

ZOOM access information:

<https://us02web.zoom.us/j/89789019116>
 888 475 4499 US Toll-free
 877 853 5257 US Toll-free
 Meeting ID: 897 8901 9116

Agenda Item	Action	Packet Materials
1. Approve Agenda	Chair will ask Commission to change/reorder agenda items. Motion Required	
2. Public Comment	Public invited to speak to any item not on the agenda	
3. Commission Housekeeping	a. New member welcome b. Planning Commission methods: OML, mutual respect, Robert's Rules, working groups OML Summary	Chair summary in packet, along with VT SoS 2019 doc
4. Chair report	a. Remote & hybrid meetings b. Planning director hiring c. Selectboard communication d. Planning & zoning files	Chair memo in packet
5. AHSC Memo – New Boston Rd Grant	Request to forward AHSC memo to Selectboard	Memo in packet Packet Material From Kris Clement
6. Agenda priorities – 6-month plan	a. Town plan amendment Preferred solar designation b. Zoning regs c. Subdivision d. Planning commission by-laws e. Use of committees f. Engaging other boards, committees & residents in setting priorities	Upper Loveland solar email in packet

7. Approve minutes May 9, 2023 & June 13, 2023	Approve minutes. Motion req.	PCMinutes2023-05-09D PCMinutes2023-06-13D
8. Public comment	Raise any other topics	
9. Future Meeting Schedule and Agendas	July 11, 2023	
11. Adjourn	Motion required.	

Future Meetings:

July 11, 2023

To: Norwich Planning Commission

From: Jaan Laaspere, Chair

Date: June 23, 2023

Re: Open Meeting Law Summary (to condense official documents)

To whom does this law apply?

A quorum of a public body that is meeting for the purpose of discussing the body's business or taking action.

Committees and subcommittees are included: "...applies to the meetings of any committee or subcommittee that is create or empowered by a public body to its work, no matter its size." [VT Sec of State, A Guide to Open Meetings, 2019] Quorum or majority is not the driving factor, it is the work being done by the body.

Types of meeting

Regular, special and emergency

Notification of meetings

Regular - no extra notice required. If the group has passed a resolution to have regular meetings on, for example, the second Tuesday of every month, then no further notice is required.

Special - 24 hr notice required, posted in 3 places, web site and list serv.

Emergency - no notice or agenda required. These are only for very exceptional circumstances and very doubtful they would be needed for the Planning Commission.

Agenda

Agenda should describe specific topics to be discussed and actions to be taken.

Regular meeting - publish agenda 48 hr prior to meeting

Special meeting - publish agenda 24 hr prior to meeting

Posted in 3 places in town, list serv & web site

Adding or deleting an item from a posted agenda can only be done as the first act of business at the meeting.

Agenda items may be reordered during the meeting.

Public comment

Public can attend all meetings and have the right to; "a reasonable opportunity to express their opinions on the matters being considered..." [VT Secretary of State, 2019]

Preference is for comment on each agenda item with Chair establishing reasonable rules to maintain order. "Public comment shall be subject to reasonable rules established by the chairperson." 1 VSA § 312(h).

Collective editing of online documents

This is discouraged due to need for advance notice and public participation.

Preferred alternative is a point person or committee to collect and compile member comments for discussion at a duly warned meeting.

Group emails should be very limited, with only one-way reports not intended for response and waiting for the next meeting to discuss or act.

Group emails are acceptable: “for the purpose of scheduling a meeting, organizing an agenda or distributing materials to discuss at meeting” with any materials distributed considered to be public records.

Executive session

A list of permissible reasons for entering executive session is in 1 VSA § 312 & 313 and are limited to legal, contractual, HR and specific privacy topics.

Minutes

Need to “give a true indication of the business of the meeting,”

Required:

- Names of all members present
- Names of all other active participants
- Motions, proposals and resolutions made
- Results of all votes with a record of roll calls, if taken

Must be published within five calendar days of the meeting.

Published / posted similar to meeting notices and agendas: web site, list serv, 3 places around town.

Remote and hybrid meetings

The ability to have fully remote meetings was extended until July 1, 2024.

Since the Planning Commission is appointed by Selectboard, they have the final decision about our meeting format.

Resources:

Vermont Statutes: 1 VSA § 310 - 314

Vermont Secretary of State, [A Guide to Open Meetings](#), 2019 [in packet]

VLCT [Open Meeting Law FAQs](#) 8/20/22

A GUIDE TO OPEN MEETINGS

Revised January 2019

Published By:

Vermont Secretary of State

128 State Street

Montpelier, VT 05633



A Message from the Secretary

January 2019



Living in Vermont, we expect openness in government. Any day the legislature is in session we can sit down in either chamber, or in the various committee rooms, and see laws being made. Any day we can walk into the county courthouse and attend any hearing or trial. We can watch the arguments being given before the Vermont Supreme Court. We can attend hearings and meetings of the local zoning board, and those of any other public body, and we can expect to see meeting notices in the newspaper or on public bulletin boards. We can review and copy public documents in state and local offices.

One important foundation of openness in Vermont is our “Right to Know” laws, including those related to open meetings and public records. Together they are the most important public laws we have, because they allow us direct access to the decisions that affect us. A full understanding of these laws makes everyone a better citizen and makes for a more responsive and accountable government. **This guide is an introduction to the open meeting law.**

You can read the open meeting law for yourself – it is found in every town clerk’s office, in Title 1 of the Vermont Statutes Annotated. Title 1 is the first volume of a set of green law books that includes all the statutory laws of the state. Look for sections 310 through 314, and make sure you check the pocket part in the back to see if there is newer law to review for each section.

You can also read the open meeting law online at the Vermont State Legislature’s website:
<http://legislature.vermont.gov/statutes/chapter/01/005>.

Every few years, the Legislature may make a few more changes to the law. Be sure to also take a look at Acts No. 95 and 166 of 2018, which contain the latest amendments:

<https://legislature.vermont.gov/assets/Documents/2018/Docs/ACTS/ACT095/ACT095%20As%20Enacted.pdf>;

<https://legislature.vermont.gov/assets/Documents/2018/Docs/ACTS/ACT166/ACT166%20As%20Enacted.pdf>.

We hope this publication will be of use to all Vermonters, both those we trust to serve on our state and local boards and those who wish to stay informed and participate in the decisions being made. Please let me know if there are ways we can improve future editions.

A handwritten signature in black ink that reads "James C. Condos". The signature is written in a cursive, flowing style.

James C. Condos
Vermont Secretary of State

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Why do we have an open meeting law?

Vermont's open meeting law requires all meetings of public bodies to be open to the public at all times, unless a specific exception applies. 1 V.S.A. § 312(a)(1). The purpose of the law is to promote transparency, accountability, and better decision-making in government.

In general, the law requires public bodies to:

- Provide advance public notice of meetings, including meeting agendas.
- Discuss all business and take all actions in open meeting, unless an exception in statute applies.
- Allow members of the public to attend and participate in meetings.
- Take meeting minutes and make them available to the public.

To whom does the open meeting law apply?

The open meeting law applies to “public bodies” of the state and its municipalities. “Public body” includes any state or municipal board, council, or commission, as well as any committee or subcommittee of these bodies. 1 V.S.A. § 310(4). This means the open meeting law governs the meetings of local selectboards and school boards, planning commissions and development review boards, boards of civil authority and of abatement, auditors and listers, municipal public library trustees, cemetery and recreation commissions, and various other groups referenced in state statute or by a town's charter. It also applies to the meetings of any committee or subcommittee that is created or empowered by a public body to do its work, no matter its size.

Although the law generally applies to all state and municipal public bodies, it does not apply to individual officials. There is no public right to sit in a public official's office and watch him or her conduct town business, or to oversee the work assignments of staff or other personnel. 1 V.S.A. § 312(g).

The open meeting law does not generally apply to nonprofit corporations, although a particular nonprofit may be required to comply with the law through language found elsewhere in statute, in its corporate governance documents, or in agreements with funding sources. For example, a nonprofit's articles of incorporation could designate it as an instrumentality or authority of the state (potentially bringing it within the definition of a “public body” in 1 V.S.A. § 310(4)), or a grant or contract could require open meeting law compliance as a condition of funding. Otherwise, you might look to a nonprofit's articles of incorporation or bylaws for guidance on its meeting procedures and participation requirements.

When does the open meeting law apply?

A board or other public body must comply with the open meeting law any time a “quorum” holds a “meeting,” that is, gathers to discuss its business or to take action. 1 V.S.A. § 310(3)(A).

“Business of the public body” is defined as “the public body’s governmental functions, including any matter over which the public body has supervision, control, jurisdiction, or advisory power.” 1 V.S.A. § 310(1).

A quorum is a majority of the members of a public body. Quorum is calculated by counting the number of total positions on a board or committee, regardless of any vacancies or recusals. For a three-member board, the quorum is two; for a five-member board, the quorum is three.

A meeting is a gathering of a quorum of a public body for the purpose of discussing the body’s business or taking action. 1 V.S.A. § 310(3)(A). A “meeting” under the open meeting law can occur regardless of the members’ physical location; there are no exceptions for phone conversations, work sessions, or retreats. This means that if a majority of a board find themselves together at a social function, they must take care not to discuss the business of the board.

A “meeting” may also come together over a period of time. If a discussion about town business occurs over the course of a few days or a week (for example, via a string of emails or Facebook posts), it may well amount to a “meeting” that triggers the open meeting law’s requirements. See page ten for more information on electronic communication and social media.

Exceptions

For the purposes of the open meeting law, “meeting” does not include the following:

- Any communication between members of a public body for the purpose of scheduling a meeting, organizing an agenda, or distributing materials to discuss at a meeting, provided that no other business of the public body is discussed or conducted. 1 V.S.A. § 310(3)(B).
- Occasions when a quorum of a public body attends social gatherings, conventions, training programs, press conferences, media events, or otherwise gathers, provided that the public body does not discuss specific business of the public body that, at the time of the exchange, the participating members expect to be business of the public body at a later time. 1 V.S.A. § 310(3)(C).
- A gathering of a quorum of a public body at a duly warned meeting of another public body, provided that the attending public body does not take action on its business. 1 V.S.A. § 310(3)(D).
- Site inspections for tax assessments or abatements. 1 V.S.A. § 312(g).
- Routine, day-to-day administrative matters that do not require action by the public body, so long as no money is appropriated, spent, or encumbered. 1 V.S.A. § 312(g).
- As decided by the Vermont Supreme Court, bilateral collective bargaining negotiations between a school board negotiating committee and a labor union. *Negotiations Committee of Caledonia Central Supervisory Union v. Caledonia Central Education Association*, 2018 VT 18.

Serial communications

The open meeting law does not explicitly address serial communications, also known as “serial meetings,” “walking quorums,” or “daisy-chain communications.” We generally recommend that board members avoid engaging in successive, interrelated private conversations about the board’s business that, taken together, involve a quorum. Because the law seems to allow for “gathering” over time, these types of communications can be risky, especially if used to develop consensus. Even with the best of intentions, their use outside a duly warned meeting may obscure the board’s decision-making process and thus interfere with the public’s ability to participate and to hold government officials accountable.

Of course, we understand that individual board members and administrators need to work between meetings and to educate themselves on matters under their jurisdiction. Whether a particular set of communications amounts to inappropriate circumvention of the open meeting law’s requirements is, in the end, a question of fact best posed to the public body’s own attorney, or the courts.

How does a board provide notice of its meetings?

The open meeting law recognizes three types of meetings: regular, special, and emergency. Depending on the type of meeting, a board or other public body may need to provide advance notice by “publicly announcing” the meeting, by posting public notices, or both. Public bodies also usually need to create an agenda in advance of each meeting and make it available to the public. 1 V.S.A. § 312(d)(1), (2). See below for more information on agenda requirements.

Regular meetings

A public body schedules regular meetings by adopting a resolution setting the time and place of the meetings. This information must be made available to the public on request. 1 V.S.A. § 312(c)(1). When a board meets regularly on, for example, the first Tuesday of every month, the law does not require additional public announcement or posting of these meetings so long as the time and place has been clearly designated by resolution or other determining authority (statute, charter, regulation, ordinance, or bylaw). Public bodies must, however, create and make available meeting agendas for regular meetings. 1 V.S.A. § 312(d)(1), (2).

Special meetings

A special meeting occurs when a board meets at a time or place outside of its regular meeting schedule. At least 24 hours before each special meeting, a public body must publicly announce it by giving notice of the meeting’s time, place, and purpose to a newspaper or radio station serving the area, as well as to any person who has requested in writing to be notified of special meetings. 1 V.S.A. §§ 310(5), 312(c)(2), (5). Municipal public bodies must also post a notice of each

special meeting in or near the town office and in at least two other designated public places in the municipality. All public bodies must give oral or written notice to each member (unless a member has waived this notice). 1 V.S.A. § 312(c)(2). In addition, agendas must be created and made available for special meetings. 1 V.S.A. § 312(d)(1), (2).

Emergency meetings

An emergency meeting may be held in the event of a true emergency, that is, “only when necessary to respond to an unforeseen occurrence or condition requiring immediate attention.” Emergency meetings do not require public announcement, posting of notices, or 24-hour notice to members, so long as some public notice is given as soon as possible before the meeting. 1 V.S.A. § 312(c)(3). Note that an emergency meeting should not be used if the public body is able to comply with the 24-hour notice requirements for special meetings. There is no agenda requirement for emergency meetings.

Notice when adjourning or continuing a meeting

When a meeting is to be continued to a new time or place, a public body should announce the new time and place before adjournment. Otherwise, the subsequent meeting is considered a new meeting that must be duly-warned as above. 1 V.S.A. § 312(c)(4).

What are the requirements for meeting agendas?

At least 48 hours prior to a regular meeting, and at least 24 hours prior to a special meeting, a meeting agenda must be posted to a website that the public body maintains or designates, if one exists. In addition, and within the same timeframes, a municipal public body must post the agenda in or near the municipal office and in at least two other designated public places in the municipality. A meeting agenda must be made available to a person prior to the meeting upon specific request. 1 V.S.A. § 312(d)(1), (2). Note that there is no agenda requirement for emergency meetings.

The open meeting law does not define “agenda” or specify the information an agenda must contain, except to require that the agenda designate a physical location where a member of the public can attend and participate in a meeting if a quorum or more members of a public body are attending remotely. 1 V.S.A. § 312(a)(2)(D). In keeping with the law’s intent, an agenda should allow interested members of the public to be reasonably informed about what specific topics will be discussed, and what actions may be taken, at the meeting.

If a public body wishes to add or delete an item from an agenda after it has been posted, it may only do so as the first act of business at the meeting. 1 V.S.A. § 312(d)(3)(A). We recommend that last-minute agenda items, especially those requiring board action, be added at a meeting only in an emergency. In other situations, a better practice is to handle items that were not included on

the posted agenda at the next regular meeting or, if necessary, to call a special meeting so that the public gets notice of the item and has an opportunity to attend and participate. Other adjustments to the agenda, such as reordering agenda items, may be made at any time during a meeting. 1 V.S.A. § 312(d)(3)(B).

What are the requirements for minutes?

Public bodies must take minutes of their meetings. Minutes are the permanent record of the formal actions of the public body and play an important role in recording the history of the public body's business.

The open meeting law requires that minutes "give a true indication of the business of the meeting," covering all topics that arise. At minimum, minutes must include: the names of all members of the public body who are present at the meeting; the names of all other active participants; all motions, proposals, and resolutions made, and their dispositions; and the results of all votes, with a record of individual votes if roll call is taken. 1 V.S.A. § 312(b)(1).

Minutes are public records and must be made available for public inspection and copying after five calendar days from the date of the meeting. If a public body maintains or designates a website, minutes must also be posted to that website no later than five calendar days after the meeting. Except for draft minutes replaced with updated minutes, posted minutes must not be removed from the website sooner than one year from the date of the meeting for which they were taken. 1 V.S.A. § 312(b)(2).

When can a board meet privately?

The open meeting law does not apply to site inspections for the purpose of assessing damage or making tax assessments or abatements; clerical work; work assignments of staff or other personnel; or routine, day-to-day administrative matters that do not require action by the public body, so long as no money is appropriated, spent, or encumbered. 1 V.S.A. § 312(g).

In addition, public bodies may meet privately in deliberative session or executive session under certain limited circumstances. 1 V.S.A. §§ 312(e), (f); 313.

Deliberative session

A public body may meet without notice or public attendance when it deliberates on its written decision as part of a quasi-judicial proceeding. A quasi-judicial proceeding is a case in which the legal rights of a party are adjudicated, conducted so that all parties may present evidence and cross-examine witnesses and resulting in an appealable written decision. 1 V.S.A. § 310(6). In this instance, although the hearing itself is open to the public, the deliberations that follow may be held in private, and the written decision that is issued need not be adopted at an open meeting

if it is to be a public record. 1 V.S.A. § 312(e), (f). A deliberative session is not an open meeting and need not be warned.

Executive session

A public body may also enter into executive session, which is a closed portion of a public meeting. To enter executive session, a motion must be made in open session that indicates its reason for doing so, preferably naming the specific provision of Title 1, Section 313 that gives authority. For a municipal body, the motion must get a majority vote of those present to pass. For a state body, a two-thirds affirmative vote is required. 1 V.S.A. § 313(a).

The only permissible reasons for entering executive session are set forth in 1 V.S.A. § 313. One category of permissible reasons requires the public body to make a specific finding that “premature general public knowledge would clearly place the public body or a person involved at a substantial disadvantage.” This finding must be made before considering one of the following permissible topics in executive session:

- Contracts. 1 V.S.A. § 313(a)(1)(A).
- Labor relations agreements with employees. 1 V.S.A. § 313(a)(1)(B).
- Arbitration or mediation. 1 V.S.A. § 313(a)(1)(C).
- Grievances, other than tax grievances. 1 V.S.A. § 313(a)(1)(D).
- Pending or probable civil litigation or prosecution, to which the public body is or may be a party. 1 V.S.A. § 313(a)(1)(E).
- Confidential attorney-client communications made for the purpose of providing professional legal services. 1 V.S.A. § 313(a)(1)(F).

Other topics a public body may consider in executive session are:

- The negotiating or securing of real estate purchase or lease options. 1 V.S.A. § 313(a)(2).
- The appointment, employment, or evaluation of a public officer or employee, provided that a public body must make the final hiring or appointment decision, and explain its reasons for the decision, in open meeting. 1 V.S.A. § 313(a)(3).
- A disciplinary or dismissal action against a public officer or employee, although this does not impair the right of the officer or employee to a public hearing if formal charges are brought. 1 V.S.A. § 313(a)(4).
- A clear and imminent peril to the public safety. 1 V.S.A. § 313(a)(5).
- Exempt records under Vermont’s public records act, provided that this exemption does not by itself permit discussion in executive session of the general subject to which the exempt record pertains. 1 V.S.A. § 313(a)(6).
- Student academic records, suspension, or discipline. 1 V.S.A. § 313(a)(7).
- Testimony from a person in a Parole Board parole proceeding, if public disclosure of the person’s identity could result in physical or other harm to him or her. 1 V.S.A. § 313(a)(8).

- Information relating to a pharmaceutical rebate or to supplemental rebate programs that is protected from disclosure either by federal law or by Medicaid terms and conditions, 1 V.S.A. § 313(a)(9).
- Security or emergency response measures, if disclosure could jeopardize public safety, 1 V.S.A. § 313(a)(10).

A board may choose to invite into executive session any of the following: legal counsel; staff; clerical assistants; and persons who are subjects of the discussion or whose information is needed. 1 V.S.A. § 313(b).

Once in executive session, no formal action may be taken except for actions related to securing a real estate purchase option. 1 V.S.A. § 313(a). (This differs from a deliberative session, in which decisions may be made so long as a written decision is issued that is a public record.) In all other instances, appropriate topics may be discussed in executive session, but ultimate action must be taken by motion and vote in open session.

Abusing the law of executive session is offensive to the purpose of open meetings. Boards should close their meetings rarely, and then only for legitimate purposes. Some boards go beyond the requirements of the open meeting law and do everything in public (except when acting in a quasi-judicial capacity, where constitutional due process may require private deliberations). The risks involved in letting everyone know your business are not small. Nonetheless, there is no penalty for extra openness and a high return on the investment if the public understands you have nothing to hide.

Do board members need to be physically present for meetings?

Not necessarily. As long as certain requirements are met, one or more members of a public body may fully participate in discussing the body's business and may vote at a regular, special, or emergency meeting by electronic or other means without being physically present at the designated meeting location. 1 V.S.A. § 312(a)(2).

If a quorum or more of members will be participating in a meeting electronically, the meeting agenda must designate at least one physical location where a member of the public can attend and participate in the meeting. At least one member of the body, or at least one staff member or other designee, must be physically present at this location. 1 V.S.A. § 312(a)(2).

Any member who participates in a meeting remotely must be able to hear and be heard throughout the meeting. 1 V.S.A. § 312(a)(2). This means that participation by speakerphone or Skype, for example, can be appropriate, while participation by email is not. Each member who participates remotely must identify himself or herself when the meeting is convened. Any vote that is not unanimous must be taken by roll call. 1 V.S.A. § 312(a)(2).

Does the open meeting law permit board members to communicate with each other electronically or through use of social media?

Under certain circumstances. The open meeting law clearly authorizes members of a public body to attend and participate in a duly-warned meeting through electronic means, so long as each member can hear and be heard by those persons attending at the designated physical location. 1 V.S.A. § 312(a)(2). The law also specifically permits use of group email or other electronic communication to schedule a meeting, organize an agenda, or distribute materials to discuss at a meeting. 1 V.S.A. § 310(3)(B). (Note that email correspondence, and other electronic communication that results in written or recorded information, is subject to Vermont's Public Records Act, and so must generally be made available to the public for inspection and copying upon request. See 1 V.S.A. §§ 315–320.)

Beyond these provisions, the open meeting law does not explicitly address appropriate use of electronic communications and social media by members of public bodies. Indeed, most of the open meeting statutes were drafted before the dominance of social media and the frequency of electronic communication in the various forms we see today. Here are some of our thoughts on using these tools in light of the open meeting law's language, its purpose, and the court cases interpreting it. We also strongly recommend that public bodies consult their own legal counsel for advice.

Group emails

Group emails do not necessarily violate the open meeting law, but it is best to proceed with caution. It is permissible to use group email to schedule a meeting, to create an agenda, or to distribute information for discussion at a meeting. 1 V.S.A. § 310(3)(B). It is also permissible to use group email as part of quasi-judicial deliberations, after a public hearing and as part of producing a written decision. 1 V.S.A. § 312(e), (f). Otherwise, group emails should not be used by a quorum of a public body to discuss the body's business. If a quorum of board members are part of the group email, and any dialogue occurs addressing business matters, this discussion is a "meeting" under 1 V.S.A. § 310(3)(A) and the open meeting law's notice and public participation requirements are triggered. Essentially, a business discussion, and therefore a "meeting," can occur as soon as you hit "reply all."

Collective editing of online documents

We recommend that a quorum of a public body should not participate in collectively editing a document outside of a duly-warned public meeting, unless the body is in deliberative session as part of a quasi-judicial proceeding. Collective editing, even if performed by members individually and over time, may well fall within the bounds of a "meeting" under 1 V.S.A. § 310(3)(A) when an exchange of ideas and opinions occurs outside of the public view. This is so even if the work in progress is made public, as the open meeting law requires more in terms of

advance public notice and public participation. See 1 V.S.A. § 312. We cannot assume, for example, that all members of the public will have the skills or means to access a tool such as Google Docs or be able offer their opinions on the views exchanged. In our view, an acceptable alternative is to instead name a point person who collects and compiles each member's comments for later discussion at a duly-warned meeting.

Social media groups

Participation in a Facebook group, Front Porch Forum, or other online group by a quorum of members of a public body raises open meeting law concerns any time the body's business is discussed. This is especially so if membership in the group is "closed" (e.g. only town residents may join), although participation in an entirely "open" group may also be problematic. This could be the case even if most — or even all — of the members of the public body remain passive and do not post about, or respond to posts about, the body's business.

In general, if a quorum of a public body gathers to discuss the body's business, a "meeting" is being held under 1 V.S.A. § 310(3)(A) and the open meeting law's notice and public participation requirements are triggered. To be counted towards a quorum, and to participate in a meeting via electronic means under the open meeting law, an individual member must be able to hear and be heard, but need not necessarily speak. See 1 V.S.A. § 312(a)(2). So, if a quorum of board members have joined a Facebook group, and if a majority of total board members post an exchange of ideas or opinions concerning the board's business, an open meeting law violation may well have occurred. Even if just one board member posts, the passive, non-posting membership of a quorum in an online group where members of the public are discussing the board's business could be considered a "meeting" under a very strict reading of the law.

There are certainly accessibility and transparency benefits to being available to the public via social media sites. Members of public bodies, in remaining mindful of the public's right to know and participate, must nonetheless avoid "gathering to discuss business" at a time and place that has not been announced in advance or is not accessible to all.

Text messaging

We generally recommend that members of a public body refrain from texting each other during an open meeting. Texting between members who are present is not explicitly prohibited by the open meeting law, but we think these types of "shadow conversations" can create an appearance of impropriety, and in some situations might serve to keep information and discussions that inform officials' decision-making from the members of the public attending the meeting. (The same can be said for low-tech versions of texting, like passing notes.) Texts to and from members who are not physically present at the meeting create additional concerns because of the law's requirements for participation in meetings through electronic means. For example, a member who attends a meeting without being physically present must be able to hear and be

heard throughout the meeting. 1 V.S.A. § 312(a)(2)(C). Even if the remote member does not intend to “attend” the meeting for purposes of quorum and voting, we think this type of communication could under some circumstances—where the body’s business is discussed—raise questions about whether an open meeting law violation has occurred.

Texting while inside executive session is also problematic. Attendance in executive session is limited to board members and, in the board’s discretion, staff, clerical assistants, legal counsel, and persons who are subjects of the discussion or whose information is needed. 1 V.S.A. § 313(b). So, conversations by text about the business of the executive session with individuals who are not on this list is inappropriate. Although not explicitly prohibited by the law, members of public bodies should also consider that texting or otherwise conversing with board members absent from the open portion of the meeting (when the motion to enter executive session was made) may, under some circumstances, work to generate public mistrust.

What rights do members of the public have?

Individual members of the public have the right to obtain meeting agendas in advance, to be notified directly of upcoming special meetings, and to view or copy meeting minutes. Agendas of regular or special meetings must be made available to any person prior to the meeting upon request. 1 V.S.A. § 312(d). In addition, anyone can request in writing that a public body notify him or her of the body’s special meetings. The request applies to the calendar year in which it is made, except that requests made in December apply also to the following year. 1 V.S.A. § 312(c)(5). Meeting minutes must (either in draft or final form) be made available for inspection or copying no more than five calendar days from the date of any meeting. 1 V.S.A. § 312(b)(2).

Members of the public have the right to attend public meetings. 1 V.S.A. § 312(a)(1). Meetings of public bodies are subject to the public accommodation requirements detailed in Vermont’s anti-discrimination statutes. 1 V.S.A. § 312(a)(1); see also 9 V.S.A. chapter 139. We understand the open meeting law to permit members of the public to record or film public meetings, so long as this is not done in a manner that disrupts the meeting. If a board decides to meet in private in executive session, members of the public have the right to know its reason for doing so. 1 V.S.A. § 313(a).

Members of the public also have the right to participate in public meetings. Specifically, public bodies must give members of the public a reasonable opportunity to express their opinions on matters being considered by the body at an open meeting. 1 V.S.A. § 312(h). Many boards allow public comment at the start of the meeting, while others place it as the final agenda item. Some boards allow public comment whenever anyone present has something to add to the discussion. We believe it is a best practice to allow the public to comments on each item as the board proceeds through the agenda. The public comment period, however, is not a free-for-all; the board chair may establish reasonable rules to maintain order, and reasonable limitations on the amount of time for each speaker are not unusual or improper.

Members of the public have the right to enforce the open meeting law themselves by filing suit in court. 1 V.S.A. § 314. See below for details on filing a complaint with a public body and the court.

What happens if a public body violates the open meeting law?

The following persons can be found guilty of a misdemeanor and fined up to \$500:

- A person who is a member of a public body and who knowingly and intentionally violates the provisions of the open meeting law.
- A person who, on behalf or at the behest of a member of a public body, knowingly and intentionally violates the provisions of the open meeting law.
- A person who knowingly and intentionally participates in the wrongful exclusion of any person or persons from any meeting. 1 V.S.A. § 314(a).

In addition, the Attorney General and any person aggrieved by a violation of the open meeting law has the right to file suit in court, asking for injunctive relief (requiring the board to stop a specified act or behavior) or a declaratory judgment (a binding determination of the parties' rights). Under some circumstances, the court may also hold a public body responsible for the other party's attorney's fees and litigation costs. 1 V.S.A. § 314(b)(1), (d).

How does a member of the public enforce the open meeting law?

If you think that an open meeting law violation has occurred, the first step is to submit a written notice to the public body, alleging a specific violation and requesting a specific cure. Upon receipt of this written notice, the public body must respond publicly within 10 calendar days, either by acknowledging the violation and stating its intent to cure it or by stating its determination that no violation occurred and so no cure is necessary. Failure to publicly respond is treated as a denial of the violation. 1 V.S.A. § 314(b)(1)–(3).

If the public body acknowledges a violation of the open meeting law, it must cure the violation within 14 calendar days. First, the public body must either ratify, or declare as void, any action that was taken at or resulted from: 1) a meeting that was improperly noticed under 1 V.S.A. § 312(c) (public announcement and posting of regular, special, and emergency meetings); 2) a meeting that a person or the public was wrongfully excluded from attending; or 3) an executive session, or a portion of an executive session, that was not authorized by 1 V.S.A. § 313(a)(1)–(10). Second, the public body must adopt specific measures that actually prevent future violations. 1 V.S.A. § 314(b)(4).

If the public body denies the violation or fails to cure an acknowledged violation in a timely manner, you can file suit against the public body in the Civil Division of the Superior Court in the county where the alleged violation took place. The suit must be brought within one year after

the meeting at which the violation occurred or to which the violation relates. The court will then decide whether a violation occurred, whether a declaratory judgment or injunctive relief is appropriate, and whether circumstances require the public body to pay attorney's fees and litigation costs. 1 V.S.A. § 314(c), (d).

Where can I go to ask a question?

Here at the Secretary of State's Office, it is our pleasure to help towns and citizens engage in respectful, open conversations around the sometimes difficult business of dealing with local government matters. Even though emotions may run high and opinions are deeply held, we are all neighbors and Vermonters, in the end.

We are happy to assist anyone who calls by pointing out the relevant portions of the law and by providing these publications as guidance. Please feel free to call us with your questions. However, understand that we cannot give legal advice and always recommend you consult your own attorney. If you hold a position in municipal government, you may contact the Vermont League of Cities and Towns' Municipal Assistance Center at (802) 229-9111 or info@vlct.org.

Contact the Secretary of State's Office

Jenny Prosser
General Counsel & Director of Municipal Assistance
(802) 828-1027
jenny.prosser@sec.state.vt.us

Chris Winters
Deputy Secretary of State
(802) 828-2124
chris.winters@sec.state.vt.us



To: Norwich Planning Commission
From: Jaan Laaspere, Chair
Date: June 23, 2023
Re: Misc. topics discussed in 6/13/23 meeting

This memo will be discussed at the 6/27 meeting. Do not reply to this email with any discussion on these topics.

I talked with Marcia Calloway, Brennan Duffy, Pam Mullen, and Chico at JA&M

Remote & hybrid meetings

Equipment exists in Tracy Hall: Rolling large monitor, microphones, and cameras.
Vince to meet Chico from JA&M at Tracy Hall to be trained.
Should be possible to run hybrid meetings without JA&M person present.
Planning Commission has a dedicated zoom log-in, like other groups. I have this information.

Planning director hiring

Help was needed in December '22 when Brennan had just started, so member of PC was requested => Marc
Very little activity at present, no hiring committee exists.
Chair to be contact person to be notified of candidates for now.
Can we do anything to move this along?

Selectboard communication

Constructive discussion with Marcia
She is working to create a map of town governance structure describing the groups and their responsibilities and is considering a roundtable with representatives from each group.
She views the town plan as the document that should guide everything else. She feels the current plan has weaknesses and gaps and that possibly limited amendment would be warranted. She understands that the Planning Commission has independent authority and will decide how best to move forward.

S

Planning & zoning files

Pam Mullen has best knowledge of what we have in these files.
She will work with Kyle Katz to create a list of what is available, including compiling a list of what was on Rod Francis' computer.
The Planning Commission should create a list of what specifically we are looking for.
A computer resides in the planning office which Kyle uses M & Th mornings.

MEMORANDUM

To: Norwich Planning Commission
From: Norwich Affordable Housing Subcommittee
Re: Vermont Community Development Program Planning Grant for New Boston Road Parcel
Date: June 19, 2023

We are writing to update the Planning Commission on the status of our work addressing the concerns raised by the Selectboard when we first brought this planning grant proposal to their attention in the Fall of 2022. We have identified solutions to their concerns that we hope will allow the Selectboard to endorse this grant application and allow it to be submitted to the Vermont Community Development Program. Accordingly, we request that the Planning Commission endorse our recommendations and forward them to the Selectboard for decision.

What is this about? The Affordable Housing Subcommittee recommends that the Town of Norwich submit an application for a \$60,000 planning grant to the Vermont Community Development Program to investigate the feasibility of developing below-market housing on the northern part of the parcel on New Boston Road that includes the transfer station. The Two Rivers-Ottauquechee Regional Council (TRORC) has agreed to administer the grant on behalf of Norwich, should it be awarded.

When is a decision needed? The next deadline for submitting a grant application is **September 12, 2023**. In order to meet this deadline, we will need an initial discussion with, and then a decision by, the Selectboard by these dates:

1. **First, the Subcommittee and Planning Commission need guidance as soon as possible, but ideally before July 22, as to whether the Selectboard is generally comfortable with the idea of submitting this grant application.** This will give the Subcommittee and the Planning Commission the guidance needed to prepare the grant application and to schedule the required public hearing about the proposal. To meet the September 12 submission date, **the public hearing must be noticed no later than August 23 and held no later than September 7.**
2. **Second, a Selectboard vote to approve the application must be held no later than September 11 so that the application (if approved) can be submitted by September 12.**

Please note that these are the last possible dates to make the September 12 submission deadline. Ideally, things would happen sooner so that we do not risk missing the deadline. The next application date is Feb. 6, 2024, though the Feb. submission date ended up being canceled in 2023; if this happens again, the next deadline would be April 9, 2024. We are advised that it can take several rounds to be approved, which argues in favor of an early submission.

What is required from the Town to submit the application? There are three main requirements:

- A public hearing on the grant application must be held no later than September 7. This hearing could be held by the Planning Commission, in conjunction with the Affordable Housing Subcommittee, or they could choose to delegate it to the Subcommittee.
- The Selectboard must approve the application for submission.

- The town must agree to provide a 10% match of \$6,000.

What will the grant do? The grant will provide funds for site planning to determine whether the development of below-market housing is feasible on the site, where exactly the housing would go, whether the site is likely to have adequate septic and water capacity, what other regulatory constraints apply, and how many units the site can hold. The grant would cover public outreach to get input from the public about the proposed site plan. It would also cover the expenses associated with subdividing the parcel, should a decision be made to move forward with the housing development.

We anticipate that all of the units will be permanently affordable to the targeted income group. The final mix of incomes will be determined during the planning grant process. A requirement of the planning grant process is that at least half of the units be aimed at families with incomes below 80% of the median income (currently \$67,200 for a family of 3 or \$74,650 for a family of 4).

How have the Selectboard's prior comments been addressed? When we discussed this issue in the Fall of 2022, Selectboard members raised two issues: (a) concerns about buried trash at the site and (b) environmental justice concerns regarding the proximity of the site to the town garage and transfer station. We have worked hard to address these concerns and believe we workable solutions to both of them:

1. **Concerns about buried trash.** Per Jeff Goodrich, the former landfill site was south and not north of the current transfer station. No one we have spoken with has any recollection of a landfill site north of the current entrance to the property from New Boston Road. We have spoken with Neil Fulton who described finding some buried trash bags north of this entrance, but he agreed that no buried trash bags have been found in the far northern corner of the site that we are targeting for possible development. Out of an abundance of caution, however, we have identified a way to test for and address the possibility that there is buried trash near our site that we recommend be followed before a final decision is made to site housing on the site. The process would generally work as follows:
 - a. First, Norwich would apply for and execute the planning grant to determine if housing is feasible on this location and exactly where it would be located.
 - b. Assuming below-market housing is feasible, we would work with TRORC to identify a path forward for conducting environmental assessments to assess whether there are environmental concerns with the site. This process has five main components:
 - i. Norwich is not eligible on its own to apply for assessment and remediation funding because it would be the responsible party for any environmental problems found on the site. Accordingly, as a first step, we would identify a prospective purchaser for the property, which would be eligible for funding for assessment and remediation. One organization that has done this before is the Green Mountain Economic Development Corporation. We have spoken with them and believe that if development were determined to be desirable and feasible on this site they would be open to considering this role.

- ii. The next step is assessment: first a Phase 1 and then a Phase 2 Environmental Assessment. The Phase 1 looks at the historical records, while a Phase 2 Assessment involves physical inspection of the site.
 - iii. If any environmental problems are identified, the next step would be remediation. Funding is available from Vermont for this purpose for entities not determined to be responsible for causing the problem, which is why we need the prospective purchaser.
 - iv. If no remediation is needed, or is remediation is determined to be needed and then completed, the site would then need to be subdivided to include the area targeted by the Phase 2 assessment, and formally conveyed to the prospective purchaser. At this point, a certificate of completion would be provided under Vermont's BRELLA program indicating that the site is determined to be safe for future development.
 - v. The purchaser would then return the site to the town for future development.
- c. While this process is cumbersome, it has the advantage of ensuring that the site is safe for future residents, providing funding for assessment and clean-up, if needed, and providing, through the BRELLA program, legal protection for the town against future claims. The evidence that we're aware of suggests the site is not on a landfill and that any buried trash in the vicinity is a minor issue that can be addressed through a modest clean-up effort. If we're right, and the town wants to proceed with housing, we'll then have the green light to do so. If we're wrong, and there a larger problem there than we are aware of, the town retains the ability to change its mind and prepare to use the land in another way, such as for solar panels.
2. **Environmental Justice Concerns.** Several members of the Selectboard raised the concern that people entering the site would have to pass by the town garage and transfer station. We plan to implement several approaches to address this issue. First, we will aim to site the development in the far north corner of the site, as far away as possible from the garage and transfer station, and orient it in such a way that residents experience the woods around them, with minimal or no view of the garage or transfer station. Second, during the planning grant we will investigate the feasibility of entering the site through entrances that do not involve passing by the town garage. For example, the entrance to the site could be placed further north on New Boston Road, near the right of way for Olcott Road or the site could be accessed from Union Village road and then Olcott Road. In either case, the site would not feel like it is particularly close to the garage or the transfer station. These solutions, if determined to be feasible, would require agreements with one or more adjoining land owners.

If you have any questions, please reach out to the Subcommittee chair, Jeff Lubell, at jefflubell@yahoo.com. Thank you for considering this request.

From: Kris Clement <kclemwp6@gmail.com>

Sent: Sunday, June 25, 2023 12:47 PM

To: Pam Mullen <PMullen@norwich.vt.us>; Amy <vermont6633@gmail.com>; Vincent Crow <pvcrow@gmail.com>; Stuart Richards <stuartlrichards50@gmail.com>; Jeff Goodrich <Jeff.Goodrich@pathwaysconsult.com>; bob_pape@yahoo.com; Ernie Ciccotelli <ernieciccotelli@gmail.com>

Subject: Informational Material to be included in 6/27/2023 PC Special Mtg

PLEASE DO NOT REPLY

Pam: please include the following information material in the packet for the PC Special Meeting June 27, 2023

Enclosed please find information material for your review regarding agenda item: memo from Affordable Housing Subcommittee.

- 1) Norwich Zoning Regulations: Section 4.13 Telecommunications Facilities
- 2) Town of Norwich: General Property Data 24 New Boston Road
(printed from Patriot Properties: <https://norwichvt.patriotproperties.com/RecordCard.asp>)
- 3) State of Vermont Public Service Board: Docket No. 8103: Petition of the Town of Norwich for a certificate of public good, pursuant to 30 VSA, Section 248a, for the installation of telecommunications equipment in Norwich, Vermont.
- 4) State of Vermont Public Service Board: Docket No. 8103: Certificate of Public Good Issued Pursuant to 30 VSA Section 248a
- 5) Vermont E911 map indicating the general location of existing communications tower, and 180' perimeter (<https://maps.vermont.gov/e911/Html5Viewer/?viewer=e911viewer>)
- 6) Vermont E911 map indicating the general amount of land dedicated to DPW/transfer station
- 7) Vermont E911 map indicating the approximate area/perimeter of land at 24 New Boston Road, and surrounding area
- 8) Vermont E911 map indicating the approximate area/perimeter of land at 24 New Boston Road dedicated to DPW/transfer station facilities

Thanks,
Kris

Section 4.13 Telecommunications Facilities

(A) **Introduction.** Technological developments in the telecommunications and broadcast industries have resulted in demands for development of property to accommodate these land uses. Wireless communication facilities have become increasingly important to the security and economic needs of residents and businesses in the Town. This trend will continue, creating new opportunities for commerce and reducing demand for travel by conventional modes. Given the potential impacts these facilities may have on the public good, safety and welfare of Norwich citizens, it is in the Town's interest to plan for and regulate the orderly development of such facilities.

(B) **Purpose.** The purpose of this section shall be to regulate the placement, design, construction and modifications of wireless communication facilities so as to promote the economic viability of the Town and to protect its historic, cultural, natural, and aesthetic resources.

(C) **Conditional Use Approval for Wireless Communication Facilities.** Pursuant to T 24 §4412(9), the Zoning Administrator shall review telecommunications facilities applications, and upon determining that a particular application will impose no impact or de minimis impact upon any criteria established in these regulations, shall approve the application. No permit for the development of a wireless communication facility shall be granted by the Zoning Administrator without conditional use approval from the Development Review Board. Prior to granting such approval, the Board shall make affirmative findings for each of the following criteria in addition to the other applicable provisions set forth in these Regulations:

- a. **Yard Requirements** - Equipment, buildings, and other structures shall conform to the minimum front, side, and rear setbacks for the district in which they are located.
- b. **Height Limitations** - The height of towers, antenna, and tower related fixtures in all districts shall not exceed the minimum height necessary to achieve the coverage objective and, in any case, be no greater than 20 feet above the average height of the tree line within 100 feet of the base of the tower. Notwithstanding the above, additional height may be approved upon finding by the Board that it is necessary to provide adequate coverage, or to accomplish co-location as outlined in Subsection 4.13(I) below and does not have an undue adverse visual impact on scenic or natural beauty as outlined in Subsection 4.13(K) below.

(D) **Setbacks.** All wireless communications facilities shall comply with the setback provisions of the zoning districts in which facilities are located. Notwithstanding the above, in order to ensure public safety, the minimum distance of any ground mounted wireless service facility to any property line, dwelling, or similar structure shall be no less than the height of the tower, including antennas or vertical appurtenances. This setback shall be referred to as a fall zone. In the event that an existing structure such as a barn

silos, church steeples, or utility poles are proposed as a mounting for a telecommunications facility, a fall zone setback shall not be required.

(E) **Lighting.** No lighting shall be permitted on towers, except as may be specifically required by FAA regulations or where deemed necessary by the Board. In any case where a tower is determined to need FAA obstruction marking or lighting, applicants must seek the least visually obtrusive marking and/or lighting scheme in their FAA applications. Emergency, safety or security ground lighting may be utilized when there are people at the site. All tower lighting incidental to the tower shall be shielded to minimize glare. To the extent reasonable, all ground lighting shall be directed downward towards the facility and not towards neighboring properties.

(F) **Bulk, Height, and Glare.** All wireless facilities shall be designed in such a manner as to minimize the visual impact of height, mass, and guy wire supports for the intended use. Materials utilized for the exterior of any structure shall be of a type, style, and location so as to minimize glare and not result in an undue adverse visible impact on any scenic or historic viewshed, public vantage point or from abutting properties.

(G) **Screening.** Screening shall be required at the perimeter of the site unless it can be demonstrated that natural foliage is adequate. A planted or natural vegetative screen shall be a minimum of 10 feet in depth with a minimum height of 10 feet and shall provide year-round screening. Existing on-site vegetation outside the site for the wireless facility shall be preserved or improved. Disturbance to existing topography shall be minimized, unless the disturbance is demonstrated to result in less visual impact of the wireless facility on surrounding properties and areas.

(H) **Signs and Fencing.** Adequate warning signs and fencing shall be installed as needed to protect the public and at minimum shall meet federal requirements. Fencing shall be chosen to minimize visual impact, consistent with its intended safety purpose.

(I) **Co-location.**

(1) An application for a new telecommunications tower shall not be approved unless the Development Review Board finds that the telecommunications facilities planned for the proposed tower cannot be accommodated on an existing or approved tower or structure due to one of the following reasons:

- a. The proposed antennas and equipment would exceed the structural or spatial capacity of the existing or approved tower or facility, as documented by a qualified engineer licensed to practice in the State of Vermont and the existing or approved tower cannot be reinforced, modified or replaced to accommodate planned or equivalent equipment, at a reasonable cost, to provide coverage and capacity comparable to that of the proposed facility.
- b. The proposed antennas and equipment would cause interference materially impacting the usefulness of other existing or permitted equipment at the

existing or approved tower or facility as documented by a qualified engineer licensed to practice in the State of Vermont and such interference cannot be prevented at a reasonable cost.

- c. The proposed antennas and equipment, alone or together with existing facilities, equipment or antennas, would create radio frequency interference (RFI) in violation of federal standards or requirements.
 - d. The proposed antennas and equipment, either alone or together with existing facilities, equipment or antennas, would create radio frequency radiation (RFR) in violation of federal standards or requirements without unreasonable modification or mitigation measures.
 - e. Existing or approved towers and structures cannot accommodate, or be reasonably modified to accommodate, the planned equipment at a height necessary to function reasonably or are too far from the area of needed coverage to function reasonably as documented by a qualified engineer licensed to practice in the State of Vermont.
 - f. Aesthetic reasons make it unreasonable to locate the planned telecommunications equipment upon an existing or approved tower or building.
 - g. Other unforeseen specific reasons make it unreasonable to locate the planned telecommunications equipment upon an existing or approved tower or building.
- (2) Towers must be designed to allow for future rearrangement of antennas upon the tower and to accept antennas mounted at varying heights when overall permitted height allows. Towers shall be designed structurally, electrically and in all respects to accommodate both the applicant's antennas and additional antennas when overall permitted height allows.
- (3) The owner of an approved wireless communication facility shall allow other wireless service providers to co-locate on the tower subject to reasonable terms and conditions. Notwithstanding, there shall be no affirmative obligation on the owner to increase the height or width of the tower in order to accommodate the equipment or facilities of another user.
- (J) Access Roads and Above Ground Utilities.** Where new wireless communication facilities require construction of or improvement to access roads, to the extent practicable, roads shall follow the contour of the land. Access roads, when consistent with the purposes of this section and economically feasible, shall be constructed or improved within existing forest or forest fringe areas and not in open fields. Utility or service lines shall be designed and located so as to minimize disruption to the scenic character or beauty of the area.

J

Submitted 6/25/2023 KIRIS Clement

General Property Data

Pg 1/2

Parcel ID 10-190-100	Account Number 450-142-12272
Prior Parcel ID 10-190.100-10-190-200-	
Property Owner NORWICH TOWN OF	Property Location 24 NEW BOSTON RD
	Property Use EXMPT-TOWN
Mailing Address PO BOX 376	Most Recent Sale Date
	Legal Reference
City NORWICH	Grantor
Mailing State VT Zip 05055-0376	Sale Price 0
ParcelZoning RR	Land Area 8.680 acres

- See Pg 2 total acreage

Current Property Assessment

Card 1 Value Building Value 696,400	Xtra Features Value 116,000	Land Value 132,700	Total Value 945,100
Total Parcel Value Building Value 696,400	Xtra Features Value 116,000	Land Value 286,600	Total Value 1,099,000

Building Description

Building Style R/M SHOP	Foundation Type SLAB	Flooring Type CONCRETE
# of Living Units 1	Frame Type STEEL	Basement Floor N/A
Year Built 2010	Roof Structure GABLE	Heating Type COMM WALL UT
Building Grade AVG. (+)	Roof Cover METAL	Heating Fuel OIL
Building Condition Average	Siding CORREG STL	Air Conditioning 0%
Finished Area (SF) 8000	Interior Walls MINIMUM	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Baths 2	# of Other Fixtures 0

2

PS 2/2

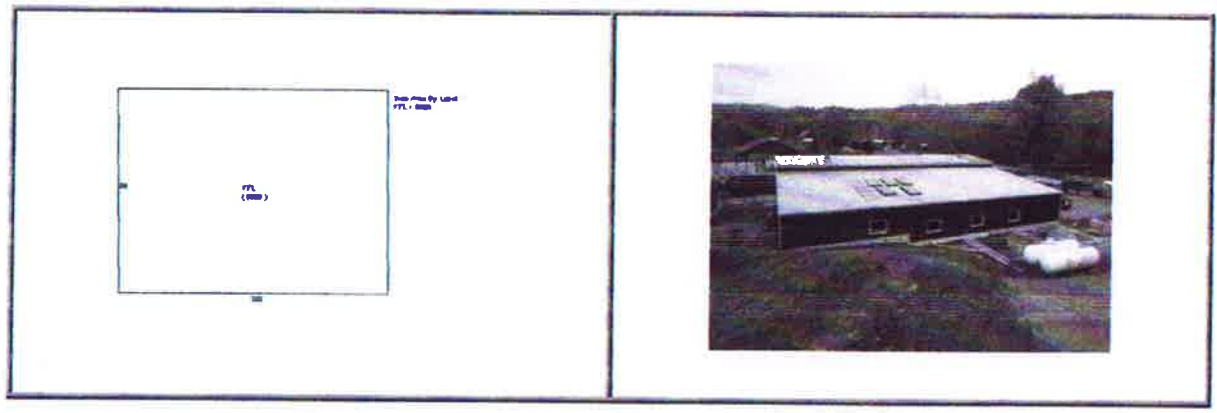
Legal Description

24.48 AC & DPW & TRANS STATION & ADDL LOT

Narrative Description of Property

This property contains 8.680 acres of land mainly classified as EXMPT-TOWN with a(n) R/M SHOP style building, built about 2010 , having CORREG STL exterior and METAL roof cover, with 1 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 2 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

3)

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STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 8103

Petition of the Town of Norwich for a certificate of)
public good, pursuant to 30 V.S.A. § 248a, for the)
installation of telecommunications equipment in)
Norwich, Vermont)

Order entered: 9/11/2013

I. INTRODUCTION

In this Order, the Vermont Public Service Board ("Board") approves the application filed on July 22, 2013, by the Town of Norwich (the "Petitioner"), pursuant to 30 V.S.A. § 248a, and the Board's Amended Standards and Procedures Order ("Procedures Order"),¹ and grants the Petitioner a certificate of public good ("CPG") authorizing the installation of a new wireless telecommunications facility in Norwich, Vermont (the "Project").

II. BACKGROUND

This case involves a petition and prefiled testimony filed by the Petitioner requesting that the Board issue a CPG, pursuant to 30 V.S.A. § 248a, authorizing the installation of a new telecommunications facility.

On August 15, 2013, the Vermont Department of Public Service ("Department") filed a letter with the Board recommending that the Board issue an order approving the Project without further hearings or investigation.

1. *Amended order implementing standards and procedures for issuance of a certificate of public good for communications facilities pursuant to 30 V.S.A. § 248a*, Order issued August 10, 2011.

No other comments or requests for hearing regarding the Project have been filed with the Board.

The Board has determined that the petition and prefiled testimony have effectively addressed the substantive criteria of 30 V.S.A. § 248a. Consequently, we find that the procedure authorized by § 248a is sufficient to satisfy the public interest, and no hearings are required.

III. FINDINGS

1. The Project involves the installation of a new wireless telecommunications facility in Norwich, Vermont. The objective of the project is to improve local radio communications for municipal services in the town and surrounding area. Dechert pf. at 1-6.
2. The Project is to be located on property owned by the Petitioner at 24-26 New Boston Road in Norwich, Vermont. The property is currently occupied by the Norwich Public Works Department. Dechert pf. at 3.
3. The Project involves the installation of a new lattice tower with antennas, equipment shelter, and associated operating and ancillary equipment within a new fenced compound on property owned by the Petitioner. The Project also includes the construction of an access road and running underground utilities to the compound. Dechert pf. at 3-5.
4. The tower will be 180' tall and will support three whip antennas, each measuring approximately 20' long, mounted at the top of the tower, two whip antennas, each measuring approximately 22' long, mounted at a centerline height of 163', and two dish antennas, each measuring 3' in diameter, mounted at a centerline height of 175'. The equipment shelter will be 10' by 12'. A propane-fueled backup generator and a 250-gallon propane tank will also be located within the facility compound. The facility will be located within a 40' by 40' gravel compound surrounded by an 8' high barbed-wire fence. The Project also includes the construction of an approximately 10' wide by 550' long access road extending from an existing paved road to the compound, and a parking and turnaround area. The total amount of earth disturbance for the Project will be approximately 27,000 square feet. Dechert pf. at 3-5; exh. PD-1.

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PS 3/7

State Telecommunications Policy

[30 V.S.A. § 248a(a)]

5. The Project is consistent with the goal of directing the benefits of improved telecommunications technology to all Vermonters pursuant to 30 V.S.A. § 202c(b). The Project will provide new service and improve existing wireless telecommunications service in this area. Boucher pf. at 3-4.

**Aesthetics, Historic Sites, Air and Water Purity,
the Natural Environment, and Public Health and Safety**

[30 V.S.A. § 248a(c)(1)]

6. The Project will not have an undue adverse effect on aesthetics, historic sites, air and water purity, the natural environment, and the public health and safety. This finding is supported by findings 7 through 28, below.

Public Health and Safety

[30 V.S.A. § 248a(c)(1)]

7. The Project will not have an undue adverse impact on public health and safety. Dechert pf. at 13-14.

Outstanding Resource Waters, Headwaters

[10 V.S.A. §§ 1424a(d), 6086(a)(1)(A)]

8. The Project will have no impact on outstanding resource waters or headwaters. Dechert pf. at 8.

Water and Air Pollution

[10 V.S.A. § 6086(a)(1)]

9. The Project will not result in undue water or air pollution. This finding is supported by findings 10-18, below.

10. Noise associated with construction activities will be short term and will occur during the hours of 7:00 a.m. and 5:00 p.m. Monday through Friday, although occasional weekend work may be required. The Project will be located approximately 750' from the nearest residence and

ambient noise from the surrounding Public Works facility and Transfer station will mitigate any noise from the Project's construction or operation. Dechert pf. at 7-8.

11. The Radio Frequency Radiation associated with the Project will meet all standards prescribed by the Federal Communications Commission. Boucher pf. at 3.

Waste Disposal

[10 V.S.A. § 6086(a)(1)(B)]

12. The Project does not involve disposal of wastes or injection of any material into ground water or wells. Dechert pf. at 8.

Water Conservation, Sufficiency of Water, and Burden on Existing Water Supply

[10 V.S.A. §§ 6086(a)(1)(C), (a)(2) and (3)]

13. The Project will have minimal impact on water conservation measures, as the Project will not require water or sewer facilities. Dechert pf. at 7-8.

Floodways

[10 V.S.A. § 6086(a)(1)(D)]

14. The Project is not located in a floodway. Dechert pf. at 9.

Streams

[10 V.S.A. § 6086(a)(1)(E)]

15. The Project will not have an undue adverse impact on streams. Dechert pf. at 9.

Shorelines

[10 V.S.A. § 6086(a)(1)(F)]

16. The Project will not have an undue adverse impact on shorelines. Dechert pf. at 9.

Wetlands

[10 V.S.A. § 6086(a)(1)(G)]

17. The Project will not have an undue adverse impact on wetlands. Dechert pf. at 10.

Soil Erosion

[10 V.S.A. § 6086(a)(4)]

18. The Project will not cause unreasonable soil erosion or a reduction in the capacity of the land to hold water. All construction work will comply with Vermont standards and specifications for erosion and sediment control. Dechert pf. at 10.

Transportation System

[10 V.S.A. § 6086(a)(5)]

19. The Project will not cause unreasonable congestion or unsafe conditions with respect to use of the highways, waterways, railways, airports or airways, or other means of transportation, whether existing or proposed. Traffic to the unmanned site will be limited following construction. Dechert pf. at 11.

Educational Services

[10 V.S.A. § 6086(a)(6)]

20. The Project will not cause an unreasonable burden on the ability of a municipality to provide educational services. Educational services will not be affected by the Project. Dechert pf. at 11.

Municipal Services

[10 V.S.A. § 6086(a)(7)]

21. The Project will not place an unreasonable burden on the ability of the local government to provide municipal or governmental services. The Project will not require any additional municipal or governmental services and will enhance the ability of the municipality to provide radio communications for town service providers. Dechert pf. at 11.

Aesthetics, Historic Sites, and Rare and Irreplaceable Natural Areas

[10 V.S.A. § 6086(a)(8)]

22. The Project will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas. This finding is supported by findings 23 through 28, below.

23. The Project will be located adjacent to the Town's Public Works facility and will be in context with the rural industrial nature of the area. Visibility of the Project will be mitigated by surrounding forest canopy and the irregular terrain where the Project will be located. Hodgetts pf. at 4-6.

24. The Project does not violate any clearly identified community standards contained in the relevant regional or town plans. Dechert pf. at 14-16.

25. The Project will not have an adverse impact on known historic sites. Dechert pf. at 12.

26. The Project will not have an adverse impact on rare and irreplaceable natural areas as no such areas were found within the Project area. Dechert pf. at 12.

27. The Project will not destroy or significantly imperil endangered species or necessary wildlife habitat as none were identified within the Project area. Dechert pf. at 12.

IV. CONCLUSION

Based upon all of the above evidence, the petition does not raise a significant issue with respect to the relevant substantive criteria of 30 V.S.A. § 248a, the public interest is satisfied by the procedures authorized in 30 V.S.A. § 248a, and the proposed Project will promote the general good of the State.

V. ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Public Service Board of the State of Vermont that the installation and operation of communications facilities at the location specified in the above findings, by the Town of Norwich, in accordance with the evidence and plans submitted in this proceeding, will promote the general good of the State of Vermont in accordance with 30 V.S.A. § 248a(a), and a certificate of public good to that effect shall be issued in this matter.

Dated at Montpelier, Vermont, this 11th day September, 2013.

s/James Volz)
)
s/David C. Coen)
)
)
)
)

PUBLIC SERVICE
 BOARD
 OF VERMONT

OFFICE OF THE CLERK

FILED: September 11, 2013

ATTEST: s/Susan M. Hudson
 Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and Order.

1

comment - 10/10/13
Kris Clement

PS 1/2

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 8103

Petition of the Town of Norwich for a certificate of)
public good, pursuant to 30 V.S.A. § 248a, for the)
installation of telecommunications equipment in)
Norwich, Vermont)

Entered: 9/11/2013

CERTIFICATE OF PUBLIC GOOD ISSUED
PURSUANT TO 30 V.S.A. SECTION 248a

IT IS HEREBY CERTIFIED that the Public Service Board of the State of Vermont ("Board") this day found and adjudged that the installation and operation of the wireless telecommunications facility proposed by the Town of Norwich at 24-26 New Boston Road in Norwich, Vermont (the "Project"), will promote the general good of the State, subject to the following conditions:

1. Operation, construction, and maintenance of the Project shall be in accordance with the plans and evidence submitted in this proceeding. Any material deviation or substantial change in the Project is prohibited without prior Board approval. Failure to obtain advance approval from the Board for a material deviation or substantial change from the approved plans may result in the assessment of a penalty pursuant to 30 V.S.A. §§ 30 and 247.
2. The Project shall comply with applicable existing and future statutory requirements and Board Rules and Orders.
3. This Certificate of Public Good shall not be transferred without prior approval of the Board.

Dated at Montpelier, Vermont, this 11th day of September, 2013.

s/James Volz)

PUBLIC SERVICE

s/David C. Coen)

BOARD

OF VERMONT

OFFICE OF THE CLERK

FILED: September 11, 2013

ATTEST: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)

Quick E911 Tools..



Location of existing tower w/ 180' tower perimeter



Degrees Minutes Seconds (GCS WGS 1981) ▲

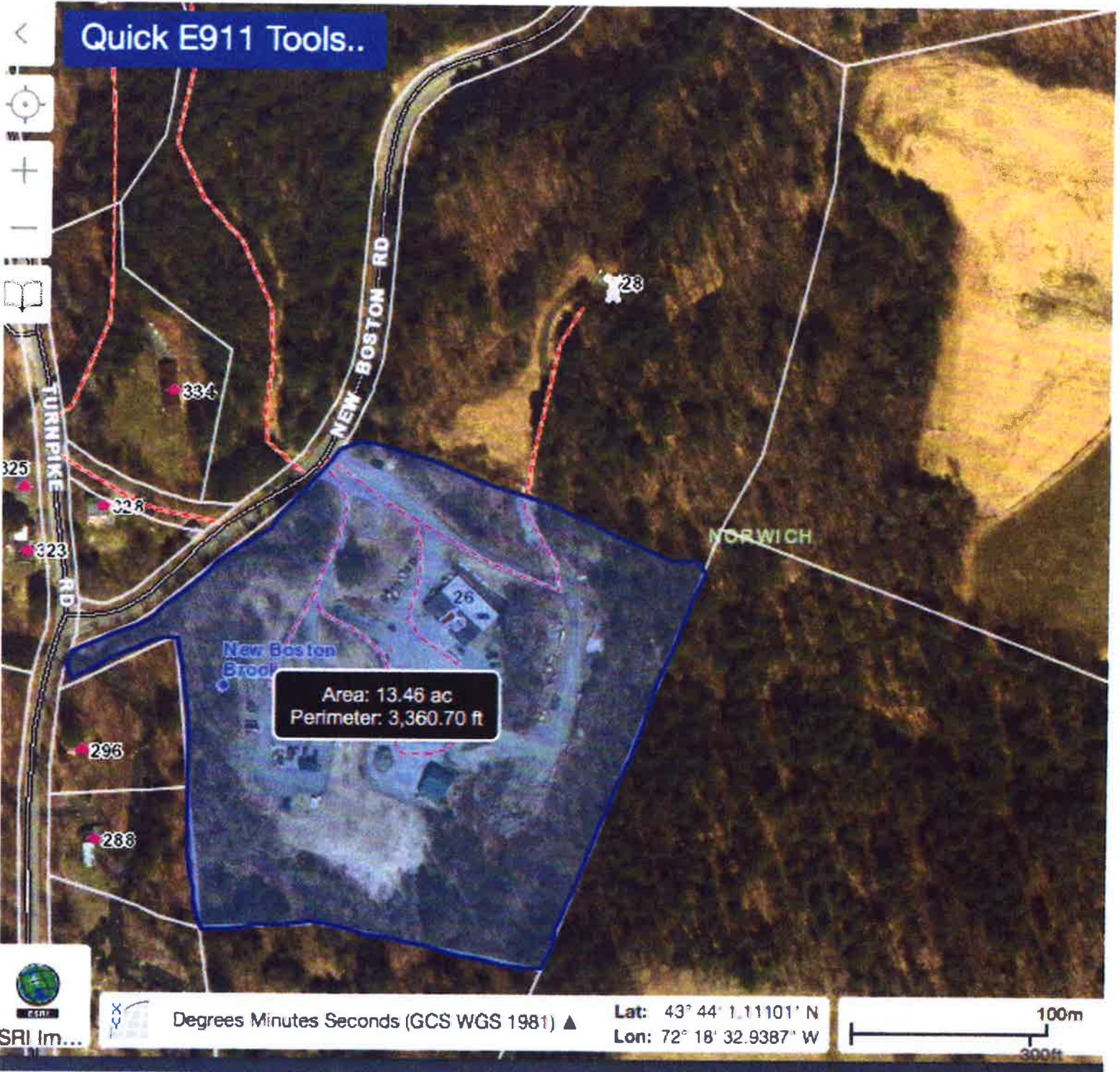
Lat: 43° 44' 5.43672" N
Lon: 72° 18' 33.40218" W



1500
DPS | SIS | PSD

D-1-1 VIEWER

Search...



Approx amount of land
dedicated to DPW/Transfer
Station

ps://maps.vermont.gov/e911/Html5Viewer/?viewer=e911viewer

Search

E9-1-1 VIEWER

Search...

Quick E911 Tools..

Panel Actions Menu. Click to open/close.



Area: 26.22 ac
Perimeter: 5,037.52 ft



Degrees Minutes Seconds (GCS WGS 1981) ▲

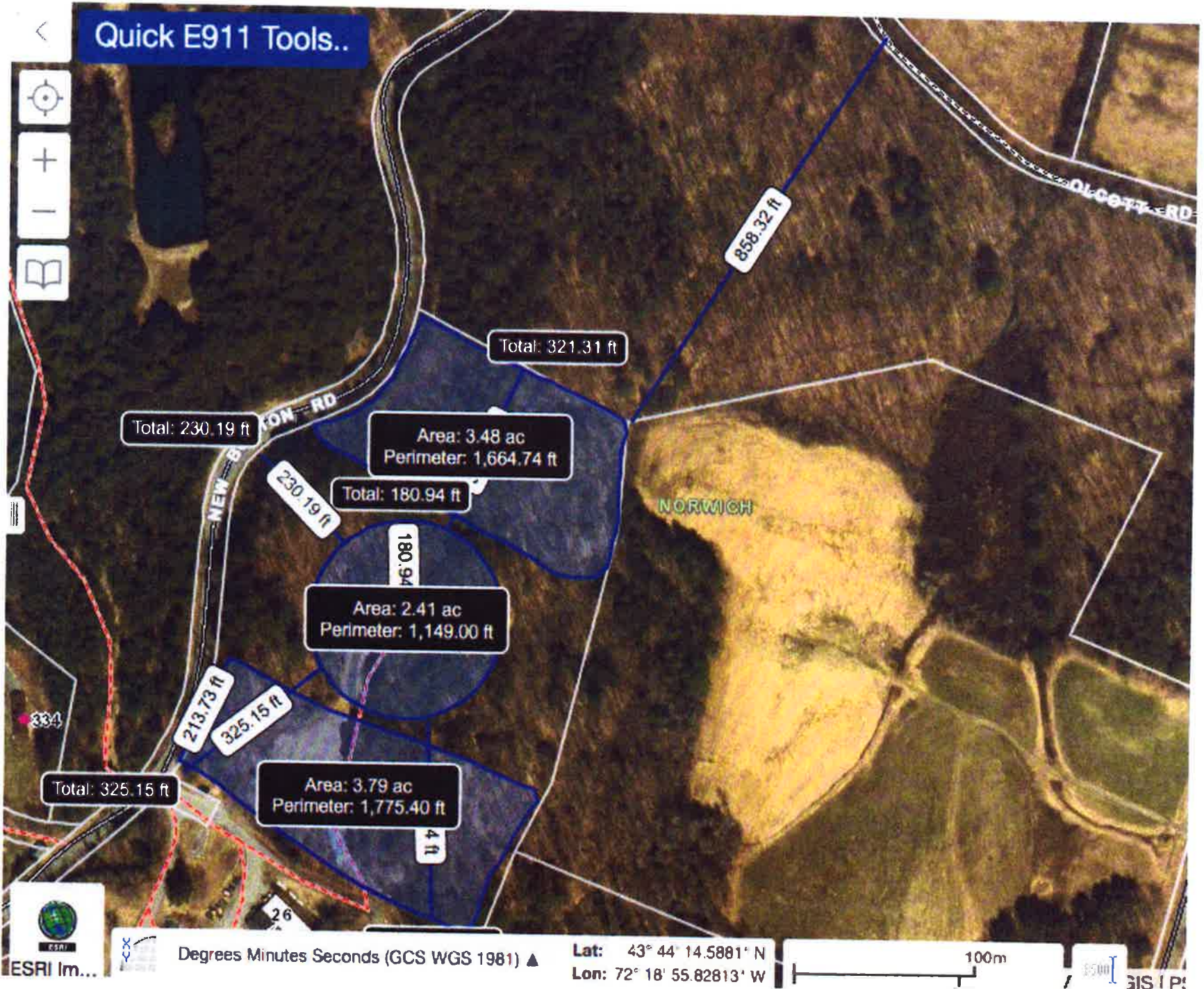
Lat: 43° 44' 11.67186" N
Lon: 72° 19' 15.91251" W



Approx Area of 24 New Boston Rd

9-1-1 VIEWER

Search...



outside of DPW/Hansten station
Approx amount of space/acreage

----- Forwarded message -----

From: **Stuart Richards** <srichards@globalrescue.com>

Date: Sun, Jun 25, 2023 at 9:56 PM

Subject: Re: June 27 meeting prep materials

To: Amy <vermont6633@gmail.com>

Cc: Mary Gorman <mcbgorman@gmail.com>, Scott McGee <smcgee@hcsmlaw.com>, Marcia Calloway <msbcalloway@gmail.com>

Good evening Jaan,

If Jeff has statutory support for his opinion it should be provided. Absent statutory references I see no reason why the PC can't revisit any action it has previously taken. I'm attaching material and an email below that's relevant to that revisitation and I hope that a majority of the PC will revisit this issue and invite Norwich Technologies and concerned neighbors to be present for the discussion. I'm cc'ing one of my attorneys to confirm my opinion. There appears to have been a flawed process which needs correction and I hope that the PC will take the time to review this. Given that this is time sensitive and that the PC meets infrequently unless we have a special meeting, it's important that this be taken up asap. Please put this into correspondence for the current meeting this Tuesday.

Thanks for your consideration.

Stuart L. Richards, Senior Vice President
Global Rescue LLC

Ph: Direct 617-459-4199, Main 617-459-4200

Fax: 858-712-1295

<http://www.globalrescue.com>

Hi Stuart,

Good to connect yesterday and pleased that you want to learn more about this project. Per your request, we have gathered the following information:

1. **Planning commission packet for PC mtg for 7-13-21** - This is the meeting when the Upper Loveland Road Solar Project was introduced by NST and the PC approved a letter of support (see p.21 for a copy of the letter).
2. **Exhibit NN-JK -8 Transcript of Norwich Planning Commission Meeting** - This is the transcript from the meeting beginning at 8:40 when the discussion of the Upper Loveland Solar Project commences until the vote to approve. SENT IN A SEPARATE MESSAGE DUE TO SIZE
3. **Neighbors - Intervenors Brief Final - pp 3-10** summarize how this project does not align with the Town Plan and Town Zoning Ordinances; pp55-61 provide a comprehensive summary including a "finding of facts" and conclusions.
4. **Revised Letter to the Selectboard - May 18, 2023** - We developed this as a succinct summary of the situation.
5. **Exhibit NN-JK-9 - Transcript of Norwich Selectboard Meeting 8-11-2021** You will see that they did not do an independent assessment. Instead, they "move to accept the recommendation of the Planning Commission and provide a letter of support as drafted by the planning director to Norwich Technologies for their proposed solar generation project on Upper Loveland Road."

We do hope that the Planning Commission will have a thoughtful discussion of this project. Had I been a member of the PC in July 2021, I would be concerned/upset to learn that NST had developed the first iteration of its real plan on June 24th and then chose to present a very different plan to the Planning Commission three weeks later on July 13th. During the Planning Commission Meeting, there were extensive discussions about the wetlands impact and a clear promise by NST to return if the plans changed. THE VERY NEXT DAY, Norwich Solar Technologies submitted to the State of Vermont its intended plan - not the plan it has discussed with the Planning Commission but an iteration of the plan developed on June 24, 2021. Our materials demonstrate that there are significant differences between the plan that was shared with the Planning Commission on July 13, 2021 and subsequently with the Selectboard on August 11, 2021 AND the plan developed for the state -- the REAL plan. This real plan was stamped June 24, 2021 (three weeks before the Planning Commission met), submitted to the state the day after the PC meeting, and this has been the basis for the "iterations."

Bottom line - the Planning Commission did not approve the plan that is being reviewed by the State of Vermont. Norwich Solar Technologies did not return, as they had promised, to discuss the significant changes. And, given that the plan for the state was already developed, they knew that they were not presenting the real plan to the boards in Norwich.

And a question NST has never answered -- why did they choose to submit a different plan to the Town Boards? The real plan has never been reviewed by the Town Board. We believe that the Town of Norwich has the right/responsibility to review the real plan for the Upper Loveland Road Solar Project and then determine if it aligns with the Town Plan. This has not yet been done.

Thanks and please give me a ring if you have any questions.

Mary Gorman

From: Amy <vermont6633@gmail.com>
Date: Sunday, June 25, 2023 at 7:36 PM
To: Stuart Richards <stuartlrichards50@gmail.com>
Subject: Re: June 27 meeting prep materials

Hi Stuart,

I reviewed this with Jeff, since he has much more experience with the statutes and process than I do. At this time there is not a mechanism for the PC to reopen a completed case, such as the Upper Loveland solar approval letter. In Jeff's opinion, the Planning Commission would need an official directive from either the Selectboard or the PUC to revisit that case.

I have added the preferred solar designation in the town plan section of our upcoming work agenda item. This part of the plan, along with any other, is open to amendment at the PC's discretion. Any amendment would not affect anything retroactively.

The Selectboard continues to discuss this topic.

Jaan

On Sat, Jun 24, 2023 at 1:11 PM Stuart Richards <stuartlrichards50@gmail.com> wrote:

Jaan,

I am very concerned with the approval letter that was issued by the PC for the contentious solar project and with the Town Plan requirements that are connected to that approval. This is extremely time sensitive and I would very much like to see this on the current agenda for immediate review and action as necessary.

Stuart

From: Amy <vermont6633@gmail.com>

Date: Friday, June 23, 2023 at 3:44 PM

To: Vince Crow <pvcrow@gmail.com>, Pam Mullen <pmullen@norwich.vt.us>, Stuart Richards <stuartlrichards50@gmail.com>, Kris Clement <kclmwp6@gmail.com>, Jeff Goodrich <Jeff.Goodrich@pathwaysconsult.com>, "bob_pape@yahoo.com" <bob_pape@yahoo.com>, Ernie Ciccotelli <ernieciccotelli@gmail.com>

Subject: June 27 meeting prep materials

Hello Planning Commission members,

Here is a packet of information to help prepare for our meeting on Tuesday. In keeping with open meeting laws, the only item in this packet that is open for discussion before our meeting is the agenda. The other information is attached to be reviewed before the meeting to help us work more efficiently.

Regarding the draft agenda, you can reply to me with comments or suggestions and I will work with Jeff to finalize a proposed agenda. We will then review it at the beginning of the meeting.

Here is a list of the attachments:

1. A summary of the open meeting law, which I wrote to condense the important questions we discussed such as time requirements for agendas and minutes.

2. A good synopsis of the open meeting with more detail written by the Vermont Secretary of State's office.
3. A memo summarizing the topics from the June 13th meeting where I was chartered to gather information. There is time on the 6/27 agenda to go through the topics in this memo.
4. A memo submitted to the Planning Commission from our affordable housing subcommittee concerning a potential grant application. This will be on the agenda.
5. A draft agenda for the 6/27 meeting

Items 1 - 4 are for your review before the meeting. Pam, these should be included in the packet. I will take comments on the agenda until Sunday night and send a final draft to Pam on Monday morning. The official packet and agenda need to be posted on Monday to meet the 24 hr notice requirement for a special meeting.

As you see from the agenda, we will notice this meeting as remote, so that we don't have to cancel if a hybrid meeting is not possible. Vince and any others who want to can meet at Tracy Hall. I will be remote and manage the zoom call. Please bring your own device if you want to be at Tracy, in case Vince is not ready with the on-site equipment.

I look forward to starting our work in earnest as a full board on Tuesday.

Have a great weekend,

Jaan

NORWICH PLANNING COMMISSION

Tuesday, June 13, 2023, 6:30pm

DRAFT MINUTES

Members Present: Ernie Ciccotelli, Vince Crow, Jeff Goodrich, Stuart Richards, Jaan Laaspere

Public: Cheryl Lindberg

Meeting Opened: 6:35 pm

1. Interim Officers: Ciccotelli moved, seconded by Richards, to have Goodrich act as the interim chair and Crow to take notes up the point of the Organizational Meeting. Motion carried 5-0

2. Approve Agenda: Ciccotelli moved, seconded by Laaspere, to approve Agenda. Motion carried 5-0.

3. Public Comment:

Cheryl Lindberg stated that the current Land Use Regulations are unclear, specifically regarding boundary line adjustments. There isn't a measure in place to update open permits.

Richards recommended that the suggestions be submitted in writing and set this topic as a future agenda item.

4. Organizational meeting:

A) Election of Chair, Vice Chair and Secretary

Stewart moved, seconded by Ciccotelli, to elect Laaspere as the Chair of the PC.

Motion passed 5-0

Stewart moved, seconded by Ciccotelli, to elect Goodrich as the Vice Chair of the PC.

Motion passed 5-0

Goodrich moved, seconded by Ciccotelli, to elect Crow as the Secretary.

Motion passed 5-0

B) Bylaws

Goodrich recommended that every member should the bylaws and set a discussion as a future agenda item

C) Roberts Rules and Points of Order

Laaspere stated that he will run the meeting in accordance with Roberts Rules of Order and that will be for every future meeting until the next organizational meeting.

Goodrich recommended modifying the PC bylaws by connecting them to Roberts Rules of Order in order to streamline the Bylaws.

He stated that the Chair should recognize raised hands, but PC members can call Point of Order during contentious times and will be prioritized.

Laaspere stated that the Chair is responsible for the meeting to run smoothly. He will act as facilitator first and a content provider second.

D) Engaging one another and the public with respect

Goodrich stated that members of the PC should focus on having respectful interaction in public, including the Select Board

E) Remote Connectivity for meetings

Laaspere proposed the idea of a hybrid meeting, which would take place at a physical location and allow PC members and citizens to attend the meeting remotely.

Laaspere will research options and discuss with other groups who run hybrid meetings.

Crow volunteered to run the technical side at Tracy Hall if needed.

The group had consensus a hybrid meeting style would be preferable, but if it is creating a hinderance to the meeting, other options should be investigated.

F) Open Meeting Law

Goodrich expressed concerns that the PC has not followed Open Meeting Law in the past. He stated anytime a quorum is met, the public should be notified ahead of time and minutes should be posted in a timely manner.

Richards stated that these rules are not hard to follow and not following could result in another town lawsuit.

Laaspere stated that the PC should take the lead and exceed Open Meeting Law requirements. He will meet with Marcia Calloway to draft rules for adhering to the Open Meeting Laws, to be discussed at a further meeting.

5. Priorities:

Goodrich recommended a special meeting in 2 weeks to discuss item 5 due to time constraints.

The group had consensus.

6. Announcements: No announcements

7. Approve Minutes of 5/09/23: The Minutes of the 5/9/23 meeting will be reviewed at a future meeting.

8. Other Business: No other business

9. Future Meeting Schedule and Agendas: Next meeting 6/27/23 via Zoom

10. Public Comment: No public comment

11. Adjourned.

NORWICH PLANNING COMMISSION

Tuesday, May 9, 2023, 7:00pm

DRAFT MINUTES

Zoom Meeting:

<https://us02web.zoom.us/j/82555248288>

Meeting ID: 825 5524 8288

Members Present: Jaci Allen, Brian Loeb, Ernie Ciccotelli, Vince Crow, Jeff Goodrich, Stuart Richards

Public Rob Gere, Bob Pape

Meeting Opened: 7:02 pm

1. Approve Agenda: Ciccotelli recommended postponing the organizational meeting until after the SB appoints a new member of the PC. Loeb moved, and Goodrich seconded a motion to approve the agenda without item #3. Motion carried 6-0.

Goodrich moved and Ciccotelli seconded a motion to nominate Crow to take the minutes for this meeting until secretary is established at the next meeting. Motion Carried 6-0.

2. Public Comment: No public Comment.
3. Postponed until next meeting.
4. Assessment of CRS status and scope of work

Goodrich explained how the town can reduce its financial burden after damage from a flooding incident. The Vermont Emergency Relief and Assistance Fund (ERAF) provides State funding to match Federal Public Assistance after federally-declared disasters. Eligible public costs are reimbursed by federal taxpayers at 75% and the State of Vermont will contribute 12.5% toward the costs. If the town follows the guidelines for FEMA's Community Rating System (CRS) the State will contribute 17.5% of the total cost.

For reference, repair costs for flooding in July 2017 were approximately \$4 million.

The first step to apply is to submit the Community Rating System Application Letter of Interest and Quick Check.

Implementation will include documentation of permits, education, changes to zoning regulations, and participation of the Selectboard.

Goodrich suggested that we need to engage volunteers to help expediate the process.

The CRS checklist will be sent to members of the PC for review.

5. Announcements and Updates AHSC update

Loeb provided an update on recent activity of the AHSC. The AHSC is engaging with local churches to discuss the option of parishioners donating land for potential home building, which would be like a Habitat for Humanity building process. This idea has been executed in other towns in Vermont and is a promising idea.

Loeb also noted that the option of a building site north of the Transfer Station is still being explored.

6. Approve 04/11/2023 Minutes

Goodrich recommended a change to the minutes on Item #3 to reinforce that CRS is the direction the PC has chosen, and then moved to approve the minutes. Loeb seconded. Motion passed 4-0 with Crow and Richards abstaining.

7. Future Meeting Schedule, and Agenda

a. Next meeting 6/13/23

b. Topics suggested: organizational meeting, CRS work elements and sequence, process to address rewrite of zoning regs, updates to flood regulations suggested by Kyle Katz, density study and wastewater study.

c. Loeb recommended including CRS and Organizational meeting.

8. Motion to adjourn Crow and Goodrich seconded. Motion passed 6-0.

Meeting adjourned at 8:05pm