in the 19 state or in this town to actually clarify the 20 risk that's involved with developing there. 21 So we have not designated it prior to tonight 22 or prior to this plan, but it's always been 23 there. 24 MR. ALDRIGHETTI: So we -- we don't 25 necessarily have to designate it, though?</p>	<p style="text-align: center;">Page 23</p> <p>1 part of the second row is now -- was always in 2 the flood plain. But they were able to, with 3 a permit, upgrade, change a certain square 4 footprint, whatever, put in sheds. How is 5 this going to be affected by the new flood 6 plain laws? 7 MR. RUSSELL: That's a little more 8 technical than I know. The river corridor 9 stops at Route 12. 10 MR. ALDRIGHETTI: Yeah, this is a 11 flood plain question. 12 MR. RUSSELL: So the flood plain is 13 this blue hash that also stops at Route 12, 14 does it not? 15 MR. ALDRIGHETTI: No. No. It goes 16 into the park. It goes in through the first 17 row into the second row. 18 MS. VANESSA BROWN: So the question 19 is how will -- 20 MR. ALDRIGHETTI: The question is 21 how is it going to change if you pass this new 22 flood plain law for any of the residents who 23 want to change the footprint? They go from a 24 single to a double-wide, it could be the same 25 square footage, different footprint, a deck, a</p>
<p style="text-align: center;">Page 22</p> <p>1 This is what the hearing's about, correct? 2 MR. RUSSELL: No. The hearing is -- 3 MR. ALDRIGHETTI: To accept the 4 rules that go with it? 5 MR. RUSSELL: The hearing is to hear 6 your comments on the rules as they exist. 7 What the task that we have is to decide 8 whether or not we accept the plan the way it's 9 coming from -- I mean, the zoning. The 10 unified bylaws, the way it comes from the 11 Planning Commission, are whether we make 12 changes or kick it back. The river corridor 13 is apparently quite a hot-button item. 14 MR. ALDRIGHETTI: Um-hmm. It is for 15 me. 16 MR. RUSSELL: Yeah. And it's a new 17 item -- 18 MR. ALDRIGHETTI: Right. 19 MR. RUSSELL: -- in terms of our 20 designation. But it's not a new item -- 21 MR. ALDRIGHETTI: It affects my 22 commercial property, too, which has never been 23 flooded ever. But I do have another question. 24 I'll take you what you said. 25 In the park, there's a front row and</p>	<p style="text-align: center;">Page 24</p> <p>1 shed; how is that going to change with this 2 new -- 3 MR. RUSSELL: That is described in 4 the regulations. Any of those homes -- 5 anything that's in those zones is clearly 6 described. 7 MR. ALDRIGHETTI: Well, I went to a 8 Planning Board meeting and I brought these 9 questions up and that's why I'm asking it, 10 because what I read in here is not really 11 close to what I heard. So I was hoping 12 somebody could explain. I just want to be 13 sure, you know? 14 MR. RUSSELL: Well, do you 15 understand the question, Carla? Thank you. 16 MS. HODGDON: Thank you. Having 17 heard it before, yes. My understanding is 18 that, because the trailer park is in the 19 village district and the footprint change 20 could be made as a conditional use or variance 21 request. 22 MR. RUSSELL: So it's the same thing 23 as -- 24 MS. HODGDON: Yes, as could 25 accessory structures, decks, sheds, whatever.</p>

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1 MR. RUSSELL: Okay. So that's an
 2 important thing to point out. That a lot of
 3 the comments that I've heard have been zeroing
 4 in on one aspect of these proposed ordinances.
 5 And, as you can see from this map, there are
 6 many different overlapping zones. And that's
 7 one of the complicated things about this
 8 process is that we have a village zone, it has
 9 certain requirements, we have the flood zone,
 10 and then we have the river corridor and we
 11 have aquifers and we have lots of another
 12 different corridors -- I mean layers --
 13 overlays. So when you start asking questions
 14 about specific properties, you need to be able
 15 to look at all of the different layers that
 16 are going to affect your ownership. Okay. I
 17 am going to take -- well, Mike there's a line
 18 in front of you.
 19 Okay. I need to get started with
 20 the hearing. I am going to keep taking
 21 questions until quarter of 7:00. It's 6:39
 22 right now, so let's try to be quick. Okay,
 23 please come up.
 24 MR. ROY JACKSON: Roy Jackson,
 25 Bethel. First of all, who is the

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1 administrative officer that, quote, resolved
 2 this; who is that? Is that the --
 3 MR. RUSSELL: This is our town
 4 manager.
 5 MR. ARLUND: I am.
 6 MR. ROY JACKSON: And that gives you
 7 an awful lot of authority, doesn't it?
 8 Secondly, who's going to make this
 9 decision, just five people? Because this
 10 could be a township decision.
 11 MR. RUSSELL: No. The decision as
 12 to whether or not to accept this plan is
 13 before the selectboard.
 14 MR. ROY JACKSON: Before the
 15 selectboard, but no one else here has options;
 16 if you decide we're going to do it, we do it?
 17 MR. RUSSELL: There's a statute that
 18 allows for a petition that this can be
 19 considered as a vote.
 20 MR. ROY JACKSON: In other words, we
 21 can potentially make sure it's the township
 22 vote? Good. And, after all these years, what
 23 initiated this program? I mean, there doesn't
 24 seem to be a problem before. It seems like
 25 you're making a problem out of something

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1 that's never a real problem.
 2 MR. RUSSELL: What are you talking
 3 about?
 4 MR. ROY JACKSON: I mean, what
 5 initiated the changes in the bylaws?
 6 MR. RUSSELL: Are you talking about
 7 the river corridor?
 8 MR. ROY JACKSON: Especially the
 9 river corridor.
 10 MR. RUSSELL: The other changes,
 11 right now, it's the unified bylaws. In the
 12 past we have had separate bylaws that were
 13 bylaws for zoning, bylaws for subdivision, and
 14 it was a large document and there was even
 15 more --
 16 MR. ROY JACKSON: Well, the question
 17 there is, did it work?
 18 MR. RUSSELL: There are things that
 19 overlap. So we have gone through this process
 20 to unify it so it's all in one document and
 21 the zones have been simplified to fewer zones.
 22 The river corridor, why is this
 23 triggered -- why is this coming forward now?
 24 MR. ROY JACKSON: Yes.
 25 MR. RUSSELL: Because of Irene. The

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1 tropical storm Irene created a lot of havoc in
 2 the state and the river engineers that have
 3 been recognizing these limitations for years
 4 finally got an opportunity to bring these
 5 kinds of changes forward.
 6 MR. ROY JACKSON: Okay. I have had
 7 my turn. You have got a couple of others.
 8 MR. RUSSELL: Thank you.
 9 MR. WALTER MILLS: I have got one
 10 question. I've got to get out and go to work.
 11 MR. RUSSELL: Can I please have you
 12 state your name?
 13 MR. WALTER MILLS: Ah, I'll say it
 14 fast -- can this knock the value of my place
 15 down? Listen to me.
 16 MR. RUSSELL: No. I would like you
 17 to state your name, please, so that we can
 18 make sure we have the record correct.
 19 MR. WALTER MILLS: So if you knock
 20 the value of the --
 21 MR. RUSSELL: It's not that hard to
 22 tell us your name. Would you please state
 23 your name?
 24 MR. WALTER MILLS: Oh, Walter Mills.
 25 I'm sorry. I don't hear good.

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1 MR. RUSSELL: Oh. All right.
 2 Sorry.
 3 MR. WALTER MILLS: So you knock the
 4 value of my place down--
 5 MR. RUSSELL: Do you have a
 6 question?
 7 MR. WALTER MILLS: -- and I want to
 8 sell it, is the town going to pick up the
 9 difference?
 10 MR. RUSSELL: Property -- can you
 11 hear?
 12 MR. WALTER MILLS: Huh?
 13 MR. RUSSELL: Can you hear the
 14 question -- hear my response?
 15 MR. WALTER MILLS: Yeah.
 16 MR. RUSSELL: The property values do
 17 not hinge on zoning. Zoning affects everybody
 18 in the town one way or the other and you can't
 19 -- you cannot hold zoning to the test for
 20 property valuation.
 21 MR. WALTER MILLS: That's right.
 22 But if someone buys my place and they want to
 23 put something on that, and they can't, I'm not
 24 going to sell it. No one will buy it.
 25 MR. RUSSELL: Right. But there are

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1 zones throughout the entire town -- can I
 2 respond to your question, please? There are
 3 -- if you look at the entire town, we have a
 4 zoning map, this plan, these ordinances offer
 5 maps for the entire town with restrictions.
 6 MR. WALTER MILLS: That's right.
 7 You're taking the rights away from the
 8 townspeople. We're going to be paying the
 9 same amount of taxes for something that we
 10 can't sell at some point.
 11 MR. RUSSELL: Well, this has been
 12 proven over and over again, that the towns
 13 have the right to enact these kinds of rules
 14 to protect the -- more rights for everybody in
 15 town by --
 16 MR. WALTER MILLS: Is the town going
 17 to drop the taxes?
 18 MR. RUSSELL: We're trying to make
 19 the taxes affordable.
 20 MR. WALTER MILLS: No. But I'm
 21 saying --
 22 MR. RUSSELL: I need to move on.
 23 MR. WALTER MILLS: -- are you going
 24 to drop the taxes to what we could sell the
 25 place for or are you going to keep raising it,

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1 like you do every year?
 2 MR. RUSSELL: This doesn't have
 3 anything to do with the zoning, so thank --
 4 MR. WALTER MILLS: Yes, it does.
 5 MR. RUSSELL: -- thank you very
 6 much. I need to take one more question before
 7 I open the hearing.
 8 MS. MARY PAVONE: Mary Pavone. So
 9 one quick comment is that I was in the group
 10 that got the second printing --
 11 MR. RUSSELL: We're asking
 12 questions, not comments.
 13 MS. MARY PAVONE: A question.
 14 Clarification. People have started to go back
 15 to the old language of calling it a flood
 16 plain, both Mr. Geiger and you --
 17 MR. RUSSELL: Right.
 18 MS. MARY PAVONE: -- said, all
 19 right. Can we keep with the flood hazard?
 20 MR. RUSSELL: Yeah.
 21 MS. MARY PAVONE: So my question is:
 22 Is the flood hazard zone the 100-year flood
 23 plain or the 500-year flood plain, since it's
 24 a new designation?
 25 MR. RUSSELL: It is the, as I

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1 understand, it's the maximum flood area. It
 2 isn't a hundred year or a 500 year.
 3 Carla?
 4 MS. HODGDON: I think those are the
 5 two categories.
 6 MR. RUSSELL: Kevin?
 7 MR. GEIGER: The map area is what
 8 people would call the hundred-year flood zone.
 9 So the flood hazard area is wall-to-wall the
 10 one percent chance of flooding.
 11 MS. MARY PAVONE: One hundred.
 12 Thank you.
 13 MR. RUSSELL: We're going to end the
 14 question period now and we'll begin with our
 15 comment period.
 16 MR. BILODEAU: Carl, excuse me, I'm
 17 going to insist that you allow me to speak.
 18 My name is Mike Bilodeau. I've waited and
 19 spent a lot of time. I think you know my
 20 name?
 21 MR. RUSSELL: Yeah. No, I'm closing
 22 down our question-and-answer period.
 23 MR. BILODEAU: I'm going to insist
 24 that you listen to me.
 25 MR. RUSSELL: No. I've got to

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1 insist that it won't happen.
 2 UNIDENTIFIED PERSON: He's one of
 3 the people that have been waiting to speak;
 4 why don't you let him speak?
 5 MR. RUSSELL: Well, because I
 6 started out with an opportunity for a 10-or-
 7 15-minute question-and-answer period and now
 8 we're going to move on to --
 9 UNIDENTIFIED SPEAKER: Let him
 10 speak. Let him speak.
 11 MR. RUSSELL: All right.
 12 UNIDENTIFIED SPEAKER: This ain't
 13 democracy.
 14 MR. RUSSELL: All right. I don't
 15 want -- this is a question, and 10 minutes ago
 16 I said at 6:45 -- please, let me explain. I'm
 17 going to take Mike's question and I am going
 18 to take Paul's question and that will be the
 19 last of the questions and then we're going to
 20 begin with our testimony.
 21 UNIDENTIFIED SPEAKER: Thank you.
 22 MR. BILODEAU: Thank you, Carl. And
 23 I didn't want to make this to be contentious.
 24 My name is Mike Bilodeau and I'm the fellow
 25 took the ad in the paper and I'm glad

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1 everybody turned out.
 2 MR. RUSSELL: Question?
 3 MR. BILODEAU: Here's the question.
 4 Is the state giving the town 10 percent more
 5 money towards FEMA disasters to adopt these
 6 stricter regulations which are going to take
 7 away about 125 people in the town, their
 8 property rights; is the state giving you more
 9 money to adopt these stricter regulations, is
 10 that true or false, Carl?
 11 MR. RUSSELL: I will answer the full
 12 question.
 13 MR. BILODEAU: Okay, please.
 14 MR. RUSSELL: Since Irene, there's
 15 an effort statewide to encourage communities
 16 to enact flood resiliency. Among those are
 17 the adoption of the bridge and road standards,
 18 which we did. Also the hazard mitigation
 19 plans, which we did. And, as well, the river
 20 corridor designation. The town -- the state
 21 will pay an additional 10 percent above -- no,
 22 it will pay 10 percent of the town's -- excuse
 23 me, it's complicated. We have FEMA, state and
 24 town contribution to recovery costs. In the
 25 past it was, I believe, 50 percent FEMA, 25

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1 percent town, 25 percent state. Now the state
 2 will pay --
 3 MR. BILODEAU: Instead of 7 percent
 4 they'll pay 17 percent if you adopt these
 5 stricter regulations and FEMA will pay 80
 6 percent. So the town will only have to pay 3
 7 percent if they take these --
 8 MR. RUSSELL: No, it's not that
 9 substantial. But the point is that these
 10 measures will save all of us money, And the
 11 state is saying that, because of that, their
 12 allotments will go down and they have --
 13 they're going to make these payments larger
 14 from the state.
 15 MR. BILODEAU: Okay. Let me tell
 16 you how it's not going to save the town any
 17 money.
 18 MR. RUSSELL: I don't -- you can
 19 save that for your commentary.
 20 MR. BILODEAU: Okay. Let me -- I've
 21 got another question for you and I'll be
 22 quick. Lang had five, I've only got four.
 23 And we've got one. So what can be built in
 24 the river corridor, can you tell me that? My
 25 understanding is you're going to be able to

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1 build a 50-square-foot building, which is a
 2 six-by-eight shed, is that correct?
 3 MR. RUSSELL: Yes. Question?
 4 MR. BILODEAU: So my question next
 5 question to you, Carl, is --
 6 MR. RUSSELL: But the point is that
 7 the river corridor -- the premise is that to
 8 prevent development in the river corridor so
 9 that development doesn't get destroyed when
 10 the river takes it.
 11 MR. BILODEAU: Carl, I'm very aware
 12 of the premise. Here's the problem I have
 13 with it, Carl.
 14 MR. RUSSELL: No, the problem you
 15 have with it will have to wait for your
 16 commentary.
 17 MR. BILODEAU: Okay. Then I'll be
 18 kind and won't go any further. Let me ask you
 19 another question.
 20 MR. RUSSELL: Yeah.
 21 MR. BILODEAU: Who's going to
 22 compensate me for the loss of my retirement?
 23 In my case, my value of my property is going
 24 to go down at least 60 percent, in my case
 25 more. Who's going to compensate me for that?

1 MR. RUSSELL: Nobody will because --
 2 MR. BILODEAU: Yeah.
 3 MR. RUSSELL: -- the value, if your
 4 premise is correct that the zoning actually
 5 affects the value of property, then every
 6 single person in the town has some value of
 7 their property affected by zoning.
 8 MR. BILODEAU: Well, let me tell you
 9 what's going to happen to all the taxpayers in
 10 this --
 11 MR. RUSSELL: No, you have to wait.
 12 I'm serious, you'll have to wait. Have you
 13 got one more question?
 14 MR. BILODEAU: Yes, I do.
 15 So it's my understanding that, even
 16 after this is adopted, the river engineer is
 17 going to have the power to make changes to
 18 this river corridor without a warned public
 19 hearing and without getting information from
 20 the townspeople, is that correct?
 21 MR. RUSSELL: Yes.
 22 MR. BILODEAU: That's what the
 23 regional -- that's true, okay. So we're
 24 having more of our property rights taken away
 25 from us --

1 calculation is incorrect, then there can be
 2 some modifications. And if you'll look you'll
 3 see that there are structures in place, such
 4 as Route 12 or the railroad where the river
 5 corridor does not go beyond, because these are
 6 statewide infrastructure and the engineer has
 7 deemed that that will be protected so that the
 8 river corridor won't go beyond that point.
 9 MR. BILODEAU: Thank you.
 10 MS. VANESSA BROWN: And is what you
 11 were saying is that the river engineer would
 12 be able to make these changes without public
 13 comment?
 14 MR. BILODEAU: Yes, that was my
 15 question.
 16 MS. VANESSA BROWN: Is that true?
 17 MR. RUSSELL: Yes. There is no
 18 hearing or public comment. The engineer can
 19 -- there is a process to get to the engineer
 20 in terms of presenting the argument.
 21 MR. BILODEAU: So, Carl, what are we
 22 going to be able to build in the river
 23 corridor, can you tell me?
 24 MR. RUSSELL: There is no building
 25 in the river --

1 MR. RUSSELL: No. Stay with the
 2 question.
 3 MR. BILODEAU: Well, you answered
 4 the question.
 5 MR. RUSSELL: All right.
 6 MR. BILODEAU: Okay.
 7 MR. RUSSELL: Mike, one of our
 8 members hasn't heard the question.
 9 MR. BILODEAU: Well, the question
 10 was: The river engineer from the regional
 11 planning commission is going to have the power
 12 at any point in the future to change the map,
 13 encompassing even more properties in the river
 14 corridor, therefore lowering the values of
 15 other people in the --
 16 MR. RUSSELL: No. The point that
 17 was made is that the river engineer can adjust
 18 the river corridor if there is reason.
 19 MR. BILODEAU: Yeah.
 20 MR. RUSSELL: And that is not --
 21 this is not a land grab.
 22 MR. BILODEAU: Oh, it's not?
 23 MR. RUSSELL: This is a calculation.
 24 MR. BILODEAU: Okay.
 25 MR. RUSSELL: And, if the

1 MR. BILODEAU: No building. So
 2 about 125 people's property rights are being
 3 taken away from them.
 4 MR. RUSSELL: Let's wait to hear
 5 your comments about that later.
 6 MR. BILODEAU: Next question. Does
 7 the town have to adopt these regulations?
 8 MR. RUSSELL: No.
 9 MR. BILODEAU: Okay. Thanks for the
 10 answer to that question.
 11 MR. RUSSELL: We're not required by
 12 law to adopt them.
 13 MR. BILODEAU: Yeah. And there's
 14 been several towns that haven't adopted them
 15 and I hope Bethel is one of them.
 16 MR. RUSSELL: Well -
 17 RIGHT1: And I'll end my questions
 18 there.
 19 MR. RUSSELL: -- thank you. All
 20 right. Paul?
 21 MR. FEENEY: All right. Two short
 22 questions. Paul Feeny. The first question:
 23 Did the town do any studies on the river
 24 corridor with the river engineer and did you
 25 look at it or have any public comment on what

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1 you were proposing before any of this?
 2 MR. RUSSELL: We did not have a
 3 direct interaction with the engineer, but we
 4 did sit down with the planning commission and
 5 the Two Rivers Outtaquechee Regional Planning
 6 Commission did review how that river corridor
 7 interfaced with properties and current zones
 8 throughout the town.
 9 MR. FEENEY: Is there a report on
 10 that somewhere that we can access?
 11 MR. RUSSELL: We didn't have a
 12 report. We got an email.
 13 MR. FEENEY: Okay. And did the town
 14 do any type of study on the impact to the
 15 people in the river corridor, what it was
 16 going to do with the property values or any
 17 effect on that?
 18 MR. RUSSELL: No.
 19 MR. WALTER MILLS: Carl, one quick
 20 question?
 21 MR. RUSSELL: No. We'll move on to
 22 our comment period. I have 13 people written
 23 down here now. I'm going to call on people in
 24 order of their name. I will -- if I have 13
 25 people at 3 minutes apiece, that gives us 40

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1 minutes. There may be some questions from the
 2 selectboard. So we're going to try to stick
 3 to the -- I'm going to time -- I'll time each
 4 person and I'll give you some indication about
 5 30 seconds before the end of your three
 6 minutes to make sure that you have the
 7 opportunity to finish your thoughts. And, if
 8 you have your thoughts written down, we'd be
 9 like glad to take them in writing.
 10 So the first person on our list and
 11 I'll -- we have Paul Feeney. And then the
 12 second person is John Durfee. And then Russ
 13 -- I'm sorry, I can't read the writing. Yeah,
 14 Russ is the last name.
 15 MR. PITROWISKI: Is that the list
 16 that was at the entrance?
 17 MR. RUSSELL: Yes. There was a
 18 sign-up.
 19 MR. ARLUND: There was a sign-up
 20 list. After you were here, they started a
 21 sign-up sheet.
 22 MR. PITROWISKI: I did when I walked
 23 in. I was the first person on the list.
 24 MR. ARLUND: There's two separate
 25 lists.

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1 MR. RUSSELL: Okay. Well, I have
 2 now this list now, it's a speaking list, and
 3 Paul Feeney is our first speaker. Have you
 4 got comments, Paul?
 5 MR. FEENEY: The comment I want to
 6 make, Carl, is that -- I'm Paul Feeney from
 7 River Street. I was affected by Irene
 8 severely and I felt that the flood plain
 9 regulations that the town had in place, the
 10 national flood plain, are sufficient. I think
 11 they were very restrictive to what we can do
 12 in the flood plain, which is now encompassing
 13 the river corridor. I don't believe that we
 14 have to go to a flood corridor to be good
 15 stewards of the river. I would like, as a
 16 property owner, to still have the ability, if
 17 I choose to, to add to my home. Right now, if
 18 this passes, I do not have the ability to add
 19 anything to my house except for I can add --
 20 what, how many of those 50-by-50 sheds can I
 21 put in my backyard if I really want to, I
 22 mean, but I really don't want to do that. I'd
 23 rather, if I want to, maybe add a two-car
 24 garage to my home, under the flood plain, I'm
 25 very restricted as to how I do that. I have

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1 to meet all the federal standards to uphold to
 2 the flood. When I rebuilt my house, I had put
 3 flood vents in it so when the water comes up,
 4 it opens up, floods my basement, it doesn't
 5 cause any restriction, let's the water flow
 6 where it needs to go. So there's already a
 7 whole bunch of restrictions that are in place.
 8 So, if you want to build in these flood
 9 plains, for us, I think I counted roughly
 10 140-some people on -- off the map, I maybe
 11 missed some or maybe had some that weren't in
 12 it, that are affected by this. And those -- I
 13 don't know if all these people understand what
 14 -- what's going to happen. If this passes, I
 15 can no longer build anything. So I know and
 16 I've heard from an appraiser that home values
 17 are going to go down. People don't want to
 18 buy in the flood plain already. Now you've
 19 put me in a river corridor, I'm done. I'm
 20 going to own my home until the day I die
 21 because who's going to buy it? You're putting
 22 excess restrictions on something that there's
 23 already restrictions on that, if I meet the
 24 standards, I could maybe build an addition if
 25 I choose to or put a one-car garage on as long

<p style="text-align: center;">Page 45</p> <p>1 as I meet the federal standards. So it's a 2 little more restrictive to me.</p> <p>3 I think we've been good stewards in 4 the Town of Bethel. You know, in the past 5 there have been projects. And I understand 6 the dynamics of rivers and how rip rap and 7 other things affect it. But, some of that 8 stuff I didn't create. I wasn't there. We're 9 going to move forward and be good stewards. 10 I'm willing to work with the town, but you 11 have got to be willing to work with us as 12 homeowners who bought and were in the flood 13 plain had severe restrictions and understood 14 those restrictions, now you're taking all that 15 away and I can't build at all. So that's my 16 concern. And I'm sure there's a bunch of 17 people in the river corridor that aren't here 18 and don't even understand what's going to 19 happen to them after -- if these laws are 20 passed.</p> <p>21 MR. RUSSELL: Okay.</p> <p>22 MR. FEENEY: I think, if we work 23 together, we can be great stewards of the 24 river corridor and work together to accomplish 25 the same goal without putting those</p>	<p style="text-align: center;">Page 47</p> <p>1 asked for no public assistance. So, the 2 company also is the oldest company in Vermont 3 to run continuously. And, according to a 4 building material magazine who did a national 5 survey, we think, and they do, too, that we're 6 the oldest lumber company in the United 7 States.</p> <p>8 So I guess my point is, if you say 9 you can't build in the flood plain, I wouldn't 10 be here and neither would the company. So, if 11 the power to pass these laws are in your 12 hands, I hope you read them carefully and pass 13 them if you think it's right. But, if you 14 don't agree with all of it, please don't pass 15 it. And, as you've heard tonight, there's a 16 lot of people affected by these laws. Thank 17 you for listening. It's good to see you.</p> <p>18 MR. RUSSELL: Thank you very much.</p> <p>19 MR. JOSEPH RUSSO: I pass. Go to 20 the next one.</p> <p>21 MR. RUSSELL: I'm sorry. Joseph 22 Russo. Now I can see it. All right.</p> <p>23 Next on the list is Walter Mills.</p> <p>24 UNIDENTIFIED SPEAKER: Walter Mills 25 went to work.</p>
<p style="text-align: center;">Page 46</p> <p>1 restrictions on us.</p> <p>2 MR. RUSSELL: Thank you. So next is 3 John Durfee. And I'll -- when it's 30 seconds 4 to the end of your time, I'll just raise my 5 hand.</p> <p>6 MR. JOHN DURFEE: All right. Good 7 evening. For those that don't know me, my 8 name is John Durfee. I'm an 80-plus-year 9 resident of Bethel and I have a business 10 that's in the flood plain. If the laws that 11 are before you tonight are accepted, back when 12 our business was started, I wouldn't be here 13 tonight. Neither would my business. At this 14 particular point in time there's four 15 generations in my family that are have devoted 16 their life to the company. Three of them are 17 here tonight and one has passed. So, just a 18 couple -- this hearing isn't going as I 19 anticipated it would, so I'm just going to 20 give you a couple of facts.</p> <p>21 Our business is two-hundred-and- 22 some-years old. It was built in the flood 23 plain. It has been run continuously for 234 24 years. We've survived floods. We paid for 25 them ourselves, if there was damage, and we've</p>	<p style="text-align: center;">Page 48</p> <p>1 MR. RUSSELL: Walter Mills went to 2 work. Moving right along. Mary Floyd.</p> <p>3 MR. PITROWISKI: Carl, while she's 4 moving up, I just have a question. Some 5 people didn't know there were two sign-up 6 sheets -- lists so would somebody --</p> <p>7 MR. RUSSELL: Yes. We'll get more 8 when we're done.</p> <p>9 MS. MARY FLOYD: Can we look at the 10 Camp Brook area?</p> <p>11 MR. RUSSELL: Yes, Ma'am.</p> <p>12 MS. MARY FLOYD: And, while you're 13 doing that I'll say, I'm in favor of no new 14 construction in the flood plain and I support 15 the 50-foot setback from rivers and stream 16 banks. My concern is with the area at the 17 mouth of Camp Brook where my family owns 18 property, which has been labeled river 19 corridor. It's my understanding that all new 20 construction will be prohibited under its 21 restrictions -- I guess we've answered that 22 question.</p> <p>23 I have been through several major 24 flood events while living there the past 45 25 years. During that time, there has been no</p>

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1 flood water on the levels of our land which
 2 would be designated as river corridor. In
 3 fact, after Irene, the bulldozers and
 4 excavators which were removing the gravel from
 5 Camp Brook streambed mouth, left by traveling
 6 up our driveway and across the higher ground
 7 on our property, which were totally intact --
 8 sorry, I get nervous when I speak -- to get to
 9 the rest of the Camp Brook area. Our fields
 10 were a connector highway to Route 12 north of
 11 the bridge from the Camp Brook Mountain area
 12 for several days for people traveling to
 13 Randolph. Camp Brook did not then, and does
 14 not now, need to meander onto our elevation.
 15 It does not appear that elevation or stream
 16 hydraulics or history has been considered in
 17 drawing these river corridor lines in this
 18 area. Very little lower elevation on the
 19 northern side of the brook is included, while
 20 most of our upper levels are designated. If
 21 this is the case, I cannot support the river
 22 corridor designation. We subdivided our
 23 property to share with our sons so they could
 24 build their homes in this community and
 25 continue to support it as citizens of Bethel

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1 as we have done for half a century. And, it's
 2 in writing, if you want it.
 3 MR. RUSSELL: Thank you, Mary. You
 4 can give it to Kelly -- give it to Kelly right
 5 behind you. Thank you.
 6 Okay. Next on the list is Roy
 7 Jackson.
 8 MR. ROY JACKSON: Back again.
 9 MR. RUSSELL: Please state your
 10 name.
 11 MR. ROY JACKSON: Oh. Roy Jackson.
 12 I think you heard that 10 minutes ago.
 13 Anyway, as you heard from most people that we
 14 don't agree with this river corridor and we
 15 don't know if this engineer had technical
 16 abilities or just an agenda.
 17 MR. RUSSELL: Can you please just
 18 step a little closer to the microphone?
 19 MR. ROY JACKSON: Sure. Okay. The
 20 main thing is that have you considered this is
 21 very much restrictional in property values,
 22 very much restrictional in property usage? If
 23 this was eminent domain, which I think it's
 24 very close, I mean, you're taking people's
 25 property rights for no compensation. That's

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1 unacceptable. Totally unacceptable. The
 2 river flood plain, I can agree with. The
 3 river corridor, just wipe it off the map. I
 4 see no good need for it from what I heard in
 5 the testimony so far, it hasn't been
 6 necessary. And from what I have heard a few
 7 minutes ago, you are taking away from people
 8 what they can do with their property away and
 9 that is unacceptable. Totally unacceptable.
 10 I'm not too much in the river corridor, my
 11 property skirts it, but it says also on here
 12 and we all looked at these things, you are
 13 restricting buildings to about 100 square
 14 feet. That's 10-by-10. That's -- that's very
 15 small. That's a shed. I'm not expecting, you
 16 know, a 25-story building, but if this person
 17 here wants to build a garage, so be it. It's
 18 his property, it's his risk, not yours. In
 19 the flood plain, well, he gets flooded out?
 20 Sorry about that, buddy.
 21 Anyway, but the thing is, these are
 22 our rights and not your rights. These are
 23 property rights that supersede everything
 24 else. These are basic constitutional rights
 25 that we have the right to do with our property

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1 what we wish. And I dare say that I'm not
 2 sure you all have the authority to do what
 3 you're doing. You cannot take property rights
 4 away. This is rather arbitrary. Now I'm done
 5 with my speech and I think this guy wants to
 6 come up.
 7 MR. RUSSELL: Okay. Thank you. We
 8 have Colin Floyd now, please.
 9 MR. COLIN FLOYD: Colin Floyd. My
 10 property borders Pleasant Street and Camp
 11 Brook Road and Camp Brook itself. I do
 12 believe that the river corridor is a little
 13 more restrictive than it needs to be, not only
 14 in our area, but all throughout town. I'll
 15 reiterate what my mother said. There's --
 16 there's land there that's never been flooded
 17 in the 50 years that she's been there. And
 18 I'm sure that our neighbor that just passed
 19 away, who was 90 years old, could tell you the
 20 same thing. And I just -- I realize that this
 21 is coming down from the state level, it's not
 22 necessarily something that you guys went out
 23 and drew the lines, but I just -- I think the
 24 town needs to consider what we want to do
 25 ourselves, make our own decisions on this, and

<p style="text-align: center;">Page 53</p> <p>1 just use a little more common sense. Not 2 necessarily the state, somebody sitting in an 3 office drawing lines doesn't necessarily do 4 the right thing all the time. Thank you. 5 MR. RUSSELL: Thank you. 6 Tim Aldrighetti. 7 MR. ALDRIGHETTI: Tim Aldrighetti. 8 I'll keep it pretty simple because these guys 9 are really hitting on it all. The one thing, 10 as I said, when you go to that website and 11 look at the vast area that they are 12 designating river corridor, it doesn't make 13 sense, you know, to -- for us as adults, 14 taxpayers, property owners to let a river 15 meander and lose our property, maybe lose my 16 house because the river is meandering, we're 17 not going to let Route 12, you know, stop it 18 from meandering. We have to, the railroad has 19 to, I think we should have the right to 20 control our property loss, too. And I totally 21 disagree with the map they have drawn for this 22 river corridor, it doesn't make any sense at 23 all. So I'd ask you to please not accept this 24 plan. 25 MR. RUSSELL: Thank you. Now we</p>	<p style="text-align: center;">Page 55</p> <p>1 of the Bethel town plan of 2014 clearly 2 delineates between the flood way and the flood 3 plain. On page 87 of the plan it states: As 4 of the date this plan was adopted, Bethel's 5 flood hazard regulations have been designated 6 -- designed to meet the minimum standards set 7 by the Federal Emergency Management Agency and 8 the National Flood Insurance Program. Current 9 zoning bylaws do not allow new development 10 within the flood way but does allow 11 development within the 100-year flood plain. 12 Uses allowed require a conditional use permit. 13 Uses currently allowed with a conditional use 14 permit include single and multi-family 15 residences, commercial businesses, public 16 buildings, quarries, and home occupations, to 17 name a few. It is obvious that the intent of 18 this plan within the bounds of government 19 regulations was quite broad and would 20 encourage controlled but important 21 development. Owners of such property would, 22 of course, use this plan for the future 23 development of their properties, and the 24 appraised values of these properties on the 25 Grand List will reflect present value plus the</p>
<p style="text-align: center;">Page 54</p> <p>1 have Mary Braley. 2 MS. BRALEY: I'm Mary Braley and I 3 do not live in the flood plain and, as far as 4 I'm concerned, people who live in the flood 5 plain know it. They know how to take care of 6 their homes. And to have the state tell us 7 what we can do and what we can't do and we'll 8 give you extra money if you do it, is wrong. 9 It's the town's property. Don't let them take 10 it away from us. Tell somebody to get back to 11 the old engineering where you don't level out 12 a river, you dig it deeper. You use a little 13 common sense. Thank you. 14 MR. RUSSELL: Thank you. Okay, 15 Lang, do you have comments that you would like 16 to make? 17 MR. LANG DURFRE: I'm good. 18 MR. RUSSELL: All right. Lucien 19 Hinkle. 20 MR. LUCIEN HINKLE: I'm Lucien 21 Hinkle. I have some comments which I have had 22 to revise a little bit since I have been here, 23 but this is the gist of what I want to say. 24 Concerning the draft unified bylaws 25 of the Town of Bethel, the future land use map</p>	<p style="text-align: center;">Page 56</p> <p>1 opportunity cost of that future development. 2 The rules in the revised draft of 3 the unified bylaws combine the flood way and 4 flood plain into one flood hazard area which 5 will greatly impact the property values in the 6 present flood plain. This instantly 7 diminishes the value of these properties and 8 through all fairness, if fairness in 9 government exists anymore, the appraised 10 values of these properties would have to be 11 reduced, thus diminishing the grand list 12 values and forcing higher taxes on the 13 remaining property owners. This revaluation 14 of the property values amounts to nothing more 15 -- less, rather, than an outrageous and 16 egregious confiscation without due 17 compensation. 18 Two years ago the state had a \$93 19 million deficit. Last year it had a \$43 20 million deficit. This year, who knows what 21 the deficit will be or what shenanigans the 22 legislature will go through to fill the gap. 23 The state cannot afford to pay just 24 compensation and neither can we local 25 taxpayers. This board is -- therefore, this</p>

<p style="text-align: center;">Page 57</p> <p>1 devaluation will amount to nothing but theft. 2 MR. RUSSELL: You have 30 seconds. 3 MR. LUCIEN HINKLE: The play of the 4 state to switch payout ratios to supposedly 5 relieve towns of some of the burdens is 6 disingenuous. With property values within the 7 corridor reduced and subsequent future payouts 8 thus reduced and with no future development 9 allowed, and which, of course, there will be 10 no payouts at all, the state will probably 11 come out ahead. However, the individual 12 homeowner, business owner and local taxpayer 13 will have to pay more taxes to make up for the 14 lost value of affected properties and the 15 future lack of growth in the grand list due to 16 curtailed investment and development. Any 17 more time? 18 MR. RUSSELL: No. 19 MR. LUCIEN HINKLE: Thank you. 20 MR. RUSSELL: Thank you. Wade 21 Floyd. 22 MR. WADE FLOYD: My name is Wade 23 Floyd. I have that last piece of property on 24 the corner of Camp Brook and watershed. I 25 inherited it from my parents. It was my, you</p>	<p style="text-align: center;">Page 59</p> <p>1 MR. RUSSELL: Thank you. 2 Bill Brainard? 3 MR. BRAINARD: I will pass. 4 MR. RUSSELL: Okay. So that's the 5 end of the list that we have so far for sign- 6 ups. Now what I would like to do is have 7 people raise their hands and I will call on 8 you and I will write your name down on the 9 list and we will go in that order. And what I 10 will do is start on this side of the room and 11 work my way across and try to -- try to 12 eliminate as much bias as might exist. So 13 raise your hands if you'd like to speak. 14 What's your name? 15 MR. PITROWISKI: John Pitrowiski. 16 MR. RUSSELL: You're going to have 17 to give me all just a minute so -- everybody 18 keep your hands up. 19 And you? 20 MS. DETOLO: Andrea Detolo. 21 MR. RUSSELL: We'll have to make 22 sure that we get you to sign -- Kelly, can we 23 get a sign-up so when they come up, they 24 actually write their names so we'll now how to 25 spell them?</p>
<p style="text-align: center;">Page 58</p> <p>1 know, their -- what they could give me. And 2 some day I hoped to build a house there, but, 3 being a single person in this state, being 4 able to afford to build a house is next to 5 impossible. If you look at that map right 6 there, I have now basically lost 50 percent of 7 my property, and the better part of my 8 property, really. Um, I think this regulation 9 is just plain overreaching, you know, it's 10 hard enough for people to live in this town, 11 but to have your biggest asset out in half, 12 that's just not fair. And, you know, I would 13 ask that you consider to not adopt this river 14 corridor because, if you look at it, it 15 doesn't even go on the other side of Camp 16 Brook, you know, the road. It's -- it's just 17 -- takes away half of my property, but there's 18 no -- no river corridor on the other side of 19 the road itself. That road was gone in Irene. 20 Gone. I watched it go. I stood there on the 21 edge of my property on this side of Camp 22 Brook, the actual waterway, and watched that, 23 that road disappear. And somehow that road is 24 buried in the meandering corridor? I don't -- 25 I don't buy it. So, thank you.</p>	<p style="text-align: center;">Page 60</p> <p>1 Back there in the white shirt? 2 MR. KEVIN BARRY: Kevin Barry. 3 MR. RUSSELL: Joanne? 4 MS. JOANNE WOOD: Joanne Wood. 5 MR. RUSSELL: Yes? 6 MR. BILODEAU: Mike Bilodeau. 7 MR. RUSSELL: Yeah. Oia? Anybody 8 else? Have we got hands up; anybody want to 9 speak? Yes? 10 MR. AMSDEN: Bruce Amsden. 11 MR. RUSSELL: We're all set? Okay. 12 That's one, two, three, four, five, six, seven 13 more people to speak. The same rules, three 14 minutes apiece. Please speak your name 15 clearly when you stand up. And, Kelly, is 16 there -- the list is on that table? 17 MS. KELLY HILL: Yes. 18 MR. RUSSELL: All right. Thank you. 19 Then you can write your name 20 correctly. Okay. Back at it. John 21 Pitrowiski, please. 22 MR. PITROWISKI: Good evening. My 23 name is John Pitrowiski and I am a resident of 24 Waterbury, actually. I'm here on Mike 25 Bilodeau's behalf and some other residents.</p>

<p style="text-align: center;">Page 61</p> <p>1 And, I read the bylaws over the weekend. The 2 introduction talks about the Planning 3 Commission has prepared these bylaws to enable 4 the Town of Bethel to implement the town plan 5 while providing the minimum amount of 6 regulation necessary to achieve that purpose. 7 And I was a resident of Waterbury, 8 we got hammered by Irene, and I was part of 9 the solution to that, working with a lot of 10 people to do the cleanup. We passed similar 11 regulations, but different, in that they 12 allowed construction in the flood way as long 13 as it's done in accordance with state 14 standards and done responsibly where it's 15 flood-proofed and where it's safe. Where 16 propane tanks are anchored down. And there's 17 all sorts of measures in the state guidelines 18 that they give you. But to say that you can't 19 develop, that's actually more restrictive than 20 what the state would require. 21 In Section 1.7 you have a precedence 22 and you say: The provision of this ordinance 23 shall include the minimum requirements 24 necessary for the promotion of the public 25 health, safety, comfort, convenience and</p>	<p style="text-align: center;">Page 63</p> <p>1 most any other town does. 2 MR. RUSSELL: 30 seconds. 3 MR. PITROWSKI: Something that's 4 kind of near and dear to my heart is I'm a 5 firefighter. And you have abandonment of 6 structures. And I read that section and 7 you're giving property owners one year to put 8 their structure back or lose that right. And 9 that's not right. If there's a fire -- we 10 have a lot of fires throughout. My son is a 11 firefighter. Sometimes it takes more than a 12 year to get your insurance lined up and get -- 13 especially if it's a business. So it used to 14 say "may," now it says "shall" in the new 15 ordinance. So it gives the person who 16 suffered no possibility of an option. They 17 just lose their -- if they have a business 18 there, it's gone if they can't put it back in 19 a year. They have to start over. 20 MR. RUSSELL: Thank you. 21 Andrea. 22 MS. DETOLO: Hi. My name is Andrea 23 Detolo. And I'm just going to touch a little 24 bit more on the wetlands on something that 25 hasn't been talked about at all yet. In</p>
<p style="text-align: center;">Page 62</p> <p>1 general welfare. And then it's crossed out. 2 It's crossed out. 3 Part of public health and safety is 4 protecting the economic viability of these 5 landowners, their property rights. Without 6 that, that's -- for my family, that's one of 7 my most important things is my financial 8 health as well as -- and I'm an environmental 9 engineer, so I understand the concerns about 10 the river and wetlands and flood plain and 11 flood way. I know all about that. And this 12 map is -- is way off -- off kilter. But, even 13 if it were correct, there's -- there's ways to 14 handle this that aren't so restrictive on the 15 landowners. 16 It says: The intent of this bylaw 17 is not intended to deprive individual property 18 owners of the reasonable use of their land. 19 That's right in 1.5 of this and that is not 20 accurate. That is definitely not accurate. 21 Not -- we haven't even touched upon some of 22 the other things, like the wetlands, where 23 it's more than double what the state requires. 24 It's a whole new -- you guys have a whole 25 section on wetlands that goes far above what</p>	<p style="text-align: center;">Page 64</p> <p>1 Section 3.19 and Section 7.8.4.1, they both 2 reference a hundred-foot setback from any 3 wetlands. And that is double what the state 4 does. So both the state and the Army Corps of 5 Engineers' federal regulation on wetlands, 6 they require a 50-foot setback from class two 7 wetlands and no setback from class three 8 wetlands. 9 So I would just suggest that you 10 first put in some discretion between what 11 classes are wetlands. Because putting a 12 100-foot buffer on a class three wetland is 13 extremely restrictive and isn't really helping 14 anyone. And the state has already tightened 15 these laws in 2010. They've changed the laws 16 to increase the protection of wetlands, making 17 many class three wetlands class two. And I 18 just want to make people understand that 19 there's wetlands on a lot of properties, 20 especially if they are in these areas, and a 21 hundred-foot setback is way more restrictive 22 than the state regulation already has. 23 I also wanted to point out that from 24 the meeting minutes from the Planning 25 Commission on April 15th of 2015, they do talk</p>

<p style="text-align: center;">Page 65</p> <p>1 about looking at how many parcels will be 2 affected by these laws. And what they say is 3 that there will be 10 affected parcels. And I 4 just want to really stress that that gets 5 restudied. I did my own in-depth GIS analysis 6 and I'm finding that more like 27 parcels that 7 are already undeveloped will not be able to 8 develop at all, and 47 parcels that are 9 developed will not be able to develop further. 10 Another thing to consider with that 11 is road frontage. So a lot of the roads are 12 built right next to the river and that means 13 that your river corridor and your flood hazard 14 area go over the road. And so there's -- I 15 had about 28 parcels that are huge and that 16 could be developed way outside these zones, 17 but you won't be able to get a road out to 18 those developable areas. So that's just one 19 thing to consider with how many parcels are 20 being affected. 21 MR. RUSSELL: Great. Thank you. 22 Kevin Barry. Can you please make 23 sure you write your name down on the list? 24 MR. BARRY: I can do that. 25 MR. RUSSELL: Thank you.</p>	<p style="text-align: center;">Page 67</p> <p>1 MS. WOOD: I will. Joanne wood. 2 Thanks. So I live up in Lilliesville and my 3 property is in the river corridor. And I 4 remember the flood and I have great respect 5 for the power of water, so I do believe that 6 there needs to be some thoughtful 7 consideration as to how to best handle -- we 8 can't manage flood water, but we can try to 9 handle it. I think one of the things -- two 10 things that I've heard tonight that I want to 11 comment on is I think that the arbitrary 12 prohibition of certain uses where certain 13 things are prohibited outright in the river 14 corridor is too restrictive and too severe. I 15 -- I think, in also hearing that the river 16 engineer would have the authority to change 17 that boundary, I would like the board to at 18 least consider that if those uses were at 19 least conditional, not prohibited but 20 conditional, it would allow me to come and 21 argue my point before a board as to why I 22 might be able to build or expand or do 23 something different on my property. It also 24 would be an easy way to trigger the review by 25 the river engineer. It could be part of that</p>
<p style="text-align: center;">Page 66</p> <p>1 MR. BARRY: First off, this is just 2 a gut-wrenching decision and it's -- and we 3 are affecting people's livelihoods, their 4 inheritance, things to pass on. It's a 5 gut-wrenching discussion and it -- and it's 6 terrible. It's just terrible. And it comes 7 down to this big think of community rights 8 versus personal property rights and it has to 9 be treated immensely sensitively. And I 10 really hope the board looks really hard. This 11 is serious stuff. I don't -- I don't think 12 it's wise to build in a flood zone. I don't 13 know if I'd want to put my money in someplace 14 we're going to get more floods. I also really 15 hate being told what I can and can't do. We 16 live in Bethel, it's a lawless town, I kind of 17 like that. And so I just really hope this is 18 -- it's such a great discussion and I really 19 hope there's no cavalier ideas about what 20 should or shouldn't happen. 21 MR. RUSSELL: Thank you very much. 22 Boy, you came late, if you think it's lawless 23 now. 24 So Joanne Wood. Make sure you write 25 your name down on that list.</p>	<p style="text-align: center;">Page 68</p> <p>1 process of a conditional use in a river 2 corridor. But by saying it's X'd out, it's 3 prohibited, it kind of takes everything off 4 the drawing board. You know, I'm building a 5 new house up there on my property and I fear 6 that if these regulations had been in effect, 7 I would not be moving back to Lilliesville. 8 So I really would like to -- just consider -- 9 don't prohibit everything. Make everything 10 conditional. It's going to be a lot more work 11 for the board, but at least it gives an avenue 12 for people to argue their case. Thank you. 13 MR. RUSSELL: Thank you. Oh, did 14 Mike Bilodeau leave? 15 MR. BILODEAU: No. I'm right here. 16 Boy, this is some serious stuff. 17 MR. RUSSELL: Can you please state 18 your name? 19 MR. BILODEAU: My name is Mike 20 Bilodeau. I'm hard-pressed to come up with 21 comments that were as well-spoken by some of 22 these residents. They're well thought of and 23 very serious and I hope you take them as such. 24 At the very least, there's enough 25 questions about this document to send back to</p>

1 the Planning Commission and to review what you
2 guys are trying to pass. That's at the very
3 least. And, if I was sitting up on that
4 board, I wouldn't have anything to do with
5 these bylaws. They're too restrictive. They
6 are taking away people's property rights
7 without compensation.

8 One gentleman commented that this is
9 out and out theft, state sponsored. I totally
10 agree. I haven't heard one positive comment
11 for these new bylaws to get passed tonight.
12 Correct me if I'm mistaken, but I haven't
13 heard one positive comment.

14 UNIDENTIFIED PERSON: Hey, I was
15 positive.

16 MR. BILODEAU: I've said what I need
17 to say. Have a good evening. I need to hand
18 these out to the selectboard.

19 MR. RUSSELL: Can you please give
20 them to Kelly?

21 MR. BILODEAU: Sure.

22 MR. RUSSELL: Thank you. Ola Odell.

23 MS. ODELL: I have a question
24 because I thought we were talking about zoning
25 and it was going to be business and homes and

1 location for over a hundred years, if you
2 count my parents. My dad now is 91 and my mom
3 will be 90 in October. They chose to stay
4 there and rebuild other than to take the buy-
5 out. They were in the buyout program. And,
6 after we got the facts and figures, they
7 decided that they wanted to stay there for the
8 rest of their life. So we respect that
9 decision. And, at the time they were
10 residents of Florida, they were voting
11 residents of Florida, even though they
12 maintained their home and they paid taxes in
13 Bethel ever since 1954. As a result of that,
14 they were offered absolutely no dollars of
15 public assistance to rebuild. So it's been
16 all on their dime. As it was my great aunt's
17 in 1927. But my point being, if people choose
18 to live in a flood plain and they love the
19 land so much to do that, why would anybody
20 want to restrict that; particularly when the
21 government offers no assistance to rebuild?
22 And, also, the state used our property to
23 rebuild 107. They crossed -- crossed our
24 property along the river. And look at all the
25 people that were benefited from that. My

1 that sort of thing. You shouldn't put a
2 business down in the middle of a residential
3 area. So that was -- but I also think, if you
4 live and you buy the land that you know is in
5 a flood plain and you want to build on it,
6 then you have to worry about your insurance
7 and those kind of things. So you probably
8 couldn't be insured. But, if that's what
9 you'd want to do, you'd have to take the
10 consequences. So that's just my point of
11 view.

12 MR. RUSSELL: Thank you very much.
13 Ola, can you please write your name down on
14 that list?

15 Bruce Amsden.

16 MR. AMSDEN: Always a pleasure to
17 come back to Bethel. I live in Newport,
18 Vermont now.

19 MR. RUSSELL: Can you please state
20 your name?

21 MR. AMSDEN: Oh, I'm sorry. My name
22 is Bruce Amsden, A-M-S-D-E-N. And my folks
23 live on 222 River Street, in the flood plain.
24 And, in 1927, my great aunt went through the
25 '27 flood. And my family has lived at that

1 family, you know, recognized that and we would
2 do the same thing tomorrow. But I just want
3 to make a point that not everybody gets public
4 assistance if they live in a flood plain and,
5 yet, they're still willing to live there.
6 Thank you.

7 MR. RUSSELL: Thank you.

8 Are there any other people that
9 would like to make comments before we close
10 the hearing? Yes?

11 MS. CYNTHIA QUILICI: Yes.

12 MR. RUSSELL: Please come up to the
13 front and not only state your, name but we
14 need you to write your name down on the list
15 when you're done.

16 MS. CYNTHIA QUILICI: Okay. I'm
17 just adding to the chorus of people who seem
18 kind of confused about how this river corridor
19 was -- how the boundaries were designated.
20 Because we just recently bought property in
21 Bethel along the Findley Bridge Road and we're
22 planning on building a house there. I'm not
23 sure exactly how that's going to affect it.
24 It's basically where the little thumb is
25 sticking out. I don't know if you can -- it's

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1 further up. Yes, see that thumb? That thumb
 2 -- that island there? That's all hatched off.
 3 MR. RUSSELL: Yes.
 4 MS. QUILICI: And you'll see that --
 5 no, no, no, go back down a little bit -- yeah.
 6 The second -- the second line down
 7 would be our northern corridor. So that, you
 8 can see that river corridor speckled area is
 9 about a third of that hayfield on the
 10 left-hand side, but that's all flat, and it's
 11 about 30 feet from the bottom of the river.
 12 So I don't -- I can't imagine how that would
 13 actually fill up, A, and if it did, that
 14 entire thing would be flooded. So I'm just
 15 here to just sort of personally add to the
 16 list of people who are, you know, the facts on
 17 the ground. The map is not the territory. So
 18 the facts on the ground are different from, in
 19 my view, from what this shows. So just take
 20 that into consideration. That's it.
 21 MR. RUSSELL: Thank you.
 22 MS. QUILICI: And I think also the
 23 idea about changing the zoning, not doing a
 24 taking, I think it's kind of disingenuous to
 25 say that. I mean, I understand that you have

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1 to take an overall view, but these people have
 2 very individual situations that are much more
 3 dramatic than mine.
 4 MR. RUSSELL: Thank you very much.
 5 Okay. Any other comments? Paul?
 6 MR. FEENEY: Just a quick -- Paul
 7 Feeney. When I initially bought my property,
 8 it was not considered in the flood plain.
 9 Over the years, things have changed, and I
 10 adapted to the laws and regulations. So we're
 11 just asking for the board's consideration to
 12 give us that ability to adapt and overcome
 13 what's coming to us. But, if you offer up
 14 this flood corridor, we have no options left.
 15 So I adapted to overcome what was thrown at me
 16 and I still chose to stay there because I had
 17 no place else to go. I couldn't afford to go
 18 anyplace else. And a lot of these people
 19 probably can't afford to go anyplace else.
 20 And, if you adopt these flood corridors, they
 21 are really going to be in hard times because
 22 they won't be able to sell their property. At
 23 least, if you have consider conditional or the
 24 flood plain restrictions already that are very
 25 tough, and I had to jump through a lot of

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1 hoops to put my home back where I did, but
 2 that was my choice. I think we can work as a
 3 town with the selectboard to come up with --
 4 or the Planning Commission or the Planning
 5 Board to come up with a good plan that's
 6 viable for all of the people that are affected
 7 and the town to be responsible stewards of the
 8 river and our properties. Thank you.
 9 MR. RUSSELL: Thank you very much.
 10 Okay. Colin?
 11 MR. COLIN FLOYD: Colin Floyd. I
 12 just want to make one more comment. I see a
 13 lot of people looking around at this town
 14 wondering why the younger population is
 15 dwindling. I can tell you, as a father of a
 16 young child, I look at the school and wonder,
 17 do I want to stay here long enough for my
 18 child to go through this school, the same one
 19 that I did and loved? But I can tell you, if
 20 we change a whole lot of rules in this town,
 21 I'm not sure I'm going to want to stay here.
 22 And, hopefully -- I'm in the same boat
 23 everybody else is and, hopefully, I can find
 24 somebody who might actually want to buy my
 25 property that feels it's worth it to them.

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1 But it makes me wonder if it's worth it to me.
 2 Thank you.
 3 MR. RUSSELL: Thank you. All right.
 4 So we will -- under statute, we can have as
 5 many hearings as we want to or need to. We
 6 will adjourn this hearing tonight now and the
 7 board will consider these comments and we will
 8 consider what our options are and we'll make
 9 that public. So that, if we have another
 10 hearing or another opportunity for more
 11 information, we'll let the public know.
 12 So I've adjourned the hearing and I
 13 really appreciate the respectful tone that was
 14 kept here tonight and I hope that we can make
 15 some constructive moves forward. Thank you.
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 18 (Concluded at 7:47 p.m.)
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STATE OF VERMONT

RE: DRAFT UNIFIED BYLAWS PUBLIC HEARING
Held on September 12, 2016 in Bethel, Vermont

I, LINDA C. O'BRIEN, a Registered Professional Reporter and Notary Public in and for the State of Vermont, do hereby certify as follows:

1. That the public hearing as hereinbefore set forth, was duly recorded by me on Monday, September 12, 2016;

2. That such public hearing was transcribed by me and is a true and accurate record of the comments, to the best of my knowledge, skill and ability;

3. I further certify that I am neither attorney for, nor related to or employed by any of the parties, nor financially interested in this matter, and

4. That a dash as used through this transcript is meant to represent an interruption in thought or interruption between speakers.

IN WITNESS THEREOF, I hereunto set my hand and Notarial seal this 19th day of September, 2016.

Linda C. O'Brien, RPR
Registered Professional Reporter
and Notary Public
My Commission Expires: 2-10-19
Commissioner of Deeds - NH
New Hampshire License #130