

1 CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
2 PLANNING ADVISORY COMMITTEE - MINUTES
3

4 DATE: Wednesday, March 11, 2015
5 TIME: 2:30 p.m. to 4:30 p.m.
6 PLACE: CCRPC Offices, 110 West Canal Street, Suite 202, Winooski, VT

Members Present

Joss Besse, Bolton
Eranthie Yeshwant, Winooski
Paul Conner, South Burlington
Ken Belliveau, Williston
Edmund Booth, Huntington
Dana Hanley, Essex
Sarah McShane, Underhill
Clare Rock, Richmond
Jeannine McCrumb, Charlotte

Dean Pierce, Shelburne
Barbara Young, St. George
Everett Marshall, Huntington
Paul Conner, So. Burlington

Staff

Regina Mahony, Senior Planner
Dan Albrecht, Senior Planner

Other

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8
9 **1. Welcome and Introductions**

Joss Besse called the meeting to order at 2:39 p.m.

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12 **2. Approval of January 14, 2015 Minutes**

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14 Ken Belliveau made a motion, seconded by Dana Hanley to approve the January 14, 2015 minutes. No further
15 discussion. MOTION PASSED.
16

17 **3. UPWP Update**

18 Regina reported that the last UPWP Committee meeting will take place next Thursday, 3/19th. Ken Belliveau
19 and Joss Besse have served on that Committee on behalf of the PAC. The packet is being prepared at the
20 moment. There may still be some asks to municipalities to prioritize their requests if they submitted multiple
21 requests. Clare Rock asked when the decisions will be made. Ken Belliveau suggested that you probably
22 would have already heard from Charlie if your request couldn't be met.
23

24 **4. All Hazard Mitigation Plan Updates & Associated Efforts**

25 Dan Albrecht provided an overview of the process and timeline for the All Hazard Mitigation Plan (AHMP)
26 update (process and timeline is attached):

- 27 • The AHMP are required in order for municipalities to maintain eligibility for pre-disaster mitigation
28 funding. Also the State is requiring these plans in order to get the best State match share (in addition to
29 other requirements).
- 30 • The current AHMP and municipal annexes expire in August 2016. We need to have the final plan
31 submitted to FEMA prior to this date and we are planning on a July 8, 2016 deadline.
- 32 • A Committee will need to be established to help with this process. Representatives appointed by each
33 municipality's governing body, one or more representatives appointed by LEPC #1, one or more
34 commissioner representatives of CCRPC, and ex-officio officials from VEM and Vermont ANR will be
35 invited to serve on the committee.
- 36 • CCRPC will have an intern working on updating the tabular data this summer. Dan Albrecht, Lee Krohn
37 and Regina Mahony will assist the municipalities with updates to the recommendations, strategies and
38 actions.
- 39 • CCRPC will visit with the Selectboards for an intro presentation; will seek input from Municipal Staff;
40 and will return to the Selectboards for final approval.

41 Clare Rock asked about the timing of the annexes v. the County wide plan. Dan Albrecht explained that we've
42 done them altogether on the past two rounds and so the expiration dates are all the same, and we intend to get
43 these updates all adopted at the same time as well. Clare Rock asked what the public engagement includes and
44 Dan Albrecht explained that we've done the two Selectboard meetings in the past and we can do more if

1 wanted/needed. Paul Conner asked who should be the lead contact at the municipalities. Dan Albrecht
2 suggested that we should look at the recommendations, strategies and actions in each municipality and
3 determine who makes the most sense considering the plans cover multiple departments. It would be helpful to
4 have one main point of contact at each municipality.

5
6 Dan Albrecht further explained that FEMA likes to see progress on the recommendations within the previous
7 plans. We've completed many of the Fluvial Erosion Hazard assessments, established River Corridor plans,
8 the floodplain maps and regulations have been updated, some landslide hazard work has been done, etc. Dan
9 Albrecht showed the PAC Table 5-3 from Williston's annex as an example of the specific municipal
10 recommendations within the plans.

11
12 Clare Rock asked if there are actual specific regional emergency strategies in the Plan. Dan showed the
13 strategies on page ii of the County plan – these include culvert assessments (we've been working on a tool for
14 this), Climate Action Plan (completed), we've done a lot of outreach on the Emergency Relief & Assistance
15 Fund (ERAF), and we've worked on better coordination between transportation, emergency needs and aquatic
16 organism passage. The Nature Conservancy has also worked on some data regarding culverts and aquatic
17 organism passage and CCRPC will pull this altogether for the AHMP update. Clare Rock suggested that
18 perhaps – if a number of municipalities identify FEMA's Community Rating System (CRS) as a strategy
19 perhaps CCRPC would consider taking on responsibility for some of the actions required in that program.
20 Clare Rock described that Rhode Island has taken on 10 of the activities and therefore has made the program
21 more feasible for the municipalities within the State.

22
23 Regina Mahony then described the ERAF criteria to date, and the changes that will take place in March 2017
24 in order for municipalities to be eligible for the full 17.5% of state share for the mitigation grant match.
25 Regina Mahony and Dan Albrecht explained the status of the municipalities so far – all put 5 municipalities
26 have been given early adopted status. This status goes away in March 2017, at which point the municipalities
27 will need to have the four base criteria in place (adopted the most current Vermont Town Road & Bridge
28 Standards, National Flood Insurance Program participation, an approved AHMP and annually adopted Local
29 Emergency Operation Plans) and one of the following two options:

- 30 1. Community Rating System designation plus prohibit structures in Flood Hazard Areas.
- 31 2. Adopt River Corridor or River Corridor Protection Area protections for streams draining greater than 2
32 sq. miles, 50' (non-waivable) setbacks from streams that drain less than 2 sq. miles, and Fluvial
33 Erosion Hazard Area protections.

34
35 Regina Mahony explained that part of the challenge is that the River Corridor maps that ANR has established
36 do not include Phase 2 data that we have for much of Chittenden County. Therefore the River Corridor map is
37 not as accurate as it could be. There are also some questions regarding how exactly the protections need to be
38 implemented. For early adopter status many of CCRPC's municipalities have water quality setbacks that have
39 been counted as adequate protection rather than adopted FEH overlays. CCRPC (along with the other RPCs)
40 will continue conversations with ANR to determine the best method for incorporating the FEH data (we are
41 hoping that we can create this map for Chittenden County ourselves), and to hopefully gain some level of
42 flexibility in the protection methods. Regina Mahony then showed the PAC a map that Pam Brangan put
43 together that shows how the various data layers (namely FEH v. River Corridor) compare to each other –
44 specifically in Winooski the River Corridor is more expansive than the FEH data. Regina Mahony explained
45 that CCRPC will repeat the exercise that we conducted to determine which municipalities were eligible for the
46 early adopter status for the March 2017 changes. More information will be provided as we work this out with
47 ANR.

48 49 **5. Natural Resources Board Proposed Act 250 Rule Changes Regarding Master Plans**

50 Regina Mahony provided the PAC with recommendations from CCRPC's ad hoc Permit Review Committee
51 regarding the Natural Resources Board's (NRB) proposal to allow the District Commissions to require Master
52 Plans in some circumstances. The proposal and the ad hoc Committee's recommendations are as follows:

1 I. Master Plans

2 (A) Applicability and effect.

3 1) An applicant may seek review of a phased development or lot-by-lot build-out of a subdivision as a master
4 plan decision.

5 2) Master plan applications shall be reviewed as a request for partial review under subdivision II of this rule.

6 3) The District Commission may require a master plan application if:

7 a) ~~the proposed development or subdivision involves multiple phases; or~~

8 b) the master plan process would avoid or limit piecemeal review of known development or subdivision
9 planned for the reasonably foreseeable future.

10
11 The ad hoc Committee felt that while there are some situations where master plans are a good step it shouldn't
12 be required. Regina Mahony explained that these proposed changes come from some issues with the ski
13 resorts – namely Killington ski resort, and Two Rivers-Ottauquechee RPC is in support of NRB's proposed
14 change.

15
16 The PAC also reviewed a suggestion that Dean Pierce had provided earlier via email:

17 3) The District Commission may require a master plan application if: a) the proposed development or
18 subdivision involves multiple interdependent phases; or b) the master plan process would avoid or limit
19 piecemeal review of development or subdivision planned for the reasonably foreseeable future.

20 Dean Pierce's suggested edit recognizes that multiple phases alone do not justify a master plan requirement.
21 But if there are multiple phases and future phases rely (in some way) on the first phase—and vice versa—the
22 master plan review would be justified.

23
24 The PAC discussed the ad hoc Committee's proposal, as well as Dean Pierce's, and felt that they didn't fully
25 understand how the situation would play out in Chittenden County. They discussed that the proposal did seem
26 a bit vague without timing or something additional added to 3a. It is important to note that some members had
27 to leave the meeting before this agenda item was concluded. Ultimately, the remaining members came to
28 consensus on the following:

29 3) The District Commission may require a master plan application if: a) the proposed development or
30 subdivision involves multiple interdependent phases; or b) the master plan process would avoid or limit
31 piecemeal review of ~~known~~ development or subdivision planned for the reasonably foreseeable future.

32
33 **6. Underhill 2015 Town Plan**

34 Public hearing opened (3:50pm). No one from the public was in attendance. Public Hearing closed.

35
36 Regina provided a quick overview of the Staff report and specifically brought attention to the recommendation
37 to add responsible parties and timeframe to the implementation steps. Dana suggested that implementation
38 action plan be done right in the beginning because no one looks at the table in the back. Joss reiterated that
39 this is a new recommendation that we've been asking municipalities to consider. Clare Rock asked if
40 Appendix A includes a public engagement section and if CCRPC is reviewing public engagement steps that
41 the municipalities have undergone in developing the Plans. Regina Mahony stated that Appendix A includes
42 the broad state goal regarding engagement, but beyond that we haven't specifically reviewed the public
43 engagement process. Sarah McShane explained that they didn't get too much public feedback but they did get
44 input from a lot of the other Town Committee's. Clare Rock also asked about the Act 59 requirements and if it
45 was in Appendix A. Regina Mahony explained that it isn't listed in there because it isn't a requirement for
46 RPC approval, but it is a good idea to include it as a reminder.

47
48 Joss Besse stated the Staff report should be corrected to make it clear that the boundary between Underhill and
49 Stowe is the State Forest, not the Firing Range; and that the public hearing was held (correct this at the end of
50 the motion). Regina Mahony will make those corrections to the Staff Report.

51

1 Dana Hanley made a motion, seconded by Jeannine McCrumb, that the PAC finds the draft 2015 Underhill
2 Town Plan, as submitted, meets all statutory requirements for CCRPC approval, and that the municipality's
3 planning process meets all statutory requirements for CCRPC confirmation. Upon notification that the Plan
4 has been adopted by the municipality, CCRPC staff will review the plan, and any information relevant to the
5 confirmation process, for changes. If staff determines that changes are substantive, those changes will be
6 forwarded to the PAC for review. Otherwise the PAC recommends that the Plan, and the municipal planning
7 process, should be forwarded to the CCRPC Board for approval. Discussion: Ken Belliveau asked about the
8 timing because we are making a recommendation before the Town has finalized their process. The PAC
9 reminded the PAC No further discussion. MOTION PASSED. Sarah McShane and Everett Marshall
10 abstained.

11

12 **7. Regional Act 250/Section 248 Projects in the Horizon**

- 13 • So. Burlington – City applied for 2mW solar farm; Cider Mill Phase 2 (City just received application –
14 this will ultimately go to Act 250); Friendly’s redevelopment will likely go to Act 250 soon. Market
15 St. – 12 total units in 4 bldgs. – this is the second project in the TIF District.
- 16 • Huntington – none
- 17 • Williston – Act 250 permit on a bike/pedestrian bridge over the Allen Brook – municipal application.
- 18 • St. George – the municipality may be co-applicants on School House Place - a development at Town
19 Center. The specifics of the mixed use proposal are still being worked out.
- 20 • Bolton - nothing
- 21 • Winooski – the hotel in Downtown is moving through the process, but this was already approved in
22 the master plan so it won’t go through Act 250 again.
- 23 • Charlotte – nothing

24

25 **8. Other Business**

- 26
- 27 a. DRB Summit – Regina Mahony explained that 4/27th appears to be the most popular date so far.
28 Regina asked the PAC to fill out the survey regarding what topics to discuss, and if they have a DRB
29 member to recommend for the roundtable panel.
- 30 b. Potential Training Topics – There was a very brief discussion about potential training topics for the
31 next meeting including Food Insecurity – information was provided in the packet after the minutes, the
32 Revised Energy Code and May VEIC Workshop. There were mixed opinions about food insecurity as
33 a topic, and the energy code revisions appear to be better suited for developer’s as an audience rather
34 than planners. Joss Besse suggested that there will likely be legislative updates to discuss at the next
35 PAC meeting.
- 36 c. Jeannine McCrumb provided the following updates:
 - 37 ○ There is a meeting scheduled for March 25th at the State house regarding siting standards for
38 renewable energy facilities. There are a number of different bills proposed and the purpose of
39 this meeting is to hash out issues within the various bills.
 - 40 ○ Charlotte is considering applying for a Village Center Designation - Jeannine McCrumb
41 indicated that Regina Mahony is likely to hear from the folks working on the proposal.
 - 42 ○ Jeannine McCrumb watched a Rural Roads and Water Quality webinar hosted by Watershed
43 United. It was very well done and provided information on road inventory and TMDL
44 requirements coming down the pike. The presentation can be found here:
45 <http://www.watershedsunitedvt.org/presentations>.

46

47 **7. Adjourn**

48 The meeting adjourned at 4:55 p.m. The next meeting will take place on May 13, 2015 from 2:30pm to
49 4:30pm.

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51 Respectfully submitted, Regina Mahony

6.3 Updating the Chittenden County Multi-Jurisdictional All Hazards Mitigation Plan and Municipal Annexes

FEMA regulations require that the All Hazards Mitigation Plan be updated, adopted and approved every five years in order for jurisdictions to maintain eligibility for pre-disaster mitigation funding. This five-year update cycle helps ensure that the plan remains current and relevant.

CCRPC anticipates that the following plan update procedure will be followed:

1. CCRPC will seek pre-disaster mitigation grant or other grants to fund the plan update.
2. CCRPC will convene an All-Hazards Mitigation Plan Update Committee. Representatives appointed by each municipality's governing body, one or more representatives appointed by LEPC #1, one or more commissioner representatives of CCRPC, and ex-officio officials from VEM and Vermont ANR will be invited to serve on the committee.
3. The Plan Update Committee will review the annual summary monitoring and evaluation reports. The Committee will also review the Plan's identified hazards, the hazard evaluation process, and the multi-jurisdictional mitigation strategies to determine whether they are still appropriate, or whether modifications or additions are needed based on current knowledge and conditions.
4. Based on Committee input, CCRPC staff will update relevant data in the Plan and prepare a draft Plan update. CCRPC will convene a second meeting of the Review/Update committee to review the draft Plan update. The Committee will reach consensus on changes to the draft Plan update and the format of the municipal annexes. In the event no consensus is reached, a vote by a simple majority of the Committee voting members present will decide.
5. CCRPC will incorporate the changes as recommended by the Committee and then work with municipal staff and officials to update their individual annexes to accurately reflect the municipality's current hazard mitigation concerns and recommended municipal goals and actions.
6. CCRPC will schedule a public presentation to each municipal governing body in order to formally present the draft update of the Multi-Jurisdictional Plan and to the municipal annex. Each governing body may provide, if it chooses, recommendations for further changes to the updated Multi-Jurisdictional Plan and to its individual annex.
7. The public may observe the presentations and provide comments, if desired, on the Multi-Jurisdictional Plan and the individual municipal annexes. The draft updated plans will be posted on the CCRPC website for public review and comment.
8. CCRPC staff will incorporate the public and municipal comments into the Multi-Jurisdictional Plan and the individual municipal annexes.

9. CCRPC may submit the Multi-Jurisdictional Plan and municipal annexes to FEMA Region I for approval pending adoption.
10. CCRPC staff will finalize the changes to the Multi-Jurisdictional Plan and the annexes and distribute these to CCRPC, LEPC #1, and municipal governing bodies for consideration of a resolution of re-adoption. Upon adoption by CCRPC, LEPC#1 and within three months of the time that the CCRPC has finished presentations to all of the municipal governing bodies, CCRPC will submit the updated Plan to FEMA Region I along with copies of the annexes adopted to date.

A municipality may choose not to re-adopt the updated Multi-Jurisdictional Plan and its respective local annex, recognizing that they may no longer use the updated Plan and annex to be eligible for FEMA hazard mitigation grants. A municipality may choose to develop, adopt and submit its own Local All-Hazards Mitigation Plan to FEMA Region I, consistent with the requirements of the *Disaster Mitigation Act of 2000* and regulations contained in *44CFR201 & 206* in order to maintain eligibility.

6.4 Incorporation into Existing Planning Mechanisms

The All-Hazards Mitigation Plan was used as a source when updating the Chittenden County Regional Plan in 2006. The 2006 Regional Plan contained a new Public Safety chapter, the text and stated goals of which relied heavily on the All-Hazards Mitigation Plan.

The mitigation strategies contained in this Plan can be incorporated into CCRPC's future planning mechanisms in two primary ways:

The Chittenden County Regional Plan – CCRPC's process for updating the *Chittenden County Regional Plan* will consider and incorporate as appropriate the data, analyses and mitigation strategies of this All Hazards Mitigation Plan.

The CCRPC annual Work Program – CCRPC will consider and incorporate mitigation strategies and actions into its annual Work Program, contingent on sufficient resources being available.

Opportunities exist for municipalities and other entities to incorporate this Plan's mitigation strategies into their own planning mechanisms, including but not limited to:

- Municipal comprehensive plans
- Municipal capital budgets
- Municipal zoning bylaws and subdivision regulations
- Municipal permitting processes (e.g., zoning permits, subdivision approvals, site plan reviews, road access permits, etc)
- Redevelopment plans
- Transportation improvement programs
- Open space preservation programs
- Mutual aid agreements

Some of the mitigation strategies in this Multi-jurisdictional All Hazards Mitigation Plan and the municipal annexes specifically identify actions to incorporate mitigation strategies into other

planning mechanisms. Other opportunities may become apparent when the strategies are implemented. The ability of municipalities and other entities to incorporate this Plan's mitigation strategies into other planning mechanisms is contingent on adequate funding and staffing resources.

Timeline: Updating the All-Hazards Mitigation Plans (AHMPs) Multi-Jurisdictional (County) and Municipal Annexes (local plans)

