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Herb Durfee

From: Stuart Richards <srichards@globalrescue.com>
Sent: Tuesday, June 20, 2017 4:35 PM
To: Phil Dechert; Herb Durfee
Subject: Valley News Letters, Editorial and Op ED
Attachments: Valley News Seibert 6-10-17.pdf; Valley News Not in Norwich 5-28-17.pdf; Valley News Manasek 6-16-17.pdf

Gentlemen:

Please make the attached part of the permanent Planning Commission and Selectboard files under correspondence and give the members of the Selectboard and Planning Commission copies of the attached.

Thank you,

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>--

NOT IN NORWICH

Affordable Housing Conundrum

IT'S HARDLY SURPRISING that the Norwich Planning Commission has, in the face of stiff opposition, shelved a proposal to promote affordable housing by creating a high-density zoning district along Route 5 South and River Road. Even in — perhaps especially in — affluent liberal strongholds such as Norwich, affordable housing is always popular until there is an actual threat that some might get built. In this case, advocates of the zoning change contended, among other things, that building affordable housing would promote economic diversity in Vermont's wealthiest community, where median family income is \$136,500 and the median value of owner-occupied homes is \$423,500. Besides that, they pointed out that affordable housing might well help repopulate the Marion Cross School, where K-6 enrollment has declined over 20 years from 478 to 302. That in turn could drive down per-pupil spending and therefore the school tax rate. Opponents rounded up all the usual suspect arguments: that higher density development would ruin the rural character of the town and overburden town services, while driving up taxes; and that while affordable housing was desirable, the proposed zoning district was the wrong place for it.

Many, if not most, people subscribe to the notion that change is in fact inevitable and that when something is not growing, it is withering away.

For now, the Planning Commission is choosing to focus on updating the town plan, which lapsed last year and now needs immediate attention. What is in many communities an exercise in tedium promises to be much livelier in Norwich, especially given the backdrop of the affordable housing/zoning debate. Town plans are intended to articulate the community's vision for land use and reaching consensus in this case would require reconciliation of some diametrically opposed views.

At a forum on the zoning amendment attended by about 70 residents back in February, Irv Thomae, a resident of Norwich for 25 years, said, "If we are losing people in the middle-income range because they can no longer afford the taxes in this town, this is diminishing all of us. I don't want to live in a museum where all I can see is beautiful houses." While we agreed with Thomae's sentiments, the bit about the museum seemed a little hyperbolic.

Until last week, that is, when staff writer Rob Wolfe reported the emailed comments of Ernie Ciccotelli, a critic of the zoning proposal who suggested that the new town plan should regard growth as "inherently incompatible with sustainability." In fact, he wrote, "Growth should not be assumed to be inevitable, and should be dealt with much more carefully than it is at the present time by the Town of Norwich, not only the boards and commissions, but also by the town's people."

This is remarkable in a couple of respects. We suspect that the idea of freezing in place the status quo is one that has surprisingly broad public appeal beneath the surface (and not only in Norwich), but is rarely articulated for fear of being branded reactionary. The practical effect in this case would be to make the town into the equivalent of a wealthy gated community. Enshrining such a view in an official town plan strikes us as a sharp departure from the norm, if not unique.

The second, and perhaps more interesting, aspect is the idea that growth is not something that happens organically but is rather a choice a community can make or refuse. Many, if not most, people subscribe to the notion that change is in fact inevitable and that when something is not growing, it is withering away. This view was expressed late last year in an interview with Wolfe by Anne Duncan Cooley, executive director of the Upper Valley Housing Coalition: "Change is coming, whether or not we do anything to shape it. . . . The status quo, although it's what we're used to, isn't necessarily the best for the future."

As is often the case in Norwich, this working out of the community will in a very public setting has implications for the entire Upper Valley.

ABOUT THESE PAGES

The Opinion Pages of the *Valley News* are the sections of the paper devoted to editorials, commentary, letters and political cartoons. The editorials in the left-hand column express the opinions of the *Valley News*; all other features, including the cartoons, are chosen to present a broad range of views and express only the author's opinion.

We encourage our readers to write to the Forum to comment on matters of general public interest. We publish letters regardless of their politics, providing they are in good taste and address a subject of broad concern. To keep the Forum open to all, we request that you keep letters to about 350 words, and that you write no more often than once every two weeks.

All letters are subject to editing.

FORUM

AFFORDABLE HOUSING IN NORWICH

To The Editor:

Regarding the May 28 editorial "Not in Norwich":

The editorial noted that the Norwich Planning Commission has shelved the proposal to change the designation of zoning districts near the I-91 Hanover/Norwich exits to accommodate affordable housing, commercial development and high-density housing. Shelving, however, does not mean discarding and if such changes were in fact made the consequences would be predictable.

There is no disagreement about the need for affordable housing, but the editorial missed several important points. The question is how to address the problem without making the situation even worse for low- and middle-income families.

■ There are currently an estimated 50 rental apartments on the land under consideration to be changed from Rural/Residential to Mixed Use, which means Commercial/Residential. The affordable rental units would be the first to be displaced by more profitable enterprises.

■ Commercial development on the eastern edge of town would undermine the Norwich business district. Past planning commissions have worked hard to ensure that the core of our town is economically vibrant and merchants have responded to those efforts. Elsewhere, vacant village storefronts as a consequence of peripheral sprawl are a sad commentary on poor planning. The controversies surrounding proposed developments adjacent to I-89 in Randolph and Quechee have resulted in protracted and expensive legal battles. We do not need to repeat those scenarios.

■ The ongoing infrastructure costs for water, sewer and public services required to support development on a large scale would almost certainly result in higher property taxes, making the availability of affordable housing even more problematic. "Enfield Awaits Solutions as Planned Sewer Projects Stall" (*Valley News*, front page May 8), is a cautionary tale concerning pri-

vate development and the public burden.

To go forward, our community should explore a wide spectrum of creative approaches to affordable housing. Large tracts of consolidated units are not the answer for Norwich. In public hearings and forums, the overwhelming preponderance of testimony has been in opposition to that idea. The Norwich Planning Commission should abandon the concept of commercial development in Rural Residential zones. Their reluctance to do so has become a barrier to the adoption of an overdue, updated town plan and further delays begin to compromise our future.

DEAN SEIBERT
Norwich

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DON'T BLAME NORWICH FOR SHORTAGE OF AFFORDABLE HOUSING

FRANCIS J. MANASEK
For the Valley News

6/16/17

THE *Valley News* editorial of May 28, "Not in Norwich," repeated, yet again, the old canard that affluent Norwich is selfish and disingenuous when it comes to "affordable" housing. However, there were several stunning omissions that change the entire story.

The editorial did not report that the Norwich Planning Commission, in public sessions, has said it wants to "significantly impact" a putative 5,000 housing unit deficit in the Upper Valley. The Planning Commission has decided that Norwich, a town of some 3,400, has an obligation to reduce this deficit to a significant degree. Furthermore, the commission said in its February presentation to the public that small, incremental, integrated "affordable" housing projects were not a good alternative to the massive developments that they were proposing because these didn't provide a significant impact on the 5,000-unit deficit.

The commission has ignored several constructive plans and suggestions in favor of its megadevelopment zoning proposal. Is it any wonder that residents are angry? The May 28 editorial ignored these facts and made light of the opposition, ignoring the true reasons for opposing this development.

Instead of developing a new Town Plan (the current one expired in December 2016), the commission worked for more than a year developing the enormous rezoning plan that would create a high-density mixed-use commercial corridor along Route 5, changing the zoning of some 350 acres, many of which already have private homes on them. This plan, permitting eight units per acre, could poten-

tially add hundreds of new houses to the town, 25 percent of which would be "affordable." At an average of 2.5 people per house, that could mean a population increase of 1,000 or more in

a town whose current population is about 3,400! This isn't responsible incremental growth, and this is what people are objecting to. And the plan has an obligatory commercial development component. Even if one subtracts areas that are unbuildable, we would still be left with an overwhelming number of new houses and a huge population increase that would change the town of Norwich irrevocably. It would not restore some golden age of 40 years ago. Reason dictates that adding this number of houses in a high-density commercial mixed-use strip exceeds acceptable change anywhere, not just in Norwich. Suggest adding this many houses, people and commercial space to Thetford or Lyme or as a satellite community to Hanover or Lebanon and you would get the same response.

This isn't Norwich vs. "affordable" housing. This discussion should be about the appropriateness of size and scale, not about the desirability of "affordable" housing and diversity. Norwich has always supported this as evidenced by the Star Lake project, the 24 units of senior housing in town, and the change of zoning to facilitate about 28 affordable housing units at the former ABC Dairy.

Environmental concerns are perfectly valid and

This isn't Norwich vs. "affordable" housing. This discussion should be about the appropriateness of size and scale, not about the desirability of "affordable" housing and diversity.

must be considered. Under certain circumstances, it is quite possible that the proposed development would be exempt from Vermont's land-transfer tax and that Act 250 might not apply. This would permit serious environmental damage while generating large profits for land speculators and builders.

The siren's song of growth has caused miserable sprawl throughout much of New England, including parts of Vermont. Do we really want to sacrifice Norwich's (or any other town's) greenbelt and replace it with a development like so many others that have irrevocably damaged other small towns? It would be such a shame to lose Norwich's core downtown and core village center and its very essence of small-town Vermont to mega commercial and residential development outside

the core center.

Many studies show that residential development in rural communities around the country costs municipalities more in services than it pays in taxes, while working lands and open space pay more than they require in services. One such study, using the methodology developed by the American Farmland Trust, was completed for Norwich based on the town's 2007 grand list and actual Fiscal Year 2007 budget. Another study was done by the Vermont Land Trust showing much the same. In addition, the negative effects of the commercial development that the planning

commission wants to promote are also highlighted in a Vermont Trust study and the Norwich Town Plan.

Those who call for change the loudest should realize that Norwich and every other town in the region has been changing over the decades and continues to change. They cannot stop demographic reality, turn the clock back 20 or 30 years and recreate a long-gone social environment. Even extreme proposals that have the potential to double a town's size won't restore yesterday. Trying to resurrect a changed demographic is not positive change, it's regressive (and impossible). It is also wrong to equate a changing town with a gated town. Find a community anywhere that doesn't have some sort of "gate" in place. Not everyone is envious of Norwich and most live elsewhere by choice.

It is time to stop name-calling and finger-pointing at Norwich whenever the question of "affordable" housing or income inequality arises. Norwich is not responsible for any housing shortage, real or imagined. Housing in Norwich is not cheap, but it isn't cheap in Hanover, Lyme, Thetford or many other communities. Norwich is not located conveniently to where the jobs are, such as Dartmouth, Centerra or the medical campus. Traffic in and out of Norwich must cross the Ledyard Bridge. One must question the wisdom and environmental impact of adding another several hundred cars to that corridor.

The world, including the Upper Valley, has changed and blaming Norwich or trying to reverse social change with large developments will not reverse progress or bring back yesterday.

Francis J. Manasek lives in Norwich.

10d

MEMORANDUM

TO: NORWICH SELECTBOARD
FROM: STEPHEN N. FLANDERS, JOHN LANGHUS
SUBJECT: COMPARISON OF PROPERTY ASSESSMENT MODELS
DATE: JUNE 22, 2017
CC: TOWN MANAGER

1. *Summary* – The purpose of this inquiry is to identify the best assessing model for Norwich among three alternatives and to identify roles and responsibilities within each model. The three models are: lister only, assessor and lister combined, and assessor only.

2. *Assessing fair market value* – 32 V.S.A. § 3481(1) requires that all properties be assessed at the “fair market value” for their “highest and best use”,¹ using one of three means for assessing value, which nominally should yield equivalent results:²
 - The *cost* approach – The value of the land plus the cost to construct any improvements, less accumulated depreciation to date. This is the model that the contract assessor uses for residential properties to *compile the grand list*.
 - The *market data* approach – The price paid for the property in a *bona fide* sale (arm’s length with no unusual circumstances). Often determined by using comparable sales of like properties. This is the model that the contract assessor uses for residential properties to *defend appeals*.
 - The *income* approach – The net present value is determined by analysis of the income stream generated by the property. Typically a discounted cash flow analysis based on an assumed discount rate, the basis of which is identified and objectively defensible. This is the model that the contract assessor uses for *commercial properties*.

Each of these three approaches requires technical skill, knowledge and experience.

3. *Background* – The Committee to Review Real Property Assessment Functions gave recommendations in December of 2011 to implement a *four-year* recurring plan to reassess properties, town-wide. It further recommended the hiring of a part-time or contract assessor. It recommended that listers receive a stipend and their role be limited to policy formulation and statutory duties only.³ Shortly thereafter, the

¹ <http://tax.vermont.gov/sites/tax/files/documents/listerhandbkstatutes.pdf>

² https://www.sec.state.vt.us/media/258674/tax_appeal_handbook_2007.pdf

³ <http://norwich.vt.us/wp-content/uploads/2012/06/ListerCommitteeReport.pdf>

selectboard opted to budget for the assessor/lister model recommended, but with a *three-year cycle*.⁴ The contract assessor began its work in 2012 with its first CLA being registered by the Vermont Department of Taxes in 2014.

4. *Metrics* – The Vermont Commissioner of Taxes compares actual sales with assessments annually on a town-by-town basis and provides metrics of *accuracy*, *uniformity* and *bias* of the assessments. These are Common Level of Appraisal (CLA), Coefficient of Dispersion (COD) and Price-Related Differential (PRD).⁵
- *Common Level of Appraisal* – CLA is a measure of how close a municipality’s local appraisals are to their actual fair market value; it reflects the *accuracy* of the average of assessments. It is the basis for equalizing education taxes statewide with the goal of having properties of equal value pay equal amounts of school taxes.
 - *Coefficient of Dispersion*⁶ – COD is a measure of *uniformity* of appraisals for all properties on the Grand List, but not of accuracy. A score of zero indicates that every property is locally appraised at the same percentage of fair market value. The higher the number, the greater the disparity in how properties are assessed with respect to fair market value. Because of market fluctuations, a COD less than 10 is unusual.⁷
 - *Price-Related Differential*⁸ – PRD determines the degree to which more valuable or less valuable properties are assessed higher than their fair market values; it is a measure of *bias* towards higher or lower valued properties. A PRD above 1.03 indicates that lower-valued properties are more often assessed above fair market value. A PRD below 0.98 indicates the same for higher-valued properties.

Table 1 chronicles the CLAs announced in the year shown that resulted from the actions of the *assessments of the year before*. It shows that the listers had a good CLA record in their assessments during the years 2006-2008 (reported as 2007-2009 CLAs). In subsequent years, the lister-generated CLAs declined. With the hiring of the contract assessor, CLAs became higher again.

Available records show that the COD and PRD were within bounds for both models, although the PRD showed a slight tendency to over-assess lower-valued properties, both under the listers and with the assessor.

⁴ <http://norwich.vt.us/wp-content/uploads/2012/06/Selectboard20111214.pdf>

⁵ <http://tax.vermont.gov/home/tax-learning-center/glossary>

⁶ The standard deviation, divided by the mean

⁷ Statistically, it is the average absolute deviation of a group of numbers from the mean expressed as a percentage of the median.

⁸ A regression index

In 2017 the announced median CLA for Vermont municipalities was 102.37, compared with Norwich's 101.44. The standard deviation of CLAs among towns was 6.30 or 6.15% of the mean. This value has improved since 2012, when the standard deviation was 10.1% of the mean.

Table 1: Historical CLA, COD and PRD for Norwich⁹

Model	Year ¹⁰	CLA (%)	COD	PRD
From assessor-generated assessments	2017	101.44	Town-wide appraisal	
	2016	97.82	5.96	1.02
	2015	99.33	5.45	1.01
	2014	99.73	Town-wide appraisal	
From lister-generated assessments	2013	93.30	12.61	1.04
	2012	90.91	11.58	1.06
	2011	91.40	12.29	1.04
	2010	97.07	9.11	1.02
	2009	100.27	9.42	1.02
	2008	104.77	8.89	1.02
	2007			

5. *Analysis* – Using the assessor contract price, adopted in June, 2017 and the grand list and school tax rates reported in the Norwich town report for FY 2016, the tax impact of the contract is now \$5.68 per \$100K of valuation (Table 2), whereas the tax impact of the school budget is \$1909.10 per \$100K of valuation, *assuming a CLA = 1.00* (Table 3). If the CLA is different by 0.01, the education tax impact shifts by approximately \$19 per \$100K of valuation. *This highlights the importance of an accurate assessment process.* It also highlights the value of the assessor contract.

⁹ <http://tax.vermont.gov/property-owners/understanding-property-taxes/education-tax-rates#fy2017>

¹⁰ Year for which the CLA becomes effective, computed on the prior year's sales data.

Table 2: Tax impact of assessor contract

FY 18 Assessor Contract ¹¹	\$42,000
Municipal Grand List	\$7,391,720
Tax impact	\$0.0057
Tax impact per \$100K	\$5.68

Table 3: Tax impact of change in CLA

Education Grand List:¹² \$7,428,870

	Baseline	CLA down	CLA up	Difference	Difference
CLA=	1	0.99	1.01	0.01	-0.01
Tax rate	\$1.9091	\$1.9284	\$1.8902	\$(0.019)	\$0.019
Per \$100K	\$1,909.10	\$1,928.38	\$1,890.20	\$(19.28)	\$18.90

6. *Other criteria* – The effectiveness of the assessing process can be measured in ways other than CLA, COD and PRD. The Committee to Review Real Property Assessment Functions noted that, in 2011, assessment cost were \$85.21 per parcel compared with \$39.69 for Charlotte, Vermont. In FY2018, Norwich assessing costs were budgeted to be \$69.15 per parcel, which has been reduced to \$51.84 with the reduction of the assessor contract.

Another measure of effectiveness is appeals. Table 4 shows that the number of appeals has dropped for non-town-wide reassessment years. The number of appeals that corresponded to the shift from the lister to the assessor model spiked in this reassessment year, as might be expected where the assessments were brought from a CLA of 93.3 to 99.7. In either case, the office was able to hold appeals to the BCA at ten or below.

¹¹ Revised contract from 6/7/2017—reduced from \$69,000

¹² Town Report: Fiscal Year 2016

Table 4. Appeals

Model	Year	Listers	BCA
Assessor/listers	2016 ¹³	76	6
	2015	20	2
	2014	31	2
	2013 ¹³	156	9
Listers	2012	28	8
	2011	32	10
	2010	33	10
	2009	51	5
	2008	91	33

The statistics on assessments, cost per parcel and appeals reflect *performance* parameters for assessor effectiveness. The selectboard has received concern that the assessor has not been able to gain access to the interiors of homes, subject to the three-year reassessment cycle. No statistics have been offered on how often substantial changes in value have been encountered, which were not reflected by a building permit.

A *prescriptive* solution for this would be to have more time dedicated to calling property owners to gain entrance and to better inform them of the process and its implications. An *incentive-based* solution to improve response rates would be for the card mailed to property owners to include the statement:

Most Norwich property owners schedule a time to admit the assessor into their premises. Those who don't, risk receiving an inaccurate assessment, which may prompt an appeal. No appeal is granted without access to the interior of a property.

7. *Roles and responsibilities* – Roles and responsibilities are clear in an all-lister or an all-assessor model. It's when the two functions coexist that there may be some perceived overlap of roles. Here are the roles, as we understand them:
 - *Town manager* – Manages the assessor contract to ensure timely completion of its provisions. Is *not involved with setting of property values*. Receives input from the listers on drafting the contract and whether it is being properly performed.

¹³ Town-wide reassessment

- *Assessor* – Determines property valuations, as required by state statute and best practice, on a *schedule determined by the contract*. Compiles the grand list for lister approval. Defends the valuations that are appealed at the lister, BCA and state levels.
 - *Listers* – As a body, certify the grand list presented by the assessor, hear appeals of assessments, provide input *to the town manager* on the terms and performance of the assessor contract.
8. *Compensation of listers*– The town’s three listers receive an annual stipend of \$1,500 each. In 2016, they met twelve times and deliberated on the appeal of 76 properties. The selectboard members receive an annual stipend of \$500 each and met 40 times in 2016.
9. *Recommendations* – We recommend that the selectboard decide between the current assessor/lister model and an assessor only model, which would require a town vote. Table 5 summarizes some of the distinctions among the models discussed. Also for consideration is whether a more prescriptive approach to site visits is necessary in light of the town’s CLA record and whether the lister stipend is necessary and appropriate, given the duties of the office.

Table 5. Comparison among three property assessment approaches

Topic	Lister Only	Assessor/Lister	Assessor Only
Property inspection and valuation	Individual listers	Individual assessors	Individual assessors
Preparation of grand list	Listers	Assessor	Assessor
Certification of grand list	Listers	Listers	Assessor
Conduct of appeals	Listers	Listers/assessor	Assessor
Presentation to BCA	Listers	Assessor	Assessor
Historical CLA range	93.3–105	97.8–101	N/A
Historical cost per parcel	\$85.21	\$69.15	N/A
Projected cost per parcel	N/A	\$51.84	\$48.96

10. *Next steps* – We plan to contact the ten towns that are on either side of Norwich, in terms of population and determine the following:

- *Model* – Determine whether the town has: Listers Contract assessor Town employee assessor.
- *Assessing budget* – Determine the budget for the Lister/assessor department in a normal year.
- *Number of parcels* – Determine the number of parcels assessed.
- *Frequency of reappraisal* – Determine how frequently the municipality does a town-wide reappraisal.
- *Assessor contracts* – Determine who is responsible for initiating and monitoring performance.

This information would inform a future selectboard about the scope of the next assessor contract, including the budget, duties and frequency of reassessment.

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Miranda Bergmeier

Subject: FW: Correspondence
Attachments: Valley News Wolfe 6-20-17.pdf

From: Stuart Richards
Sent: Thursday, June 29, 2017 11:43:38 AM (UTC-05:00) Eastern Time (US & Canada)
To: Herb Durfee; Phil Dechert
Subject: Correspondence

Gentlemen:

Please make the below letter and the attachment above part of your correspondence file for the next meeting of the Selectboard and the Planning Commission. I would appreciate your printing out Slide 29 as a part of the letter below and also printing our Marcia Calloway's letter.

Thank you.

Dear Readers,

I've attended many Planning Commission meetings in the last months. The latest was last Thursday. At that meeting during the Public Comments portion of the meeting I asked each member of the Commission to provide their reaction to the 'redlined version' of the draft Town Plan that had been suggested by the Selectboard and submitted to both the Selectboard and Planning Commission on 6/3/17.

I was terribly disappointed by the reaction of the Planners. They either said they hadn't read the redline or that they felt that it was "too restrictive" or that the redline would be considered in the context of other comments that might be made at the 7/13/17 Public Hearing for the new proposed Town Plan. Let's note that school will not be in session and many residents will be away on July 13 which is likely to limit public participation. Not one Planner said that the comments in the redline had merit nor did they expect the comments to be incorporated in the draft of the Town Plan at the Public Hearing. All of which makes me think that the Town's voters should have a chance to decide Norwich's future and what our vision of the future should be for our lovely, small town.

A brief review of how we got to this point may be helpful. For the last year or more the Planning Commission had been working on new zoning regulations and they ignored the Town Plan allowing it to expire December 14, 2016. They now are in a hurry to pass an outdated Town Plan with little change in belated recognition of the fact that Norwich has lost the ability to apply for grant money and for a downtown historical designation. Hard to say what the cost to the Town is but obviously there is a cost.

Many people both at the February meeting for the "hard sell" (one Selectboard Member's term) of the zoning regulations and on the listserv expressed great concern over the Planning Commission's emphasis on mega high density development, commercial development, municipal wastewater, increase in taxes, destruction of natural resources and threat to the character of the Town represented by the proposed zoning. The uproar was such that the Planners have postponed consideration of zoning and that they intend to conduct "small group discussions to get further input on how to best respond to public feedback." This is another misstep by the Planners who should realize that the best way to get feedback is through a large public survey like the one in 2005 that had 990 respondents and through large public meetings.

What the Planners refuse to acknowledge is that the same issues that caused an outcry over zoning are in the Town Plan that they want to ram through. Since the Planners appear to be unwilling to remove the support in the Town Plan for mega high density development, commercial development, municipal wastewater, increase in taxes, destruction of natural resources and threat to the character of the Town, it's likely that there will need to be several elections to convince them that residents' concerns are real and that they need to be addressed. I wonder how many more people need to sign a petition in addition to the 250+ who have already signed before the Planning Commission takes their concerns seriously. It should be recalled that it took 3 public votes before the Selectboard was persuaded that they should redo the public safety buildings for less than half of what the Selectboard majority wanted to spend.

I also wonder how many more suggestions on how to produce affordable housing need to be made before the Planners will listen and incorporate innovative ways to achieve small scale affordable housing that is consistent with Norwich's size of 3,300 people. There is a great deal of support for affordable housing and diversity but when it comes to scale and size the Planners have spoken that it's economies of scale that come from large projects that they want and that a small 15 unit project doesn't address what they think is important. If you don't think this is true look at Slide 29 of their "hard sell"

at: <http://norwich.vt.us/wp-content/uploads/2012/06/Planning-Commission-Overview-vFFFFF.pdf>

And while you're at it take a look at Marcia Calloway's letter to see what's at stake found

at: <http://norwich.vt.us/wp-content/uploads/2017/06/Durfee-SB-Deschert-PC-6-3-17.pdf>

Thanks for reading and I hope to see you at the July 13 meeting and hope to hear from you on the listserv or in the newspaper. If you can't make the meeting you can submit written comments to: PDechert@norwich.vt.us within 10 days of the meeting.

All the best,

Stuart Richards

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>

Why not simply build a 15-unit affordable development and declare victory?

- If this were all we did, we would **NOT**:
 - Reverse the growing income inequality in Norwich
 - Make a dent in affordable housing shortage near jobs
 - Substantially increase housing options in Norwich at different price points to better serve workers, young families, and seniors
- **Planning for a larger number of units close to jobs and infrastructure**, by contrast, does all of these things and helps us:
 - Take advantage of economies of scale to **produce more affordable units without the use of public subsidy**

P. O. Box 1207
Norwich, Vermont 05055
June 3, 2017

Herbert Durfee, III, Town Manager and
On behalf of the Norwich Select Board
Phil Deschert, Planning Office and
On behalf of the Norwich Planning Commission
Residents of Norwich

Re: Town Plan and associated zoning

Dear Sirs/Mesdames:

At the suggestion of the Norwich Select Board a group of concerned residents 'red-lined' a version of the Town Plan. On May 11, 2017, Phil Deschert sent: Stuart Richards and Marcia Calloway the following three documents:

1. a version of the Town Plan titled "TP_12-14-11PlanText" and
2. a separate, duplicate section of the Town Plan regarding Land Use titled "Land Use_Final_MU_4-25-17MarkUp"
3. Land Use Tables

Although the "final" version of the Town Plan is not yet distributed, it is our understanding that the Planning Commission will soon send their recommended version of the Town Plan to the Select Board and other statutorily-required parties. Given that the statutory clock for the public hearing will then begin to run, time is of the essence. Therefore with the caveat that there may be some further changes as yet undisclosed to us, we offer the enclosed 'red-line' version of those two documents.

To be clear, the 'red-lines' are intended to do two things:

- I. Emphasize what the Town Plan states on page 15:

"Those who work elsewhere choose to live in Norwich because of the town's good school and its proximity to Hanover, Dartmouth College, and the Dartmouth-Hitchcock Medical Center. They come here for the kind of life that has disappeared elsewhere and which they perceive can be found here." (Emphasis added.)

The Town Plan goes on to recommend the antithesis of that life. Norwich is not in an urban or suburban area, it is in Vermont. One area cannot be all things to all people. The strength of Norwich is the location of Vermont and all that means and brings with it. High density/mixed growth commercial development will destroy what people cherish about Norwich and Vermont.

- II. Eliminate the references and recommendations for "high density" housing and "mixed use" commercial development and "hamlets" for such development.

The Planning Commission frequently assured residents attending their meetings that their intention in the Town Plan was to (a) avoid controversy, (b) omit reference to zoning changes on Route 5 South, and (c) remove references to high density and mixed use.

However there are multiple references in the Town Plan recommending high/higher density; and references to Route 5 South as the best location for such development.

“This plan envisions the Route 5 corridor in Norwich as a suitable location for higher-density or intensity uses, including commercial activities, while recognizing that a lack of wastewater disposal capacity continues to be a limiting factor to development in this area.” See Town Plan page 5.

The Planning Commission worked for some years on a rezoning proposal aimed at realizing the language on page 5. However they apparently ignored two critical facts:

- (1) no zoning regulations can be enacted unless the Town Plan provides the enabling language for the type of zoning proposed¹ and
- (2) the Norwich Town Plan expired in December 2016.

A Town Plan is NOT a mandatory document. “A municipality may have a plan.” 24 VSA 4384(a) (emphasis added). **However if the town chooses to have one, Vermont statutes require:** “At the outset of the planning process and throughout the process, planning commissions shall solicit the participation of local citizens and organizations by holding formal working sessions that suit the needs of local people..” Id. Furthermore, “The data in the plan, the analysis of the issues, and the plan goals, objectives, and policies must provide a clear and logical basis for regulatory steps the community will take.” Id.

Notwithstanding the statutory requirements, the Norwich Planning Commission

- did NOT solicit participation of local citizens and organizations by holding formal working sessions that suit the needs of local people and
- did NOT obtain current data.

Instead, the Planning Commission apparently took up the task of writing a new Town Plan after February 2017 and quickly worked to craft a general facsimile of the expired Town Plan which had been adopted December 14, 2011. Even if the Commission’s process met the statutory requirements, for participation, there has been no meaningful attempt to review the changes that have occurred in this area over the last 6 years.

Rather, in the rush to present a Town Plan for adoption, the Planning Commission points out the need to have a Town Plan which designates a “Village Center.” They warn that delay in approval of a Town Plan will cause the Town to lose valuable tax credits which are only available to Towns with a Plan that designates a Village Center. In fact, there are some tax credits for such a designation. But, what the Planning Commission fails to highlight is that there is also substantial benefit for developers. “The Vermont village center designation program supports local revitalization.... Once designated, the community will be eligible for... (among other things):

¹ “To adopt or amend zoning regulations, ... Vermont municipalities must have in effect a municipal plan.” Vermont Department of Housing and Community Development, Agency of Commerce and Community Development, “The Municipal Plan: State Planning Manual – Module 1,” April 2017, citing 24 V.S.A. 4401(a):

"Communities may ... (designate) Neighborhood Development Areas within ¼ mile from the designated village center. Qualified projects are:

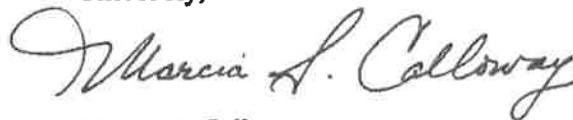
- **Exempt from Act 250 regulations and the land gains tax.**
- **Eligible for ... reduced Agency of Natural Resources review fees."**

See <http://accd.vermont.gov/sites/accdnew/files/documents/CD/CPR/CPR-VC-Designation-Benefits.pdf>

Based on the above, a Town Plan with the enabling language recommending "higher" densities and "mixed use" and "hamlets" for the same, within close proximity to a Designated Village Center, could not only irrevocably change the Norwich landscape but could also remove critical environmental protections afforded us under Act 250.

If the Town of Norwich is going to adopt the type of significant changes proposed in the Planning Commission's version of the Town Plan, then the issue should be put to the residents of the Town for Australian ballot vote. We are prepared to submit a petition to that effect, with the requisite number of signatures.

Sincerely,

A handwritten signature in cursive script that reads "Marcia S. Calloway". The signature is written in black ink and is positioned above the printed name.

Marcia S. Calloway

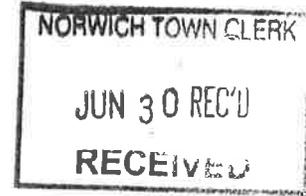
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June 30, 2017

To: Norwich Selectboard
Bonnie Munday, Norwich Town Clerk

From: Lee Michaelides, Lister

Subject: Resignation from Board of Listers



Please consider this memo as my formal resignation from the Board of Listers effective July 5, 2017 as I will be moving out of town next month. I appreciated the opportunity to serve in this office.

A handwritten signature in black ink, appearing to be "Lee Michaelides", written in a cursive style.

Lee Michaelides

10c

Miranda Bergmeier

From: David Sargent <dsargentdesign@gmail.com>
Sent: Wednesday, July 05, 2017 12:04 PM
To: Miranda Bergmeier; Miranda Bergmeier; David Ormiston; Assessing-Clerk; Ann Shriver Sargent
Cc: Dwight Sargent; Tom A. Sargent; Tim Briglin; Jim Masland
Subject: Fwd: hoarding condition next to 397 and 360 Campbell Flat Road, at 355 Campbell Flat
Attachments: Welch complaint 4.4.17.pdf; ATT00001.htm

To Whom it May Concern, We have not received one response, except for our listers denial of a tax grievance for both Ann and me, and Jane O. Sargent. Regarding the selectboard, did this get tabled? Regarding the state, no response either. One thing that must be done is for the Town Health officer to visit the site. Please verify when this has been done-

Many Thanks-

David Sargent

Begin forwarded message:

From: David Sargent <dsargentdesign@gmail.com>
Subject: hoarding condition next to 397 and 360 Campbell Flat Road, at 355 Campbell Flat
Date: May 4, 2017 at 2:43:32 PM EDT
To: Tim Briglin <tbriglin@leg.state.vt.us>, Jim Masland <jmasland@leg.state.vt.us>
Cc: Listers@norwich.vt.us, dormiston@norwich.vt.us, manager-assistant@norwich.vt.us, [Selectboard@norwich.vt.us](mailto>Selectboard@norwich.vt.us)