

Town of Londonderry, Vermont

**Planning Commission Special Meeting Minutes
Weds., July 25 2023 – 3:30 PM
Twitchell Building**

Attending: Commission Members: Sharon Crossman, Elsie Smith, Dick Dale, Mimi Lines, Larry Gubb, Mary Ann Morris; and Guests: Patti Eisenhaur, Shelly Hendler

1. Meeting was called to order at 3:37 PM
2. Additions to the Agenda: The PC added comments of praise for the remarkable number of volunteers, the extraordinary coordinated effort by Town Officials and the Road Crews, and Chaves and Hunter companies, the efforts by the whole emergency planning team reacting to the emergency as the Emergency Plan developed by Kevin Beatty and practiced in the State emergency practice exercise three years ago, and the essential role played in the recovery effort by Neighborhood Connections in responding so quickly to the floods and aftermath. Further comments were offered commenting on the use of social media to keep the public informed and allow people to reach out to both volunteer and to receive aid. There are still things to learn, but the overall response was much improved over Irene. All admitted that the effort to fully recover will take time well beyond the first reaction to the crisis.
3. Minutes of the Planning Commission meeting June 12 10, 2023 and June 21 ,2023 were unanimously approved. (Dick proposed, Mimi seconded.
4. Sharon raised the concern of how to capitalize on what was learned from this flood and the effort after Irene that produced observations and responses publish in its study “After the Flood.” Over the years, there has been a great deal of study expended to understand how to avoid the repeated effects of major flooding in Town. The focus of the PC commentary was on how to prevent the same level of destruction and flooding which occurred in 1973, 1987, 2011, and this year as FEMA and shortage of funds by so many regularly affected by floods that usually result in businesses simply rebuilding exactly as before rather than rebuilding in a way to minimize their damage resulting in the inevitable consequences of the rivers flooding in response to the significant amounts of rain, It was agreed that Mimi would call Vt. State Agencies suggested by the North Main Street Vision Plan to pursue ways of trying to minimize future damage as suggested by raising main street and buildings along Main Street up by four feet. It was agreed to call on the WRC VCRD, and other planning groups to convene a round table to review the book, “After the Flood” and review again the North Main Street study and capitalize on both the Dam Study group and Waste Water Committees and finally set priorities to both learn from the lessons learned as a result of the July 12 floods and really create a more complete discussion of some of the ideas suggested by the Main Street Study that did vision a way of minimizing the effects of floods. Because the Town does not have the infrastructure and staff to restore language of Flood Control, it was concluded that the proposed Bylaws do not need further revision with respect to flood issues.
5. There was a lengthy discussion concerning the Resource Protection zone idea as to it is likely to generate of much continued opposition possibly even the successful passage and implementation of the proposed Bylaws. The opposition to the district has been vocal and is likely to remain so. Ultimately the question of its necessity at this time given the protections of section 4404 which involves the Conservation in monitoring house sites and building envelopes as they affect the goals of conservation and the fact that most of the areas designated as Resource Protection have not been developed by landowners over decades, and there have been substantial acres already designated as either conserved or customary use. Much of the development of properties is limited by factors which make extensive development impossible. The PC is still concerned about unrestricted development by not the current landowners, but by new purchasers of lands for development purpose. The discussion focused on the fact that the Town Plan will need to be revised

in the next three years and that the zoning revisions will have to follow shortly thereafter. It was acknowledged that the PC has stated repeatedly that the comprehensive nature of the Proposed Zoning Bylaws may need to be revised to fix unintended consequences within a year. It was acknowledged that the new language on Building Envelopes allows for reviews by the DRB advised by the Conservation Commission. It was acknowledged that the PC must continue to monitor development as it unfolds over the next several years. It has the ability to promote and gain acceptance by the public that a Resource Protection District is really needed and that it will be much easier to justify and gain support for adding to the Bylaws such a revision in the future. It was agreed that the public needs to know more about conservation and customary use, perhaps lead by the Conservation Commission. It was finally agreed that adding the years old Conservation Overlay map needs to be added to the proposed bylaws so that people could see what has been conserved and continued to be added to by individual landowners. This map is not the map developed by the new proposed Bylaws outlining the proposed Conservation District. Finally, before acting to change the Resource Protection district back to R-3 as it is now, that our consultant's reaction is desired and which will be asked for at the August 14th meeting where a final decision will be made. If the change is made to designate the Resource Protection Zone to R-3 is decided upon, the grandfathering language would no longer be necessary.

Other matters related to the proposed Bylaws were raised. There was already a concern about the need for a new hearing because the changes in State law and because of some of the differences of the several maps available on June 12th at the hearing which were discussed on June 21 and resolved. The final maps need to be consistent and updates required by legislative action are not insignificant changes and thus require a new hearing. It was pointed out that Pingree Park was still designated as in the Resource Protection district which was previously changed because the Selectboard had stated that town lands except for the already Conserved properties should not be in the Resource Protection District, but be in R-3. It was further noted that the Gagnon property next to Pingree Park still was in a residential district instead of the Village Residential District voted on by the PC last March. Lastly, the fire departments suggested that a building height of 42 feet made it impossible to fight fires because there was no local equipment which reached higher than thirty-five feet. The PC agreed to restore the current height to thirty-five feet in used in the current zoning bylaws per the request of the fire departments.

6. Mary Ann Morris was nominated by the PC as its recommended member of the PC to be appointed to the Housing Commission unanimously. (Dick nominated, Mimi seconded,)
7. There was no new business.
8. The next meeting of the Planning Commission will be on August 14th at the Twitchell Building at 3:30. It will also be a hybrid meeting.
9. The meeting was adjourned at 5:07 PM.

Respectfully Submitted,
Dick Dale

Approved 8/28/2023