CENTRAL VERMONT REGIONAL PLANNING COMMISSION
Municipal Plan Review Committee
Minutes

March 03, 2022 at 4:00pm
Via in person & Zoom Software

Committee Members:

X	Bill Arrand, Worcester
X	Peter Carbee, Washington
X	Ron Krauth, Middlesex Commissioner
X	Joyce Manchester, Moretown Alternate Commissioner
X	Jan Ohlsson, Calais Alternate Commissioner

Roxbury Municipal Representatives: Dottie Guiffre, Lucinda Sullivan, Elizabeth Carney
Other: none
Staff: Clare Rock, Blaine Hoskins

CALL TO ORDER
Everyone introduced themselves. B. Arrand called the meeting to order at 4:00pm.

CHANGES TO THE AGENDA
No changes to agenda.

PUBLIC COMMENTS
No public comments.

PUBLIC HEARING: APPROVAL OF THE *2021 ROXBURY TOWN PLAN* AND CONFIRMATION OF THE LOCAL PLANNING PROCESS
B. Arrand opened the hearing.
L. Sullivan of Roxbury commented on a change in the documented procedure dates: the Roxbury public hearing took place on December 6th, 2021 and a request for CVRPC conformation was sent on December 20th, 2021 and again on January 28th, 2022. She then thanked CVRPC with the help in creating the town plan. J. Ohlsson complemented the plan and hopes the implementation process goes well.

Public hearing closes at 4:05pm

PUBLIC HEARING: APPROVAL OF THE *2021 AMENDMENT 2017 CABOT TOWN PLAN TOWN PLAN* AND CONFIRMATION OF THE LOCAL PLANNING PROCESS

B. Arrand opened the hearing and explained the amendment to the plan – addition of a preexisting Village Center Designation map.

C. Rock noted that there was some missing background information concerning Cabot's public hearing process, CVRPC spoke with the local PC Chair and understands the town didn't issue the statutory 30-Day Notice and didn't hold a public hearing as per the required process. The town plan amendment was

included on the Town Meeting Day ballot and residents voted to approve the amendment. Staff is in the process of gathering an opinion as to whether the amendment is effective as the notice and hearing process was not undertaken. Staff also sent out an email to the MPRC and it included the following information:

To supplement the Cabot memo in the MPRC packet:

- ***Staff Review***
  - *In the memo I stated "For this reason staff is deferring to the previous review in which the plan was reviewed for the following items…" in addition staff has run the plan through the current checklist and finds that the amendment is:*
    - ☑ *consistent with the State goals established in section §4302*
    - ☑ *compatible with its regional plan*
    - ☑ *compatible with approved plans of other municipalities in the region*
    - ☑ *contains all the elements included in section § 4382*

Moving forward with amendments, it is recommended that we treat them as a new plan in that the RPC will vote on issuing a new Resolution for approval and confirmation (rather than validating the originally issued one.)

Updated link to the Cabot town plan: https://centralvtplanning.org/wp-content/uploads/2022/03/Cabot-Town-Plan_Proposed-Amendment-21-11-10.pdf

CVRPC did receive the official letter from Cabot requesting the approval and confirmation from the RPC. Cabot's Village Center Designation is about to expire and the town wants to renew its Designation, and that's a driving reason to have the plan amended to meet the requirements of the Designation process.

P. Carbee questioned if the town plan being included on the ballot counted as a public hearing.

C. Rock gave the option of continuing this hearing on March 8th at the board meeting once more information about the plan's status. At least a quorum on MPRC members would have to attend.

The committee discussed Cabot not holding a public hearing, and the need for a public hearing if the plan hasn't changed except for an addition of a preexisting map that depicts preexisting village center boundaries, and the necessity to up hold procedure.

C. Rock informed the committee that there was an informational hearing held in Cabot on February 22 to cover every item on the ballot, including the town plan amendment. In past situations, CVRPC has recommended approval pending adoption.

P. Carbee requested that League of Cities and Towns be consulted on the validness of the planning process.

Public hearing closes at 4:33pm

RECOMMENDATIONS TO THE CVRPC BOARD OF COMMISSIONERS:

a. **APPROVAL OF THE 2021 ROXBURY TOWN PLAN**
J. Manchester moved to recommend approve the Roxbury Town Plan. J. Ohlsson seconded. All in favor, motion carried.

b. **CONFIRMATION OF THE TOWN OF ROXBURY MUNICIPAL PLANNING PROCESS**
P. Carbee moved to recommend confirmation of the Town of Roxbury municipal planning process and J. Ohlsson seconded. All in favor, motion carried.

c. **APPROVAL OF THE 2021 AMENDMENT TO THE 2017 CABOT TOWN PLAN**
The committee discussed the ability to approve the town plan but not the planning process and if the town plan is valid.

C. Rock read the legal language for requirements of the planning process:
24 V.S.A. § 4350
(1) is engaged in a continuing planning process that, within a reasonable time, will result in a plan that is consistent with the goals contained in section 4302 of this title;
(2) is engaged in a process to implement its municipal plan, consistent with the program for implementation required under section 4382 of this title; and
(3) is maintaining its efforts to provide local funds for municipal and regional planning purposes.

The municipality must have approved plan in order to have approved planning process. Discussion followed about what confirmation of the planning process means; and Village Center Designation requirements as they relate to the town plan.

P. Carbee moved to recommend approval of the 2021 Amendment to the 2017 Cabot Town Plan pending positive legal opinion Vermont League of Cities and Towns (indicating the plan amendment is valid). J. Manchester seconded. All in favor, motion carried.

d. **CONFIRMATION OF THE TOWN OF CABOT MUNICIPAL PLANNING PROCESS**
J. Manchester moved to recommend confirmation of the Cabot planning process pending positive legal opinion from the Vermont League of Cities and Towns (indicating the plan amendment is valid). P. Carbee seconded. All in favor, motion carried.

APPROVAL OF DRAFT MINUTES
Approval of draft minutes from January 20, 2022.

P. Carbee moved to approve the January 20, 2022 minutes. *J. Ohlsson seconded. All in favor, motion carried.*

ADJOURNMENT
P. Carbee made motion to adjourn and J. Manchester seconded. All in favor. Motion carried.

Meeting adjourned at 4:53pm.