# Norwich Planning Commission
# Regular Meeting – October 10, 2023 6:30pm

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To be Held in person in the Tracy Hall Multipurpose Room and via Zoom
Zoom Information:
Topic: Planning Commission
Time: October 10, 2023, 6:30 PM
https://us02web.zoom.us/j/81307504748
Meeting ID: 813 0750 4748
888 475 4499 US Toll-free

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1. Approve Agenda

2. Public comment for items not on agenda

3. Correspondence
   [Manganiello Rt 5 bicycle corridor letter]

4. Chair notes
   New Boston Rd planning grant schedule
   Rt 5 Bicycle corridor
   Transportation – March 2023 Article 10

5. Planning Commission role, staff and process
   Correspondence
   Subcommittees – membership & charters
   PC role, priorities and staff – prep for 10/11 SB meeting

6. Subcommittee updates
   Solar siting
   Charter
   Focus on ridgeline and scenic resources
   [Solar Siting Subcommittee – Charter 091923]

   Land use
   Membership
   Charter

7. Planning Commission work plan
   HPC, NEC, AHSC input
   TRORC plan review
   [HPC draft minutes 092823]
   [Energy & Climate Related Land Use Regulations proposals 8-16-22]

8. Approve minutes of September 12, 2023 and September 19, 2023
   [PC Draft Minutes 091223]
   [PC Draft Minutes 091923]

9. Public comment

10. Adjourn

**From:** Paul D. Manganiello <Paul.D.Manganiello@dartmouth.edu>
**Sent:** Thursday, September 28, 2023 11:28 AM
**To:** Brennan Duffy <BDuffy@norwich.vt.us>; Select Board <selectboard@norwich.vt.us>; Pam Mullen <PMullen@norwich.vt.us>
**Cc:** wendy.manganiello@gmail.com
**Subject:** RT 5

Dear Mr. Duffy:

I am a resident of Norwich. I live at 226 Turnpike Rd.

This fall Vermont's Agency of Transportation (VTrans) will be surveying towns and regional planning commissions along Route 5 to gauge interest in establishing a bicycle corridor from Massachusetts to Canada.

Route 5 is a main roadway through the Connecticut River Valley, and passes along many communities, workplaces, and schools. Route 5, however was designed primarily for car traffic. Today, many people want the option to be able walk and bike. Being able to walk and bike is an important part of our scenic small towns in Vermont.

The Vermont (VT) state legislature has asked VTrans to look into making Route 5 more friendly for people who are not in a car. State Representative John Bartholomew's proposed (Bill H.177) instructing VTrans to conduct a feasibility study to determine if a bicycle corridor was feasible. Instead, because of VTrans' objection, the study is being replaced by a survey.

This will be an important step towards improving Route 5 for pedestrians and bicyclists. VTrans is currently planning the survey to gauge interest in a "Bicycle Corridor" with the Regional Planning Commissions that are along Route 5. They will administer the survey this fall, and submit a report to the legislature this upcoming January. The next two months are an important time to speak to our town officials and committees to make this project a reality. As a member of the Vermont Sierra Club, I am asking you to support establishing a bike/pedestrian corridor along Rt. 5. Improving the bicycle facilities along Rt. 5 would both increase tourism and benefit walking and biking in local communities.

Sincerely yours,
Paul and Wendy Manganiello

**Solar Siting Subcommittee – Charter and activity ideas 9.19.23**

OVERVIEW

This committee will work to:

- Guide and encourage solar project siting in Norwich in locations which are appropriate to Norwich with its unique character, topography, and the desires of its residents.

- Create a collaborative process, using clear and defined siting criteria, resident input, and full participation in the PUC process.

- Use the planning tools available, including revisions to the town plan, zoning by-laws, and subdivision regulations.

WORKING ASSUMPTIONS & GIVENS

State laws and regulations play a dominant role in the siting of medium and large solar projects. The town must understand how its inputs fit into this larger context to maximize our influence. These regulations have changed since the last revision of our town planning documents.

There exists strong societal pressure for renewable energy. This creates a development pressure to build PV projects in Norwich.

PV projects done appropriately and sensitively are desirable, within guidelines set up by the residents of Norwich.

There are technical considerations associated with these projects, such as economies of scale and design drivers relating to steep slopes, shading, infrastructure, etc.

BACKGROUND

We will need to collect a great deal of background reference material, which can be used by both this committee and the wider Norwich community to help understand all elements of the solar siting process.

This information will include:

Details of state statutes & PUC process

Regional energy plan

Norwich specific conditions:

- Topography, slopes, forest blocks
- Agricultural soils and activities
- Rooftop solar opportunities
- State recognized preferred sites, e.g. gravel pits
- Utility infrastructure – 3 phase power
- Current town plan, zoning by-laws and subdivision regs

- Recent project experience

SUBCOMMITTEE ACTIVITIES

- Instigate and encourage town wide conversation on this important topic, including interested town groups and residents.

- Understand and create reference materials for state, federal and regional laws. Specifically, understand changes in state law that must be incorporated in our town plan and regs for Norwich's documents to be current.

- Review other towns experiences and best practices.

- Embed land use for solar projects into the bigger picture of land-use planning in Norwich.

- Discuss and clearly define criteria for solar project siting:
  - Slopes Ridgelines
  - Forest clearing Scenic views – from where?
  - Farmland Wetlands

- Research and evaluate Norwich's methods for influence, using both incentives and limitations.

- Evaluate the possibility of creating an enhanced energy plan as a method to increase influence.

- Identify possible sites that are preferred. Within the context of state energy policy and statutes it is not a valid strategy to say no to all PV projects. Such a stance would reduce the town's influence on projects that are proposed.

SUBCOMMITTEE OUTPUT

1. Recommended changes to the town plan, zoning bylaws and subdivision regulations. These should include specific guidance on preferred siting. These would be included in the overall effort of the Planning Commission to amend these documents. Any changes would first be approved by the PC, then submitted to the Selectboard for approval.

2. A defined process for solar project siting with a focus on the Planning Commission's role, including use of party status, encouraging public participation, providing resources, etc.

**NORWICH HISTORIC PRESERVATION COMMISSION**

**Draft Minutes of the Thursday, September 28, 2023, 9:00 a.m. Meeting**

*Meeting was hybrid (in person/via Zoom)*

Commissioners Present: Jess Phelps, Phil Zea, Maggie Boone, and Nancy Osgood, chair

Commissioners Absent: Linda Cook

Also present: Brian Knight (Preservation Consultant), Sarah Rooker (Norwich Historical Society ("NHS"), and Jaan Laaspere (Planning Commission).

**NORWICH HISTORIC PRESERVATION COMMISSION MINUTES**

1. Approve Agenda

   Phil Zea moved to approve the agenda; Maggie Boone seconded the motion. The motion to approve the agenda passed (4-0).

2. Public Comment

   There was no public comment.

3. Discussion of the Jones Circle Historic District National Register Nomination Project (the "Project") with Brian Knight.

   Work continues on the Jones Circle nomination. Brian Knight has a fairly advanced draft which several commissioners have sent comments on. Brian will continue his work on the draft in advance of a discussion at our next commission meeting about the Project.

4. Discuss the Current Town Plan

   Jaan Laaspere, chair of the Planning Commission, joined the NHPC to discuss the Town Plan and what the NHPC's priorities might be for the town plan and for other work with the Planning Commission. The NHPC identified:

   a. Exploring how to provide the NHPC a meaningful opportunity to advise homeowners of historic properties before they have commenced work on their projects,
   b. Evaluating how the NHPC, the Planning Commission, and the Energy Committee could work together to meet aligned goals on energy retrofits, and
   c. Providing more express support for documenting Norwich's historic resources as part of the Town Plan.

Jess Phelps will be the point person with the Planning Commission moving forward and Jaan Laaspere will serve as the same for the Planning Commission with the NHPC. The commissioners thanked Jaan for attending the meeting and engaging with the NHPC which was immensely helpful and appreciated.

5. Discuss Applying for a 2024 CLG Grant

   The Commission discussed this option and will consider applying at its November meeting.

6. Review and Approval of the Minutes of the August 8th Meeting

   Maggie Boone moved to approve the minutes as drafted; Phil Zea seconded the motion. The motion to approve the minutes passed (4-0).

7. Other Business

   - Phil Zea will prepare a short post/summary of the Jones Circle project which we will distribute as required by our grant agreement.
   - Maggie Boone and Linda Cook staffed a booth at the Norwich Historical Society's Antique Show (September 16th) which was well received and gave them an opportunity to discuss our work with the public.
   - NHS and NHPC offered a walking tour of Union Village on September 17th, which was overbooked/had strong interest. It also led to donations to NHS of items/documents related to Union Village.
   - The NHPC, before the next meeting, will look at the website and make sure all of the links are working/see if any updates should be made.
   - The NHPC continues to need additional commissioners.

8. Next Meeting

   The group selected **Thursday, November 16th at 8:30 a.m**. as its next meeting date/time at the NHS.

9. Adjourn

   Maggie Boone moved to adjourn the meeting.
   Phil Zea seconded the motion.
   The motion to adjourn passed unanimously (4-0) and the meeting was adjourned at 10:03 a.m.

Prepared by Jess Phelps, Clerk

**Energy- & Climate-Related Zoning Bylaw Proposals**

**Transportation**

- Parallel to the Commercial Building Energy Standards, implement an "EV Ready" standard that requires all new residential construction to have panel capacity and conduit in place to charge electric vehicles and establish minimum parking requirements for exclusive EV use (see Attachment 1).
- Require parking garages to have at least 20% of spaces served by charging outlets at construction and an additional 20% every 5 years hence.
- Discourage vehicle use in downtowns/village centers by eliminating or reduce minimum parking requirements for multi-family housing and commercial developments. Require shared parking with compatible uses.
- Do not permit new gas stations, fuel depots or pipelines.
- Require new public buildings over an occupancy of a certain size on Federal-aid secondary (FAS) roads to have a dedicated transit stop either built, or required to be built later based on the situation (such as when transit is established), if distant from an existing stop.
- Require uses to interconnect sidewalks for pedestrian access, or to construct such access when adjacent uses develop.
- Use the official map provision in 24 VSA 4421 to lay out alleys, paths and new roads to minimize vehicle trips.

**Land use**

- Amend land use regulations to allow or (even require) higher density development. These amendments could include increasing building heights, reducing setbacks, eliminating restrictions by unit (for example units/acre) in areas with sewer and water, and allowing mixed land use. Density in areas with sewer and water should be at least 4 units/acre but really has no practical upper limit beyond what builders will build. Maximum densities can also be coupled with minimum densities – you can't build fewer than 4 units/acre. Bonus units can be given to development that meets affordable housing goals.
- Allow accessory dwelling units ("ADU") beyond the statutory minimum. This could include provisions for more than one ADU, exemption from permitting for ADUs (that met standards) to create additional legal ADUs compatible with residential neighborhoods.
- Limit short term rentals if interfering with housing supply.
- Enact maximum floor space limits for residential construction to minimize energy use.
- Protect forest blocks through mandatory conservation subdivision standards and maximum setbacks from lot lines.

**Buildings**

- Require as part of Certificate of Occupation for construction or renovation of residential units a disclosure of expected annual energy use.
- Regulate internal thermal systems in new construction so that primary heat systems may not be run on fossil fuels, but must use a renewable heat source like Burlington.
- Update land use regulations to require a Certificate of Occupancy, if not already required.
- Consider adopting the "stretch" code for all new construction.

- Ensure that all permit applicants receive a copy of the RBES Handbook, and that all completed projects file an RBES Certificate (tied to CO where one exists).
- Require that new construction be net-zero by 2030.
- Ensure that all permit applicants receive information on HERS and how it can be used to meet RBES, as well as information on Efficiency Vermont's Residential New Construction Program and Commercial New Construction Program.
- Require demolition permits with reasonable salvage standards.
- Limit outdoor lighting.

**Electricity**

- Adopt solar-ready standard (see Attachment 2).
- Require 200-amp service for new residential construction or when replacing the service panel.

**Stormwater/Water Conservation**

- Have a standard that requires installation of rainwater collection systems for landscaping or aquifer recharge.
- Require water efficient fixtures and appliances in all new construction and renovation.

**Shading/Carbon Sequestration**

- Require no net decrease in carbon sequestration between pre- and post-construction (this would involve on- or off-site mitigation at times).
- Require deciduous shade trees and proper placement to shield buildings from summer heat.
- Require east-west parking aisles with tree breaks for shade and stormwater retention.
- Require trees in mobile home parks and other development
- Limit tree cutting to envelopes in subdivision and development review
- Regulate the cutting of mature trees in more dense areas.
- Establish standards that retain minimum canopy cover and minimize removal of native soil, ground cover, and shrubs.

**Energy- & Climate-Related Ordinance Proposals**

**Buildings**

- Adopt a Home Energy Ordinance, such as in Montpelier, requiring sellers to provide buyers with information on a home's energy use at the time of sale.
- Establish a policy or ordinance requiring landlords to provide an energy disclosure, a statement of previous occupants' energy usage and expenses, when advertising and leasing properties.
- Develop and adopt a rental housing energy efficiency policy requiring single family and multi-family rental housing properties to meet minimum energy efficiency levels to qualify for rental licensing and/or requiring landlords to weatherize their buildings (see Burlington example).

**Attachment 1: EV-Ready Standard**

For new one- and two-family housing and accessory dwelling units (ADUs), one Level 1 (see below) parking space is required with an accessible socket. For multifamily developments of 3 or more dwelling units, 20% of parking spaces (rounded up to the nearest whole number) must have a socket installed capable of providing either a level 1 or level 2 charge (see below) within 5 feet of the centerline of the parking space, and shall install sockets for remaining spaces at least 20% of spaces every 5 years. All conduit and electrical service must be in place at time of construction to enable later installation of actual charging stations ~~later with ease~~.

- Level 1 Electric Vehicle Charging Parking requires one 120V 20-amp grounded AC receptacle, NEMA 5- 20R or equivalent, within 5 feet of the centerline of each EV Charging Parking Space.
- Level 2 Electric Vehicle Charging Parking requires one 208/240V 40-amp grounded connection for electric vehicle charging through dedicated EVSE with J1772 connector or AC receptacle, NEMA 14-50, or equivalent, within 5 feet of the centerline for each EV Charging Parking Space.

Construction documents shall indicate that these EV-Ready requirements have been met.

The following exemptions do not need to comply:

1. Parking spaces intended exclusively for storage of vehicles for retail sale or vehicle service.
2. Parking spaces that are separated from the meter by a public right-of-way, such as a road.
3. Parking spaces which are limited to parking durations of less than an hour.

**Attachment 2 – Solar-Ready Standard**

**Residential New Construction**

1. **Solar-Ready Roof Zone**

New detached one- and two-family dwellings (including ADUs), and multiple single-family dwellings (townhouses) with not less than 600 ft2 (55.74 m2) of roof area must comply.

The following are exceptions to the Solar-Ready Roof Zone requirement:

A. New residential buildings with a permanently installed on-site renewable energy system.

B. A building with a solar-ready roof zone that is shaded for more than 70% of daylight hours annually.

C. Buildings with possible location(s) for ground-mounted systems identified in the submitted construction documents. Buildings claiming this exception must install appropriate electrical conduit to the site of the proposed ground-mounted solar array.

2. **Construction Document Requirements for Solar-Ready Roof Zone**

Construction documents shall indicate the solar-ready roof zone where applicable.

3. **Solar-Ready Roof Zone Area**

The total solar-ready roof zone area shall consist of an area not less than 300 ft2 (27.87 m2) exclusive of mandatory access or set-back areas, and must be oriented between 110° and 270° of true north. New multiple single-family dwellings (townhouses) three stories or less in height above grade plane and with a total floor area less than or equal to 2,000 ft2 (185.8 m2) per dwelling shall have a solar-ready roof zone area of not less than 150 ft2 (13.94 m2). Multifamily buildings should maximize the solar-ready roof zone by consolidating mechanicals, access, set-back areas and other roof obstructions with a goal of 40% of the roof area available for the solar-ready roof zone. The solar-ready roof zone shall be composed of areas not less than five feet (1,524 mm) in width and not less than 80 ft2 (7.44 m2) exclusive of access or required set-back areas.

For ground-mounted exceptions, possible locations of the panels must be identified in the submitted construction documents and be supported by a solar site evaluation. At least one potential location must be identified in the construction documents for the future installation of the panels.

4. **Obstructions**

Solar-ready roof zones shall consist of an area free from obstructions, including but not limited to vents, chimneys, and roof-mounted equipment.

5. **Roof Load Documentation**

The structural design loads for roof dead load and roof live load to support the solar system shall be clearly indicated on the construction documents.

6. **Interconnection Pathway**

Construction documents shall indicate pathways for routing of conduit (or plumbing for solar thermal systems) from the solar-ready roof zone to the electrical service panel or service hot water system. Alternatively, install two 1" minimum diameter EMT conduits from the main electrical panel location to the attic or other area easily accessible to the solar array's proposed location. Conduits for future solar installations are to be capped, airtight and labeled at both ends.

7. **Electrical Service Reserved Space**

   The main electrical service panel shall have a reserved space to allow installation of a dual pole circuit breaker for future solar electric installation and shall be labeled "For Future Solar Electric." The reserved space shall be positioned at the opposite (load) end from the input feeder location or main circuit location. Note: this requirement is in addition to the electrical service reserved space for electric vehicle charging.

**Commercial New Construction** must be Solar-Ready as defined in Appendix CA of the 2020 Vermont Commercial Building Energy Standards (CBES) or later addition of the Vermont CBES, if applicable.

Norwich PC Minutes -9/12/23

Members Present: Ernie Ciccotelli, Vince Crow, Jeff Goodrich, Stuart Richards, Jaan Laaspere, Bob Pape, Kris Clement

Public: Lisa Close

Meeting Opened: 6:46 pm

1. Approve Agenda:

Goodrich moved, seconded by Ciccotelli, to approve the agenda.

**Motion passed 7-0**

2. Public Comment on items not on the agenda

Lisa Close stated that she is interested in establishing regulations that focus on nature and its inhabitants regarding development, focusing on preserving what we have.

3. Correspondence
   Consensus was met to hold a special meeting regarding the proposed solar project at 249 Bragg Hill Rd on 9/19/23 at 6 pm. This will allow public input on the proposed solar project.

4. Chair Report
   Laaspere stated that moving forward the PC should focus on the task at hand and with regard to the power of the PC.

5. Subcommittee updates
   a. Solar Siting Committee

   Clement stated that focus of the Solar Siting Committee is to keep up to date with evolving laws and regulations and how that affects the town plan and land use regulations.

   Goodrich encouraged the subcommittee to add members outside of the PC to utilize members of the public with skills and knowledge of the subject.

   Laaspere stated that the group had planned to add more members but as it became less formal as an advisory committee as there is no voting involved.

   Ciccotelli stated that this subcommittee is about collecting ideas and bringing them to the PC.

Laaspere stated that adding additional members could still happen in the future and reiterated that the goal is to maximize public input.

b. Land Use
Richards stated that the main focus at this point is determining the process to make the appropriate changes to the town plan and the land use regulations.

Pape stated that he is in the process of creating an editable version of the town plan that the group can use to make proposed edits.

Laaspere stated the group need to focus on specific parts of the town plan and be focus on the work in those areas.

Goodrich encouraged reaching out to other group throughout the Upper Valley for their input and embrace the broader community.

Laaspere stated that the subcommittees need to define and create a boundary around their first stage of work.

6. Planning & Zoning files

Laaspere explained that screenshots of folders of the available planning and zoning files were included in the packet and solicited requests for specific files based on that information.

Goodrich requested a copy of the original town plan with graphics and maps as well as the recent Land Use Regulation updates.

7. Planning Commission staff

Consensus was met to encourage members of the PC to attend the next SB meeting on 9/27 to discuss the chair's memo regarding the open staff position, specifically Job Title, Job Description, and hiring process.

8. Planning Commission work plan
Laaspere stated that is receiving positive feedback after reaching out to the DRB, Conservation Commission, Energy Committee and Listers for input in the work of the PC. He also encouraged members of the PC to attend an upcoming meeting of the Historic Preservation Commission on 9/28 at the request of the HPC Chair.

9. Approve minutes

Pape moved, seconded by Clement, to approve August 8 & August 22, 2023 minutes

**Motion 6-0** (Goodrich abstained in absentia)

10. Public Comment

N/A

11. Adjourn

Crow moved, seconded by Pape, to adjourn the meeting at 8:42PM
**Motion passed 6-0** (Goodrich abstained in absentia)

**Future Meetings:**

**Special Meeting - 249 Bragg Hill Rd Solar Project – 9/19/23 at 6pm via Zoom**
**PC Meeting – 10/10/23 at 6:30pm at Tracy Hall (also accessible via Zoom)**

Minutes by Vincent Crow on 9/14/23

Norwich PC Special Meeting Minutes -9/19/23

Members Present: Vince Crow, Jaan Laaspere, Bob Pape, Kris Clement

Public: Kathleen Shepard, Bob Gere, Linda Gray, Mary Albert

Meeting Opened: 6:03 pm

1. Approve Agenda:
   Clement Moved, seconded by Pape, to approve the agenda
   Motion passes 4-0

2. Review 249 Bragg Hill Rd Hennessey net-metering PV application.

   Laaspere summarized that the meeting is regarding a net-metering application for a 50 kW solar array on the Hennessey property on Bragg Hill road.

   He also stated that this project appears to qualify as a Category 2 net-metering system which means ground mounted, more than 15kw, less than 150kW and sited on a preferred site.

   The preferred site designation comes from the PUC regulations [5.100] and has nothing to do with the town plan or the Planning Commission's discretion. One criteria for preferred site designation is to have at least 50% of the system's electrical output used by the landowner or an adjoining landowner. This application states that 100% of the electricity will be used on site.

   He continued stating that the Planning Commission can intervene and ask for party status, which would give the PC the right to appeal the PUC decision and be notified of all activity. However, there would need to be substantive issues to justify an appeal.

   The group had consensus that the application straightforward and accurate, and did not require any action by the PC at this time.

3. Adjourn

Draft Minutes by Vince Crow on 9/21/23