

TOWN OF ELMORE, VT

Planning Commission Meeting

Meeting Minutes – prepared by Hans de Boer

Status: Draft

Meeting Date: July 19, 2022

Start Time: 5:35 pm **Adjourn:** 6:40 pm

Meeting Attendees: EPC: Glenn Schwartz, Hans de Boer, Kate Sprague, Bruce Olsson, Don Valentine, Michelle Greeson

DRB: Caroline DeVore, Jill Lindenmeyr, Stuart Wepler (DRB Consultant)

Guests: Warren West (Elmore Select Board), Seth Jensen (LCPC), Alec Jones (LCPC)

Chairperson K. Sprague opened the Planning Commission meeting. Warren West, a visitor to the meeting, asked for three points of order.

Mr. West introduced himself as a 22 year resident of Elmore, a Select Board member and that he lived on Elmore Mountain Road which in theory is in conflict with the discussions regarding the forest district. He said he is not advocating any change to the Forest district, he simply wants things to remain the same. His point of reference to tonight's meeting is that we all should be following proper procedure regarding the open meeting laws in public meetings based on state law.

In his first point of order Mr. West asked for clarity from the Planning Committee members about how this meeting was warned to the public. He did not see a warning in the local newspaper or in each of the informational boxes downtown. The Planning Commission members stated that this meeting was a regularly scheduled meeting and was not required to provide a warning in the local newspaper or in each of the informational boxes downtown. A warning and agenda was posted on the Elmore website. Since this was a regularly scheduled meeting, this met the warning requirements as per the following;

A public body schedules regular meetings by adopting a resolution setting the time and place of the meetings. This information must be made available to the public on request. 1 V.S.A. § 312(c)(1). When a board meets regularly on, for example, the first Tuesday of every month, the law does not require additional public announcement or posting of these meetings so long as the time and place has been clearly designated by resolution or other determining authority (statute, charter, regulation, ordinance, or bylaw). Public bodies must, however, create and make available meeting agendas for regular meetings. 1 V.S.A. § 312(d) (1), (2).

In his second point of order, Mr. West highlighted the fact that the Planning Commission's minutes of the prior meeting stated that the Development Review Board (DRB) brought up issues of concern regarding zoning regulations. However, none of these issues of concern have ever been addressed at an official meeting of the DRB. This was based on his review of minutes for the last two and a half years.

Mr. West then asked for a third point of order regarding the fact that it didn't appear that at the last Planning Commission meeting there was any discussion regarding conflict of interest before subject matters that were discussed. Mr. West noted that he believed as

TOWN OF ELMORE, VT

Planning Commission Meeting

of 2019, the state had mandated that all towns are required to develop a statement of conflict for the town committees to follow. Mr. West also noted that three of the four board members on the DRB had a conflict regarding any discussion of the forest district zoning regulations since they live in the forest district themselves. And he suggested that any further conversation about changing the zoning regulations should first involve a discussion of conflict of interest.

The planning commission agreed to look into the conflict of interest issue and rescheduled this meeting for Wednesday September 7, 2022 at 5:30pm.