

CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
REGULAR MEETING AND PUBLIC HEARINGS
MINUTES

Date: Wednesday, May 17, 2017
Time: 6:00 p.m.
Place: CCRPC Offices; 110 W. Canal Street, Suite 202; Winooski, VT 05404
Present: Bolton: Absent Buel's Gore: Absent
Burlington: Andy Montroll Charlotte: Marty Illick, Alternate
Colchester: Absent Essex: Jeff Carr
Essex junction: Dan Kerin Hinesburg: Andrea Morgante
Huntington: Absent Jericho: Catherine McMains
Milton: Absent Richmond: Bard Hill
St. George: Absent Shelburne: Absent
So. Burlington: Chris Shaw Underhill: Brian Bigelow
Westford: Absent Williston: Chris Roy
Winooski: Mike O'Brien VTrans: Amy Bell
Business/Ind.: Absent Cons/Env.: Absent
Socio/Econ/Housing: Justin Dextrateur
Ex-Officio: CCTA/GMT: Absent FHWA: Absent
FTA: Absent
Staff: Charlie Baker, Executive Director Dan Albrecht, Senior Planner
Pam Brangan, GIS/IT Manager Eleni Churchill, Trans. Program Mgr.
Forest Cohen, Business Manager Marshall Distel, Trans. Planner
Bernie Ferenc, Trans. Business Mgr. Regina Mahony, Planning Program Mgr.
Melanie Needle, Senior Planner Emily Nosse-Leirer, Planner
Others: Matthew Langham, VTrans Kurt Johnson, Underhill Alternate
Scott Moody, CCTV cameraman

1. Call to Order; Changes to the Agenda. The meeting was called to order at 6:04 p.m. by the Chair, Chris Roy, upon arrival of a quorum. There were no changes to the agenda.
2. Public Comment Period on items NOT on the agenda. There were no members of the public present.
3. Consent Agenda. There were no consent agenda items.
4. Minutes April 19, 2017 CCRPC Board Meeting. JEFF CARR MADE A MOTION, SECONDED BY CHRIS SHAW, TO APPROVE THE MINUTES OF THE APRIL 19, 2017 BOARD MEETING WITH EDITS. MOTION CARRIED UNANIMOUSLY TO APPROVE THE MINUTES AS WRITTEN.
5. Public Hearing and Adopt FY18 UPWP & Budget.
 - a. Public Hearing on Draft FY18 UPWP & Budget. Chris Roy opened the public hearing at 6:05 p.m. There were no members of the public present. JEFF CARR MADE A MOTION TO CLOSE THE PUBLIC HEARING AT 6:06 P.M. CHRIS SHAW SECONDED AND THE MOTION CARRIED UNANIMOUSLY.
 - b. Action on Transportation Portion of FY18 UPWP & Budget. (MPO Business.) JEFF CARR MADE A MOTION, SECONDED BY MIKE O'BRIEN, TO APPROVE THE TRANSPORTATION PORTION OF THE FY18 UPWP AND BUDGET AS PRESENTED. MPO VOTE:

1	Bolton:	Absent	Burlington (4):	Yes	Charlotte:	Yes
2	Colchester:	Absent	Essex:	Yes	Essex Jct:	Yes
3	Hinesburg:	Yes	Huntington:	Absent	Jericho:	Yes
4	Milton:	Absent	Richmond:	Yes	St. George:	Absent
5	Shelburne:	Absent	So. Burlington (2):	Yes	Underhill:	Yes
6	Westford:	Absent	Williston:	Yes	Winooski:	Yes
7	VTrans:	Yes				

8 MOTION CARRIED WITH 16 OF 24 VOTES; AND 11 OF 18 COMMUNITIES VOTING IN FAVOR.

9 c. Action on entire FY18 UPWP & Budget. JEFF CARR MADE A MOTION, SECONDED BY CHRIS
10 SHAW, TO APPROVE THE ENTIRE FY18 UPWP AND BUDGET. Charlie noted that we were able to
11 reduce the negative bottom line from the last version, as we found an error. Jeff Carr asked if
12 there was any way to keep from the large swings back and forth in the overhead rate creating
13 the over collecting and deficits. Charlie said we will look at it to see where we are over-
14 collecting and try to reduce the rate at mid-year. Amy said VTrans is setting up a meeting with
15 RPCs to discuss this to encourage the RPCs to use the flexibility to adjust the rate. They're
16 hopeful that we can work this out. She also said the mid-year adjustment in rate will probably
17 not bode well with VTrans as it would affect the entire year. Charlie is a part of that committee
18 and will keep us informed. VOTE: MOTION CARRIED UNANIMOUSLY TO ADOPT THE ENTIRE
19 FY18 UPWP AND BUDGET.

20
21 6. Public Participation Plan Amendments.

22 a. Public Hearing for Public Participation Plan Amendments. Chris Roy opened the public hearing
23 at 6:11 p.m. There were no members of the public present. DAN KERIN MADE A MOTION,
24 SECONDED BY CATHERINE MCMAINS, TO CLOSE THE PUBLIC HEARING AT 6:12 P.M. MOTION
25 CARRIED UNANIMOUSLY.

26 b. Action on Public Participation Plan Amendments. Chris Roy noted there were some changes to
27 the amendment at the last Executive Committee meeting. We used to have a 15-day warning
28 period for public hearings. When we adopted the Public Participation Plan, that was changed
29 to a 30-day warning period. However, often we don't have 30 days between board meetings
30 and end up warning hearings before we have a final document, so the amendment was
31 proposed to bring it back to 15 days. However, the Executive Committee felt that 25 days
32 might work better to give the public more time to respond. MIKE O'BRIEN MADE A MOTION
33 TO APPROVE THE AMENDMENTS TO THE PUBLIC PARTICIPATION PLAN AS DISCUSSED. ANDY
34 MONTROLL SECONDED AND THE MOTION CARRIED UNANIMOUSLY.

35
36 7. Regional Stormwater Education and Involvement Agreement. Charlie noted that we first saw this in
37 the spring of 2016. The Stream Team and RSEP (Regional Stormwater Education Program) wanted
38 to merge. Then the legislature adopted regulations permitting RPCs to enter into municipal services
39 agreements, but we had to amend our bylaws for that to happen. We adopted bylaw amendments
40 last month. We have been working with these two groups for many years. JEFF CARR MADE A
41 MOTION TO APPROVE THE AGREEMENT WITH THE PROVISION THAT IF ANY OF THE SIGNATORIES
42 MAKE SIGNIFICANT CHANGES THAT IT COME BACK TO THE BOARD FOR APPROVAL. CATHERINE
43 MCMAINS SECONDED. Charlie said hopefully there won't be any significant changes. THE MOTION
44 CARRIED UNANIMOUSLY.

45 8. Public Hearing for Bolton 2017 Town Plan.

- 1 a. Public Hearing. Chris Roy opened the public hearing at 6:17 p.m. There were no members of
2 the public in attendance. ANDY MONTROLL MADE A MOTION, SECONDED BY DAN KERIN, TO
3 CLOSE THE PUBLIC HEARING AT 6:18 PM.
- 4 b. Action on Bolton 2017 Town Plan & Planning Confirmation. Regina Mahony noted that Emily
5 Nosse-Leirer had worked with the town to prepare this plan following the new state guidelines.
6 ANDY MONTROLL MADE A MOTION, SECONDED BY CHRIS SHAW, TO APPROVE THE
7 RESOLUTION TO ADOPT THE BOLTON TOWN PLAN AND APPROVE THE PLANNING PROCESS.
8 MOTION CARRIED UNANIMOUSLY. (Only municipal representatives voted on the plan.)
9
- 10 9. Draft Lake Champlain Byway Chittenden County Corridor Management Plan. Dan Albrecht noted
11 that he gave a pretty thorough presentation at the last meeting. A few minor additions have been
12 made to the draft, mostly descriptions, as well as the addition of a new short section, "10. Future
13 Updates to the Plan." He noted one minor change to add a site to Table 9, Page 14 – Intrinsic
14 Resources -Milton. The Stannard House is being considered to be added as soon as he hears from
15 Milton and the historical society. Gen. Stannard commanded a Vermont unit at Gettysburg. We will
16 add it to the map as well. We are asking the board to approve this plan. BRIAN BIGELOW MADE A
17 MOTION, SECONDED BY CHRIS SHAW, TO APPROVE THE PLAN AND ADOPT THE RESOLUTION.
18 MOTION CARRIED UNANIMOUSLY.
19
- 20 10. Preliminary First Draft Regional Energy Element of ECOS Plan review. Melanie Needle gave a slide
21 presentation on the Energy Elements of the ECOS plan. We need to update the ECOS Plan because
22 of Act 174 passed in 2016 which establishes a new set of municipal and regional energy planning
23 standards for regional plans, which if met allow those plans to carry greater weight – substantial
24 deference – in the Section 248 siting process for energy generation. We're in the second phase, as
25 three RPC's piloted new energy plans last fall. Melanie reviewed the contents of the presentation
26 which includes: enhanced energy planning; process; pathways and analysis & targets. Enhanced
27 energy planning includes RPC's and the Department of Public Service (DPS) working together to
28 advance the State's Comprehensive Energy Plan's goals while being consistent with local and
29 regional needs and concerns. The goals of the Vermont Comprehensive Energy Plan are to:
30 Weatherize 80,000 Vermont homes by 2025 (with an intermediate goal of 60,000 homes by 2017);
31 Get 90% of Vermont's energy from renewable sources by 2050 (with intermediate goal of 25% by
32 2025, including 10% of transportation energy; and intermediate goal of 40% by 2035); Reduce total
33 Vermont energy consumption by more than 1/3 by 2050 (intermediate goal of 15% reduction by
34 2025). The purpose of this work is to gain a "Determination of Energy Compliance" from DPS, which
35 will give more weight to the Regional Plan in wind and solar generation facility applications. CCRPC
36 has been working with our member municipalities to gain input on siting concerns for these types of
37 facilities. Melanie reviewed the history of this process which began in July 2016. In May 2017, we
38 held the second training session on Act 174; municipalities review the Municipal Data Energy Guide
39 and present the 1st Preliminary Draft of ECOS Plan Energy Elements. Marty Illick noted that she is on
40 the Charlotte Planning Commission and doesn't remember seeing anything on this. Melanie said we
41 sent emails to selectboards, planning commissions, and planners; and, Emily visited the Charlotte
42 Planning commission to talk about this. Charlie noted that we have tried to find the restrictions
43 where these sites could NOT be located. Melanie then reviewed the land use & transportation
44 actions to achieve the targets, including striving for 80% of new development in areas planned for
45 growth, which amount to 15% of our land area; and reduce transportation energy through –
46 intelligent transportation system (ITS), Transportation Demand Management (TDM), driving electric
47 and transit. We want to encourage conservation and efficient use of energy and will work with

1 partners to promote: weatherization and increases in energy efficiency of housing stock and other
2 buildings; state energy codes; and, alternatives to fossil fuels for heating (heat pumps, wood
3 heating, geothermal systems). Chris Shaw asked how we will determine whether we reach the
4 weatherization goals. Melanie said we worked with VEIC and utilized the Long-range Energy
5 Alternative Planning (LEAP) tool which assumes an increase of overall building efficiency going
6 forward. We're assuming that buildings in the future will be more efficient. Melanie noted that the
7 easy part is developing the targets. The hard part is changing behaviors and people's actions.
8 Discussion ensued about ways of promoting weatherization. Charlie added that there is pressure
9 on the utilities to ramp up weatherization programs. Catherine added that the energy sub-
10 committee has talked about ways to promote weatherization, one way is through energy standard
11 labeling on homes. Efficiency VT will provide us data with what has been weatherized in
12 communities and we will be tracking this going forward. Marty asked if the towns will have to do
13 anything. Charlie didn't think so as data will come from Efficiency VT, Green Mountain Power and
14 Vermont Gas. Discussion continued that the point here is to reduce energy consumption. Charlie
15 said CCRPC will be working with municipalities. Andy said energy efficiency programs worked with
16 Burlington Electric because they've spent money to do efficiency improvements and it has reduced
17 the amount of power BED needs to purchase elsewhere. Justin mentioned that heat pumps will
18 increase electric utilities stake in the thermal side and rates may be affected. He also said we need
19 to have a policy in the ECOS Plan that makes a connection between Act 250 and the energy stretch
20 codes and the land use implications that could occur if developers are building smaller projects to
21 avoid building to the stretch code, which do add an increased cost to a project. If we are serious
22 about this the State should adopt a more aggressive energy code instead of having geographic
23 differences in who needs to comply with the stretch code.
24 Melanie noted that Act 174 requires us to have a statement for development and siting of
25 renewable energy resources. Our language includes:

- 26 • While it may not be feasible for energy generation facilities to be bound by this plan's goals
27 of 80% of new development in areas planned for growth, it is this Plan's policy to strongly
28 encourage solar generation on previously developed sites wherever possible, as this
29 promotes distributed generation and lessens greenfield development. This Plan also
30 strongly encourages energy generation on preferred sites.
- 31 • Renewable energy generation **shall not take place in areas with field-verified state or local**
32 **known constraints, unless** location on preferred sites.
- 33 • **Impacts to renewable energy generation on areas with field-verified state or local possible**
34 **constraints, shall be minimized,** and further investigation may deem the site unsuitable.

35 State and Local Constraints and Preferred Sites are identified in section 4.1.1 (page 177).

36 The Energy Sub-committee feels this language is clear given the ECOS Plan will have greater weight
37 in PSB process. We'll get reaction from DPS on this language. Charlie noted that this is the only
38 "shall" statement in our regional plan and asked for the Board's comments. Marty said if we are not
39 comfortable with the shall statement we could say development may not have "undue adverse
40 impacts". Catherine noted that the committee spent an hour discussing this yesterday, but felt they
41 should go forward with stronger language rather than weaker. Chris Shaw shared that the Long-
42 Range Planning Committee was in general agreement with the sub-committee's approach. Chris Roy
43 asked what is the purpose of submitting this now and what we might do for future drafts. Charlie
44 said we have a contract with DPS that says we'll get a 1st Draft to them by May 31, 2017. He noted
45 the Energy Committee has looked at this, as well as the Long Range Planning Committee and
46 Planning Advisory Committee. We're trying to see where the board is on this and then we'll get DPS
47 comments and work on a final draft later this year. This is really the first cut on where to start on

1 this conversation. Chris Roy asked to what extent did the committee have a discussion on areas
2 where we feel comfortable making policy recommendations that aren't in the scope of what we've
3 handled more traditionally. Secondly, to what extent do we need to make policy prescriptions for
4 our plan to be utilized with respect to generation projects. He noticed that there are a number of
5 text recommendations. For example, one statement says, "The entire fleet should be electric". To
6 what extent was there a conversation to decide whether we want to get into this area? Catherine
7 said the maps don't necessarily show every site. This allows municipalities the opportunity to say
8 where they want energy generation facilities. Charlie said some of these ideas are in there to show
9 what kinds of things would have to happen to reduce the energy consumption by 30%. He
10 acknowledged that state and other parties are going to need to create incentives for this shift.
11 Lengthy discussion continued about what recommendations are in here and whether we'll have
12 additional opportunity to refine. Melanie added that the specific policy about electric vehicles is in
13 chapter 3 and that the data is one scenario that would get us to the State's goals and we are not tied
14 to the data as a policy perspective. Chris Roy expressed concerns about policy we have not had to
15 make in the past. Marty asked why only solar is encouraged in developed areas. Melanie said we
16 didn't think wind generation would be appropriate in developed areas. Jeff recommended we say
17 renewable energy vs. solar. Jeff Carr is very uncomfortable with "shall" but is okay with "should." If
18 we go in with the most restrictive language are we undermining our credibility because the PSB
19 oversees Section 248. He's uncomfortable putting the push for local control, because the state will
20 never let it happen. Chris Roy said when the state sees these he hopes the state will come up with
21 guidance. Justin feels that if the intent is to rubber stamp any current and future constraints and
22 make them binding then it is antithetical to the role he was hoping we'd play and is this mediating
23 legitimate local concerns on siting and the state imperative to get off fossil fuels. He's fine with shall
24 as long as we are clear on what we are doing. He's not sure on the intent of this. This language is
25 not clear because he reads it as we are a rubber stamp for local siting regulations. Regina said we
26 included local constraints only if we can meet the solar and wind targets. Justin said there needs to
27 be a provision to factor in new constraints that haven't been factored and evaluated. Lengthy
28 discussion continued about whether this really says what our intent is. Chris added that this is a risk
29 because after this is implemented, town X can identify a constraint and as long as it is field verified
30 and given the language proposed it pulls that in. The mandatory nature of shall does not leave any
31 leeway for the political ups and downs either for or against what may occur in towns. Justin added
32 that language needs to be added to be representative of scale. Chris Roy asked given the fact that
33 there is range of opinions on how to approach shall vs. should, what is subject to shall vs. should,
34 and how you define constraints now and going forward; what is the way forward? Charlie suggested
35 that staff develop some alternative language statements and ask for feedback on each idea from the
36 DPS. That way we'll get their opinion of how they determine substantial deference. Andrea said
37 this would be the opportunity to put aside our local concerns and work to see what'll work at the
38 county regionally. We should really take a hard look at how we can change this for the entire
39 county and not individual towns. Chris Roy noted local energy plans have to be consistent with the
40 regional plan if they want substantial deference in Section 248. Charlie add that if we mapped local
41 known constraints in the regional plan then we are taking the burden off the towns from having to
42 obtain substantial deference and argue at the PSB themselves. This is the implication of this
43 language and it seems like there is some thought to pull back from this notion. Jeff Carr said there is
44 a big difference between small scale operation and a merchant generation project and there'll be
45 more restrictions than an individual doing something on his home. Lengthy discussion continued
46 about small generating project for oneself vs. merchant generation project where someone wants to
47 sell power to the grid. We need to differentiate between the two types of projects. Chris Roy said

1 then the question becomes if the town wants to be restrictive whether we can achieve that in a
2 general way with the regional plan and let the town run with it instead of us or whether the RPC is
3 going to dictate how the towns address energy planning. How activist do we want to be in opposing
4 policies or do we develop a framework that allows towns to develop their own policy and let it
5 shake out in the 248 process? Justin said this organization should understand our role and we need
6 to clarify that. Andy said if the next step is to present it to the DPS. Charlie had a good outline on
7 how to proceed that reflects the discussion this evening. He agreed with Charlie about how we
8 could give DPS several options that reflect what we talked about tonight; and, once we get their
9 feedback we can move forward. Chris Roy said in the meantime we should speak to the municipal
10 selectboards to see what they think. Charlie noted there is nothing in here that would dictate
11 something that isn't already in town plans. The question is, do we carry the burden in section 248?
12 Justin agreed with getting DPS reaction, but asked everyone to look at the map in the documents
13 and see the location of local known or possible constraints. Known is most restrictive where we
14 know they can't be built. Gray is local known constraints. Possible constraints are less restricted.
15 Justin suggested staff use an overlay to show known constraints and areas with good solar or wind
16 potential and show what we're taking off the table. Melanie then showed the map showing solar
17 and wind base and prime areas. The prime solar area is based on GIS topographic analysis and the
18 removal of state known constraints (i.e. FEMA floodways, river corridors, Class 1 and 2 wetlands,
19 etc.) At the end of April, we sent the Municipal Data Energy Guide to municipalities and included
20 this map for their input. Melanie then reviewed the Solar and Wind Targets: 1) County's share of
21 the state population and energy resource areas; 2) Applied local known and possible constraints to
22 energy resource areas. Justin said one thing we should do is highlight the differences in the town
23 policy. If there are considerations that are debatable and leading to the grey areas let's highlight
24 them because so much area is needed for solar and wind generation. Discussion ensued about how
25 much acreage is needed to generate 1 megawatt of power, etc. Lengthy discussion ensued. Charlie
26 thanked staff and the committee for all of their work in developing this. Chris Roy said that is a
27 difficult task and we have to figure out all the details. Staff will develop alternatives for DPS.
28

29 11. Report from the Board Development Committee on FY18 Nominations. Andy Montroll noted that
30 every year the Board Development Committee meets to come up with the slate of officers for the
31 new fiscal year. He checked with the current officers and asked who was interested in continuing to
32 serve and at the last meeting he asked other board members to let him know if they were
33 interested. The Committee (Andy, Jeff Carr and Catherine McMains) met a couple of weeks ago and
34 unanimously agreed to recommend the current officers serve again: Chair: Chris Roy; Vice-Chair:
35 Mike O'Brien; Secretary-Treasurer: Brian Bigelow; At-Large for communities under 5,000: Barbara
36 Elliott; At-Large for communities over 5,000: John Zicconi; Immediate Past Chair: Andy Montroll.
37 We will hold the election at our annual meeting in June.
38

39 12. Executive Director's Updates. Charlie asked if any members were interested in playing golf before
40 the annual meeting on June 21st, which will be held at the Catamount Country Club in Williston.
41 a. Legislative Update. Charlie noted the legislature is still in session. The transportation budget
42 went through, but we're still waiting to hear about funding the housing bond which was the
43 recommendation for the Building Homes Together campaign. Another thing still tied up is the
44 capital bill because there is water quality money in there to fund water quality projects. DEC
45 will be looking to RPCs to help get the money through to towns for road erosion and stormwater
46 projects. The Commission on Act 250 which is not just focusing on Act 250, but also the whole
47 permitting process.

- 1 b. Chittenden County Opioid Alliance (CCOA). Charlie noted the CCOA leadership is going through
2 changes since Martha Maksym took a job at the state and Harry Chen left the state and this
3 gives the opportunity to review how they'd like to see this effort work. An unrelated piece is
4 that Cathy Aikman who was directing that effort has decided not to renew her contract with us.
5 So, it'll be an opportunity to reorganize and decide where to house the effort.
- 6 c. Regional Dispatch. All communities have appointed someone to the Joint Survey Committee.
7 There is a lot of work and a challenge to get something to the towns this fall, especially trying to
8 figure out budgeting not knowing how many towns will be in. The managers, police, fire &
9 rescue departments are all working together on this issue.
- 10 d. Monthly report. Charlie noted the report will be sent soon.
- 11
- 12 13. Committee/Liaison Activities & Reports. Minutes of various committees were included in the
13 meeting packet.
- 14
- 15 14. Members' Items; Other Business. There were none.
- 16
- 17 15. Adjournment. JEFF CARR MADE A MOTION, SECONDED BY AMY BELL, TO ADJOURN THE MEETING
18 AT 7:50 P.M. MOTION CARRIED UNANIMOUSLY.
- 19
- 20 Respectfully submitted,
21
22 Bernadette Ferenc