

Town of Londonderry, Vermont

Planning Commission Meeting Minutes

Mon., June 10, 2024

Twitchell Building

Attending: Commission Members: Dick Dale, Mimi Lines, Heather Stephenson, Sharon Crossman
Guests: Bob and Kim Ray, Marcia Camp, Pam Spaulding, Janet Goodwin, Bonnie Cob, Anna Stoddard, James Ameden Jr, Kelly Capen, Melissa Brown

1. Meeting was called to order at 3:33 PM
2. **Additions to the Agenda:** None
3. **Minutes Approval:** Sharon moved, seconded by Mimi that the minutes of May 13, 2024 be approved. It was unanimously passed.
4. **Visitors and Concerned Citizens:** Heather prefaced the remarks and questions by reading several Emails received by Heather addressed to the Planning Commission concerning concerns about the Proposed Bylaws recently accepted by the Selectboard on May 3, 2024 and her response. Pam Spaulding wrote an Email on June 3 stating that she had many issues with many specific sections of the Proposed Bylaws. Her response acknowledged that her concerns have been expressed to the Selectboard which has the right to amend the Bylaws both as a result of many written and expressed comments, but especially those made during the scheduled hearing on June 17th. She explained the process, purpose, and goals followed by the PC especially noting that the four goals were to bring the Bylaws into compliance with over twenty years of no updates to the Bylaws bringing them into compliance, updating the Bylaws to be in accordance with the Town Plan adopted in 2017, simplify and make clear the process whereby citizens could more easily file for permits. Dick Dale added additional purposes and part of the process in developing the New Bylaws were to address the difficulty in interpreting the 2009 Bylaws and problems related to enforcement expressed by the DRB and Zone Administrators, to make the rules acceptable to the people of Londonderry and South Londonderry making special note that the PC had made many changes in response to anyone who expressed them, and finally, set up a procedure for the amendment of the bylaws if there were any unintended consequences in any of the over 218 page document which charted the future application of the Bylaws once they were passed because any practice or use of land under the 2009 Bylaws was grandfathered acceptable even if contradicted by new Bylaws. In her Email, Samantha Chaves expressed concern about provisions 3019, 3206, 3219, 3223 3013, 3216, 3227 because she felt it mad the operation of an important business for Londonderry almost impossible. Heather's response was to write that she had forwarded her very reasonable concerns to Will Goodwin now charged by the Selectboard to review all concerns prior to and as a result of comments made during the hearing. She expressed her regret that those concerns were not expressed during the time the PC was writing the draft, but reminded her that everything the company was permitted to do under the 2009 Bylaws was grandfathered in as permitted and the only effect of the new Bylaws would be to affect future permits. Lastly a resident of Sherwood Forest wrote a letter indicating that the 2009 Bylaws had put limits on her dream of making her home into a more acceptable permeant home, where as the proposed Bylaws allowed her to accomplish the dream. Heather's response was to say that was one of the intended expansion of opportunities in all zones to make it less difficult for owners to use their land in ways that they desired.

Heather opened the floor for comments from those online and in attendance. Kelly Capen questioned how the changes from Rural-Residential to Rural 3 might affect her. Except for the continued restrictions due to the Conservation Overlay and those imposed by the provisions of Act 250 and the acts promoting animal corridors and integrated forests, her use of her land currently practiced was permitted when the Bylaws were adopted. In fact, the Rural 3 designation expanded

her options for use. Anna Stoddard was concerned that her many businesses would be restricted by the Bylaws, but she too was assured that the New Bylaws only effected future development and that all of the business currently permitted unless fundamentally changed were permitted. She questioned the time of the PC meeting and was told why. The PC agreed that prior to Covid, the 6:00 PM time needed to become the normal start time as long as the Selectboard meetings did not conflict as they are meeting more frequently. Melissa Brown asked about the issue of amending the Bylaws going forward. She was told that it was the responsibility of the Selectboard which was always the process by State Law.

5. **Proposed Town Plan revision process:** At the May 13th meeting, Matt Bashler of the WRC suggested that there were many areas that the WRC could assist both as the traditional services the town has with the WRC and some contracted assistance. He reminded us that current legislation for Town Plans is particularly focused on flood mitigation, low-cost housing and its availability, and economic viability in the future. He suggested that the action, vision, policy that is required does require very specific language and the WRC could be contracted to assist with that process. Lastly, he felt that the planning commission was probably capable without too much effort of managing the update within the time frame created by the need to complete the adoption of the plan by October of 2025. The PC could begin to gather input from the public and formulate community goals and objectives, and gather land use changes created by the proposed Bylaw revisions immediately on its own. A motion was made to use \$4000 remaining in the PC budget to be paid before June 30, 2024 to the WRC to assist in assisting with the process of updating data and maps, and to suggest how the action, vision, policy language should be revised. The new Town Plan must be approved by October, 2025.
6. **South Village Master Plan:** Mimi read from a prepared document of notes documenting the extensive activities of the several outreach meetings to anyone who has ideas for the future of South Londonderry that produced many ideas and several volunteers to work on the task force charged with working with Stephens and Associates, the contractor charged with producing the report. Owing to snow storms, the time line of the contract will need to be adjusted. The task force will continue to work with the contractor, but the next larger meeting of concerned citizens will be in September with some preliminary ideas. More information concerning the details of both the task force activities and brain storming sessions will be in the minutes when they are posted on the town website.
7. **Middletown Town Hall Update:** Sharon and Mimi reported significant progress on the refurbishing and restoration of the building. It is slightly on hold because the Weston Theatre has rented the building as a rehearsal place and because most of the construction effort by the town is now directed at the completion of the restoration and expansion of the Twitchell Building.
8. **Bylaw Update:** Heather has created a searchable by word or phrase interactive PCF shat she hopes will be posted on the Town website replacing the current posting.
9. The meeting was adjourned at 4:53.
10. The next meeting of the PC will be June 10, 2024 at the Twitchell Building. July 8, 2024 with the time to be determined dependent on a possible conflict with the Selectboard.

Respectfully Submitted:

Dick Dale

ACCEPTED ON 9/16/2024