

NVDA Town Plan Review Committee Hearing Minutes
Regional Approval of the Municipal Plan of the Town of Derby
Wednesday, June 17, 2020, 4:00 p.m.

From Town Plan Review Committee: Paul Brouha, Sutton; Gina Vigneault, Norton, Cynthia Stuart, Concord; Amanda Carlson, Coventry

NVDA Staff: Alison Low

Representing Town of Derby: Bob Kelley, Derby Zoning Administrator, Bob DeRoehm and Hazen Converse, Derby Planning Commission and Development Review Board

Prior to the opening of the Regional Approval hearing, the committee voted to have Paul Brouha act as Chair. The hearing opened at approximately 4:00 p.m.

Paul then took a roll call, and he asked Alison Low to explain the purpose of the hearing. The purpose of the hearing, stated Alison, is to “approve” the Town Plan of Derby, according to 24 VSA 4350. NVDA regularly confirms the planning efforts of communities, which entitles them to a number of benefits such as eligibility for Municipal Planning Grants and Village Center Designation. A central part of the confirmation is to “approve” the plan by determining if it meets the requirements of 24 V.S.A. 4382 and is consistent with the goals of 24 V.S.A. 4302.

Paul then asked Bob Kelley to talk about the Derby Plan – was it considered a major update? Bob said that it was, because many sections went through major revisions. The planning commission added new sections on flood resilience. With respect to energy, Paul wanted to know if the town was planning to adopt an enhanced energy plan. That, Bob said, might be something they would consider in the next update. The plan had already expired, so the motivating factor for the update was to get a current plan proposed by Town Meeting Day.

Paul wanted to know what the major initiatives coming out of the plan were. Bob said that the motivating factor to update the plan was to be eligible for grants and update the town’s bylaw. In fact, the Town is holding its first hearing for proposed amendments to the town’s zoning bylaw. The planning commission was already in the process of amending the bylaw when the plan expired. There are few things that citizens wanted to see updated. Many uses in the zones, especially the residential one acre, seemed to be very inclusive of commercial uses. Many of the non-residential uses were taken out.

Paul also wanted to know how NVDA could help Derby in the future. Bob stated that this fall, he wanted to work with NVDA to update the bylaw to adopt bona fide subdivisions regulations. Paul asked about PUD requirements and the staff review comment that the PUD provisions in the bylaw should be amended to allow for houses on smaller lots (cluster development) while preserving large contiguous blocks of forestland or farmland. Paul was concerned that the minimum acreage was too large. Alison noted that by making the acreages smaller, there would be more opportunities to cluster development. And, as Paul pointed out there might be more opportunities to share infrastructure (including access roads and driveways). Bob pointed out that water and sewer is largely restricted to the villages. Most areas where water and sewer are available are

already well developed. Are there opportunities to expand water and sewer? Sewer would be difficult to expand.

Other comments/questions for Bob from the committee: Amanda commented that it would be helpful to add timelines to the implementation recommendations. She also wanted to know if there were any comments regarding the expansion of the landfill during the plan update process. At one point it was discussed, but the planning commission hasn't been meeting since COVID 19. The selectboard did take a position on it, however.

Paul wanted to know if there was an implementation schedule for the plan. Bob said that there was not. It was noted in the staff review that the goals and strategies were largely unchanged from the old plan. It would be helpful to adopt some timelines going forward in order to document the planning commission's efforts to implement the plan. NVDA will be coming back to confirm the town's planning efforts halfway through the planning cycle. Therefore record keeping would be helpful as well as setting some internal deadlines. The town could, for example, adopt an implementation schedule as an addendum to the plan. Paul noted that the five-year capital budget and plan would be a great mechanism to organize the implementation plan around. Bob DeRoehm asked if it would entail a whole separate section to the plan. Cynthia pointed him to Concord's implementation plan, which has timeframe, person(s) responsible, and special notes. It is, in fact, an addendum to the plan, and it helps keep people focused on the relevant tasks at stake. The Concord plan, along with all of the region's plans, can be found on www.nvda.net.

Amanda sought clarification if "selectboard" or "select board" should be correct. It shouldn't be capitalized unless the name of the town is next to it. Pick one style or the other. Cynthia commented that the plan was very goal-oriented. It would be nice to see some strategies to ensure that those goals are met. She also wanted to know if there was any feedback from the public during the plan adoption process. Bob said no – that public participation was minimal, as is often the case during the plan adoption process.

Final words to Derby – the implementation strategies (particularly those tied to money as in the capital budget and plan) is what "puts the wheels on the road." Otherwise a plan is just a document that can be overlooked by the public. Also, it will be interesting to know what strategies emerge as our towns begin to deal with the aftermath of COVID 19.

At this point, Amanda made a motion to recommend approval of the Derby Town Plan from the full board. Cynthia and Gina seconded the motion. The motion passed, with all voting in favor. The hearing closed at 4:25 p.m.

Respectfully submitted,
Alison Low, NVDA