

Norwich Planning Commission
SPECIAL meeting – June 16th, 2026, 6:30pm

To be Held in person in the Tracy Hall Multipurpose Room and via Zoom

Zoom Information:

Topic: Planning Commission Regular Meeting

Time: June 16th, 2026, 6:30 PM

<https://us02web.zoom.us/j/81307504748>

Meeting ID: 813 0750 4748

888 475 4499 US Toll-free

AGENDA

1. Open Meeting; determine quorum
2. Approve Agenda
3. Public comment or correspondence on items not on agenda
4. Chair's report
 - a. STR interim bylaw
 - b. Energy chapter
 - c. Bike/Ped Grant application
5. Planning Commission Bylaws, discussion, possible motion
6. Village Master Plan update
7. Land Use Chapter
8. Approve minutes from May 12th, 2026
9. Adjourn

Enclosures:

Planning Commission Bylaws adopted 2021

Planning Commission Rules of Procedure and Conflict of Interest Policy DRAFT

2020 Norwich Town Plan Land Use Chapter

Minutes from May 12th, 2026

PLANNING COMMISSION
Rules of Procedure
and
Rules of Ethics with Respect to Conflicts of Interest

Section I: Authority.

The Planning Commission of the Town of Norwich hereby adopts the following rules of procedure in accordance with 24 V.S.A. § 4461(a) and 1 V.S.A. §§ 312(e), (f), and (h).

Section II: Policy.

These Rules are adopted to ensure consistent and fair treatment of applicants and interested persons and participants, orderly and efficient public proceedings, and compliance with state and federal law. These Rules shall also ensure that no board member will gain a personal or financial advantage from their work for the board, so that the public trust in municipal government will be preserved.

Section III: Definitions.

A. "Commission" means the Planning Commission.

B. "Commission member" means a regular member of the Planning Commission.

C. "Conflict of interest" means any one of the following:

1. A direct or indirect personal interest of a Commission member, a spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother or sister-in-law, business associate, employer or employee, in the outcome of a cause, proceeding, application or any other matter pending before the Planning Commission.

2. A direct or indirect financial interest of a Commission member, a spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother or sister-in-law, business associate, employer or employee, in the outcome of a cause, proceeding, application or any other matter pending before the Planning Commission.

3. A situation where a Commission member has publicly displayed a prejudgment of the merits of a particular proceeding before the board. This shall not apply to a member's particular political views or general opinion on a given issue.

4. A situation where a board member has not disclosed ex parte communications with a party in a proceeding before the board, pursuant to Section XII of these Rules.

D. "Deliberative session" means a private session of the Commission to weigh, examine, and discuss the reasons for and against an act or decision, from which the public is excluded. There shall be no taking of evidence or submission of testimony, nor need a deliberative session be publicly noticed. By motion and majority vote, the board may enter deliberative session during a hearing to consider a matter before it.

E. "Executive session" means a session of a public body from which the public is excluded, pursuant to 1 V.S.A. § 313. Such private session may only be held for one of the reasons permitted by the statute, and no binding action may be taken in executive session.

F. "Ex parte communication" means direct or indirect communication between a member of the Planning Commission and any party, party's representative, party's counsel or any person interested in the outcome of any proceeding before the panel, that occurs outside of a public proceeding, and concerns the substance or merits of the proceeding.

G. "Official act or action" means any legislative, administrative or quasi-judicial act performed by any commission member.

H. "Public deliberations" means the weighing, examining, and discussing, in a public proceeding, the reasons for and against an act or decision, but expressly excludes the taking of evidence and the arguments of parties.

I. "Recuse" means to remove oneself from a particular board proceeding because of a real or perceived conflict of interest.

Section IV: Regular Officers.

The Planning Commission shall consist of nine regular members. After Town Meeting but prior to May 1, or at other times throughout the year as needed, the Planning Commission shall hold an organizational meeting and elect by majority vote, a Chair, Vice Chair and Clerk.

A. The Chair shall preside at all meetings, hearings, and deliberations, decide all points of order or procedure, and appoint members to any committee of the board. The Chair may administer oaths and may request the attendance of witnesses and the production of material relevant to any issue under consideration.

B. The Vice Chair shall assume the duties of the Chair whenever the Chair is absent, or at the Chair's request. The Clerk shall assume such duties whenever the Chair and the Vice Chair are absent, or at their request.

C. It shall be the duty of all members to review the minutes and other official records of Planning Commission meetings and actions, and correct and ratify these when appropriate and necessary.

D. The Clerk shall take minutes of all meetings, unless delegated to another member of the Planning Commission or staff.

Section V: Regular and Special Meetings.

Regular meetings to conduct business of the Planning Commission shall be held in the Town Offices at 6 p.m. on the third Wednesday of the month, or as warranted. The person serving as Chair may cancel meetings at any time.

A. Special meetings may be called by the Chair, provided at least 24 hours notice is given to each member and the time and place of each special meeting is publicly announced at least 24 hours before the meeting.

B. A quorum shall consist of a majority of the entire Commission.

C. Members may participate by telephone or videoconferencing as long as the absent member can hear everything that is occurring at the meeting and everyone present at the meeting can hear the member.

D. All meetings shall be open to the public unless the Commission, by two-thirds majority vote, has entered a deliberative or executive session. The Commission may only hold an executive session pursuant to the reasons permitted by 1 V.S.A. § 313, and only after a two-thirds majority vote to enter executive session. Members of the public may participate by videoconferencing and as provided in these rules.

E. There shall be an agenda for each meeting. Those who wish to be added to the agenda shall contact the Planning Commission Chair or staff to arrange for a convenient time. The Chair shall determine the content of the agenda.

F. All business shall be conducted in the same order as it appears on the agenda, except that by majority consent, the Chair may alter the order of items to be considered and/or the time allotted.

G. The Chair shall rule on all questions of order or procedure and shall enforce these rules pursuant to 1 V.S.A. § 312(h).

H. Speakers may participate throughout the meeting but only when recognized by the Chair. Such comment shall be limited to five minutes per speaker unless by majority consent the board sets a different time limit. The Commission shall apply consistent time limits to all recognized to speak. Each meeting shall have a period of time reserved for public comment. The Chair may extend or reduce this period of time as necessary.

I. Notice for hearings on the adoption, amendment, or repeal of bylaws and other regulatory tools shall be pursuant to 24 V.S.A. § 4444, as amended.

Section VI: Public Hearings and Order of Business.

Contested public hearings shall be conducted as quasi-judicial proceedings pursuant to 1 V.S.A. § 310(8)(B). Hearings shall be publicly noticed in accordance with 24 V.S.A. §§ 4464(a)(1) and (2), as amended. Hearings shall not exceed two hours in length unless approved by a majority of members present.

Public comment may be offered during the hearing with the permission of the chair. The Commission shall apply consistent time limits to all persons recognized to speak.

The Chair shall conduct hearings in the following manner:

A. Open the hearing by reading the warning of the hearing.

B. Review the order of events, remind all present that the proceeding will be conducted in an orderly manner, and make copies of these Rules available upon request.

C. Request disclosure of conflicts of interest and ex parte communications.

D. Review the definition of interested persons in 24 V.S.A. § 4465(b), and explain that, pursuant to 24

V.S.A. § 4471(a), only an interested person who has participated in this proceeding may take an appeal of any decision issued in this proceeding.

E. Ask all who believe they meet the definition of interested person to identify themselves and to provide contact information. The Commission shall not make any determination as to party status in all proceedings. Anyone seeking to participate in a proceeding may do so, subject to these Rules and those established by the Chair, without regard to whether they meet the definition of an interested person.

F. Direct the applicant or their representative and all interested persons to take the following oath: I hereby swear that the evidence I give in the cause under consideration shall be the whole truth and nothing but the truth under the pains and penalties of perjury.

G. Accept written information presented to the Commission.

H. Invite the applicant or applicant's representative to present such application or proposal.

I. Invite Commission members to ask questions of the applicant or applicant's representative.

J. Invite interested persons and members of the public to present their information regarding the application or proposal.

K. Invite the applicant or applicant's representative to respond to information presented.

L. Invite more questions or comments from members of the Commission.

M. Invite more questions from interested persons and members of the public.

N. Allow final comments or questions from the applicant or their representative or members of the Commission.

O. Upon motion and majority approval, the Chair shall either adjourn the hearing to a time certain, or close the proceedings by stating that this is the final public hearing on the matter.

P. Upon adjournment of a hearing, the Commission shall then conduct public deliberations, or may vote to enter deliberative session. See Section III-D of these Rules.

Section VIII: Site Visits.

Site visits shall be open to the public; however, no testimony shall be taken and no ex parte communication shall occur. Site visits shall be held pursuant to the following conditions:

A. If, prior to a hearing, the Chair determines that a site visit will be necessary, the site visit may be scheduled prior to the hearing. Such site visits shall be publicly noticed in accordance with 24 V.S.A. §§ 4464(a)(1), (2).

B. If necessary, the Commission may recess a hearing to conduct a site visit at a property which is the subject of an application before the board.

C. If necessary, the Commission may adjourn a hearing to a time certain to conduct a site visit at a property which is the subject of an application before the board.

D. The minutes of the proceeding shall reflect that a site visit was held, who was present, and the nature and duration of the site visit.

Section IX: Service List.

The Clerk or staff shall create a list of all individuals who participated. The list shall include those who participated orally and those who participated in writing. All written decisions of the board shall be mailed to those on the list. The list shall include:

A. The names of those who participated in the proceedings.

B. A brief statement of the nature and content of participation by those who participated.

C. The mailing address of each of these persons.

Section X: Decisions.

The Commission shall make its decisions by public deliberation, unless by majority vote it has determined to make a decision in deliberative session. Deliberative sessions are not open to the public and need not be warned. Members of the Commission who have not heard all testimony and reviewed all evidence submitted for a particular application or proposal shall not participate in the proceeding. Absent Commission members may participate if they have reviewed recordings of the proceedings, and any evidence submitted, subject to the written consent of the applicant and all interested persons. The following rules shall apply to voting on decisions:

A. Motions shall be made in the affirmative.

B. The chair has the same voting rights as all members and can make motions.

C. All members present are expected to vote unless they have recused themselves.

D. Abstentions are strongly discouraged and shall not count towards either the majority or the minority.

E. For a motion to pass, it must receive the concurrence of a majority of the entire Commission, regardless of how many are present. 1 V.S.A. § 172; 24 V.S.A. § 4461(a).

F. The Commission shall issue a decision within 45 days of the final public hearing.

Section XI: Conflicts of Interest

Participation, disclosure of conflicts, and recusal shall be governed by the following procedures:

A. Participation. A Commission member shall not participate in any official action where they have a conflict of interest in the matter under consideration. A Commission member shall not, personally or through any member of their household, business associate, employer or employee, represent, appear

for, or negotiate in a private capacity on behalf of any person or organization in any proceeding pending before the Planning Commission.

B. Disclosure. At all hearings, the Chair shall request that Commission members disclose all potential conflicts of interest. When recognized by the Chair, any person may request disclosure of potential conflicts of interest.

Nonetheless, after disclosing a conflict or perceived conflict, a member who believes that they are able to act fairly, objectively, and in the public interest, shall disclose the nature of the potential conflict of interest, and the reason(s) why they are able to act in the matter fairly, objectively, and in the public interest. This shall be noted in the minutes of the proceeding.

C. Recusal. Commission members shall recuse themselves from any matter in which they have a conflict of interest, pursuant to the following:

1. The applicant or any person may request recusal due to a conflict of interest. Such request shall not constitute a requirement that members recuse themselves.

2. A Commission member who has recused him or herself from a proceeding shall not sit with the Commission, deliberate with the Commission, or participate in that proceeding as a Commission member in any capacity.

3. If a previously unknown conflict is discovered, the Commission may take evidence pertaining to the conflict, and if appropriate, adjourn to a short deliberative session to address the conflict.

4. The Commission may adjourn the proceedings to a time certain if, after a recusal, it may not be possible to take action through the concurrence of a majority of the Commission. The Commission may then resume the proceeding with sufficient members present.

Section XII: Ex Parte Communications.

Ex parte communication is prohibited. Any Commission member who inadvertently conducts ex parte communication must disclose such communication as required below.

A. Disclosure. At each hearing, the Chair shall request that members disclose any ex parte communications. Commission members who have received written ex parte communications shall place in the record copies of all written communications received as well as all written responses to those communications. Members shall prepare a memorandum stating the substance of all oral communications received, all responses made and the identity of each person making the ex parte communication, which shall become a part of the record of the proceedings.

Section XIII: Removal.

Upon majority vote, the Commission may request that the legislative body remove a Commission member from the Planning Commission. Commission members may be removed at any time by unanimous vote of the legislative body. 24 V.S.A. § 4323(a).

Section XIV: Replacement

Upon majority vote, the Commission may request that the legislative body remove a Commission member who has been absent for two or more meetings in a twelve month period without prior notification of the Chair.

Section XV: Amendments.

These rules may be amended at any regular or special meeting by a majority vote, provided that each Planning Commission member has been presented a written copy of the proposed amendment at least 24 hours before the meeting at which the vote is taken.

Approved: Date:

By-Laws of the Norwich Planning Commission
Adopted 10-12-21

I. General

The purpose, Functions, organization and procedures of this Commission shall be consistent with those established by the Vermont Legislature (VSA Title 24, Chapter 117 and appendices).

II. Duties and Powers as therein defined:

1. Prepare and recommend the Municipal Development Plan (Subchapter 5) and amendments thereto.
2. Prepare and recommend zoning, subdivision and flood hazard area by-laws (Subchapter 6) and amendments thereto.
3. Administer bylaws adopted under this chapter, except to the extent that those functions are performed by a development review board.
4. Make studies and recommendations on land development, urban renewal, transportation, economic and social development, urban beautification, historic and scenic preservation, and conservation, development and protection of natural resources.
5. Prepare and recommend codes and regulations for buildings.
6. Review and comment on Capital Budget prior to Selectboard approval.
7. Hold public meetings for discussion of any of the above recommendations and procedures.
8. Other powers granted to the Commission by VSA T.24, Ch.117, Section 4325, including requiring relevant information from other municipal officers, entering upon land to make surveys and examinations, hiring staff and consultants, participating in regional plans and programs, and in general, acting as an advisory committee to the Selectboard and the community on developments in general within and impinging on the Town of Norwich.

III. Membership.

1. This commission shall consist of between five and nine voting members as determined by the Selectboard. Members shall be appointed for four year terms by the Selectboard, each term to start on May 1st except for appointments to fill a term created by a resignation.
2. In the last year of a member's term, each member is required to notify the Chair and the Selectboard by April 1st whether the member wishes to be considered for another term,

3. At its first meeting after May 1st, the Commission shall elect a Chair, Vice-Chair, and Clerk. The Clerk may or may not be a member of the Commission. The Chair shall normally preside at all meetings, the Vice-Chair presiding in the Chair's absence. When both these officers must be absent from a meeting, the voting members present shall decide who shall preside pro tem. The Chair or the Vice-Chair of the Commission shall sign all decisions made by the Commission.

4. If the Chair, Vice-Chair, or Clerk resigns their office before the end of their term, the Commission shall elect a replacement for that office at its next regular meeting. The new officer will remain in office until the next election of officers.

5. Each year from one Town Meeting Day to the next, each voting member of the Commission is required to attend at least 60% of the scheduled meetings. If in any case this requirement is not met, the Commission shall review the situation and take appropriate action up to and even including a recommendation to the Selectboard that the member be removed for neglect of duty.

6. The Clerk shall provide each new member with copies of the Planning Commission By-laws, the Town of Norwich Conflict of Interest Policy, the Zoning and Subdivision Regulations, the current Town Plan, Title 24, Chapter 117, copies of meeting minutes for the previous six months, and any other pertinent information. If preferred by new member, an online address for these documents may be provided instead of paper copies.

7. Each year at the first meeting after Town Meeting Day, the Clerk shall read the Planning Commission By-laws to the members. This requirement may be waived by a majority vote if all members indicate that they have recently or will soon reread the by-laws.

8. The Chair shall appoint members to subcommittees and to any other committee in response to a request for representatives from the Commission. If challenged, these appointments shall be confirmed by a majority vote of members present.

IV. Organization of Meetings.

1. Vermont law requires that meetings of Planning Commissions be open to the public. It shall be the duty of the clerk to warn regular, special, and emergency meetings in compliance with the Vermont Open Meeting Law (See attached).

2. A special meeting of the Commission may be called at any time by the Chair, or by a majority of the voting members, and it shall be the duty of the Clerk to warn the meeting in compliance with the Open Meeting Law.

3. At each meeting, all members may contribute suggested items for the next agenda. Chair, Vice-Chair and Clerk will prepare a draft agenda based upon member input and any other

pressing business that arises following the meeting. The Clerk will furnish each voting member with the draft agenda for the next meeting together with minutes of the last meeting and any pertinent documents due for discussion at least 3 business days before the meeting.

4. As needed, the voting members present may designate one or more members to speak on behalf of the Planning Commission and its actions at public meetings, to a member of the press, or in another forum.

5. The Clerk shall post draft and approved minutes of each meeting of the Commission on the public bulletin board inside Tracy Hall. Copies of the minutes shall be available from the Clerk to anyone requesting them within five days. The Clerk shall deliver a copy of the approved minutes to the Town administrative secretary for distribution and filing with the Town Clerk.

6. Presence of a majority of the voting members of the Commission shall constitute a quorum. All decisions of the Commission shall be made in public meeting by a majority vote of the voting members. Procedural rules may be adopted by a vote of the majority of members present and voting. For the purpose of establishing a quorum for approving minutes, abstentions shall be counted with a majority vote of at least three members. If the vote is a tie, abstentions shall be counted as a vote against the motion.

7. A proposal to amend these by-laws must be included in the minutes and may not be voted on until the next regular meeting. For it to pass requires a two-thirds majority of the voting membership.

8. At the discretion of the presiding officer or at the request of any voting member at any meeting of the Commission, the proceedings shall be conducted according to the current edition of Robert's Rules of Order Newly Revised. In general, this entails:

a) main motions shall be seconded before discussion is called for. This shall apply also to motions for amendment,

b) the Chair may accept no more than two motions to amend at one time, and these shall be acted on in reverse order,

c) call for the question is not debatable but requires majority approval for the question to be voted on immediately,

d) a motion to table a matter requires a second and must be voted without discussion,

e) a motion to take a matter from the table needs a second and may not be discussed,

f) neither a motion to table or to take from the table may be repeated until after other actions have taken place,

g) a motion to close the meeting, adjourn or recess is not debatable,

h) a point of order is privileged and may be discussed before the presiding officer makes a decision, and

i) when a motion has been acted upon, a motion to reconsider it is out of order until other business has been transacted,.

However, by agreement of the voting members present, the meeting may be conducted somewhat less formally if and when this seems desirable.

Attachments:

1. Vermont Open Meeting Law - *T.1 Chapter 5, §310 - §314*
2. Town of Norwich Conflict of Interest Policy – *Revised 2/27/19*

- **Title 1 V.S.A. § 310 - §314**
- **Subchapter 2: Public Information**
- **§ 310. Definitions**

As used in this subchapter:

(1) "Business of the public body" means the public body's governmental functions, including any matter over which the public body has supervision, control, jurisdiction, or advisory power.

(2) "Deliberations" means weighing, examining, and discussing the reasons for and against an act or decision, but expressly excludes the taking of evidence and the arguments of parties.

(3)(A) "Meeting" means a gathering of a quorum of the members of a public body for the purpose of discussing the business of the public body or for the purpose of taking action.

(B) "Meeting" shall not mean any communication, including in person or through e-mail, telephone, or teleconferencing, between members of a public body for the purpose of scheduling a meeting, organizing an agenda, or distributing materials to discuss at a meeting, provided that:

(i) no other business of the public body is discussed or conducted; and

(ii) such a communication that results in written or recorded information shall be available for inspection and copying under the Public Records Act as set forth in chapter 5, subchapter 3 of this title.

(C) "Meeting" shall not mean occasions when a quorum of a public body attends social gatherings, conventions, conferences, training programs, press conferences, media events, or otherwise gathers, provided that the public body does not discuss specific business of the public body that, at the time of the exchange, the participating members expect to be business of the public body at a later time.

(D) "Meeting" shall not mean a gathering of a quorum of a public body at a duly warned meeting of another public body, provided that the attending public body does not take action on its business.

(4) "Public body" means any board, council, or commission of the State or one or more of its political subdivisions, any board, council, or

commission of any agency, authority, or instrumentality of the State or one or more of its political subdivisions, or any committee of any of the foregoing boards, councils, or commissions, except that "public body" does not include councils or similar groups established by the Governor for the sole purpose of advising the Governor with respect to policy.

(5) "Publicly announced" means that notice is given to an editor, publisher, or news director of a newspaper or radio station serving the area of the State in which the public body has jurisdiction, and to any person who has requested under subdivision 312(c)(5) of this title to be notified of special meetings.

(6) "Quasi-judicial proceeding" means a proceeding which is:

(A) a contested case under the Vermont Administrative Procedure Act; or

(B) a case in which the legal rights of one or more persons who are granted party status are adjudicated, which is conducted in such a way that all parties have opportunity to present evidence and to cross-examine witnesses presented by other parties, which results in a written decision, and the result of which is appealable by a party to a higher authority. (Added 1987, No. 256 (Adj. Sess.), § 1; amended 2013, No. 143 (Adj. Sess.), § 1; 2017, No. 166 (Adj. Sess.), § 1.)

• **§ 311. Declaration of public policy; short title**

(a) In enacting this subchapter, the legislature finds and declares that public commissions, boards, and councils and other public agencies in this State exist to aid in the conduct of the people's business and are accountable to them pursuant to Chapter I, Article VI of the Vermont Constitution.

(b) This subchapter may be known and cited as the Vermont Open Meeting Law. (Amended 1979, No. 151 (Adj. Sess.), § 1, eff. April 24, 1980.)

• **§ 312. Right to attend meetings of public agencies**

(a)(1) All meetings of a public body are declared to be open to the public at all times, except as provided in section 313 of this title. No resolution, rule, regulation, appointment, or formal action shall be considered binding except as taken or made at such open meeting, except as provided under subdivision 313(a)(2) of this title. A meeting of a public body is subject to the public accommodation requirements of 9 V.S.A.

chapter 139. A public body shall electronically record all public hearings held to provide a forum for public comment on a proposed rule, pursuant to 3 V.S.A. § 840. The public shall have access to copies of such electronic recordings as described in section 316 of this title.

(2) Participation in meetings through electronic or other means.

(A) As long as the requirements of this subchapter are met, one or more of the members of a public body may attend a regular, special, or emergency meeting by electronic or other means without being physically present at a designated meeting location.

(B) If one or more members attend a meeting by electronic or other means, such members may fully participate in discussing the business of the public body and voting to take an action, but any vote of the public body that is not unanimous shall be taken by roll call.

(C) Each member who attends a meeting without being physically present at a designated meeting location shall:

(i) identify himself or herself when the meeting is convened;
and

(ii) be able to hear the conduct of the meeting and be heard throughout the meeting.

(D) If a quorum or more of the members of a public body attend a meeting without being physically present at a designated meeting location, the agenda required under subsection (d) of this section shall designate at least one physical location where a member of the public can attend and participate in the meeting. At least one member of the public body, or at least one staff or designee of the public body, shall be physically present at each designated meeting location.

(b)(1) Minutes shall be taken of all meetings of public bodies. The minutes shall cover all topics and motions that arise at the meeting and give a true indication of the business of the meeting. Minutes shall include at least the following minimal information:

(A) all members of the public body present;

(B) all other active participants in the meeting;

(C) all motions, proposals, and resolutions made, offered, and considered, and what disposition is made of same; and

(D) the results of any votes, with a record of the individual vote of each member if a roll call is taken.

(2) Minutes of all public meetings shall be matters of public record, shall be kept by the clerk or secretary of the public body, and shall be available for inspection by any person and for purchase of copies at cost upon request after five calendar days from the date of any meeting. Meeting minutes shall be posted no later than five calendar days from the date of the meeting to a website, if one exists, that the public body maintains or has designated as the official website of the body. Except for draft minutes that have been substituted with updated minutes, posted minutes shall not be removed from the website sooner than one year from the date of the meeting for which the minutes were taken.

(c)(1) The time and place of all regular meetings subject to this section shall be clearly designated by statute, charter, regulation, ordinance, bylaw, resolution, or other determining authority of the public body, and this information shall be available to any person upon request. The time and place of all public hearings and meetings scheduled by all Executive Branch State agencies, departments, boards, or commissions shall be available to the public as required under 3 V.S.A. § 2222(c).

(2) The time, place, and purpose of a special meeting subject to this section shall be publicly announced at least 24 hours before the meeting. Municipal public bodies shall post notices of special meetings in or near the municipal clerk's office and in at least two other designated public places in the municipality, at least 24 hours before the meeting. In addition, notice shall be given, either orally or in writing, to each member of the public body at least 24 hours before the meeting, except that a member may waive notice of a special meeting.

(3) Emergency meetings may be held without public announcement, without posting of notices, and without 24-hour notice to members, provided some public notice thereof is given as soon as possible before any such meeting. Emergency meetings may be held only when necessary to respond to an unforeseen occurrence or condition requiring immediate attention by the public body.

(4) Any adjourned meeting shall be considered a new meeting, unless the time and place for the adjourned meeting is announced before the meeting adjourns.

(5) A person may request in writing that a public body notify the person of special meetings of the public body. The request shall apply only to the calendar year in which it is made, unless made in December, in which case it shall apply also to the following year.

(d)(1) At least 48 hours prior to a regular meeting, and at least 24 hours prior to a special meeting, a meeting agenda shall be:

(A) posted to a website, if one exists, that the public body maintains or designates as the official website of the body; and

(B) in the case of a municipal public body, posted in or near the municipal office and in at least two other designated public places in the municipality.

(2) A meeting agenda shall be made available to a person prior to the meeting upon specific request.

(3)(A) Any addition to or deletion from the agenda shall be made as the first act of business at the meeting.

(B) Any other adjustment to the agenda may be made at any time during the meeting.

(e) Nothing in this section or in section 313 of this title shall be construed as extending to the Judicial Branch of the Government of Vermont or of any part of the same or to the Public Utility Commission; nor shall it extend to the deliberations of any public body in connection with a quasi-judicial proceeding; nor shall anything in this section be construed to require the making public of any proceedings, records, or acts which are specifically made confidential by the laws of the United States of America or of this State.

(f) A written decision issued by a public body in connection with a quasi-judicial proceeding need not be adopted at an open meeting if the decision will be a public record.

(g) The provisions of this subchapter shall not apply to site inspections for the purpose of assessing damage or making tax assessments or abatements, clerical work, or work assignments of staff or other personnel. Routine, day-to-day administrative matters that do not require action by the public body may be conducted outside a duly warned meeting, provided that no money is appropriated, expended, or encumbered.

(h) At an open meeting, the public shall be given a reasonable opportunity to express its opinion on matters considered by the public body during the meeting, as long as order is maintained. Public comment shall be subject to reasonable rules established by the chairperson. This subsection shall not apply to quasi-judicial proceedings.

(i) Nothing in this section shall be construed to prohibit the Parole Board from meeting at correctional facilities, with attendance at the meeting subject to rules regarding access and security established by the superintendent of the facility. (Amended 1973, No. 78, § 1, eff. April 23, 1973; 1979, No. 151 (Adj. Sess.), § 2; 1987, No. 256 (Adj. Sess.), § 2; 1997, No. 148 (Adj. Sess.), § 64, eff. April 29, 1998; 1999, No. 146 (Adj. Sess.), § 7; 2013, No. 143 (Adj. Sess.), § 2; 2015, No. 129 (Adj. Sess.), § 1, eff. May 24, 2016.)

• **§ 312a. Meetings of public bodies; state of emergency**

(a) As used in this section:

(1) "Affected public body" means a public body:

(A) whose regular meeting location is located in an area affected by a hazard; and

(B) that cannot meet in a designated physical meeting location due to a declared state of emergency pursuant to 20 V.S.A. chapter 1.

(2) "Hazard" means an "all-hazards" as defined in 20 V.S.A. § 2(1).

(b) Notwithstanding subdivisions 312(a)(2)(D) and (c)(2) of this title, during a declared state of emergency under 20 V.S.A. chapter 1:

(1) A quorum or more of an affected public body may attend a regular, special, or emergency meeting by electronic or other means without designating a physical meeting location where the public may attend.

(2) The members and staff of an affected public body shall not be required to be physically present at a designated meeting location.

(3) An affected public body of a municipality may post any meeting agenda or notice of a special meeting in two publicly accessible designated electronic locations in lieu of the two designated public places in the municipality, or in a combination of a designated electronic location and a designated public place.

(c) When an affected public body meets electronically under subsection (b) of this section, the affected public body shall:

(1) use technology that permits the attendance and participation of the public through electronic or other means;

(2) allow the public to access the meeting by telephone; and

(3) post information that enables the public to directly access and participate in meetings electronically and shall include this information in the published agenda for each meeting.

(d) Unless unusual circumstances make it impossible for them to do so, the legislative body of each municipality and each school board shall record any meetings held pursuant to this section.

(e) An affected public body of a municipality shall continue to post notices and agendas in or near the municipal clerk's office pursuant to subdivision 312(c)(2) of this title and shall provide a copy of each notice or agenda to the newspapers of general circulation for the municipality. (Added 2021, No. 157 (Adj. Sess.), § 8, eff. July 1, 2022.)

• **§ 313. Executive sessions**

(a) No public body may hold an executive session from which the public is excluded, except by the affirmative vote of two-thirds of its members present in the case of any public body of State government or of a majority of its members present in the case of any public body of a municipality or other political subdivision. A motion to go into executive session shall indicate the nature of the business of the executive session, and no other matter may be considered in the executive session. Such vote shall be taken in the course of an open meeting and the result of the vote recorded in the minutes. No formal or binding action shall be taken in executive session except for actions relating to the securing of real estate options under subdivision (2) of this subsection. Minutes of an executive session need not be taken, but if they are, the minutes shall, notwithstanding subsection 312(b) of this title, be exempt from public copying and inspection under the Public Records Act. A public body may not hold an executive session except to consider one or more of the following:

(1) after making a specific finding that premature general public knowledge would clearly place the public body or a person involved at a substantial disadvantage:

- (A) contracts;
 - (B) labor relations agreements with employees;
 - (C) arbitration or mediation;
 - (D) grievances, other than tax grievances;
 - (E) pending or probable civil litigation or a prosecution, to which the public body is or may be a party;
 - (F) confidential attorney-client communications made for the purpose of providing professional legal services to the body;
- (2) the negotiating or securing of real estate purchase or lease options;
 - (3) the appointment or employment or evaluation of a public officer or employee, provided that the public body shall make a final decision to hire or appoint a public officer or employee in an open meeting and shall explain the reasons for its final decision during the open meeting;
 - (4) a disciplinary or dismissal action against a public officer or employee; but nothing in this subsection shall be construed to impair the right of such officer or employee to a public hearing if formal charges are brought;
 - (5) a clear and imminent peril to the public safety;
 - (6) records exempt from the access to public records provisions of section 316 of this title; provided, however, that discussion of the exempt record shall not itself permit an extension of the executive session to the general subject to which the record pertains;
 - (7) the academic records or suspension or discipline of students;
 - (8) testimony from a person in a parole proceeding conducted by the Parole Board if public disclosure of the identity of the person could result in physical or other harm to the person;
 - (9) information relating to a pharmaceutical rebate or to supplemental rebate agreements, which is protected from disclosure by federal law or the terms and conditions required by the Centers for Medicare and Medicaid Services as a condition of rebate authorization under the Medicaid program, considered pursuant to 33 V.S.A. §§ 1998(f)(2) and 2002(c);

(10) security or emergency response measures, the disclosure of which could jeopardize public safety.

(b) Attendance in executive session shall be limited to members of the public body, and, in the discretion of the public body, its staff, clerical assistants and legal counsel, and persons who are subjects of the discussion or whose information is needed.

(c) The Senate and House of Representatives, in exercising the power to make their own rules conferred by Chapter II of the Vermont Constitution, shall be governed by the provisions of this section in regulating the admission of the public as provided in Chapter II, § 8 of the Constitution. (Amended 1973, No. 78, § 2, eff. April 23, 1973; 1979, No. 151 (Adj. Sess.), § 3, eff. April 24, 1980; 1987, No. 256 (Adj. Sess.), §§ 3, 4; 1997, No. 148 (Adj. Sess.), § 65, eff. April 29, 1998; 2005, No. 71, § 308a, eff. June 21, 2005; 2011, No. 59, § 7; 2013, No. 143 (Adj. Sess.), § 3; 2015, No. 23, § 1; 2017, No. 95 (Adj. Sess.), § 1, eff. April 11, 2018.)

• **§ 314. Penalty and enforcement**

(a) A person who is a member of a public body and who knowingly and intentionally violates the provisions of this subchapter, a person who knowingly and intentionally violates the provisions of this subchapter on behalf or at the behest of a public body, or a person who knowingly and intentionally participates in the wrongful exclusion of any person or persons from any meeting subject to this subchapter shall be guilty of a misdemeanor and shall be fined not more than \$500.00.

(b)(1) Prior to instituting an action under subsection (c) of this section, the Attorney General or any person aggrieved by a violation of the provisions of this subchapter shall provide the public body written notice that alleges a specific violation of this subchapter and requests a specific cure of such violation. The public body will not be liable for attorney's fees and litigation costs under subsection (d) of this section if it cures in fact a violation of this subchapter in accordance with the requirements of this subsection.

(2) Upon receipt of the written notice of alleged violation, the public body shall respond publicly to the alleged violation within 10 calendar days by:

(A) acknowledging the violation of this subchapter and stating an intent to cure the violation within 14 calendar days; or

(B) stating that the public body has determined that no violation has occurred and that no cure is necessary.

(3) Failure of a public body to respond to a written notice of alleged violation within 10 calendar days shall be treated as a denial of the violation for purposes of enforcement of the requirements of this subchapter.

(4) Within 14 calendar days after a public body acknowledges a violation under subdivision (2)(A) of this subsection, the public body shall cure the violation at an open meeting by:

(A) either ratifying, or declaring as void, any action taken at or resulting from:

(i) a meeting that was not noticed in accordance with subsection 312(c) of this title; or

(ii) a meeting that a person or the public was wrongfully excluded from attending; or

(iii) an executive session or portion thereof not authorized under subdivisions 313(a)(1)-(10) of this title; and

(B) adopting specific measures that actually prevent future violations.

(c) Following an acknowledgment or denial of a violation and, if applicable, following expiration of the 14-calendar-day cure period for public bodies acknowledging a violation, the Attorney General or any person aggrieved by a violation of the provisions of this subchapter may bring an action in the Civil Division of the Superior Court in the county in which the violation has taken place for appropriate injunctive relief or for a declaratory judgment. An action may be brought under this section no later than one year after the meeting at which the alleged violation occurred or to which the alleged violation relates. Except as to cases the court considers of greater importance, proceedings before the Civil Division of the Superior Court, as authorized by this section and appeals therefrom, take precedence on the docket over all cases and shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(d) The court shall assess against a public body found to have violated the requirements of this subchapter reasonable attorney's fees and other litigation costs reasonably incurred in any case under this

subchapter in which the complainant has substantially prevailed, unless the court finds that:

(1)(A) the public body had a reasonable basis in fact and law for its position; and

(B) the public body acted in good faith. In determining whether a public body acted in good faith, the court shall consider, among other factors, whether the public body responded to a notice of an alleged violation of this subchapter in a timely manner under subsection (b) of this section; or

(2) the public body cured the violation in accordance with subsection (b) of this section. (Amended 1979, No. 151 (Adj. Sess.), § 4, eff. April 24, 1980; 1987, No. 256 (Adj. Sess.), § 5; 2013, No. 143 (Adj. Sess.), § 4; 2015, No. 129 (Adj. Sess.), § 2, eff. May 24, 2016; 2017, No. 113 (Adj. Sess.), § 1.)



CHARTERED 1761

TOWN OF NORWICH, VERMONT CONFLICT OF INTEREST POLICY

Article 1. Authority. Under the authority granted in 24 VSA §2291(20), the Selectboard of the Town of Norwich hereby adopts the following policy concerning conflicts of interest applying to all elected and appointed Public Officers of the Town, including members of all Town committees and boards.

Article 2. Purpose. The purpose of this policy is to ensure that the business of this municipality will be conducted in such a way that no Public Officer of the municipality will gain a personal or financial advantage from his or her work for the municipality and so that the public trust in its Public Officers and public bodies will be preserved. It is also the intent of this policy to encourage all decisions made by municipal officials to be based on the best interest of the community at large. This policy further seeks to promote transparency as the best protection against the threats posed to good governance by real and perceived conflicts of interest.

Article 3. Definitions. For the purposes of this policy, the following definitions shall apply:

A. Conflict of interest means any of the following:

1. A significant direct personal or financial interest of a Public Officer, or of an immediate family member, business associate, employer, or employee of the official, in the discretionary outcome of a cause, proceeding, application, or any other decision pending before the official or before the agency or public body in which the official holds office or is employed. "Conflict of interest" does not arise in the case of votes or decisions on matters in which the Public Officer has a personal or financial interest in the outcome, such as in the establishment of a tax rate, that is no greater than that of other persons generally affected by the decision, in cases where a decision or act is not subject to the discretion of the official or the body of which he or she is a part, or where such personal or financial interest is *de minimis*;
2. A situation where a public officer has publicly displayed a prejudgment of the merits of a particular quasi-judicial proceeding. This shall not apply to a member's particular political views or general opinion on a given issue; and

3. A situation where a public officer has engaged in *ex parte* communications with a party in a quasi-judicial proceeding that is before the public body to which that public officer belongs.
- B. **Emergency** means an imminent threat or peril to the public health, safety and welfare.
 - C. **Ex parte communication** means direct or indirect communication between a member of a public body and any party, party's representative, party's counsel, or any person interested in the outcome of a quasi-judicial proceeding that occurs outside the proceeding and concerns the substance or merits of the proceeding.
 - D. **Official act or action** means any legislative, administrative or judicial act performed by an elected or appointed officer or employee while acting on behalf of the municipality. This term does not apply to ministerial acts or actions involving no discretion.
 - E. **Public body** means any board, council, commission or committee of the municipality
 - F. **Public interest** means an interest of the community as a whole, conferred generally upon all residents of the municipality.
 - G. **Public officer** means a person elected or appointed to perform executive, administrative, legislative or quasi-judicial functions for the municipality or appointed to a public body.
 - H. **Quasi-judicial proceeding** means a case in which the legal rights of one or more persons who are granted party status are adjudicated, which is conducted in such a way that all parties have opportunities to present evidence and to cross-examine witnesses presented by other parties, which results in a written decision, the result of which can be appealed by a party to a higher authority.
 - I. **Financial interest** means a reasonably foreseeable financial effect, distinguishable from its effect on the public generally, on the Public Officer, a member of his or her immediate family, or on any of the following:
 - (a) Any business entity in which the Public Officer has a direct or indirect investment.
 - (b) Any real property in which the Public Officer has a direct or indirect interest.
 - (c) Any source of income provided or promised to the Public Officer within 12 months prior to the time when the decision is made or action is taken.
 - (d) Any business entity in which the Public Officer is a director, officer, partner, trustee, or manager.
 - (e) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating two hundred fifty dollars (\$250) or more in value provided to, received by, or promised to the Public Officer within 12 months prior to the time when the decision is made or action is taken.
 - J. **Personal interest** is an outside interest that is non-financial in nature but could reasonably be considered to affect one's ability to make unbiased decisions. Personal interests are by their nature more difficult to identify, so that officials should be more aware of them in themselves and more circumspect in ascribing them to others.

Article 4. Actions Not Permitted.

- A. A public officer shall not participate in any discretionary official decision, action or inaction if he or she has a conflict of interest in the outcome of the action.
- B. A public officer shall not personally participate in a deliberation leading to an act or decision in which he or she has a conflict of interest.
- C. Public officers shall not accept gifts or other offerings for personal gain by virtue of their public office.
- D. Public officers shall not use for private gain or personal purposes public resources not available to the general public, including but not limited to Town staff time, equipment, supplies, or facilities.

Article 5. Disclosure. Candid, detailed disclosure is the single best protection against conflicts of interest. Appropriate disclosure earns the respect of the public and of fellow Public Officers. A public officer who has reason to believe that he or she has a potential conflict of interest or an appearance of such a conflict, but believes that he or she is able to act fairly, objectively and in the public interest because no actual conflict exists shall, prior to participating in any official action on the matter, disclose to the public body at a public hearing the matter under consideration, the nature of the potential or apparent conflict of interest and why he or she believes that he or she is able to act in the matter fairly, objectively and in the public interest. Notwithstanding the foregoing, an actual or potential conflict need not be disclosed if the affected public officer chooses to recuse him or herself from consideration of or deliberation on the matter, except for publicly announcing the reason for recusal is due to a conflict or its potential.

Article 6. Recusal.

- A. A public officer shall recuse him or herself from any matter in which he or she has a conflict of interest, pursuant to the following:
 - 1. Any person may request that a public officer recuse him or herself due to a perceived conflict of interest. Such request shall not constitute a requirement that the public officer recuse him or herself.
 - 2. A public officer who has recused him or herself from a proceeding shall not sit with or deliberate with the affected body, or participate in that proceeding as a member of that body in any capacity.
 - 3. Once there has been a disclosure of an actual or perceived conflict of interest, other public officers shall be afforded an opportunity to ask questions or make comments about the situation. If a previously unknown conflict is discovered, the affected body may take evidence pertaining to the conflict and, if appropriate, adjourn to a short deliberative session to address the conflict. Executive session may be used for such discussion, in accordance with 1 VSA Section 313(4).

4. The affected body may adjourn the proceedings to a time certain if, after a recusal, it may not be possible to take action through the concurrence of a majority of the body, for example due to a lack of quorum. The body may then resume the proceeding once sufficient members are present.
5. In the case of a public officer who is an appointee, the public body which appointed that public officer shall have the authority to order that officer to recuse him or herself from the matter, subject to applicable law.

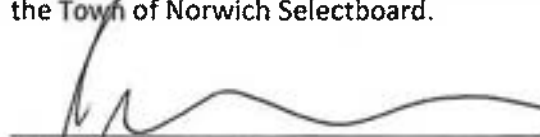
Article 7. Quasi-Judicial Proceedings. A higher conflict of interest standard applies in the context of quasi-judicial decision-making. Quasi-judicial decisions are rendered in situations where the rights of a particular individual are at stake (e.g., tax appeals, vicious dog hearings, land use decisions). In those situations, the affected individual has the right to receive constitutional due process, which includes the right to an impartial decision maker. If a municipal official with a conflict of interest participates in a quasi-judicial process, a court may determine that the official was not an impartial decision maker and may vacate the decision and order the matter be reconsidered without the participation of the conflicted member. See e.g. *Appeal of Janet Cote*, 257-11-02 Vtec (2003). Therefore, Public Officers should be more inclined to recuse themselves when they are participating in a quasi-judicial process.

Article 8. Enforcement; Progressive Consequences for Failure to Follow the Town of Norwich Conflict of Interest Policy. In cases where the conflict of interest procedures in Articles 5 and 6 have not been followed, the Selectboard may take progressive action to address possible violations of this policy. In taking these actions, the board shall follow these steps in order unless the public officer voluntarily waives any or all steps A, B, or C:

- A. The chair shall meet informally, in private, with the public officer to discuss possible conflict of interest violation, so long as such meeting would not itself constitute a quorum of the relevant public body.
- B. The Selectboard may meet to discuss the conduct of the public officer. Executive session may be used for such discussion, in accordance with 1 VSA §313(4). The public officer may request that this meeting occur in public. If appropriate, the board may admonish the offending public officer in private.
- C. If the board decides that further action is warranted, the board may admonish the offending public officer at an open meeting and reflect this action in the minutes of the meeting. The public officer shall be given the opportunity to respond to the admonishment.
- D. Appointed officials of the Town may be removed for cause following procedures required in 24 VSA §4323 (for the Planning Board, unless they are elected members) 24 VSA §4460 for the (Developmental Review Board), 24 VSA §4448 for the Zoning Administrator, 24 VSA §4503 (for the Conservation Commission).
- E. All other officials appointed by the Selectboard, and not covered by a contract, may be removed by majority vote of the Selectboard, or as may otherwise be dictated by statute.

Conflict of Interest Policy
Adopted May 23, 2018

Article 9. Effective Date. This policy shall become effective immediately upon its adoption by the Town of Norwich Selectboard.



John Pepper, Chair



John Langhus



Claudette Brochu, Vice-Chair



Mary Layton



Roger Arnold

Adopted by Norwich Selectboard 4/28/10
Revised 6/23/10
Revised 7/27/11
Revised 8/23/17
Revised 5/23/18
Revised 2/27/19



Photo: Martin van Exel

2 | LAND USE

2.1 Objectives

- 2-1.a Plan development to maintain the historic settlement pattern of compact downtowns and village centers separated by rural countryside (24 VSA §4302 (c) (1)).
- 2-1.b Increase the diversity and total stock of housing in Norwich by directing more intensive residential development to areas in, or adjacent to, the village while discouraging strip development along highways (24 VSA §4302 (c) (1) (A)).
- 2-1.c Preserve rural character and working lands throughout the existing rural areas of town by developing in accordance with smart growth principles (24 VSA §4302 (c) (1) (D)).
- 2-1.d Identify, protect, and preserve important natural and historic features of the Norwich landscape, including: significant natural and fragile areas, outstanding water resources (including rivers, aquifers, shorelands and wetlands), significant roads, waterways and views, important historic structures, sites or districts (including archaeological sites) (24 VSA §4302 (c) (5)).
- 2-1.e Encourage and strengthen Norwich forestlands by maintaining and improving forest blocks and habitat connectors (24 VSA §4302 (c) (6) (C), (9)).
- 2-1.f Interconnect the existing system of trails for access to nature for Norwich residents and visitors (24 VSA §4302 (c) (1) (D) (4), (8) (B)).
- 2-1.g Revise Norwich Zoning and Subdivision Regulations informed by the climate crisis, specifically the ability of existing forest cover to provide ecosystem services such as carbon absorption and sequestration.

2.2 Policies

- 2-2.a Increase the resilience of Norwich by avoiding, minimizing and mitigating conflict between land development and natural riparian functions along streams and rivers.
- 2-2.b Guide development away from priority forest blocks and discourage fragmentation or subdivision of land within those blocks that would adversely impact natural resource values, including absorption and sequestration of carbon dioxide.
- 2-2.c Guide development away from visually prominent locations on ridgelines and hills as viewed from public vantage points.
- 2-2.d Encourage conservation of primary agricultural soils for current and future agricultural use.
- 2-2.e Guide development away from steep slopes and require appropriate erosion control and stormwater management practices to protect water quality and avoid increased downstream flooding.
- 2-2.f Guide residential development in accordance with the objectives, policies and actions of this plan.
- 2-2.g Encourage use of conservation subdivision design and low-impact development practices in the rural areas of town in order to protect and conserve natural resources, open space and rural character.
- 2-2.h Encourage and support continued permanent conservation of farmland, forest land and natural areas.
- 2-2.i Encourage landowners to maintain or establish riparian buffers with native woody plants.
- 2-2.j Support the work of the Norwich Historical Society and Historic Preservation Commission to help inform land use decisions.

2.3 Actions

- 2-3.a Implement the recommendations made in this chapter (see [Figure 1](#)) and throughout this plan when revising the Norwich Zoning and Subdivision Regulations to:

- i. Maintain the rural character of Norwich by preserving working lands and forests
 - ii. Recognize the important ecosystem services performed by forests
 - iii. Facilitate appropriate scale mixed-use development in areas currently zoned commercial-industrial
- 2-3.b Participate in state, federal and other efforts to protect the Connecticut River, including basin plans provided for under 10 VSA §1253.
- 2-3.c Develop a plan to address any potential conflicts between existing or proposed development on the edge of the village and mapped forest blocks.
- 2-3.d Continue to advocate for the preservation and adaptive reuse of historic Lewiston.
- 2-3.e Consider how to address barriers to development related to limitations on septic capacity, including a review of the findings of the 2005 study conducted by the Norwich Sewer Committee in light of current challenges and changes in wastewater management.
- 2-3.f Consider incentive programs to encourage adaptive reuse of historic structures.
- 2-3.g Update the inventory of barns at risk, and support owners in obtaining state grants to offset rehabilitation costs.
- 2-3.h Ensure the participation of the Historic Preservation Commission in any study of improving bike-ability and walkability in the village.

2.4 Current Land Use

Norwich's current land use pattern ([Figure 2](#), [Figure 3](#)) includes a densely settled village with a commercial core in the southeast corner with low density residential development accounting for the remainder. Union Village in the north and a few other hamlets hint at an earlier agrarian settlement pattern. There are significant areas of conserved land, Appalachian Trail lands along the southern border, riverine lands on the Ompomponoosuc River and higher elevation forest lands along the western border with Sharon (see [Figure 5](#), [Figure 6](#)). Outside of the village there is some commercial development along Route 5 South. An expanse of conserved woodlands along the Connecticut River associated with the Montshire Museum gives way to school playing fields on the border with Hartford to the south.

Since the 1970s the predominant pattern of development has been subdivision of farm/forest tracts into lots for residential use some distance from the village. The rate of development has slowed significantly since the 1990s (see [Figure 4](#)). The rural character (wooded hillsides and hayfields) has largely been maintained, despite the continued loss of productive farms. There has been a recent resurgence in small-scale farming and rural enterprise.

Norwich has limited commercial development, dominated by small retail, banking and professional services in the village, and retail oriented to tourists and passing traffic on Route 5 South. The towns of Hanover, Lebanon and

Hartford are major employment and commercial centers for Norwich households.

Key Findings

TRANSPORTATION. The current settlement pattern is predicated on high levels of personal car use. Norwich currently supports Advance Transit to service the village and Route 5 South on a limited schedule. It is not feasible to extend transit routes or increase the schedule because of the low population density beyond the village. Norwich devotes considerable resources to road maintenance and repair, and low-density residential development increases these costs without significantly increasing the tax base to fund them. Increased commitments to improving transit and non-vehicular commuting would be needed to support a different settlement pattern in the future.

COMMUNITY FACILITIES & SERVICES. The existing complement of facilities and services could accommodate modest growth, particularly if it occurs in or near the village. Marion Cross School has some capacity for additional students and is an asset for the community, although wastewater management is an unresolved problem. Childcare is in short supply and limited, however. Potable water is supplied to homes and businesses in the village. Extensive recreation facilities including playing fields and a trail network for hiking and mountain biking support an active community. Absence of a wastewater system limits growth and expansion of the village and established commercial districts (Route 5 South) and imposes costs and constraints on existing property owners.

ENERGY. Current state energy goals, intended as a response to the climate crisis, require Norwich to dramatically reduce auto-dependence caused by low-density settlement and improve the thermal efficiency of the housing stock. Additional renewable energy generation is very unlikely to come from wind turbines given current technologies and existing siting needs. Large-scale solar installations away from valley floors are limited by topography. With current technology about 160 acres of solar panels (of 47,000 acres) could satisfy current electricity demand in Norwich.

HOUSING. The very low growth in new housing stock is unlikely to change within the life of this plan, given broader patterns and economic conditions. More effort to obtain compact development will be needed to achieve the energy and housing objectives of this plan. Increasing the variety of housing by type and price is needed to stem demographic changes apparent in the past twenty years (see [page 34](#)). This plan supports exploring how to provide for an expansion of the housing stock in the village, immediately adjacent to the village, and along Route 5 South.

ECONOMIC DEVELOPMENT. Norwich has a very small commercial base, which limits the number of in-town jobs. The existing commercial-industrial district is well-served by road, electricity infrastructure and transit, but requires on-site water and wastewater for development. The existing land use controls allow for traditional highway strip development and need to be amended to better reflect community values and standards. Growing employment opportunities in town can be a strategy for reducing auto-

dependence. Diversifying the tax base can also contribute to offsetting the residential property tax burden. Lastly, a broader range of economic development can encourage a more diverse community.

2.5 Future Land Use

LAND CAPABILITY. A key principle of land use planning is to guide development towards land best suited to the purpose and discourage and prevent uses inappropriate to the landscape. Capability assessments identify landform attributes which can constrain future development. The following attributes influence future land use decisions in Norwich.

STEEP SLOPES are poorly suited to development. The landform of Norwich is dominated by narrow valleys and steep slopes. As severe weather events increase in frequency and intensity, reviewing land use regulations as they pertain to development on steep slopes will be needed.

SOIL TYPE is a major determinant of development in the absence of municipal wastewater systems. Norwich does not operate a municipal wastewater system. Norwich provides potable water in the village through the Fire District, accessing aquifers to the north of the village, which allows for denser settlement.

RIPARIAN AREAS (INCLUDING FLOODPLAINS) are sensitive environments often subject to flooding. Historically these areas have been used for agriculture (fertile silt deposits

from stream action) and industrial power generation (for mills prior to the advent of electricity). Today, repeated private property and public infrastructure losses due to flooding and erosion from severe storms is best resolved by avoiding continued development in these areas.

Future Land Use Map

The Future Land Use Map illustrates Norwich’s desired future land use pattern by identifying Planning Areas. These areas are not intended to align with the current zoning district boundaries, nor represent the boundaries of any future zoning districts. Rather, they graphically depict the direction land development will likely take in response to the objectives, policies and actions established in this plan, which will inform any proposed changes to the town’s zoning districts.

THE VILLAGE PLANNING AREA encompasses Norwich’s historic village with a settlement pattern and architecture typical of 19th century Vermont. It is characterized by a mix of residential, commercial and civic land uses at higher densities. Buildings are set close to the street with pedestrian access and circulation. There is a concentration of commercial activity in the core surrounded by predominately residential land uses. Potential future growth is limited by physical constraints, commitment to the traditional village scale and form, and absence of wastewater infrastructure (the village is served by municipal water). The intent of the Village Planning Area is to maintain the historic village settlement pattern, architectural character and mix of uses.

THE MIXED USE PLANNING AREA includes land in two areas of Norwich. The area in Lewiston reflects the remnants of an earlier industrial development pattern focused around the railroad depot and river. The railroad continues to own a portion of the property (exempt from local regulation). No significant changes in its use are anticipated during the life of this plan. The other area is on the east side of Route 5 South, part of the Connecticut River Scenic Byway. This area has evolved and developed in response to the transportation corridor it is bounded by (U.S. Route 5 and I-91). It is currently developed with a mix of commercial, institutional and residential land uses. While most of the land is developed, the current land use pattern is low density. The intent of the Mixed Use Planning Area is to reflect the existing development pattern and recognize that there may be opportunity for some mixed use infill with small businesses and housing over time, if constraints posed by the lack of infrastructure and institutional ownership of these lands are addressed.

THE RESIDENTIAL PLANNING AREA is composed of lands already developed into residential lots at moderate densities or suitable for such development due to their proximity to the village, access to transportation, and relatively few natural resource constraints. It is the intent of the Residential Planning Area to accommodate future residential development at densities similar or somewhat higher than currently exist in the area — as feasible — given the availability of infrastructure to support it.

THE RURAL PLANNING AREA includes lands outside the village that retain their rural character, although largely

subdivided into residential lots. The settlement pattern is irregular in response to natural features and terrain. Much of the roadscape remains dominated by views of open meadows and wooded hillsides. The intent of the Rural Planning Area is to protect the rural character and maintain a low overall density of development in these areas which are further from the village and major transportation corridors.

THE RESOURCE PROTECTION PLANNING AREA is composed of lands with resource constraints or hazards that significantly limit their potential for future development, and lands not available for future development due to public ownership or private conservation easements. Despite the constraints, most of this land is part of a residential lot, albeit at extremely low densities. The intent of the Resource Protection Planning Area is to recognize the constraints and limitations that exist on a large portion of the land in Norwich. Little change in the use or development of these lands is anticipated and this plan discourages further disturbance or fragmentation of the remaining undeveloped portions of these lands through incremental, large-lot residential development. The high and medium priority forest blocks have been mapped and can form a basis for future decision-making.

2.6 Forest Blocks and Habitat Connectors

The Vermont Agency of Natural Resources (ANR) has mapped and assessed the habitat value of forest blocks in Norwich as part of a state-wide exercise. Since 2018

municipal plans have been required by state statute (Act 171) to identify forest blocks and habitat connectors, and to plan for land development in these areas to minimize forest fragmentation and to promote forest health and ecological function.

The mature trees on these forest lands also perform critical ecosystem services including absorbing and sequestering carbon dioxide — a greenhouse gas. The combined area of the mapped forest blocks in the resource protection area is 17,202 acres. There is also considerably more forested land in other areas of town.

This plan and any implementing regulations treat mapped forest blocks in Norwich of 500 acres or more in area (as shown in [Figure 8](#)) as priorities for protection. The impact of proposed development on forest blocks may be considered during state regulatory processes. Due to the scale of the state forest block mapping, the boundaries of priority forest blocks should be more precisely delineated based on a site-level assessment before being used for regulatory purposes by the town or state. The mapped priority forest blocks occur in the rural residential district. Norwich subdivision regulations already consider natural resources, including steep slopes and forest cover. Nevertheless, alternative approaches could be explored. This could include a new resource protection zoning district with a significantly higher minimum parcel size to better protect against fragmentation of forest blocks. Other key areas to review include the development density algorithm to ensure development in forest lands is minimized.

2.7 Village Center Designation

Norwich’s village center designation expired in 2018 (see [Figure 10](#)). It cannot be renewed until Norwich has a duly adopted plan subsequently approved by TRORC.

Village center designation supports the town’s land use policies preserving the historic scale and pattern of development, while encouraging private investment in historic buildings. Participation in the designation program promotes infill and improves the walkability of the village. The program offers both the town and property owners within the designated area benefits including:

- ▶ Owners of income-producing buildings can access tax credits for eligible improvements;
- ▶ Land in or within ¼ mile of the village center could be eligible for the state’s Neighborhood Development Area program;
- ▶ The town is more competitive when seeking state grant funding for projects in the village center.

2.8 Compatibility

Norwich is part of the Claremont-Lebanon micropolitan area (as defined by the US Census Bureau) which takes in Grafton and Sullivan counties in New Hampshire and Orange and Windsor counties in Vermont. The town is a member of the Two Rivers Ottauquechee Regional Planning Commission (TRORC) which comprises 30 towns in Orange and Windsor counties in Vermont. The history of Norwich is tied closely with Hanover and Lebanon, NH. Norwich is part of a bi-state school district, and Norwich residents depend on Hanover, Lebanon and Hartford for employment

opportunities and access to retail and service functions. Many planning issues including housing supply and transportation (including bike-pedestrian accommodations) will involve a regional response.

NEIGHBORING TOWNS. There are no proposed changes to zoning districts or land use policies that will affect the neighboring towns of Thetford or Sharon. This plan identifies constraints to development in the Route 5 South Commercial-Industrial district, which borders Hartford to the south, caused by the need for on-site potable water and wastewater systems. The development potential of this district could change if municipal wastewater was provided. This plan is recommending that wastewater options for the village, adjacent areas and the commercial-industrial district be explored.

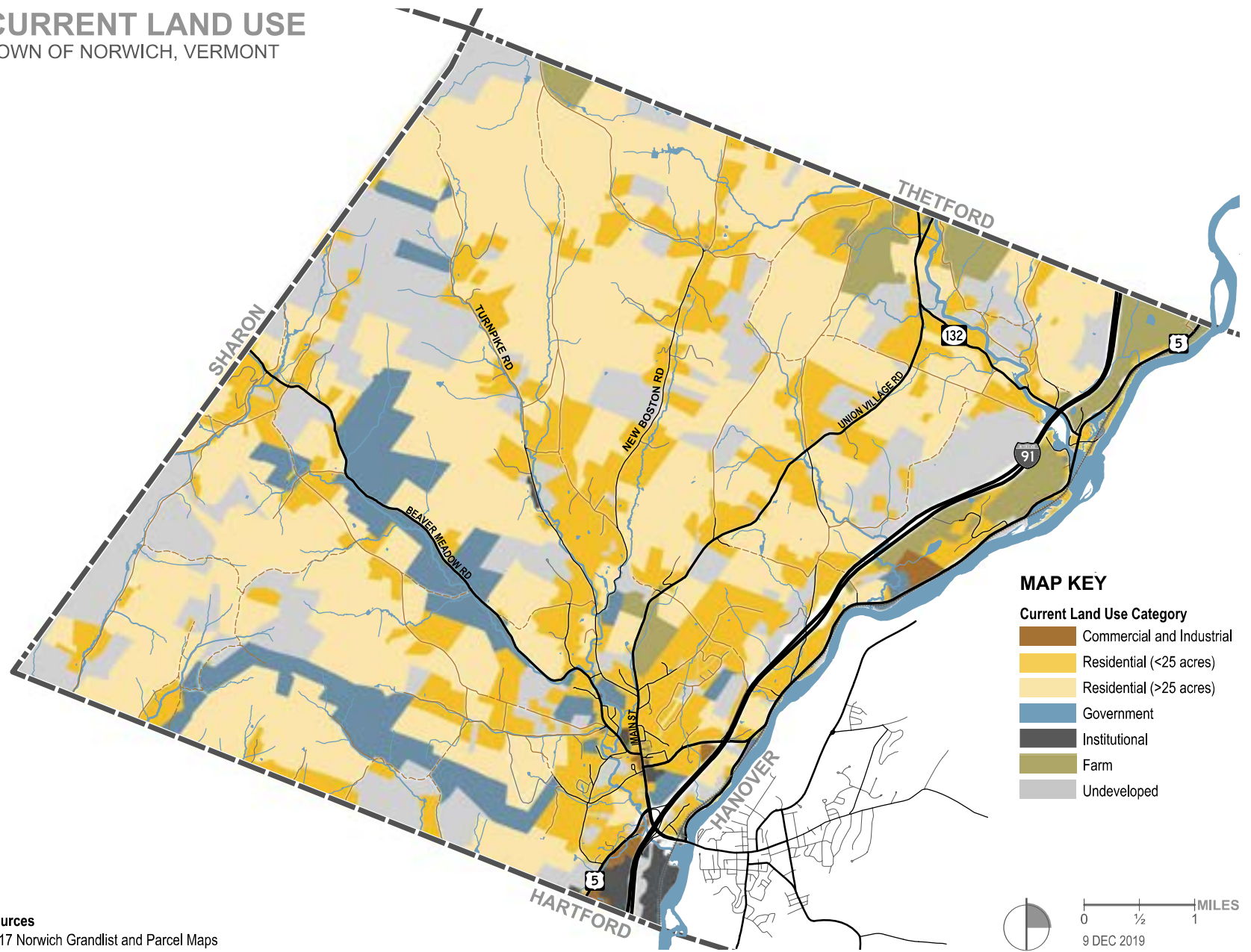
TRORC LAND USE AREAS. In previous regional plans the area east of I-91 (Lewiston neighborhood and lands to the east of Route 5 South) were identified as an ‘interchange area’. In the 2019 TRORC [regional plan](#), this designation has been dropped for Norwich and been replaced with mixed use and rural land use areas. Other adjustments were made, including defining principal retail, and allowing for mixed use development with some retail when combined with housing. These amendments followed discussion with Norwich. There is now a greater degree of compatibility between this plan and the regional plan. Norwich appreciates the greater flexibility and an application of regional land use areas that more closely resembles current land use patterns.

Figure 1. Future Land Use Recommendations

Land Use Type	Recommendation
Village	1 Reapply for Village Designation
	2 Assess Current Wastewater conditions
	3 Improve public infrastructure to enhance walkability, access management and stormwater management
Mixed Use	1 Explore changing Commercial-Industrial to a mixed use zoning district with performance and design standards governing scale of development, site plan etc. to mitigate impact
	2 Ensure adequate provision for housing is made in this new district
Residential	1 Assess Current Wastewater conditions
	2 Explore creating a new residential zoning district (dependent on wastewater assessment)
Rural	1 Review effectiveness of subdivision regulations in limiting rural sprawl
Resource Protection	1 Explore creation of a new zoning district that would take in lands with forest blocks of 500 acres or more to reduce possibility of fragmentation

CURRENT LAND USE

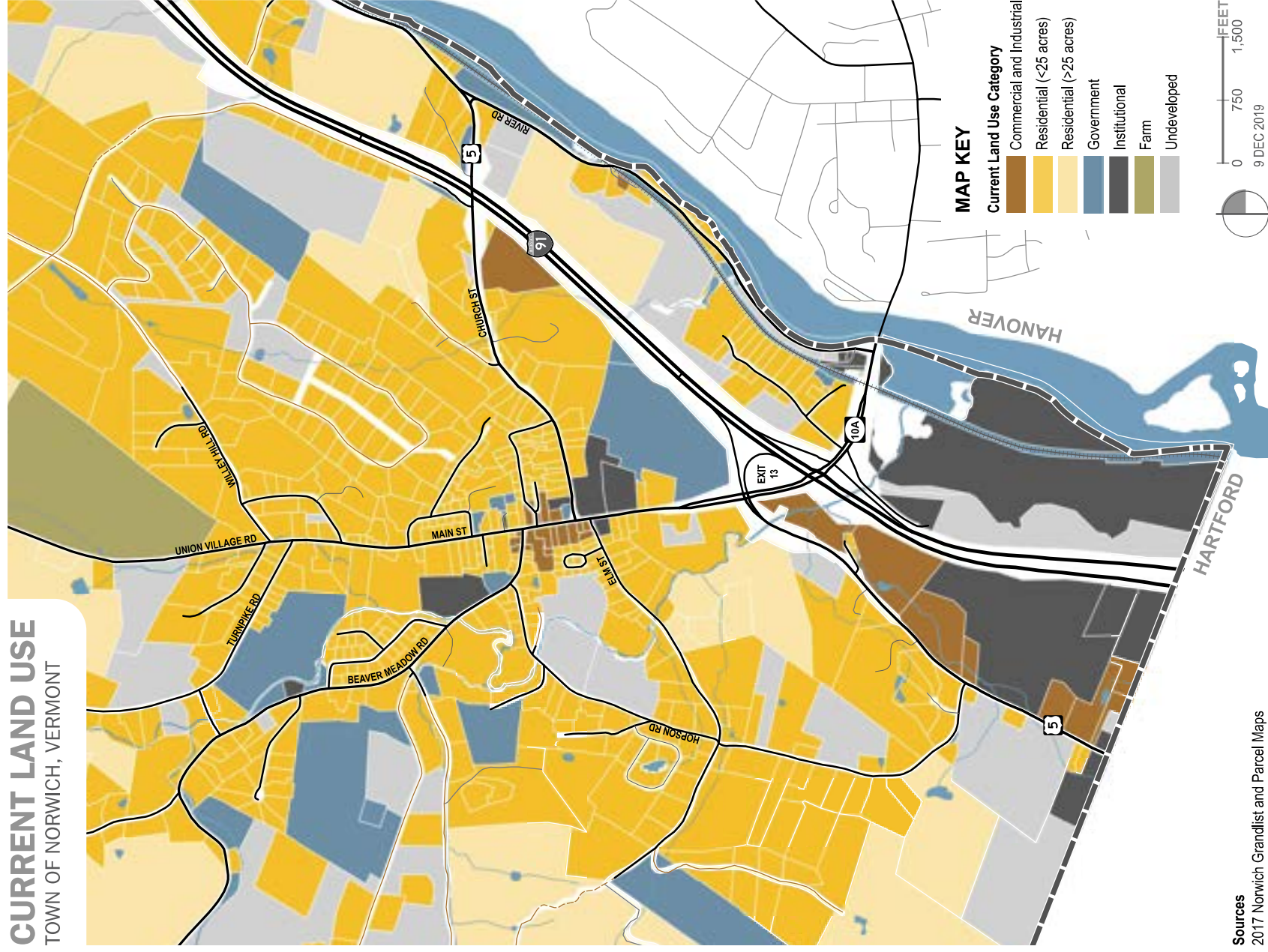
TOWN OF NORWICH, VERMONT



Sources
 2017 Norwich Grandlist and Parcel Maps

CURRENT LAND USE

TOWN OF NORWICH, VERMONT



Sources
2017 Norwich Grandlist and Parcel Maps

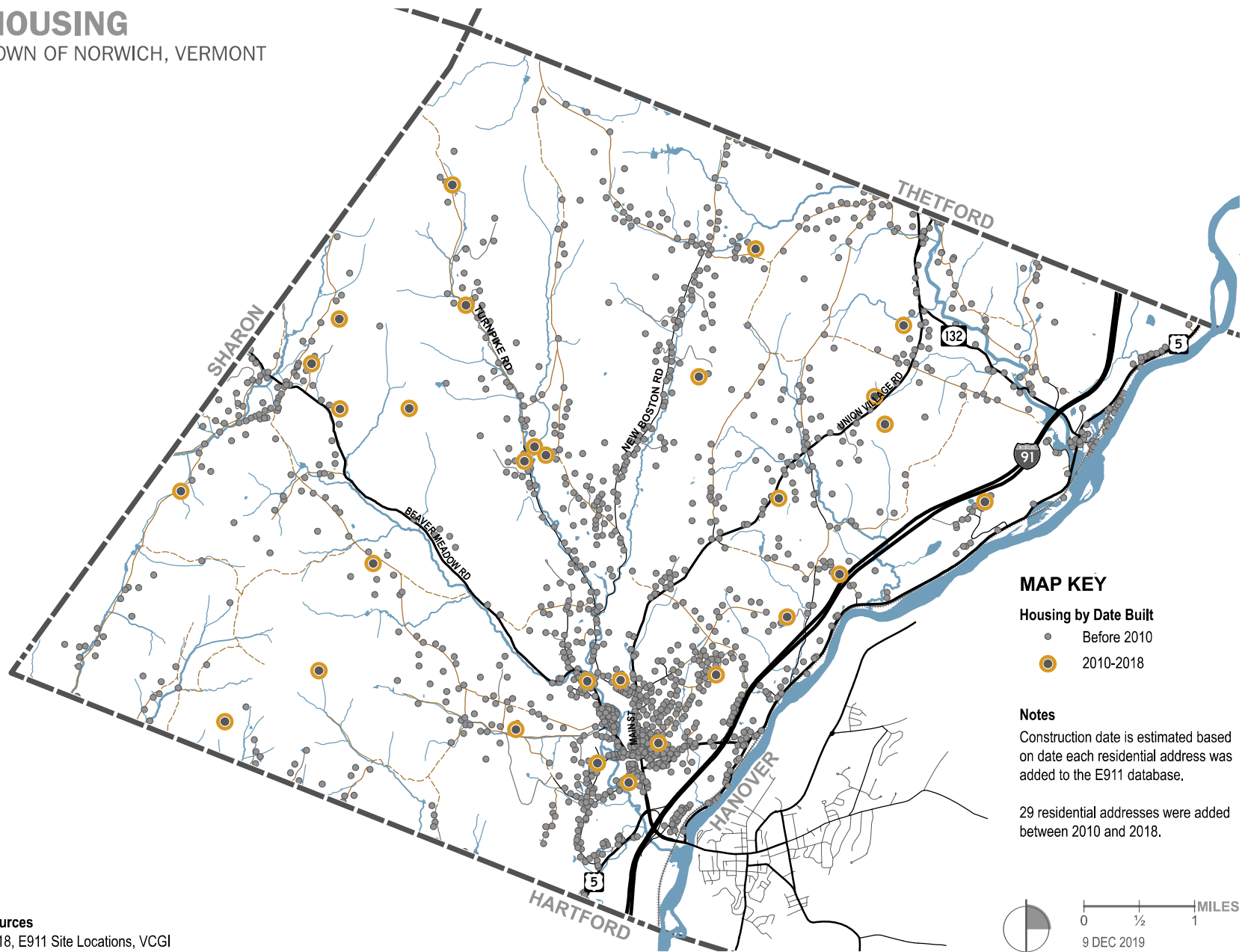
NORWICH 2020 TOWN PLAN

ADOPTED MARCH 7, 2020

LAND USE

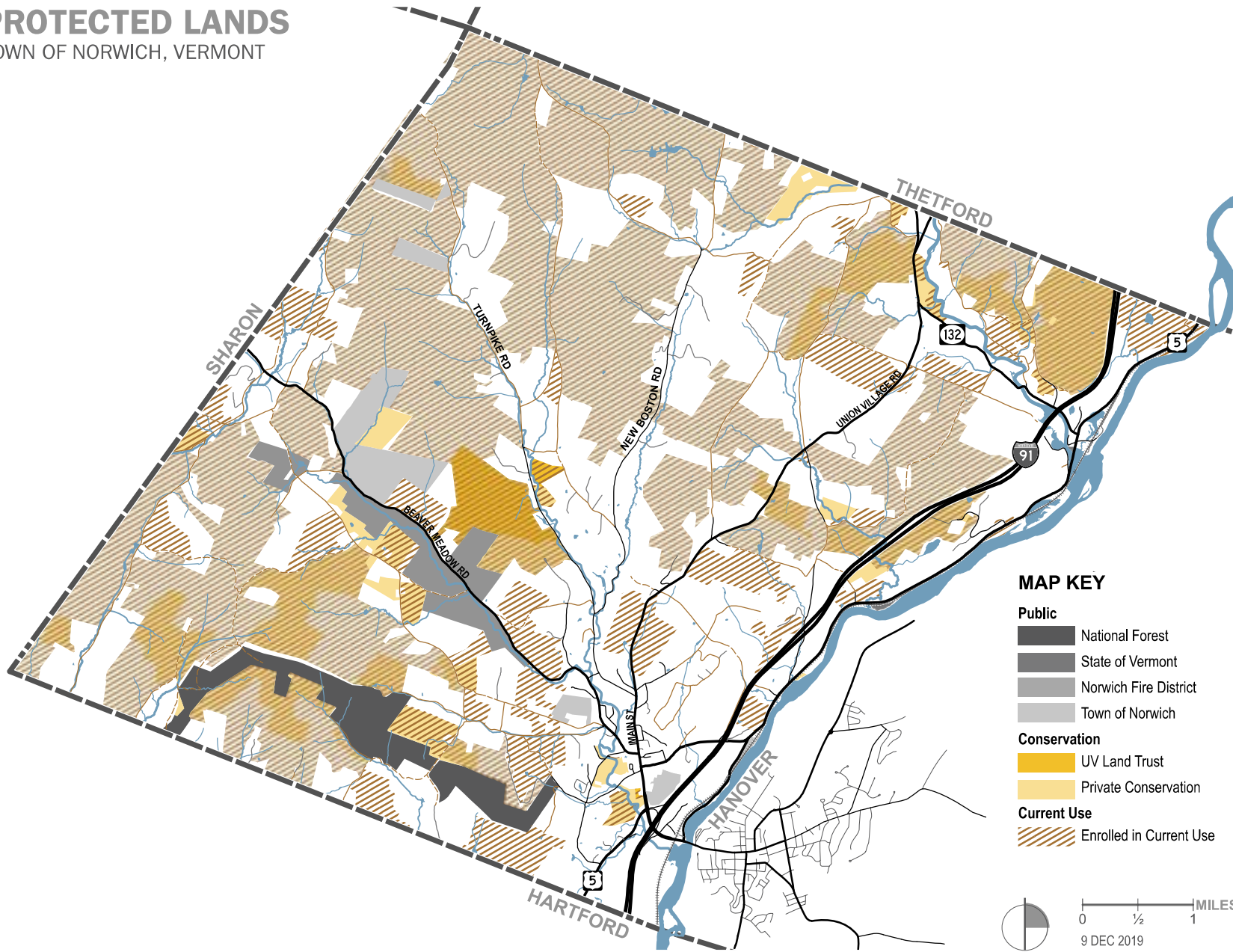
HOUSING

TOWN OF NORWICH, VERMONT



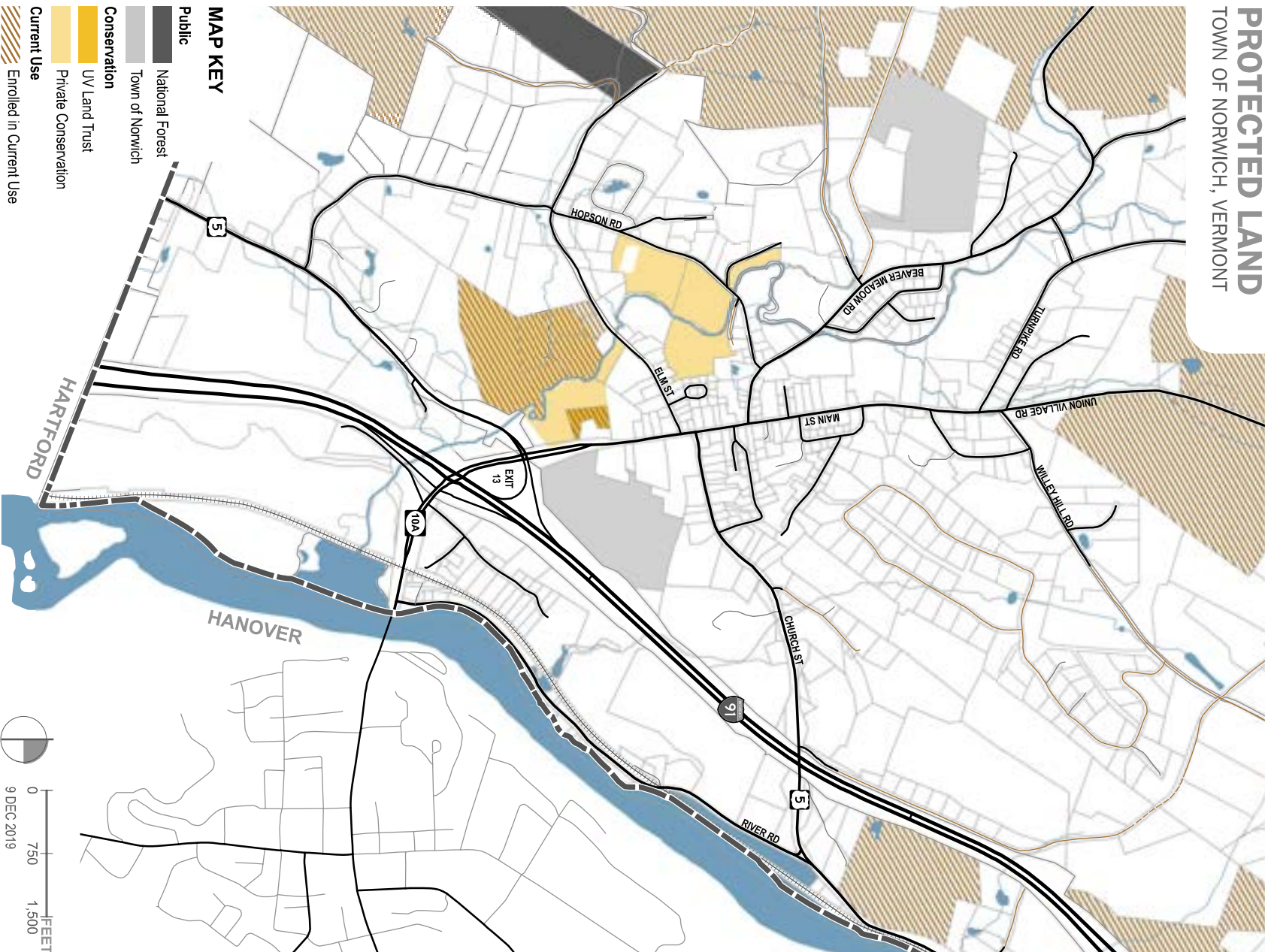
PROTECTED LANDS

TOWN OF NORWICH, VERMONT



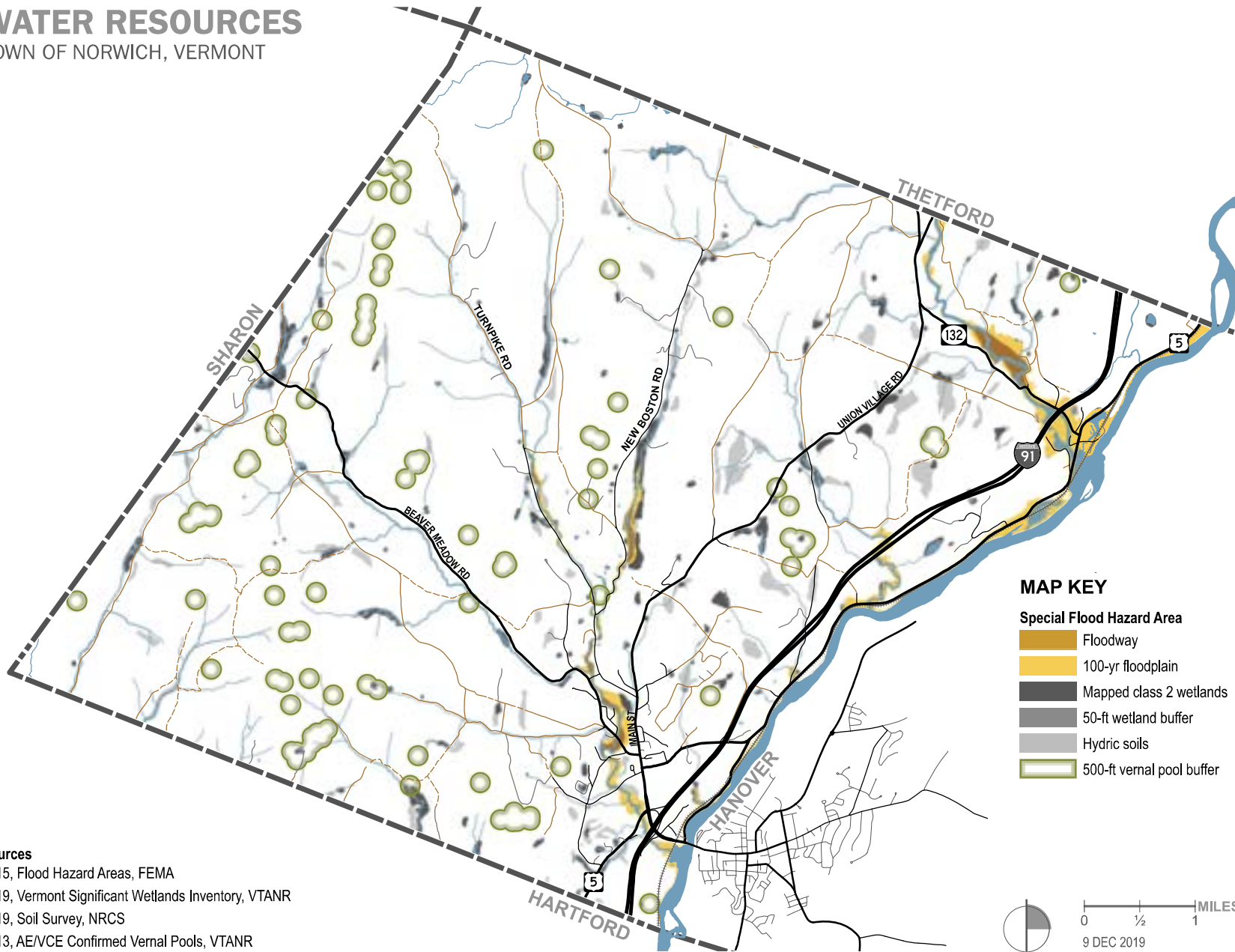
PROTECTED LAND

TOWN OF NORWICH, VERMONT



WATER RESOURCES

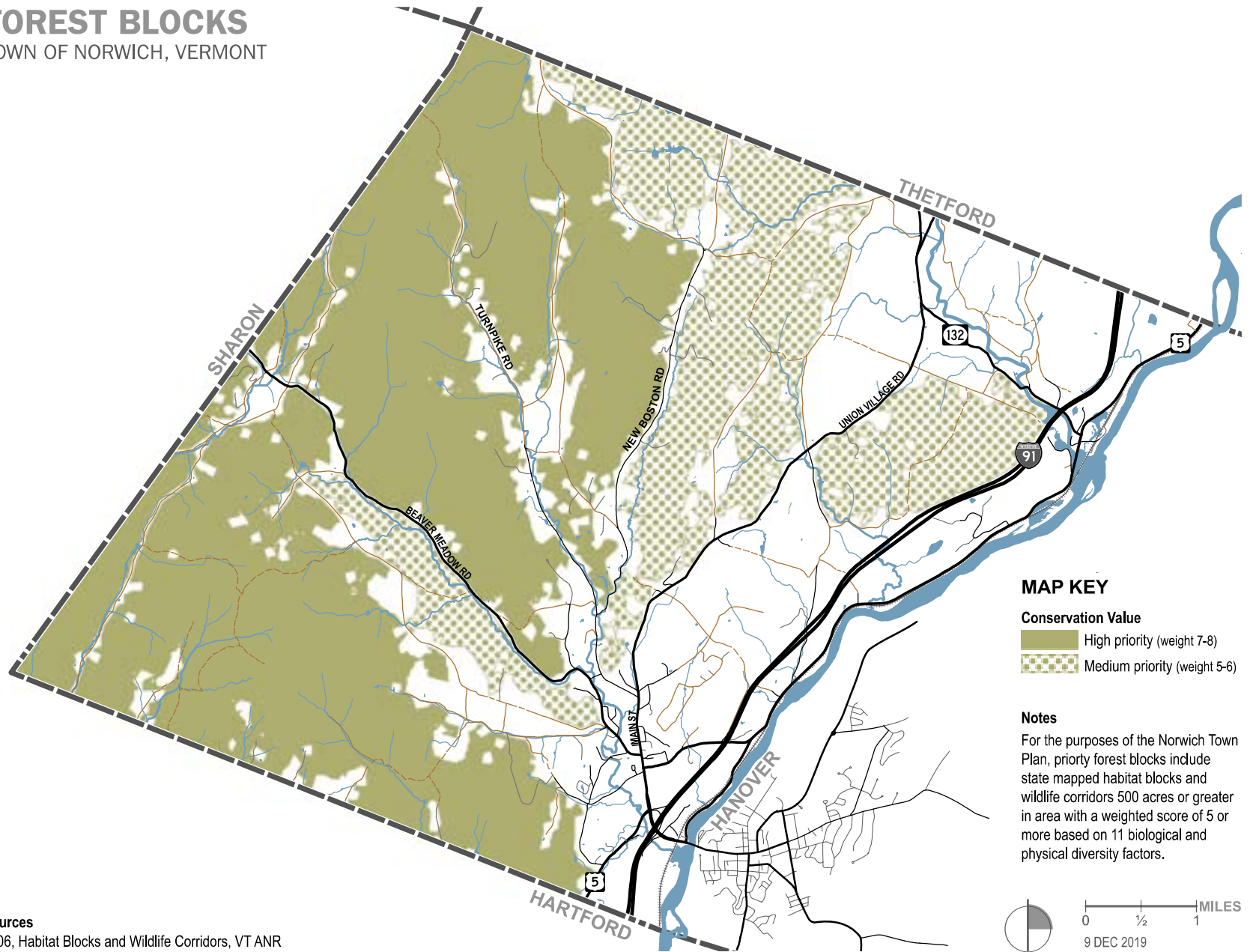
TOWN OF NORWICH, VERMONT



Sources
 2015, Flood Hazard Areas, FEMA
 2019, Vermont Significant Wetlands Inventory, VTANR
 2019, Soil Survey, NRCS
 2013, AE/VCE Confirmed Vernal Pools, VTANR

FOREST BLOCKS

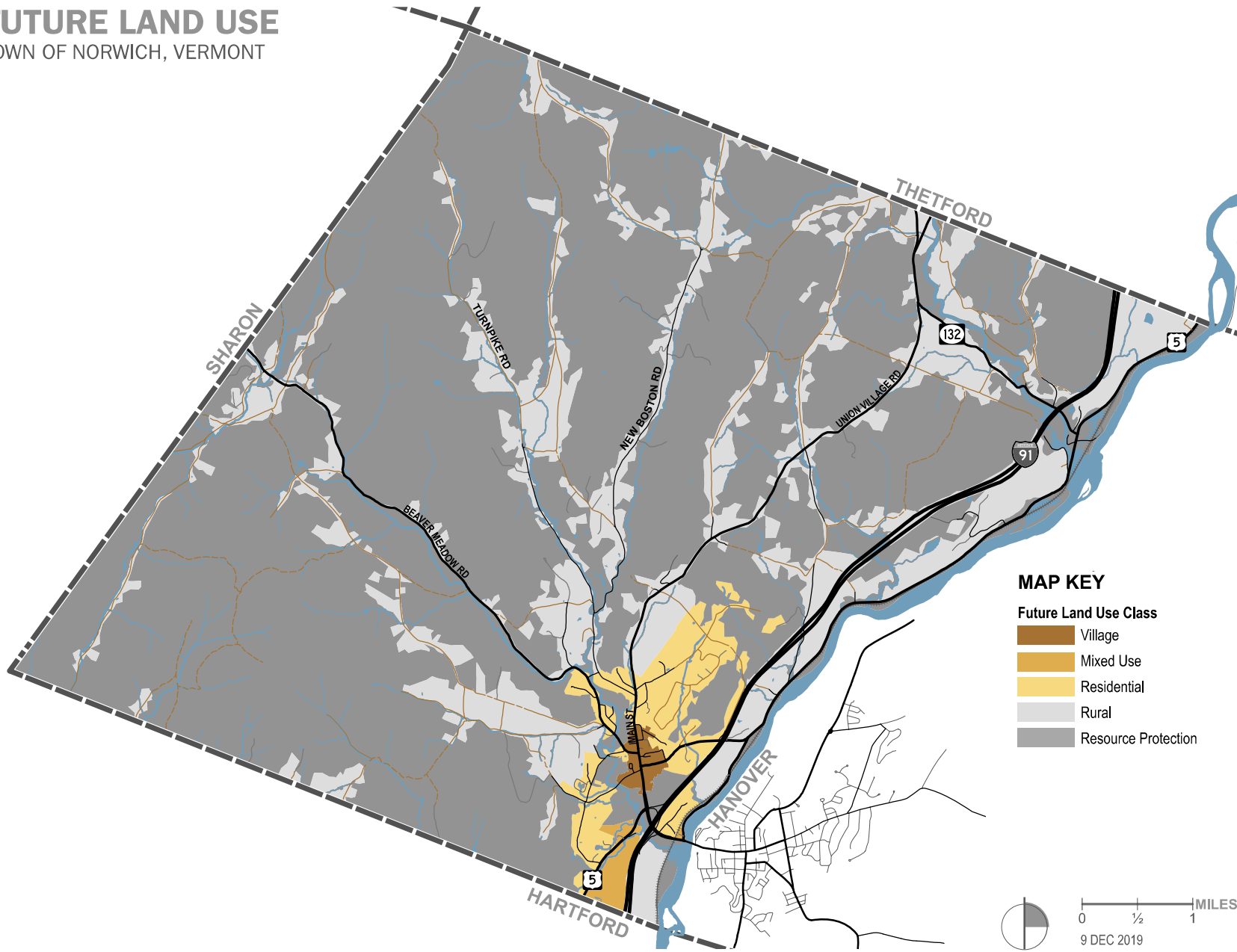
TOWN OF NORWICH, VERMONT



Sources
 2006, Habitat Blocks and Wildlife Corridors, VT ANR

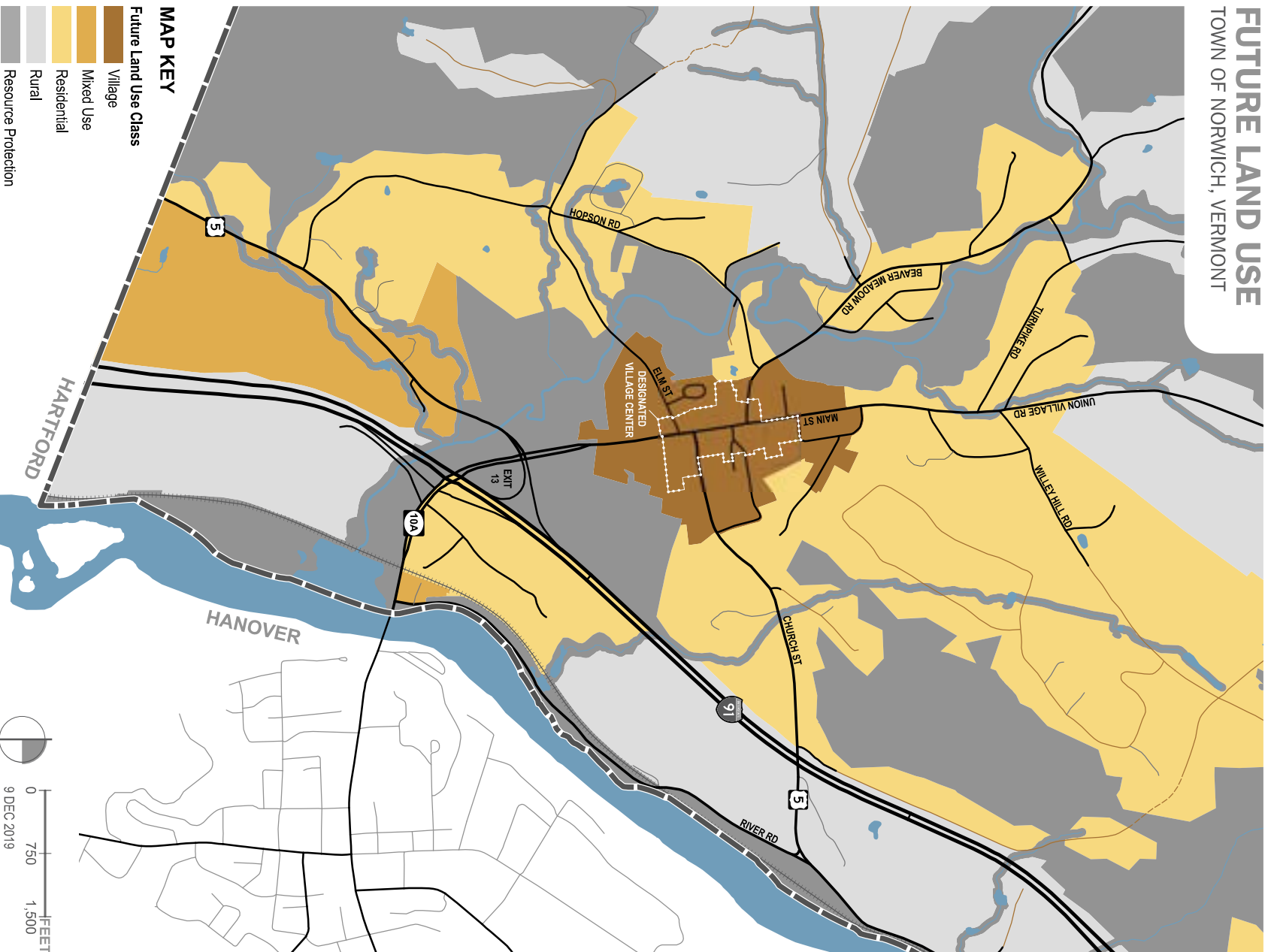
FUTURE LAND USE

TOWN OF NORWICH, VERMONT



FUTURE LAND USE

TOWN OF NORWICH, VERMONT



TOWN OF NORWICH
PLANNING COMMISSION REGULAR MEETING

DRAFT Minutes

Tuesday, May 12, 2026

Tracy Hall and Zoom

Members present: Jaan Laaspere (Chair), Christian Spalding (Vice-Chair), Jeff Goodrich, Bob Pape, Vince Crow, Miller Nuttle

Members absent: Mary Gorman

Staff: Steven True, Director, Planning & Zoning

Minute Taker: Steven True

Others Present: None

1. **Meeting opened at 6:30 PM**
2. **Approve Agenda:** Goodrich notes that he'd like more clarity on the contents of the packet going forward. Laaspere concurs, after discussion, there is consensus to table the discussion until item 4(c). Goodrich then moves to approve the agenda, Spalding seconds. During discussion, Spalding requests to add an update of the 2026 Bike/Ped grant application to the agenda. The **MOTION** to approve the agenda and add the Bike/Ped grant update as agenda item 8 carries (6-0).
3. **Public Comment or correspondence for items not on the agenda:** none
4. **Organizational Meeting**
 - a. **Election of Officers**
 - i. **Chair:** Goodrich moves, Spalding seconds to nominate Jaan Laaspere as the Chair of the Norwich Planning Commission. Hearing no other nominee, the **MOTION** carries, (6-0)
 - ii. **Vice-Chair:** Goodrich moves, Pape seconds to nominate Christian Spalding as the Vice-Chair of the Norwich Planning Commission. Hearing no other nominee, the **MOTION** carries, (6-0)
 - iii. **Clerk:** After discussion, and the volunteering of staff member True to take minutes, Spalding moves, Goodrich seconds to nominate Bob Pape as the Clerk of the Norwich Planning Commission, with True as the minute taker and with Pape providing a supervisory role over the minutes. **MOTION** carries. (6-0). The board thanks Vincent Crow for his hard work taking minutes over his first term.
 - b. **Planning Commission Bylaw Revision**
 - i. Members were presented with the current Bylaws last adopted in 2021 and which contain the Bylaws themselves, and Title 1 V.S.A. §310-314 and the Town of Norwich, Vermont Conflict of Interest Policy, adopted by the Norwich Selectboard in 2018, both incorporated by reference into the Bylaws.

- ii. Members were also presented with a model Planning Commission Bylaw based on The Rules of Procedure and Ethics Manual published by the Vermont Land Use Education and Training Collaborative (2005).
- iii. Members were instructed to review these documents for discussion under a future agenda item.

c. 2026 work plan, priorities and methods of work

- i. Laaspere notes how busy the upcoming months are going to be in the lead-up to the adoption a new Town Plan in 2028 and invites members to think creatively about methods to best work together and achieve this goal while maintaining compliance with Title 1 V.S.A §310-314. Members discuss the delegation of work like what has been done with the Housing element and Energy element. Members discuss how members might work together and remain under a quorum. Laaspere encourages members to work with Staff and to provide content and feedback for the packet in advance of meeting times.
- ii. Laaspere and True will work together to come up with a more orderly method to annotate and name contents of the packets going forward.

5. Village Master Plan update

- a. Laaspere reviewed the changes to the Project Summary, Work Plan and Steering Committee membership list coming out of the Planning Commission Special Meeting held April 28th, noting that this topic will be an ongoing agenda item during the life of the project.
- b. The next step is to update the Selectboard on the Commission's progress with the project, scheduled to happen the May 13th regular Select Board meeting. Laaspere and True to attend.

6. Short-term Rental Interim Bylaw update

- a. Laaspere and True updated members on the outcome of the Public Hearing on the Short-term Rental Interim Bylaw held by the Select Board at their April 22nd regular meeting. Based on the public feedback from the hearing around preexisting non-conforming uses, owner occupancy, and an addition from the Norwich Fire Chief, members reviewed a SECOND draft of the Interim Bylaws, and after discussion, Goodrich moved, Pape second to approve the SECOND draft as amended, and request the Select Board hold another public hearing at their convenience.
MOTION carries (6-0).

7. Energy Chapter update

- a. Item tabled to a future agenda item.

8. 2026 Bike/Ped Grant Application update

- a. Spalding, noting the action of the Planning Commission to move the Grant Application forward at the February 10th regular meeting, read the application's narrative to the members. Nuttle recommended that the letter from residents requesting action on this grant be included in the application. After discussion,

the members had consensus that the narrative was appropriate and well-constructed.

- b. True outlined the next step which is to prepare and present the application to the Select Board at their next regular meeting on May 27th, requesting that the Select Board take formal action at their June 10th meeting. The application is due June 12th.

9. Minutes from February 10th, April 14th & April 28th

- a. Goodrich moved, Crow seconds to approve the minutes. No discussion. **MOTION** carries (6-0).

10. Adjourn

- a. **MOTION** is made by Spalding, seconded by Pape to adjourn. No discussion. **MOTION** carries (6-0). Meeting adjourned at 8:20 PM.
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