

NORWICH PLANNING COMMISSION
Tuesday December 14, 2021, 6:30pm

DRAFT MINUTES

Zoom Meeting:

<https://us02web.zoom.us/j/89339717735>

Meeting ID: 893 3971 7735

Physical meeting location: multi-purpose room, Tracy Hall

Members Present: Jaci Allen, Brian Loeb, Melissa Horwitz, Ernie Ciccotelli, Leah Romano, Jeff Lubell
Public Present: Linda Cook
Staff: Rod Francis

Meeting Opened: 6:32pm

1. Approve Agenda:

Romano moved and Ciccotelli seconded a motion to approve the agenda. Motion carried 6 – 0. For: Allen, Loeb, Horwitz, Ciccotelli, Lubell, Romano.

2. Public Comment: none

3. Discussion of Land Use Regulations Administrative Procedures

Chair Allen Affordable Housing Sub-Committee Proposal

Chair Allen asked Francis to discuss the memo included in the packet and the notes document which accompanied the draft administration section.

Prior to commencing the substantive discussion Francis sought clarification on the method commissioners have settled on to advance the regulation drafting project. At the December meeting commissioners proposed various approaches including reading sections of 24 VSA Chapter 17 and drafting regulations themselves, (with Francis serving as Clerk) or generating multiple track changes versions of sections as prepared by Francis and using meetings to discuss the differences. Francis suggested using the draft sections and the notes in meetings, with commissioners asking questions and discussing the text at their own pace, with Francis maintaining version control and preserving comments from commissioners and as each section is being worked through re-circulate sections that reflect the input of the commission. Chair Allen asked each commissioner for a reaction, by consensus the body agreed the approach outlined was the most effective. One suggested that in addition they would like to continue working through the drafts using ‘track changes’ because that method worked best for them.

Francis then explained the use of the terms ‘must’, ‘may’ and ‘should’ along with their opposites will be defined at the beginning of the definitions section of the document as follows:

These regulations use:

- “Must” and “will” to express that something is required;
- “Must not” and “will not” to express that something is prohibited;
- “May” and “may not” for discretionary actions; and
- “Should” and “should not” when something is encouraged or discouraged.

Francis explained that he has based these word choices on the Federal Plain Language Guidelines of 2011 which indicates ‘must’ is preferred over ‘shall’, and that both ‘must’ and ‘will’ are expressing something is required. See: <https://www.plainlanguage.gov/guidelines/>

‘Shall’ is used in Vermont statute, which uses outdated language for rulemaking.

Francis led the meeting through the notes and draft section responding to questions and comments from commissioners.

4. Affordable Housing Subcommittee Proposal

Lubell introduced the report outlining that the search has revealed viable town-owned properties for consideration:

- Part of the ±24.5-acre parcel where the transfer station and highway garage is located
- Part of the ±836-acre parcel owned by the Norwich Fire District (NFD) to which the town owns development rights

Lubell raised the possibility of using ARPA funds or the \$45,000 town affordable housing fund to support a feasibility study that Jeff Goodrich estimated would cost approximately \$15,000 to investigate 3 potential sites, each with the ability to be developed with a duplex or triplex.

Allen asked about the governance structure for the NFD lands. Ciccotelli expressed concerns about the approach of the project and its compatibility with the town plan. Allen asked that the previous report and this report be combined to provide more context prior to the commission moving the concept forward to the selectboard.

5. Announcements, Reports, Updates, and Correspondence

Francis gave a verbal Director's Report:

- Density study proceeding with AES Northeast (consultants)
- Wastewater Feasibility Study RFQ selection process has resulted in discussions between the Interim Town Manager (Francis) and the preferred consultants. It is expected that the contract will be in place by February allowing for preliminary planning work and field work to commence in Spring
- Francis is no longer able to attend TRORC meetings because he has a conflict with selectboard meetings
- The use of ARPA funds remain a priority, TRORC may be a resource in cutting through the lengthy federal guidance. Some of these funds may be eligible for use on affordable housing
- Francis spoke to the revised workplan included in the packet

6. Approve Minutes of December 7, 2021:

Ciccotelli moved and Romano seconded a motion to approve the minutes of 10/12/2021. Motion carried 6 - 0. For: Allen, Loeb, Horwitz, Ciccotelli, Romano, Lubell.

7. Other Business: none

8. Comments from the Public: none

Meeting adjourned: 8:26pm

Future Meetings:

Tuesday, February 8, 6:30pm Regular Meeting

Tuesday March 8, 6:30pm Regular Meeting

Respectfully submitted,

Rod Francis