

NVDA Town Plan Review Committee Hearing Minutes
Regional Approval of Jay Town Plans
Monday, August 28, 2017 6:00 PM
at the Jay Town Offices, 1036 Vt. 242, Jay VT

From Town Plan Review Committee: Sten Lium, Concord; Mike Metcalf, Greensboro; Paul Brouha, Sutton;

NVDA Staff: Alison Low

Representing Jay: Arlene Abadi, Shirley Talbot, Earlene Morse, Michelle Spring, Peggy Loux, Lynette Deaette, Peter Fina (who joined near the end of the hearing).

Prior to the opening of the hearing, the committee voted to have Mike Metcalf act as Chair. The hearing opened at 6:05 p.m.

Alison Low explained the purpose of the hearing.* Mike started the review process by asking about the nature of the Jay plan – was it a substantive rewrite of the previous plan? Michelle felt that it was a minor change, but Earlene pointed out that a community survey was completed two years ago, drawing numerous responses. Additionally, it was pointed out that the flood resilience element was entirely new, and the planning commission had to put some effort into meeting that new mandate (with the assistance of Frank Maloney).

The planning commission intends to update their bylaws now that the plan has been adopted. The bylaw update is something that they feel has been needed for a long time, but they were not able to do this while the plan was expired.

While Sten commented that it was great to see a town of such a relatively small size produce a plan like this, other general observations from the committee were focused on potential but important improvements to the plan, considered to be minimally compliant with statute. These observations are summarized as:

- The plan needed tighter organization and editing to give it a single, unified “voice.” One example is the need for more effective integration of broader goals, accompanied by objectives, and finally a set of actionable recommendations for implementation. Existing implementation actions tend to be open-ended and avoid specificity. The recently published Vermont Planning Manual, which is available online, provides excellent guidance on producing tightly focused and organized documents that can lead to action.
- There is an opportunity to better integrate planning initiatives into broader local, regional, and state efforts, such as Act 64, short structures assessments, capital budgeting, and erosion inventories. While the selectboard stated that transportation and road infrastructure were their jurisdiction, the committee emphasized that local planning efforts would benefit from more dynamic exchange between the planning commission and selectboard on these issues.

- It was noted that the energy plan contained a significant amount of detail about siting renewable energy. Nevertheless, the plan, as adopted, would only receive “due consideration” in the Section 248 process, and not “substantial deference” as per Act 174, which would allow the town to have a greater say in the siting process. Even though the timing of the plan update made pursuing substantial deference difficult (the regional planning commission had just completed compiling data and was just beginning to update this plan when it was adopted), the committee felt that a subsequent update of the Jay plan in the near future in order to meet substantial deference requirements would be well worth the effort. It was already pointed out that NVDA had developed maps and data that the town could use. It was also pointed out that the addition of maps (and noise standards) would lend specificity and weight to the plan.
- It was pointed out that the Table in the Flood Resilience section, *Table X.2 Potential ERAF funding Scenarios after October 2014*, had some figures transposed. That should be fixed. (Note: This would be considered correction of a typo – not a change to the plan.)

*At one point, the need for the hearing to be held at Jay and the level of scrutiny that was applied to the plan was questioned by town officials. Those representing NVDA explained that hearings a few years back were held remotely, typically in St. Johnsbury). This made meaningful participation by local officials very difficult, so the committee decided to meet on the town’s own turf as much as possible. (When there are joint hearings, the committee tries to select a location that’s mutually convenient.) Alison also explained that the basis for town plan approval has not changed since Act 200 in 1988. The process has always been based on a staff review. Recent litigation has called into question the validity of some town plans. NVDA staff and the town plan approval committee have responded in kind, making sure that everything is done “by the book.”

At this point, Mike recommended that the committee recommend approval from the full board of NVDA, with the strong recommendation that subsequent updates of the plan address concerns noted by the committee. Sten seconded the motion. The motion passed, with all voting in favor.

The committee voted to adjourn at 6:49 pm

Respectfully submitted,

Alison Low