

## **Norwich Planning Commission Regular Meeting – January 9, 2024 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: January 9, 2024, 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
  - a. Source Protection Plans [[packet](#)]
    - i. King Arthur Flour, November 13, 2023
    - ii. Child Care Center of Norwich, October 13, 2023
  - b. Email from Lily Trajman, Town Clerk/Response Jaan Laaspere [[packet](#)]
4. Chair notes
  - Listers letter on consolidation [[packet](#)]
  - Solar project – 150kW - 557 New Boston Rd – Feb meeting
  - Mapping initiative
  - AHSC – New Boston Rd planning grant – public hearing early Feb
5. Norwich Farmer's market
6. PD/ZA Candidates
7. Subcommittee updates
  - Multi-modal transportation
  - Solar siting
  - Land Use – included in next agenda item
8. TRORC Town Plan review [[TRORC memo](#)]
9. Approve minutes of December 12, 2023 [[packet](#)]
10. Public comment
11. Adjourn



**KING ARTHUR™**  
- BAKING COMPANY -

November 13, 2023

Dear State, Local and Regional Officials,

As required by the State of Vermont, King Arthur Baking (KAB) is preparing the three-year update to the existing approved Source Protection Plan to protect our drinking water well. KAB is being assisted by Engineering Ventures, PC to update this plan. The purpose of the Source Protection Plan is to identify potential contaminants and to manage and maintain the quality and quantity of our public drinking water source.

Enclosed is a map showing the approved Source Protection Area for the well serving the employees and customers at King Arthur Baking -- a Non Transient, Non Community Public Water System. A Source Protection Area consists of the surface and subsurface area from or through which contaminants are likely to reach a water supply source. Land use activities located in the Source Protection Area have the potential to adversely impact water quality of the associated wells. If the ground water that supplies our well becomes contaminated, it may be impossible to eliminate the contamination so that the source can continue to be used for drinking water. We are proactively trying to protect our water source by maintaining a Source Protection Plan of which this letter of notification is a part.

We are contacting you to request your ongoing assistance in protecting this public water supply. There are a number of ways in which your agency may be able to help with protection that can help reduce the possibility of contamination of the water supply. For example, please keep us informed of any related land use decisions or permitting issues and involve us in the planning and decision process where it is deemed appropriate.

On behalf of the drinking water system, I would like to thank you for your ongoing attention to this matter. If you have any questions, please contact King Arthur Baking.

Sincerely,

James Kirkpatrick  
DIRECTOR OF FACILITIES & ENVIRONMENTAL SVCS  
(802) 299-2240 Ext. 252

Enclosure: KAB - Source Protection Area Maps



FIGURE 2  
1000-Foot Interference Monitoring Radius for Replacement Well (KAF Well #2)  
King Arthur Flour Water System, WSID #21303, Norwich, Vermont



### LEGEND

- Parcels (standardized)
- Parcels (non-standardized)
- Roads
  - Interstate
  - Principal Arterial
  - Minor Arterial
  - Major Collector
  - Minor Collector
  - Local
  - Not part of function Classification S
- Waterbody
- Stream
- Town Boundary

Farm Stand Well  
Existing Water Supply

### NOTES

Map created using ANR's Natural Resources Atlas

254.0 0 127.00 254.0 Meters

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© Vermont Agency of Natural Resources

1" = 417 Ft. 1cm = 50 Meters  
THIS MAP IS NOT TO BE USED FOR NAVIGATION

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Child Care Center in Norwich  
PO Box 69  
Norwich, VT 05055

October 13, 2023

Dear State, Local and Regional Officials,


As required by the State of Vermont, the Child Care Center in Norwich (CCCN) water system (WSID# 6212) is preparing the three year update to the existing approved Source Protection Plan to protect our on-site drinking water source. CCCN is being assisted by Engineering Ventures, PC to update this plan. The purpose of the Source Protection Plan is to identify potential contaminants and to manage and maintain the quality and quantity of our public drinking water source.

Enclosed is a map showing the approved Source Protection Area for the drilled bedrock well serving Child Care Center in Norwich – a Non Transient, Non Community Public Water System. A Source Protection Area consists of the surface and subsurface area from or through which contaminants are likely to reach a water supply source. Land use activities located in the Source Protection Area have the potential to adversely impact water quality of the associated wells. If the ground water that supplies our well becomes contaminated, it may be impossible to eliminate the contamination so that the source can continue to be used for drinking water. We are proactively trying to protect our water source by maintaining a Source Protection Plan of which this letter of notification is a part.

We are contacting you to request your ongoing assistance in protecting this public water supply. There are a number of ways in which your agency may be able to help with protection that can help reduce the possibility of contamination of the water supply. For example, please keep us informed of any related land use decisions or permitting issues and involve us in the planning and decision process where it is deemed appropriate.

On behalf of this drinking water system, I would like to thank you for your ongoing attention to this matter. If you have any questions, please contact Child Care Center in Norwich.

Sincerely,



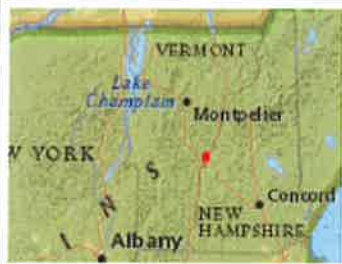
Lisa Sjostrom, Executive Director  
Child Care Center in Norwich  
802-649-1403

Alka Dev, Health Officer  
Town of Norwich  
PO Box 376  
Norwich VT 05055

Kevin Geiger  
Two Rivers – Ottauquechee Reg Com  
128 King Farm Rd  
Woodstock VT 05091

Erin Stewart  
Groundwater Coordinator, Hydrogeologist  
Drinking Water & GW Protection Div.  
1 National Life Drive – Davis 4  
Montpelier VT 05620-3521

Mike Burke  
Green Mountain Power  
163 Acorn Lane  
Colchester, VT 05546



## LEGEND

- Parcels (standardized)
- Roads
  - Interstate
  - US Highway, 1
  - State Highway
  - Town Highway (Class 1)
  - Town Highway (Class 2,3)
  - Town Highway (Class 4)

## NOTES

Map created using ANR GIS mapping technology.

1: 4,310

December 18, 2020



219.0 0 110.00 219.0 Meters

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© Vermont Agency of Natural Resources

1" = 359 Ft. 1cm = 43 Meters  
THIS MAP IS NOT TO BE USED FOR NAVIGATION

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**From:** Jaan Laaspere <laaspere.planning@gmail.com>  
**Sent:** Monday, December 18, 2023 9:08 AM  
**To:** Norwich Town Clerk <Clerk@norwich.vt.us>  
**Cc:** Planner <planner@norwich.vt.us>  
**Subject:** Re: Response to 12/12/23 PC meeting

Lily,  
Thank you very much for the information. We will forward it to PC members and include it in the next packet.

My inquiry into on-line land records was related to the project of getting our zoning and planning maps into more accessible format and my attempt to understand the overall situation of on-line town information. I want to make use of other departments' learning on the topic to avoid duplication and inefficiency. For example, it may be simplest to create on-line zoning maps using the Lister's contractor for the parcel map.

I did not understand or agree with comments made during the recent PC meeting relative to access to land records through the Clerk's office. I have no concerns about access to town records and have not seen this to be a problem related to any PC work. I had heard in Selectboard meetings about your efforts to make as many records as possible available on-line and wholeheartedly support you in this effort.

Kyle can add any thoughts he may have relative to the needs of the ZA position and the DRB on the topic of land records and the Town Clerk's office.

Thank you for all the good work you are doing to improve our systems and practices.

Best regards,  
Jaan

On Fri, Dec 15, 2023 at 4:02 PM Norwich Town Clerk <[Clerk@norwich.vt.us](mailto:Clerk@norwich.vt.us)> wrote:

Kyle and Jaan –

I would appreciate it if you would share this with the Planning Commission.

In response to Jeff Goodrich's comments at around 26:30 and Ernie Ciccotelli's comment at 29:56, the clerk's office has land records online, indexed, and searchable back to 1983. They are accessible at <https://recordhub.cottsystems.com/NorwichVT/Portal/SearchSites/Index?OrganizationId=168>. Many plats are scanned and indexed online. If members of the PC want a particular deed or map they can send me the book and page or map number, and I'm happy to email it to them.



Furthermore, Tracy Hall is not in “lockdown.” The Clerk’s office has chosen to continue our COVID-era policy of requiring appointments for land records research because 1) we have only one research computer and 2) we have a small vault. If you show up and we don’t have another researcher already scheduled, you’re welcome to do your work. All it takes to make an appointment is an email to Judy at [clerk2@norwich.vt.us](mailto:clerk2@norwich.vt.us).

Finally, I don’t know what the previous policy was for doing research for the PC, but the Clerk’s office is not insured for errors and omissions related to title research. You can email us with a book and page or map number – as I said above, you can find these indexed online at the Cott systems link – and we will email or print a copy of the relevant document for you. We cannot search for documents related to a specific property for you.

The FY25 budget contains \$20,000 for the Clerk’s office to purchase a large format book supported scanner that will also allow scanning of flat documents such as plats. I’m happy to chat with you about getting the material you need online, and train one of your members in the use of the scanner if this would be helpful.

Lily Trajman (she/her)

Norwich Town Clerk

802.649.1419

[clerk@norwich.vt.us](mailto:clerk@norwich.vt.us)

Please note that this email message, along with any response or reply, is considered a public record, and thus is subject to disclosure under the Vermont Public Records Law (1 V.S.A. §§ 315-320).



**From:** Jaan Laaspere <laaspere.planning@gmail.com>

**Sent:** Tuesday, December 19, 2023 1:33 PM

**To:** Cheryl Lindberg <CLindberg@norwich.vt.us>; Pam Mullen <PMullen@norwich.vt.us>

**Subject:** Re: Memo to prior Zoning Administrator

Thank you, Cheryl. We will discuss at the next PC meeting and will let the Listers know our thoughts.

Pam, please include this memo in the packet for 1.9.24.

Jaan

On Tue, Dec 19, 2023 at 11:43 AM Cheryl Lindberg <[CLindberg@norwich.vt.us](mailto:CLindberg@norwich.vt.us)> wrote:

Hi Jaan,

As Chair of the Planning Commission, the Listers want to pass along a memo that was sent awhile ago to the then Zoning Administrator regarding a matter that was and remains a serious concern to the group that signed the memo. NO response was ever received by them from the Zoning Administrator and we believe it is important that the Planning Commission be aware of the concern. This discrepancy affects the work of the Listers office when a property owner chooses to merge two parcels by deed and the Town Zoning office believes they need DRB approval because it is considered a Boundary Line Adjustment. The Listers will merge the parcels while the Zoning office will not, thus two different sets of parcel data are being maintained by the same Town.

Let me know if you have any questions.

Cheryl

Cheryl A. Lindberg, Chair

Board of Listers

Norwich, VT

Any response to this email is subject to disclosure under the Vermont Public Records Act.

TO: ROD FRANCIS, ZONING ADMINISTRATOR  
FROM: JACK CANDON,  
GROSSMAN, RIPPS & ALBERT  
KATHLEEN CAMPBELL for COMMONWEALTH TITLE INSURANCE  
PETER J. DESMEULES  
BROOKE H. TROTTIER  
DATE: MARCH 4, 2022  
RE: CONSOLIDATION DEED AS SUBDIVISION

Rod:

When asked about Town permits necessary for consolidating parcels into a single parcel, you indicated in your email of February 9 such a transaction would require DRB approval as a subdivision.

In short my answer is that a merger does require DRB approval.

See section 2.9 of the Norwich Subdivision Regulations (Page 4, the call-out box definition).

Boundary Line Adjustment: Adjustments of boundary lines in which there is a sale, conveyance or which does not increase the number of parcels of land. (Also known as an Annexation).

See also Norwich Subdivision Regulations Article 5, Definitions (Page 31).

Boundary Line Adjustment: A change in the boundary line between adjacent lots in which there is a sale, conveyance or exchange of land that does not increase the number of parcels of land. (Also known as an Annexation).

When I read these 2 almost identical definitions together I conclude that you need to go before the DRB to merge the parcels.

We disagree. Strongly.

A subdivision is, by definition, dividing an existing parcel into two or more parcels. Chapter 117 of Title 24 gives towns the authority to regulate some of the issues of subdivision. The Norwich regulation recognizes that not all acts impacting the division of a property rise to the level of a real subdivision requiring municipal review and approval. In the case of Norwich, boundary line adjustments and annexations, which would otherwise arguably be a subdivision are recognized as NOT triggering subdivision review. They are exceptions to subdivision; however, to even be *considered*, there needs to be a subdivision in the first instance.

Consolidation - the act of merging two or more lots into a single parcel - is the **opposite** of a subdivision.

- There is no authority delegated to the Town by the State to regulate consolidation.
- Consolidation is not mentioned in the Norwich Regulations.
- No criteria exists for municipal review to determine the veracity of a consolidation

There is no authority, express or implied in the Town Regulations, and no authority delegated to the municipality to review and regulate consolidation of parcels.

Consolidation of parcels has been a fact in Norwich and across the State of Vermont without municipal review for years and hundreds of consolidation deeds are of record. For the town to now take the position that municipal review - under the subdivision regulations - is required, besides being unsupported in law or fact, would create title challenges which would cause irreparable harm.

Consolidation of parcels is the **opposite** of subdivision and municipal review of an act which is not subdivision cannot be forced under the subdivision regulation. As Kathleen Campbell, the Vermont director of Commonwealth Title noted, in the years she's worked in Vermont, she has not heard or encountered where such a position has been taken by a town zoning administrator. None.

Commonwealth Land Title

Grossman, Ripps & Albert, PLLC

By: Kathleen Campbell

By: Daniel F. Grossman

Peter J. DesMeules

Brooke H. Trottier

Jack Candon



## MEMO

TO: The Norwich Planning Commission

FROM: Kyle Katz

CC: Peter G. Gregory, Brennan Duffy, Jaci Allen, Brian Loeb

DATE: 11/28/2023

RE: Review of Norwich Town Plan

Thank you for providing us with the opportunity to review the Norwich 2020 Town Plan. We have looked at the Plan primarily to evaluate how the Plan addresses statutory requirements. We have also reviewed the Plan to see whether it meets the criteria for Enhanced Energy Planning. Overall, the Plan is well-written, organized, and thorough. The Plan is also very approachable. At only 65 pages, the Norwich 2020 Town Plan is more concise than a typical town plan, making it a more accessible read for residents. Furthermore, several of the issues raised in the last Plan review appear to have been addressed prior to Plan adoption. If the Plan were to be revised, there are a few areas that would need some work, but these are relatively minor. This is true for the Enhanced Energy Plan criteria as well.

We recommend the following be better addressed the next time the Plan is updated:

**24 VSA 4302 (c)(3)** *“To broaden access to educational and vocational training opportunities sufficient to ensure the full realization of the abilities of all Vermonters.”*

- This criteria is only partly addressed. Objective 7-2.f restates the state planning goal. It would be beneficial to provide some language in the narrative in which some of the local vocational training opportunities are described in more detail, similar to what has been provided with educational facilities and childcare in the Facilities and Services chapter.

**24 VSA 4302 (c)(6)** *“To maintain and improve the quality of air, water, wildlife, mineral, and land resources should be planned for use and development according to the principles set forth in 10 V.S.A § 6086(a).”*

- Air quality is not clearly addressed. The preservation of air quality is only mentioned in relation to the use of cleaner fuels in the energy section. Adding a sentence or two on protection of air quality and its connection with forests or smart land use policy is one way to tie this in.
- Mineral resources are not addressed. This is typically addressed through a policy on mineral or resource extraction or sources for sand and gravel in the land use chapter.
- Wildlife resources are not mentioned in the narrative of the plan. However, the plan contains several policies on the preservation and maintenance of habitat connectors, implying the preservation of land for wildlife. A sentence on the benefits of forest blocks and habitat connectors for wildlife should suffice in section 2.6 (Forest Blocks and Habitat Connectors).

**24 VSA 4302 (c)(11)(D)** *“Accessory apartments within or attached to single-family residences which provide affordable housing in close proximity to cost-effective care and supervision for relatives, or persons who have a disability should be allowed.”*

- This criteria is partially addressed. Accessory dwelling units are encouraged (4-3.g), though the plan does not specify that they are allowed within or attached to single-family residences or that they be in close proximity to cost-effective care and supervision for relatives/elderly. 4-3.g could be modified, or a new policy could be added to say the following: *Affordable accessory dwellings within or attached to single-unit homes and in proximity to health services and other amenities are encouraged.*

**24 VSA 4382 (a)(4)** *“A utility and facility plan, consisting of a map and statement of present and prospective community facilities and public utilities showing existing and proposed educational, recreational and other public sites, buildings and facilities, including hospitals, libraries, power generating plants and transmission lines, water supply, sewage disposal, refuse disposal, storm drainage, and other similar facilities and activities, and recommendations to meet future needs for community facilities and services, with indications of priority of need, costs, and method of financing.”*

- This is mostly covered in the Utilities and Facilities chapter. However, recommendations of future needs must still be explored and prioritized even if no improvements are currently planned. These needs can range from new emergency vehicles, energy upgrades, digitization of records, building upgrades, and wastewater services among others. Prioritizing future needs, as well as the cost and possible methods of financing for those needs, must be included in the next update.

**24 VSA 4382 (a)(8)** *“A statement indicating how the plan relates to development trends and plans for adjacent municipalities, areas, and the region developed under this title.”*

- This criteria is mostly addressed in the Land Use chapter, where it is stated that no changes to zoning districts or land use policies will impact Sharon or Thetford. The “Neighboring Towns” section on page 10 should include Hartford as well. Compatibility with the regional plan is covered on page 10.

**24 VSA 4382 (a)(9)** *“An energy plan, including an analysis of energy resources, needs, scarcities, costs, and problems within the municipality, a statement of policy on the conservation of energy, including programs, such as thermal integrity standards for buildings, to implement that policy, a statement of policy on the development of renewable energy resources, a statement of policy on patterns and densities of land use likely to result in conservation of energy.”*

- This criteria is mostly addressed in the Energy chapter of the plan. The Energy chapter does a decent job of defining the various energy types, and the energy needs in Norwich. However, cost is only discussed in the Energy chapter in relation to the cutting of trees for new solar. There is no need to be highly detailed, but where appropriate the costs associated with various energy sources should be considered in the analysis.

**24 VSA 4382 (a)(10)** *“A housing element that shall include a recommended program for public and private actions to address housing needs as identified by the regional planning commission pursuant to subdivision 4348a(a)(9) of this title. The program should use data on year-round and seasonal dwellings and include specific actions to address the housing needs of persons with low income and persons with moderate income and account for permitted residential development as described in section 4412 of this title.”*

- This element has recently been revised and was included in the Home Act that was signed into law this year. As this is such a recent change, the new requirements for this criteria are still forthcoming, so a future update to the town plan will need to incorporate the new requirements when they become available.

## **Enhanced Energy Plan Criteria**

**Criteria 10:** *Does your plan’s energy element assess the potential equity impacts of the policies and objectives included to meet standards 6-9?*

The plan recognizes and supports “renewable energy production” but also understands that this support “must be balanced with” other policies in the Plan. This includes “Increasing the supply, diversity and affordability of housing in Norwich” and “Maintaining viable farms and the working lands needed to sustain them.” Therefore, there is an understanding that renewable energy cannot come at the expense of other priorities, such as affordable housing and viable farms and working lands (P.28). A more explicit assessment on equity impacts should be provided in the energy chapter narrative. As an example, there could be discussion of how weatherization initiatives help lower-income residents to reduce energy costs and increase the efficiency of their homes.

Thank you again for the opportunity to provide comments on the Plan. We appreciate the Plan’s clarity and organization and believe the recommendations we have provided could be effectively incorporated into the next Plan update. Please reach out if you have any additional questions.



## Norwich PC Minutes 12/12/23

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

Public: N/A

Meeting Opened: 6:33 pm

### 1. Approve Agenda:

Goodrich moved, seconded Clement, to approve the agenda.

**Motion passed 7-0**

### 2. Public Comment on items not on the agenda

N/A

### 3. Correspondence

Laaspere stated that the AHSC proposed planning grant application was submitted to the SB for approval.

### 4. Chair Report

Laaspere stated that planning and zoning documents as well as reference files continue to be added to the planning section of the town website and that it appears to be an effective solution moving forward, garnering support from the SB and the Town Manager.

Laaspere stated that the job listing for Zoning Administrator has a deadline of 12/14/23 for applications. At the time of the meeting there were no applicants.

Goodrich suggested that the chair reach out to Tom Yennerel, who has helped nearby towns in the past regarding similar open positions.

Laaspere stated the importance of improving maps in the zoning bylaws as they are tools for the PC and DRB. The two options for improved maps would be to use an overlay of the listers map, New England Municipal Resource Center (NEMRC) or to use data from the Vermont Center for Geographic Information (VCGI).

The PC Chair will discuss the two options with TRORC and have a concrete proposal for the next step by the January PC meeting, which was supported by the group via consensus.

Ciccotelli stated that it is a good time to encourage the Town Clerk to digitize archives and make all files available online, which would enable creation of advanced maps easier.

Goodrich and Richards both expressed frustration that the public files are difficult to access in person and that rules regarding scheduled appointments should be changed.

The group discussed developing an editable Word document version of the Town Plan, but the original documents are unavailable.

Goodrich recommended that in the future TRORC should maintain the base data.

## 5. Land Use Subcommittee

Consensus was met that each subcommittee should have a focused project in order to stay on task.

The group discussed updating certain ambiguous language in the Town Plan and Zoning Regulations when necessary, in order to stay current with recently updated laws as well as aid the DRB in their role.

Laaspere recommended looking at the recently updated zoning regulations in Thetford as a guide.

The PC will review recommendations from Kyle Katz (included in the packet) regarding suggested changes to the Town Plan and discuss them at the next meeting.

## 6. Subcommittee Updated

The Multi-Modal Transportation subcommittee and the PC chair submitted the AOT survey regarding the Route 5 Bicycle Corridor on 11/17/23, indicating that the PC is supportive of a future planning study and that improving bicycling conditions on Route 5 is very important. The MMTSC will determine a 6 month plan in an upcoming meeting.

The Solar Siting Subcommittee will develop an Enhanced Energy Plan that will modify the Town Plan to align with current regulations. and will present to the PC at the next meeting.

## 7. Approve minutes

Goodrich moved, seconded by Pape to approve the 11/7/23 meeting minutes with changes discussed.

**Motion passed 6-0** (Clement abstained)

## 8. Adjourn

Goodrich moved, seconded by Richards, to adjourn the meeting.

**Motion passed 7-0**

**Future PC Meeting – 1/9/24 at 6:30pm at Tracy Hall (also accessible via Zoom)**

Minutes by Vincent Crow on 12/14/23