

**NORWICH PLANNING COMMISSION
AGENDA**

Thursday, April 23, 2020, Town Zoom Meeting, NOTE START TIME 7:00pm

Topic: Planning Commission

Time: Apr 23, 2020 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/99746343066>

Meeting ID: 997 4634 3066

Find your local number

<https://zoom.us/u/adjvpiTXYo>

Regular Meeting:

1. Approve Agenda
2. Meeting Objectives:
 - Define next steps on 2020 PC work plan
3. Open Meeting Law under Act 92 (Francis)
<https://www.vlct.org/sites/default/files/documents/Resource/Open%20Meeting%20Law%20Covid-19%20Response%20FAQs.pdf>
4. Comments from the Public
5. Review and approve Minutes 2-27-20
6. Announcements, Reports, Updates & Correspondence
 - Correspondence
 - i. Hayes
 - ii. Richards
 - iii. T. Candon
 - iv. Staggs
 - Updates
 - i. TRORC (plan approval)
 - ii. Selectboard
 - iii. Affordable Housing Subcommittee
 - iv. CRS membership
 - Reports
7. Define next steps on 2020 PC work plan
http://norwich.vt.us/wp-content/uploads/2012/06/Norwich_Plan_2020-ADOPTED-Ir-.pdf
(see Ch9 p56-60)
8. Other Business

9. Future Meeting Schedule & Agendas

10. Comments from the Public

Future Meetings:

Thursday, May 28, 6:30pm Regular Meeting

Thursday, June 25, 6:30pm Regular Meeting

Thursday, July 23, 6:30pm Regular Meeting

UPDATED Open Meeting Law FAQs Related to COVID-19

This FAQ has been updated to include revisions from Act 92 (H.681) which Governor Scott signed into law on March 30, 2020. The act sets forth new Open Meeting Law procedures in response to COVID-19 which will be effective throughout the duration of the Governor’s declared state of emergency. The stated intent of the law is to encourage public bodies to meet electronically while also providing the public with electronic access to meetings in lieu of a designated physical location.

The table of contents below includes hyperlinks to each section. ★ Indicates new section.

- Introduction 2
- What does Act 92 temporarily change? 2
- ★ Does Act 92 apply to quasi-judicial hearings or only to meetings? 2
- Can we hold a remote meeting?..... 3
- ★ Must there be a physical location for the public to attend our meetings? 3
- Must there be physical postings of notices, warnings, and agendas? 3
- How can we possibly maintain order during an electronic meeting? 4
- Must all public bodies record electronic meetings?..... 4
- Does the new recording requirement mean we do not have to take minutes of those meetings? 4
- Can we continue to meet in physical locations if we so choose? 4
- Are we restricted to what we can meet about? 5
- Can we hold an emergency meeting? 5
- What are the notice and minutes requirements for an emergency meeting? 5
- If a member is unable to attend an electronic meeting, can they vote by email or proxy? 5
- What are some methods or technology we can use for electronic meetings? 5
- Can we cancel meetings/hearings of public bodies? How? 6
- How does payroll and other municipal bills get processed if the legislative body is not meeting or is meeting electronically?..... 6
- What about decisions or orders that are required to be in writing? 6
- If we can meet remotely, can we sign documents remotely? 6

Introduction

In response to questions posed by our members about the Open Meeting Law in light of COVID-19 (commonly known as coronavirus), the Municipal Assistance Center (MAC) has assembled the following information related to public meetings and how public bodies can continue to meet and take action through, for example, electronic meetings. The information is primarily excerpted from our Open Meeting Law FAQ. For the full document, please visit www.vlct.org/municipal-assistance/municipal-topics/vermonts-open-meeting-law.

For additional information about municipal emergency planning assistance and coordination, please visit our Coronavirus Resources and Recommendations webpage, www.vlct.org/coronavirus.

Note that these requirements for electronic meetings are in addition to the notice and agenda requirements for non-electronic public meetings (except for emergency meetings).

What does Act 92 temporarily change?

Pursuant to Act 92:

- A quorum or more of members of a public body may meet by electronic or other means without being physically present;
- The public body does not have to designate a physical meeting place where the public can attend;
- Whenever a public body meets electronically it must:
 - use technology that allows the public to attend by electronic or other means;
 - allow the public to access the meeting by telephone whenever feasible;
 - include and post information on how the public can access the meeting electronically in its agenda; and
 - record their meetings, if it is a meeting of a legislative body, unless unusual circumstances make it impossible for them to do so.
- In the event of a staffing shortage during the declared emergency, a public body may extend the time limit for posting meeting minutes from five (5) to ten (10) calendar days.

All other requirements of the Open Meeting Law not explicitly overridden or relaxed by this temporary law remain in effect and must be followed. For more information about Open Meeting Law (OML) requirements, please see our OML FAQs here: https://www.vlct.org/sites/default/files/documents/Resource/Open%20Meeting%20Law%20FAQs_0.pdf.



Does Act 92 apply to quasi-judicial hearings or only to meetings?

Act 92 also applies to quasi-judicial hearings, as hearings are just a different type of meeting (i.e. a gathering of a quorum of members of a public body to discuss business of the public body or to take action). A quasi-judicial hearing (“hearing”) occurs when the rights of parties are considered. Examples include applications for zoning approval before the development review board (DRB), appeals of lister grievances before the board of civil authority (BCA), and dog bite hearings before the selectboard. The Open Meeting Law requirements apply equally to hearings as they do to other meetings, with a few exceptions. For instance, hearings have their own specific notice requirements. Also, as opposed to other types of meetings, the public has no right to comment during a hearing and boards can make decisions (i.e. “deliberate”) in private. For more information about how the Open Meetings Law applies to quasi-judicial hearings, please refer to our Open Meeting Law FAQs at: <https://www.vlct.org/resource/open-meeting-law-faqs>.

Can we hold a remote meeting?

Yes. All members, staff, and members of the public may attend and participate in remote meetings (e.g., telephone, Zoom, GoToMeeting, Skype, etc.). Each member who attends electronically must identify himself or herself when the meeting is convened and must be able to hear and be heard throughout the meeting. Any voting that occurs at the meeting that is not unanimous must be done by roll call.

Act 92 eliminates the physical location requirement for meetings of public bodies for the duration of the Governor's declared state of emergency. A public body will not have to designate a physical location in order to meet and, therefore, no one is required to be physically present for a duly warned meeting. The public body must post information on how the public may access meetings electronically. This information must be included in each meeting's agenda and we recommend including it in all notices or announcements as well. The notice and agenda requirements otherwise remain the same. [For more detailed guidance, a checklist, and models for remote meetings, please refer to our Remote Public Meetings Toolkit at https://www.vlct.org/coronavirus#FAQs.](https://www.vlct.org/coronavirus#FAQs)

Must there be a physical location for the public to attend our meetings?

No. Act 92 temporarily waives the physical location requirement throughout the duration of the Governor's declared state of emergency. During this time, meetings can be solely electronic and remote for all participants. However, when a majority of the members of a public body gather to discuss the business of the body or to take action, even through electronic means, the public must still be allowed to access the meeting. Act 92 requires the use of technology that permits public attendance at all meetings through electronic or other means. The law also requires the public body to allow public participation by telephone, if feasible.

The public body must provide clear instructions on how the public may access meetings electronically in the meeting agenda. We encourage public bodies to advertise these instructions in additional ways beyond the minimum that is required by the law in order to achieve the most meaningful public participation possible. The public body must set up their electronic meeting in such a way that enables all public attendees to hear and be heard throughout the meeting.

Must there be physical postings of notices, warnings, and agendas?



Yes. While Act 92 explicitly allows public bodies to waive the public's right to physically access meetings, it does not similarly waive the requirement to physically post meeting notices and agendas. The underlying Open Meeting Law requirements for postings continue to apply. Notices must be posted in or near the town clerk's office and in at least two other designated public places at the required time in advance of a meeting. Agendas must be posted to a website that the public body maintains or is designated as the official website of the public body, if one exists, and also posted in or near the town clerk's office and in at least two other designated public places in the municipality. If these offices are closed, you may have to be creative. For instance, either someone with access to the building can post them in a window so they are visible from outside, or you can post them outside the usual posting location on a window or a sandwich board. They could also be posted at the post office or at the local park or green if so designated by the selectboard. During this state of emergency, we recommend posting in more locations than usual to ensure the notice is meaningful and so members of the public understands how business will proceed and can participate if they wish.

How can we possibly maintain order during an electronic meeting?

The same way you would maintain order during a physical meeting. The chairperson should administer the meeting in accordance to your public body's rules of procedure. The Open Meeting Law requirement that the public be given a reasonable opportunity to express its opinion on matters considered by a public body has not been lifted or relaxed and still applies equally to all meetings, regardless of how they are conducted.

Civility, decorum, and order are all essential elements of a successful public meeting and they are at times difficult to achieve even under the best of circumstances. One of the additional challenges posed by conducting an electronic meeting is the absence or delay of any real time physical cues. For example, if a meeting is conducted by conference call only, the chairperson will be unable to see who has their hand raised in order to be recognized. Members of the public body and the public must also be mindful not to talk over one another and to speak clearly so that meetings can be properly recorded (if applicable) and that all can hear and be heard throughout the meeting. It is important therefore that the public body review its rules of procedure and amend them if necessary, so that they're still applicable for electronic meetings. More than ever, it is incumbent upon public bodies to educate its members and the public as to its rules of procedure and how they will be enforced.

Some towns have had success using available electronic meeting software to manage meetings. Some meeting software allows participants to press a button and electronically "raise their hand." Other towns have requested that those wishing to publicly speak fill out and submit a participant comment form prior to the meeting.

Must all public bodies record electronic meetings?

No, only the legislative body's electronic meetings must be recorded. Note that this is referring to making an audio recording of a meeting; it is not creating a new requirement to record meeting minutes in the land records. If "unusual circumstances" make it impossible for the legislative body to record its meetings, then this requirement will not apply. The term "unusual circumstances" is not defined, but impossible is a rather high hurdle to clear so we recommend recording meetings of your legislative bodies if at all possible. Note that only one person must record the electronic meeting, and most people have recording capabilities with smart phone devices. These recordings can be easily distributed via email and posted to the town's official website. The recording will be considered a public record. Please contact the State of Vermont Archives and Records Administration (VSARA) for guidance regarding records management.

Does the new recording requirement mean we do not have to take minutes of those meetings?

No. Meeting minutes are still required. The new recording requirement for meetings of legislative body is in addition to the existing minutes requirement, which has not been changed.

Can we continue to meet in physical locations if we so choose?

The temporary changes to the Open Meeting Law are permissive, not restrictive so the law does not explicitly prevent members of a public body from physically gathering in the same location in order to meet. However, executive orders are currently in place that restrict the size of mass gatherings to 10 or less and that orders Vermonters to stay at home. The only safe course of action in our opinion, from both a public health and a legal perspective, is to cancel or postpone any scheduled meetings or hearings or to conduct them electronically until further notice.

Are we restricted to what we can meet about?

No. You can meet about any business of the public body as you normally would. However, you should be sensitive to the concerns of those who may believe that, just because some of the requirements of the Open Meeting Law are relaxed,, public bodies will take advantage and take far reaching action on controversial issues or matters of great importance while the public isn't looking. In light of those concerns, whether real or perceived, public bodies may want to meet electronically only if absolutely necessary and save those bigger issues for when things return to normal.

Can we hold an emergency meeting?

Yes. An emergency meeting may be held only when necessary to respond to an unforeseen occurrence or condition requiring immediate attention by the public body. In general, we think that if the public body can wait 24 hours, a special meeting should be noticed. To learn how to notice a special meeting please reference our quick guide to meetings here: <https://www.vlct.org/sites/default/files/documents/Resource/December%202017%20OML%20Quick%20Guide.pdf>

What are the notice and minutes requirements for an emergency meeting?

There is no requirement for an agenda for an emergency meeting. There is also no specific requirement for noticing an emergency meeting, although some public notice must be given as soon as possible before any such meeting. Minutes must be taken at every public meeting, including an emergency meeting. Act 92 includes one minor extension to the deadline for posting minutes. If there are staffing shortages due to the COVID-19 crisis, then public bodies may post minutes within 10 calendar days of the meeting (versus the former 5 days). We encourage you to make the minutes available as soon as possible after an electronic meeting, even if they are simply posted to the town's official website.

If a member is unable to attend an electronic meeting, can they vote by email or proxy?

No. The law does not allow for voting by email or by proxy (i.e., having another person vote on behalf of the member).

What are some methods or technology we can use for electronic meetings?

The law does not specify methods for electronic participation, except to say that it can be through electronic or other means, and by telephone whenever feasible. Some electronic meeting software options include Zoom, GoToMeeting, RingCentral, UberConference, Skype, Google Hangouts, FreeConferenceCall.com, and Vast Conference. You should also contact your local telephone service provider to ask about standard conference call options that use just a telephone system.

We encourage public bodies to use various means concurrently, if possible, to ensure members of the public have options. Broadband is not always a reliable option for Vermonters so offering a menu of choices to enable participation in the same meeting, concurrently, is ideal. For instance, you can set up a Zoom or Skype video meeting but also have a speaker phone positioned near someone's computer to capture audio for a conference call option. Think creatively but be sure to provide clear instructions so everyone has notice of these options and understands how to participate.

Can we cancel meetings/hearings of public bodies? How?

Public bodies may cancel meetings/hearings at any time. There are no requirements in the Open Meeting Law for how to give public notice of a meeting/hearing cancellation, but we recommend giving notice via the same method for noticing a meeting/hearing.

How does payroll and other municipal bills get processed if the legislative body is not meeting or is meeting electronically?

Individual members may not merely show up at the municipal office and sign payment orders at their convenience. Doing so would be a violation of the Open Meeting Law, which requires that whenever a majority of the members take an action or make a decision (e.g., sign an order approving payment), they must do so within the context of a duly warned open meeting.

There are two exceptions to the above general rule.

- First, the legislative body can vote at a duly warned legislative body meeting to approve certain payments in advance so that there is no need for members to actually sign orders. Such a vote must identify the person(s) to whom payment is to be made and the purpose(s) for that payment. The treasurer may then use a certified copy of the minutes of the meeting as full authority to make the approved payment.
- The second exception allows the legislative body to authorize one or more members to review and approve orders on behalf of the entire board. A vote to give such authorization must take place at a duly warned legislative body meeting and must be reflected in the meeting minutes. A motion to give such authorization might be phrased as, "I move that we appoint [insert name(s) of legislative body member(s)] to approve and sign orders for [insert types of claims that the person has authorization to approve such as "payroll," "operating expenses," etc.] for [insert period of time]." Any orders that are approved under this authority must state definitively the purpose for which they are drawn. The full legislative body must later be provided with a record of all the orders approved.

Relatedly, in the event that there are so many vacancies on the legislative body that a quorum cannot be achieved, the remaining member(s) have the authority to draw orders for payment of continuing obligations and necessary expenses until the vacancies are filled.

What about decisions or orders that are required to be in writing?

The law authorizes the chair or vice chair of a public body to sign any decision or order approved for issue which is required by law to be in writing. This law is useful particularly in the context of deliberative sessions that occur after quasi-judicial hearings. For example, a local board of health must give notice and hold a hearing if it is considering issuing a health order. Using this law, the local board of health may deliberate remotely after the hearing and then the chair or vice chair can sign the written decision approved by the board.

If we can meet remotely, can we sign documents remotely?

Documents may be signed by a quorum of a public body or by an individual member (if authorized by law as described above) or delegated the authority by the public body. Generally, whether electronic signatures can be used in the State of Vermont depends on the circumstances. Under the VT Uniform Electronic Transactions Act, if a law requires a signature, an electronic signature will suffice. An "electronic signature" is defined under the law as "an electronic sound, symbol, or

process attached to or logically associated with a record, and executed or adopted by a person with the intent to sign the record.” The full law may be accessed here: <http://legislature.vermont.gov/statutes/chapter/09/020>.

For additional guidance on best practices and answers to frequently asked questions regarding electronic signatures, including their retention, please visit the VT State Archives and Records Division (VSARA) website at: https://sos.vermont.gov/media/ftxacfzq/electronic signatures best practice_eff20100408.pdf.

**NORWICH PLANNING COMMISSION
REGULAR MEETING
DRAFT MINUTES**

Thursday, February 27, 2020, 6:30PM
Tracy Hall Meeting Room

Members Present: Jaci Allen (Chair), Melissa Horwitz (Vice Chair), Leah Romano, Ernie Ciccotelli, Jeff Goodrich, Jeff Lubell

Members not Present: Brian Loeb, Susan Brink

Public: Joel Stettenheim, Edie Farwell

Staff: Rod Francis

Chair Allen called the meeting to order at 6:41 pm

1. Goodrich moved and Ciccotelli seconded a motion to approve the Agenda as amended (swap item #5 with 4), Motion carried 6 — 0.
2. Meeting Objectives:
 - Review two solar siting applications
 - Review draft of 2020 work plan and develop approach
3. Comments from the Public (topics not on the agenda). None.
4. Request to review solar siting applications
 - 24 Stevens Rd, Norwich 150kW AC installation
 - 645 Turnpike Rd, Norwich 150kW AC installation

Goodrich moved and Lubell seconded a motion to endorse the applications for Certificate of Public Good (CPG) as presented. In regard to the 645 Turnpike Rd application in the event it is determined that there is an encroachment into 50ft wetlands buffer the Commission still supports the application as presented. Motion carried 6 — 0
5. Announcements, Reports, Updates & Correspondence
 - Correspondence
 - Announcements. None
 - Updates
 - i. TRORC: next meeting Basin 14 (Stevens, Wells, Waits, Ompompanoosuc and CT Rivers) discussed. Materials for tri-RPC housing survey distributed
 - Reports. None
6. Discuss draft of 2020 Planning Commission work plan and develop approach
Francis outlined major work projects with reference to funding application deadlines and key dates.
7. Suggested revisions to 2020 Draft Town Plan introduction
Commissioners discussed the idea of suggesting minor edits to the introduction to include an explicit reference to 'sustainability'. Commissioners agreed that no changes should be recommended at this time.

8. Review and approve Minutes 1-16-20
Goodrich moved and Horwitz seconded a motion to approve the Draft 1-16-20 Minutes. Motion carried 6 — 0.
9. Future Meeting Schedule & Agendas
Include: Town Plan Rewrite Process Debrief for March 26 agenda
10. Meeting Adjourned at 8:04pm.

Respectfully Submitted,
Rod Francis

Future Meetings:

Thursday, March 26, 6:30pm Regular Meeting
Thursday, April 23, 6:30pm Regular Meeting
Thursday, May 28, 6:30pm Regular Meeting

From: Tracey Hayes <traceyhayeswarren@gmail.com>
Subject: PNG Upcoming Conference: Cannabis Use: Impact and Implications for Youth
Date: February 27, 2020 at 11:52:24 AM EST
To: Miranda Bergmeier <MBergmeier@norwich.vt.us>, Herb Durfee <hdurfee@norwich.vt.us>, planner@norwich.vt.us, Jaci Allen <allenjaci@gmail.com>, Bonnie Munday <BMunday@norwich.vt.us>, jennifer.frank@vermont.gov

Dear Herb, Miranda, Rod, Jaci, Chief Frank's, and Bonnie,

Please share this conference opportunity invitation with Selectboard members, public safety team, and Planning and Zoning team.

The topics covered could be very useful to support local decision making or address state legislators new laws.

I plan to attend. I hope you all or a representative can attend as well.

Please have Norwich partners place a note that they are a partner of the "Town of Norwich subgrant". Registration will be free of charge.

Warm wishes, Tracey Hayes

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

From: Lauren Kabis <lauren.thecollab@gmail.com>
Date: Thu, Feb 20, 2020 at 9:13 AM
Subject: PNG Upcoming Conference: Cannabis Use: Impact and Implications for Youth

Hello again subgrantees!

Here is some information for an upcoming conference that we encourage you to attend and share with your partners. Registration is free.

Join the Vermont Department of Health, Division of Alcohol and Drug Abuse Programs for:

Cannabis Use: Impact and Implications for Youth
April 14th, 2020
Lake Morey Resort, Fairlee, VT

The full day conference will be offered free of charge and includes lunch.

--
Lauren Kabis

Administrative Specialist
The Collaborative
lauren@thecollaborative.us
802-824-4200
www.thecollaborative.us

The Collaborative promotes the development of a healthy, involved community supporting substance free youth in a caring environment.



Register Today

**TUESDAY
APRIL 14, 2020
Lake Morey Resort
Fairlee, VT**

**Registration and Breakfast:
8:00 - 8:30 am**

**Conference:
8:30 am - 3:30 pm**
Lunch will be provided.

NO COST TO ATTEND

**ADVANCED REGISTRATION
IS REQUIRED**

**REGISTER HERE:
<https://bit.ly/3b0TF40>**

Cannabis Use: Impact and Implications for Youth

This conference aims to bring Vermonters together to understand the effect cannabis legislation and normalization have on youth and young adults by providing tools, networking opportunities, and lessons learned from other states.

Conference Objectives:

- Provide cannabis information and resources from diverse sources to Vermonters
- Inspire action to address common issues with effective information and tools
- Connect Vermonters from around the state to coordinate youth prevention opportunities and supports

Intended Audience: Vermont prevention professionals, educators, policy and law makers, youth-serving organizations, governmental agencies, youth, law enforcement, business owners, civic/volunteer groups, childcare professionals, media, healthcare professionals/organizations, and organizations involved in reducing substance use.

Keynote Speakers:

Jessica Neuwirth

Consultant and former Retail Marijuana Education & Youth Prevention Coordinator, Colorado Department of Public Health & Environment

Brenda Villanueva

Director, Pueblo y Salud, Inc.

Jeanne Shimatsu

Prevention Coordinator, Asian American Drug Abuse Program, Inc.

Jennifer L. Flanagan

Massachusetts Cannabis Control Commissioner

Workshops:

Morning Power Sessions

The Science of Today's Cannabis and its Effect on Our Communities from the Perspective of the Poison Center

Exploring Potential Municipal Approaches to Cannabis Policy

Afternoon Session 1

Prevention Lessons Learned from Colorado and Other States with Legalized Cannabis

Cannabis Retail Models in Other States

Policy and Cannabis: A Theoretical Discussion

Reconciling Evolving Cannabis Policies with the Health and Well-Being of Adolescents and Young Adults

One Young Adult's Perspective on the Impact and Implications of Cannabis on Youth

Afternoon Session 2

Cannabis Legalization in Massachusetts: What This Means for Public Health and Our Youth

Teens Talk: Cannabis

A Physician's Perspective: Youth and Cannabis Use

Tools and Lessons Learned from Rethinking Access to Marijuana

Reconciling Evolving Cannabis Policies with the Health and Well-Being of Adolescents and Young Adults

For More Details Regarding Keynotes And Workshops visit:

<https://bit.ly/3b0TF40>



roderick francis <norwichvtplanner@gmail.com>

FW: Marion Cross School Wastewater Thoughts \$\$\$\$

1 message

Stuart Richards <stuartlrichards50@gmail.com>

Sun, Apr 5, 2020 at 4:15 PM

To: Herb Durfee <HDurfee@norwich.vt.us>, Rod Francis <RFrancis@norwich.vt.us>, roderick francis <norwichvtplanner@gmail.com>, Tom Candon <thomas.candon@hnsb.org>

Gentlemen,

Please make the below letter to the listserve a part of correspondence for your next meeting of the Selectboard, Planning Commission and School Board.

Thank you

Stuart Richards

From: Stuart Richards <stuartlrichards50@gmail.com>**Date:** Saturday, March 28, 2020 at 5:00 PM**To:** Norwich Listserv <norwich@lists.vitalcommunities.org>**Cc:** Tom Candon <thomas.candon@hnsb.org>, Brie Swenson <BSwenson@norwich.vt.us>**Subject:** Marion Cross School Wastewater Thoughts \$\$\$\$

Dear Readers,

The next big cost for Norwich taxpayers is on the horizon. Observing the fenced in area on the Green next to MCS it appears that there is no effluent surfacing from the wastewater system. Whether it's dry because frost has not affected the system or because MCS has been closed or because the system needs to be looked at in May during peak (?) highwater time is unknown. These are engineering questions and engineers may or may not have answers. (I'm not an engineer). Previously, a concern was expressed over the +/- 25,000 gallons of water in the ice rink +/- 35 feet from the MCS system and the possible affect that this amount of water could have on the MCS system. It was suggested that this water be pumped out of the rink and not be allowed into the ground where it could affect the MCS system. Septic tank pumpers are able to do this. It's unknown whether the water from the rink has been or will be allowed to seep into the ground adjacent to the MCS disposal fields.

Decision making on the expenditures for the repair or replacement of the system seemed to have been narrowed down to two alternatives.

The first is hooking into Hartford' wastewater system at a cost of around \$2 million plus interest, monthly gallowage cost, repair and upgrade costs and perhaps minus the payment from 3 other users (King Arthur, the Co-op repair shop and Foggs) who might pay to tie in to the system. Hartford was asked to accept 20,000 gallons of Norwich wastewater. The request for 20,000 gallons seems excessive given that the current usage of the 4 users if it turns out to be 4 would total in the neighborhood of 10,000-12,000. So what is the other 8,000 to 10,000 gallons to be used for?? (Norwich currently only pumps 4,000 – 5,000 gallons). It would be helpful to know where the Memorandum of Understanding between Hartford and Norwich that was being negotiated stands.

The second alternative was repair/replacement of the current system on the Green including proper insulation and perhaps a redesign to down size the system since it is currently approved to handle 10,000 gallons and Norwich is only feeding 4,000 – 5,000 gallons into this oversized system. The cost to repair or replace the current system is unclear. One estimate by Pathways engineering appears to be \$275,000 plus replacement of 4 sewage beds costing from \$105,000 to \$420,000. However it also appears that the sewage beds are functioning so whether a redesign might be necessary and cause replacement and additional costs of all or some of the beds remains to be seen. It's unknown whether the above numbers include potential costs or deletions based on the test results that are anticipated perhaps in May. Roger Thompson, the Vermont regional engineer in charge of approving the MCS system, expressed the opinion that by insulating the current system to eliminate frost damage and changing some of the pumps and valves that the existing system might be serviceable. He felt that there was no compaction of the Green's soil coming from the Norwich Fair or foot traffic that would inhibit effluent absorption. If insulation cures the frost problem it would mean much lower costs than doing major replacements on the existing system or hooking up to Hartford. Importantly it would mean that the Green might not need to be fenced and the current usage with the ice rink and Fair would continue.

To learn more about the current state of affairs the next meeting of the School Board is 6:30PM, Wednesday, April 1, 2020 Please follow the instruction below to be remotely part of the meeting.

For the public to view:

<https://www.youtube.com/channel/UCGkqznI52BRLRtVx61Y5KFw/>

For citizen participation:

Meeting ID

meet.google.com/vxb-hdry-mri

Join by phone

+1 401-594-2229 PIN: 797 686 198#

All the best,

Stuart Richards



roderick francis <norwichvtplanner@gmail.com>

FW: FW: Marion Cross School Wastewater Thoughts \$\$\$\$

1 message

Rod Francis <RFrancis@norwich.vt.us>

Wed, Apr 8, 2020 at 2:35 PM

To: "norwichvtplanner@gmail.com" <norwichvtplanner@gmail.com>

----- Original message -----

From: Thomas Candon <thomas.candon@hnsb.org>

Date: 4/8/20 2:04 PM (GMT-05:00)

To: Rod Francis <RFrancis@norwich.vt.us>, Herb Durfee <HDurfee@norwich.vt.us>

Cc: "Teague, Jamie" <jamieteague@hanovernorwichschools.org>, Stuart Richards <stuartrichards50@gmail.com>,
Anthony Daigle <tonydaigle@hanovernorwichschools.org>

Subject: Re: FW: Marion Cross School Wastewater Thoughts \$\$\$\$

Dear Herb and Rod (Stuart cc'ed),

I hope you're doing well in these challenging times.

While I, of course, appreciate Stuart's interest in the assessment we are conducting in the process of trying to determine the best replacement for the septic system at the Marion Cross School, I do want to note that there are factual inaccuracies in Stuart's letter/post to the listserv that we pointed out during the April 1st meeting of the Norwich School Board and discussed, in detail, during the Q&A portion of the discussion with Stuart (see the recording on CATV - <http://catv.cablecast.tv/CablecastPublicSite/show/11606?channel=1&seekto=5231> - the septic discussion starts at 1:27:11). We also answered all of the questions that are asked within Stuart's note/post.

We also have been in touch on multiple occasions with, and continually keep apprised, Terry Shearer, Vermont's Agency of Natural Resources (ANR) Department of Environmental Conservation (DEC) Regional Engineer for our District. Roger Thompson retired several years ago.

The School District has created a webpage on the SAU70 website where it is posting information related to the assessment: <https://www.sau70.org/departments/facilities/norwich-septic-project>. The School Board has included the septic review on its monthly agenda every meeting since June 2019 and will continue to do so, until it decides what option to recommend to the town for a warrant article to resolve the issue. All Norwich School Board meetings can be viewed on CATV and minutes are available via BoardDocs through the SAU70 website (<https://www.sau70.org/school-boards>).

If you could include this note in your meeting documentation, that would be great. Thank you.

R,
Tom

Michael and Amy Staggs

608 Turnpike Rd

Norwich, VT 05055

April 9, 2020

Norwich Planning Commission

300 Main Street

Norwich, VT 05055

Dear Norwich Planning Commission,

On March 26th, via certified mail, we received a 45 day notice letter from Norwich Technologies detailing the proposed scope and site location for a 150kW group net-metering, ground mount solar electric system. The address for the proposed site is 645 Turnpike Rd, Norwich, VT 05055. Upon reviewing the preliminary site plan for the first time, we were shocked to discover the proposed site for this very large installation is directly across Turnpike Road from the front of our house, located at 608 Turnpike Rd, Norwich, VT 05055.

Obviously, we have a lot of questions and concerns about why this proposed system is so large and why the proposed site is directly in front of our house. While we're very much supporters of the need to be able to develop clean sources of renewable energy, we're also very concerned and alarmed that the current proposed siting for this project is literally in our front yard. I suspect we all have common ground in this matter, we all want to do good for each other and none of us want it to negatively impact our property values or our beautiful views.

Given the current situation with COVID-19, specifically the associated social distance guidance, we've learned we will not be able to meet in person to discuss this matter in the near term. With that, please see our primary concerns detailed below.

Proposed Site Location:

To provide additional context, I believe it's very important for all of you to know that the front of our house and property directly face the proposed site. To put it in perspective, nearly all of the second floor windows in our house, including the master bedroom, master bathroom, bathroom #2, bedroom #1, bedroom # 2 face the proposed site. Currently, we can see the survey stakes, at the site, from all of these windows. The first floor windows of our house, including detached shed, garage, dining room, and sitting room, all face the proposed site. Just like upstairs, we can see the survey stakes at the site from all these windows. Please know that every time we open our front door or sit on our front porch or stand in our front yard, we are facing the proposed site.

Amy and I chose to purchase our property and raise our children there because of the beautiful country setting and beautiful views. As Norwich residents, we have paid over \$100,000 in property taxes and have been proud of our ability to support the local community and schools. I believe that none of us would want to look out from our windows and doors and stare at a 150kW solar installation. I also believe that none of us would approve a project scope that will certainly create an unintended consequence, resulting in a reduction in property value, ultimately reducing tax revenue for the local Norwich community.

I encourage all of us to come together to develop a solution for this matter. The earth needs more sources of renewable energy, but let's do it in a way that doesn't adversely impact the consumer of the product being created. And lastly, let's do it in a way that won't adversely impact the long-term financial vitality of Norwich, our community and our country are already facing enough challenges.

Sincerely,

Michael and Amy Staggs

Handwritten signature of Michael and Amy Staggs, consisting of two distinct cursive signatures stacked vertically.

CC:

Norwich Selectboard

Two Rivers Ottawaquechee Regional Planning

Farwell/Mead Rev Liv Trust

Upper Valley Land Trust

Harrison Whitecloud

2020 PLANNING COMMISSION PROJECT OVERVIEW

#	TOWN PLAN ACTIONS for 2020	April	May	June	July	August	September	October	November	December	January	February	March
1	VILLAGE CENTER DESIGNATION Draft Application Review		■										
2	WASTEWATER STUDY Process Overview Grant Submission(s) RFP/Selection		■		■			?			■		■
3	LAND USE REGULATION REVISIONS Process Review Grant Submission RFP/Selection Administrative Sections Revision				■		■	■			■		■

NOTES:

- A These 3 areas are the priority for the PC in 2020, with ongoing work in subsequent years
- B WW study grant funding is limited, may require TM article/SB commitment
- C All grant-based projects are 'contingent'
- D Only 1 project can be submitted for MPG support [either WW or LUR revisions]
- E LUR revisions assumes time for PC training
- F CRS is a key Action Item in the Plan. Planning & Zoning is working on this