### REGULAR MEETING AND PUBLIC HEARING AGENDA

**Wednesday, July 19, 2017 - 6:15 p.m.**  
**CCRPC Offices: 110 W. Canal Street, Suite 202**  
**Winooski, VT  05404**

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**CCRPC TRAINING SESSION – 5:15 P.M. – 6:15 P.M.**

**CONSENT AGENDA –**

1. C.l Minor TIP Amendments*

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**DELIBERATIVE AGENDA**

1. Call to Order; Changes to the Agenda  
2. Public Comment Period on Items NOT on the Agenda  
3. Action on Consent Agenda (MPO Business)  
4. Approve Minutes of June 21, 2017 Meeting*  
5. FY18-21 Transportation Improvement Program (TIP) (MPO Business)  
   - Presentation & Public Hearing  
   - Approval of the TIP*  
   - Certification of the Planning Process*
6. FY18 Schedule of Meetings*  
7. Solicitation and Appointment of Members to serve on Committees *  
8. Board and Staff Recognition*  
9. Energy Plan Review  
10. CCRPC Comments on State Treasurer’s Clean Water Report  
11. Chair/Executive Director’s Updates  
   - Priorities for the year  
   - Executive Director’s Report (to be sent separately)  
12. Committee/Liaison Activities & Reports *  
   - Executive Committee (draft minutes July 5, 2017*  
     - Act 250 Sec 248 letters*  
   - Transportation Advisory Committee (draft minutes July 5, 2017)*  
   - CWAC & MS4 Subcommittee (draft minutes, July 5, 2017*  
   - Brownfield Advisory Committee, Monday, July 10, 2017*  
13. Members’ Items, Other Business  
14. Adjourn

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The July 19th Chittenden County RPC meeting will air on Tuesday, July 25, 2017 at 8 p.m. and repeat on Wednesday, July 26, 2017 at 1am and 7am and available on the web at: [http://www.cctv.org/watch-tv/programs/chittenden-county-regional-planning-commission-70](http://www.cctv.org/watch-tv/programs/chittenden-county-regional-planning-commission-70)

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**NO AUGUST MEETING FOR CCRPC BOARD**

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*In accordance with provisions of the Americans with Disabilities Act (ADA) of 1990, the CCRPC will ensure public meeting sites are accessible to all people. Requests for free interpretive or translation services, assistive devices, or other requested accommodations, should be made to Bryan Davis, CCRPC Title VI Coordinator, at 802-846-4490 ext *17 or bdavis@ccrpcvt.org, no later than 3 business days prior to the meeting for which services are requested.*
Upcoming Meetings - Unless otherwise noted, all meetings are held at our offices:

- Energy Sub-Committee meeting, Tuesday, July 18, 2017 at 5:00 p.m.
- Transportation Advisory Committee, Tuesday, August 1, 2017; 9:00 a.m. (TENTATIVE)
- Clean Water Advisory Committee, Tuesday, August 1, 2017; 11:00 a.m.
- CWAC MS4 Subcommittee, Tuesday, August 1, 2017; 12:15 a.m.
- Executive Committee, Wednesday, August 2, 2017; 5:45 p.m.
- **NOTE – No CCRPC Board Meeting in August**
- Transportation Advisory Committee – Tuesday, September 5, 2017; 9:00 a.m.
- Clean Water Advisory Committee; Tuesday, September 5, 2017; 11:00 a.m.
- CWAC MS4 Subcommittee, Tuesday, September 5, 2017; 12:15 a.m.
- Executive Committee, Wednesday, September 6, 2017; 5:45 p.m.
- Planning Advisory Committee, Wednesday, September 13, 2017; 2:30 p.m.
- CCRPC Meeting - Wednesday, September 20, 2017; 6:00 p.m.

Tentative future Board agenda items:

<table>
<thead>
<tr>
<th>Date</th>
<th>Agenda Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 20, 2017</td>
<td>Draft MTP Update, MRGP Comments, Clean Water Fund Board Comments</td>
</tr>
<tr>
<td>October 18, 2017</td>
<td>Draft MTP, CEDS, Energy ECOS Plan Updates, Brownfield Update</td>
</tr>
<tr>
<td>November 15, 2017</td>
<td>Review and Accept Draft FY17 Audit</td>
</tr>
</tbody>
</table>

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Chittenden County Regional Planning Commission
July 19, 2017
Agenda Item C.1: Consent Item

FY2017 Transportation Improvement Program Amendment

Issues

Make the following change to the FY17-2020 TIP:

I-89 Paving, Colchester-Swanton (Project HP136, Amendment FY17-18):

- **Description of TIP Change:** Add $3,940,200 to the TIP in FY17 for paving the northbound and southbound lanes of I-89 between Exit 16 and 20. This project is not subject to CCRPC’s fiscal constraint limit because it is an interstate project.

**TAC Recommendation:** Recommend that the Board approve the proposed TIP amendment.

**Staff Recommendation:** Recommend that the Board approve the proposed TIP amendment.

**For more information, contact:** Christine Forde
cforde@ccrpcvt.org or 846-4490 ext. *13
The business meeting was preceded by a social hour and buffet dinner.

Chris Roy, Commission Chair, welcomed everyone and spoke about various projects in Williston that the CCRPC worked on.

1. **Call to Order; Changes to the agenda.** Chris Roy called the meeting to order at 7:07 p.m. It was agreed to add a new Item 3 for the Consent Agenda Item.

2. **Public Comment Period for items not on the agenda.** There were none.
3. **Action on Consent Agenda.** There is one item to amend the FY17-20 TIP to add the I-189 culvert in South Burlington. ANDY MONTROLL MADE A MOTION TO APPROVE THE CONSENT AGENDA, SECONDED BY JIM DONOVAN. MOTION CARRIED UNANIMOUSLY.

4. **Approve Minutes of May 17, 2017 Meeting.** JEFF CARR MADE A MOTION TO APPROVE THE MINUTES OF MAY 17, 2017 WITH EDITS. DAN KERIN SECONDED AND THE MOTION CARRIED WITH ABSTENTIONS FROM JIM DONOVAN, GARRET MOTT AND SHARON MURRAY.

5. **Warn Public Hearing for the FY18-21 Transportation Improvement Program (TIP).** JEFF CARR MADE A MOTION TO WARN A PUBLIC HEARING FOR THE FY18-21 T.I.P. AS RECOMMENDED BY STAFF. CATHERINE MCMAINS SECONDED AND THE MOTION CARRIED UNANIMOUSLY.

6. **Election of Officers and Executive Committee for FY18.** Andy reported that the Board Development Committee met and recommends the following slate of officers: Chris Roy, Chair; Mike O’Brien, Vice-Chair; Brian Bigelow, Secretary-Treasurer; John Zicconi, At-Large with populations >5,000; Barbara Elliott, At-Large with populations <5,000; Andy Montroll, Immediate Past Chair. He then asked for nominations from the floor. There were none. ANDY MONTROLL MADE A MOTION TO ELECT THE SLATE OF OFFICERS AS PRESENTED. JEFF CARR SECONDED AND THE MOTION CARRIED UNANIMOUSLY.

7. **Chair/Executive Director’s Update.** Charlie sent his report last week.

8. **Committee/Liaison Activities and Reports.** Minutes of various committees are included in the board packet.

9. **Adjournment.** GARRET MOTT MADE A MOTION TO ADJOURN AT 7:11 P.M. ANDY MONTROLL SECONDED AND THE MOTION CARRIED UNANIMOUSLY.

The business meeting was followed by our guest speaker, Julie Moore, Secretary of the Vermont Agency of Natural Resources, who gave an overview of what her agency is responsible for and what is coming up regarding new legislation and funding regarding water quality. The Secretary answered various questions for the audience.

Respectfully submitted,

Bernadette Ferenc
DATE: July 6, 2017
TO: CCRPC Member Municipalities
FROM: Bernadette Ferenc, Transportation Business Manager

PUBLIC HEARING NOTICE

The Chittenden County Regional Planning Commission (CCRPC) will hold a public hearing on Wed., July 19, 2017 at 6:00 p.m. in its offices at 110 West Canal Street, Suite 202; Winooski, to consider the proposed FY18-21 Transportation Improvement Program (TIP) for adoption. A copy of the proposed document is enclosed.

Since we are noticing this less than 15 days prior to the hearing, we will leave the comment period open until Friday, July 28, 2017. The CCRPC Executive Committee will ratify the adoption at its meeting on August 2, 2017 after all comments are received.

This public hearing is also intended to satisfy the program of project’s public involvement requirements of the FTA’s Federal Funding Programs (5307, 5309, 5310, 5311, 5316, 3037, etc.) for the Chittenden County Transportation Authority (CCTA). The CCTA items funded through this program are contained in the draft TIP and will become final unless amended.

Please notify your CCRPC representative of any concerns. Written comments on the proposed document may be submitted by mail to the address above or by telephone or email to Christine Forde (cforde@ccrcpvt.org) or phone, 846-4490 ext. *13.

Additional copies of this notice and draft TIP have been sent to each municipal clerk for posting on the public bulletin board.

bf

Attachments
Federal regulations require the Chittenden County Regional Planning Commission (CCRPC), as the designated Metropolitan Planning Organization (MPO) for Chittenden County, to develop and maintain a Transportation Improvement Program (TIP). The TIP contains funding information for transportation projects proposed to spend federal transportation funds in Chittenden County. Projects must be listed in the TIP to spend federal transportation funds. The TIP includes all modes of transportation including highways, bicycle and pedestrian facilities and transit.

The TIP covers a four-year period and it must be fiscally-constrained. It is typically updated every year with the assistance of the Transportation Advisory Committee (TAC), the Vermont Agency of Transportation (VTrans), Green Mountain Transit (GMT) and Burlington International Airport.

The TIP lists federal funding amounts in the federal fiscal year when they are expected to be needed. It should be noted that the TIP is a planning and not a budget document. The TIP represents the intent to construct or implement a specific project and the anticipated flow of federal funds. Funds correspond to the following project development phases:

- Scoping – a process that develops safe and effective alternatives based on documented rational that meet the stated purpose and need while minimizing environmental impacts
- Preliminary Engineering – detailed design of the preferred alternative
- Right-of-Way - process of determining if land rights are needed for construction and negotiation of appropriate compensation
- Construction

The Draft Fiscal Year 2018–2021 TIP is available on CCRPC’s website http://www.ccrpcvt.org/our-work/our-plans/transportation-improvement-program/. Please contact Christine if you wish to receive a paper copy.

**TAC Recommendation:**
Recommend that the Board approve the FY2018-2021 TIP.

**Staff Recommendation:**
Recommend that Board authorize the Executive Committee approve the FY2018–2021 TIP following the 15-day comment period.

**For more information contact:**
Christine Forde
846-4490 ext. *13 or cforde@ccrpcvt.org
Chittenden County Regional Planning Commission
July 19, 2017
Agenda Item 5c: Action Item

Transportation Planning Process Certification

Background: Concurrent with the submittal of the proposed Transportation Improvement Program to Federal Highway Administration and Federal Transit Administration the CCRPC must certify that the metropolitan transportation planning process is being carried out in accordance with all federal requirements. The certification, which is attached to this item, lists the federal requirements CCRPC must follow.

To the right of each item in the certification is a brief explanation of the content of that item.

Also attached to this item as Table 1 is a more detailed summary of each legal citation listed in the certification.

Staff Recommendation: That the CCRPC Board authorizes the chair to sign the certification of the planning process and forward it to the Secretary of Transportation with the adopted FY18-21 TIP.

For more information contact: Christine Forde 846-4490, ext. *13 or cforde@ccrpcvt.org

Attachments: Certification document
Table 1: Federal Regulations that MPOs Must comply with in the Planning Process
In accordance with 23 CFR 450.336, the Vermont Agency of Transportation and the Chittenden County Regional Planning Commission, the designated MPO for the Burlington urbanized area, hereby certify that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements including:

1. The metropolitan planning requirements identified in 23 U.S.C. 134 and 49 U.S.C. 5303;

2. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 C.F.R. Part 21;

3. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;

4. Section 1101(b) of the FAST Act (Public Law 114-357) and 49 C.F.R. Part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;

5. 23 C.F.R. Part 230 regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;

6. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and the regulations found in “Transportation for Individuals with Disabilities” (49 C.F.R. Parts 27, 37, and 38).

7. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;

8. Section 324 of 23 U.S.C. regarding the prohibition of discrimination on the basis of gender; and


CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
VERMONT AGENCY OF TRANSPORTATION
### Table 1
Transportation Planning Process Certification:
Federal Regulations that MPOs Must Comply With in the Planning Processes

<table>
<thead>
<tr>
<th>Code of Federal Regulations</th>
<th>Implementation of Specific Equal Employment Opportunity Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>23 C.F.R. Part 230</td>
<td>Equal employment opportunity requirements must be included in advertising, award and contract administration procedures for Federal highway construction contracts.</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>23 C.F.R. 450.336</th>
<th>Self-certification and Federal certifications</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Concurrent with the submittal of the proposed TIP to the FHWA and FTA the MPO shall certify at least every four years that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements including all regulations listed in this table.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>49 C.F.R. Part 21</th>
<th>Nondiscrimination in Federally-Assisted Programs of the Department of Transportation Effectuation of Title VI of the Civil Rights Act of 1964</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Transportation.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>49 C.F.R. Part 26</th>
<th>Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Ensure nondiscrimination in the award and administration of DOT-assisted contracts and create a level playing field on which DBEs can complete for DOT-assisted contracts.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>49 C.F.R. Part 27</th>
<th>Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No otherwise qualified individual with a disability in the United States shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance administered by the Department of Transportation.</td>
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<thead>
<tr>
<th>49 C.F.R. Part 37</th>
<th>Transportation Services for Individuals with Disabilities</th>
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<tr>
<td></td>
<td>Implement the transportation and related provisions of titles II and III of the Americans with Disabilities Act of 1990 including standards for accessible vehicles and transportation facilities.</td>
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<thead>
<tr>
<th>49 C.F.R. Part 38</th>
<th>Americans with Disabilities Act Accessibility Specifications for Transit Vehicles</th>
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<tbody>
<tr>
<td></td>
<td>Provides minimum guidelines and requirements for accessibility standards for transportation vehicles required to be accessible by the Americans with Disabilities Act of 1990.</td>
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</table>

**FAST Act**

<table>
<thead>
<tr>
<th>Section 1101(b) of FAST Act (Public Law 114-357)</th>
<th>Authorization of Appropriations - Disadvantaged Business Enterprise</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Establishes guidelines for a portion of expenditures under the FAST Act to be directed to small business concerns owned and controlled by socially and economically disadvantaged individuals.</td>
</tr>
</tbody>
</table>
Table 1 cont.
Transportation Planning Process Certification:
Federal Regulations that MPOs Must Comply With in the Planning Processes

<table>
<thead>
<tr>
<th>United States Code</th>
<th>Metropolitan Planning</th>
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</thead>
<tbody>
<tr>
<td>23 U.S.C. 134</td>
<td>It is in the national interest to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and between states and urbanized areas, while minimizing transportation-related fuel consumption and air pollution through metropolitan and statewide transportation planning processes.</td>
</tr>
<tr>
<td></td>
<td>This section includes the following:</td>
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<td></td>
<td>• General requirements</td>
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<td></td>
<td>• Designation of Metropolitan Planning Organizations</td>
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<td></td>
<td>• Metropolitan Planning Area boundaries</td>
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<td></td>
<td>• MPO consultation in plan and TIP coordination</td>
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<td></td>
<td>• Scope of planning process</td>
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<td></td>
<td>• Development of Long-Range Transportation Plan</td>
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<tr>
<td></td>
<td>• Metropolitan Transportation Improvement Program</td>
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<td></td>
<td>• Report on performance-based planning processes</td>
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<td></td>
<td>• Funding</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>23 U.S.C. 324</th>
<th>Prohibition of Discrimination on the Basis of Sex</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this title or carried on under this title.</td>
</tr>
</tbody>
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<thead>
<tr>
<th>29 U.S.C. 794</th>
<th>Nondiscrimination Under Federal Grants and Programs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No otherwise qualified individual with a disability in the United States, shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service.</td>
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</tbody>
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<table>
<thead>
<tr>
<th>42 U.S.C. 6101</th>
<th>Age Discrimination in Federally Assisted Programs</th>
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<tbody>
<tr>
<td></td>
<td>It is the purpose of this chapter to prohibit discrimination on the basis of age in programs and activities receiving Federal financial assistance.</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th>42 U.S.C. 2000d-1</th>
<th>Civil Rights - Federally Assisted Programs</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, or contract other than of insurance or guaranty, is authorized and directed to effectuate the provisions of section 2000d of this title. (See below)</td>
</tr>
</tbody>
</table>

Sec. 2000d: No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
### Table 1 cont.

**Transportation Planning Process Certification:**
**Federal Regulations that MPOs Must Comply With in the Planning Processes**

<table>
<thead>
<tr>
<th>Statute</th>
<th>Description</th>
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<tbody>
<tr>
<td>42 U.S.C. 12101 et seq</td>
<td><strong>Equal Opportunity for Individuals with Disabilities</strong>&lt;br&gt;To provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities.&lt;br&gt;To provide clear, strong, consistent, enforceable standards addressing discrimination against individuals with disabilities.&lt;br&gt;To ensure that the Federal Government plays a central role in enforcing the standards established in this chapter on behalf of individuals with disabilities.&lt;br&gt;To invoke the sweep of congressional authority, including the power to enforce the fourteenth amendment and regulate commerce, in order to address the major areas of discrimination faced day-to-day by people with disabilities.</td>
</tr>
<tr>
<td>49 U.S.C. 5303</td>
<td><strong>Metropolitan Planning</strong>&lt;br&gt;Defines the Metropolitan Planning process, including the following:&lt;br&gt;  - General requirements&lt;br&gt;  - Designating Metropolitan Planning Organizations&lt;br&gt;  - Metropolitan Planning Area Boundaries&lt;br&gt;  - MPO Consultation in Plan and TIP Coordination&lt;br&gt;  - Scope of the planning process&lt;br&gt;  - Developing Long-Range Transportation Plans&lt;br&gt;  - Metropolitan TIP&lt;br&gt;  - Report on Performance-based Planning Processes</td>
</tr>
<tr>
<td>49 U.S.C. 5332</td>
<td><strong>Nondiscrimination</strong>&lt;br&gt;A person may not be excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance under this chapter because of race, color, creed, national origin, sex, or age.</td>
</tr>
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Chittenden County Regional Planning Commission
July 19, 2017
Agenda Item 6: Action Item

FY2018 Schedule of Meetings

Issues:
Vermont’s Open Meeting Law requires that public bodies clearly designate the time and place of all regular meetings. Below is the proposed meeting schedule for both the Executive Committee and the CCRPC Commission for the 2018 fiscal year beginning July, 2017. Please mark your calendars.

<table>
<thead>
<tr>
<th>EXECUTIVE COMMITTEE</th>
<th>COMMISSION MEETINGS</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Wednesday of the Month</td>
<td>Third Wednesday of the Month</td>
</tr>
<tr>
<td>5:45 p.m. – 7:00 p.m.</td>
<td>6:00 p.m. – 8:00 p.m.</td>
</tr>
</tbody>
</table>

July 5, 2017
August 2, 2017
September 6, 2017
October 4, 2017
November 1, 2017
(Joint with Finance Comm. for audit)
December 6, 2017
January 3, 2018
February 7, 2018
March 7, 2018
April 4, 2018
May 2, 2018
June 6, 2018

July 19, 2017 (Training 5:15 p.m.)
September 20, 2017
October 18, 2017
November 15, 2017
Legislative breakfast date TBD
January 17, 2018
February 21, 2018
March 21, 2018
April 18, 2018
May 16, 2018
June 20, 2018 (ANNUAL MEETING)

The Transportation Advisory Committee (TAC) meets the first Tuesday of each month at 9:00 a.m. (except on Town Meeting Day, when they meet on the 1st Wednesday.)

The Clean Water Advisory Committee (CWAC) meets the first Tuesday of each month at 11:00 a.m. (except on Town Meeting Day, when they meet on the 1st Wednesday.)

The Finance Committee meets the 4th Wednesday of each month at 5:45 p.m. as needed.

The Planning Advisory Committee (PAC) generally meets bi-monthly on the 2nd Wednesday of the month from 2:30-4:30 p.m.

Staff Recommendation: That the Executive Committee recommend approval of the FY2018 Meeting Schedule to the Commission.


For more information contact: Bernie Ferenc
846-4490 ext. *10 or bferenc@ccrpcvt.org
Chittenden County Regional Planning Commission
July 19, 2017

Agenda Item 7: Chair Action Item

FY2018 Committee Appointments

From the Bylaws: Article VII.B. “The Chair shall ... with concurrence of the Chittenden County Regional Planning Commission, establish and appoint committees and their members.” Article XII: “All Chittenden County Regional Planning Commission Board members are expected to participate in a minimum of at least one standing committee. The Chair may appoint ad hoc committees for a specific purpose with the approval of the Chittenden County Regional Planning Commission. Committees should include subject matter experts as needed to provide advice to the Chittenden County Regional Planning Commission Board.”

Finance Committee (Secretary/Treasurer, Vice Chair and 1 other board member): Brian Bigelow, Underhill (Chair); Mike O’Brien, Winooski, Jeff Carr, Essex

Board Development Committee (past Chair and up to 4 other board members): Andy Montroll, Burlington (Chair); __________, ____; Catherine McMains, Jericho; Jeff Carr, Essex;

Unified Planning Work Program Committee (3-5 board members): Michael O’Brien, Winooski (Chair); John Zicconi, Shelburne; Andrea Morgante, Hinesburg; Jeff Bartley, Colchester; ________________

Transportation Advisory Committee (1 board member): Barbara Eliott, Huntington

Planning Advisory Committee (1 board member): Joss Besse, Bolton

Long Range Planning Committee (3-6 board members, one of them to be Chair of the LRPC): Justin Dextradeur, Socio-Econ (Chair); Andrea Morgante, Hinesburg; Jim Donovan, Charlotte; Lisa Falcone, Socio-Econ; Bard Hill, Richmond

Energy Sub-Committee of LRPC: Catherine McMains, Jericho

Clean Water Advisory Committee: (1 board member) Don Meals, Conservation/Environment

ad hoc Brownfields Advisory Committee: Curt Carter, GBIC (Chair); Jacquba Boure, AALV; Eric Howe, LCBP; Marcel Beaudin; Dr. Pablo Bose, UVM; Justin Dextradeur, Socio/Econ/Housing

ad hoc All Hazards Mitigation Plan Update Committee: Chris Shaw, So. Burlington.

ad hoc Clean Water Funding/Financing Committee: Don Meals, Conservation/Environment; Brian Bigelow, Underhill; Megan Moir, Burlington; Jim Jutras, Essex Junction; James Sherrard, Williston

VAPDA representative: Andy Montroll, Burlington; ________________________ (Alt.)

For questions, contact Charlie Baker, 846-4490 ext. *23 or cbaker@ccrpcvt.org
CHITTENDEN COUNTY
REGIONAL PLANNING COMMISSION

RECOGNITION & APPRECIATION

OF

MARC LANDRY

for 12 YEARS OF SERVICE

REPRESENTING THE TOWN OF COLCHESTER
ON THE CCMPO BOARD JUNE 2005-June 2011
ON THE CCRPC BOARD JULY 2011-JUNE 2017
AND
ON THE EXECUTIVE COMMITTEE AS
CCMPO VICE-CHAIR FROM JULY 2007 – JUNE 2010
CCMPO CHAIR FROM JULY 2010-JUNE 2011
CCRPC CHAIR FROM JULY 2011-JUNE 2012
IMMEDIATE PAST CHAIR FROM JULY 2012-JUNE 2014

Dated this 19th day of July, 2017 in Winooski, Vermont

______________________________
CHRISTOPHER D. ROY, CHAIR
CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION

- RESOLUTION HONORING BRYAN DAVIS -

WHEREAS, THE CHITTENDEN COUNTY METROPOLITAN PLANNING ORGANIZATION (CCMPO), WHICH WAS DESIGNATED BY THE GOVERNOR OF VERMONT TO MEET THE REQUIREMENTS OF FEDERAL TRANSPORTATION LAWS, IS RESPONSIBLE FOR MANAGING THE CONTINUOUS, COOPERATIVE AND COMPREHENSIVE TRANSPORTATION PLANNING PROCESS IN CHITTENDEN COUNTY HIRED BRYAN IN MAY 2007; AND THE CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION MERGED WITH CCMPO IN 2012;

WHEREAS, BRYAN DAVIS HAS FAITHFULLY SERVED THE CCMPO/CCRPC FOR TEN YEARS AS AN EMPLOYEE; AND

WHEREAS, BRYAN DAVIS, HAS PROVIDED OUTSTANDING EFFORTS IN PROVIDING TRANSPORTATION PLANNING SUPPORT FOR THE CCMPO/CCRPC BOARD, STAFF, MUNICIPALITIES, AND PARTNER AGENCIES; AND

WHEREAS, BRYAN DAVIS HAS CREATED, LED AND CHAMPIONED MANY INITIATIVES AT THE CCMPO/CCRPC INCLUDING:
- TRANSPORTATION DEMAND MANAGEMENT ACTIVITIES
- WAY TO GO COMMUTER CHALLENGE
- REGIONAL AND LOCAL BICYCLE & PEDESTRIAN INITIATIVES
- TITLE VI AND PUBLIC PARTICIPATION ACTIVITIES
- LOCAL PROJECT MANAGEMENT SERVICES; AND

WHEREAS, THROUGHOUT HIS CAREER AT CCRPC/CCMPO, BRYAN DAVIS HAS ALWAYS BEEN PROFESSIONAL AND HAS HAD HIGH ETHICAL STANDARDS IN HIS WORK, THEREBY EARNING THE RESPECT AND GRATITUDE OF HIS PEERS, THE PUBLIC AND PUBLIC OFFICIALS;

NOW, THEREFORE, BE IT RESOLVED BY THE CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION THAT:

IT THANKS BRYAN DAVIS FOR HIS OUTSTANDING WORK, DEDICATION, PROFESSIONALISM AND HIGH ETHICAL STANDARDS, AND SUPPORT OF THE LEADERSHIP OF THE CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION

DATED THIS 19th DAY OF JULY 2017 IN WILLISTON, VERMONT

CHRISTOPHER D. ROY, CHAIR
CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
- RESOLUTION HONORING ELENI CHURCHILL -

WHEREAS, THE CHITTENDEN COUNTY METROPOLITAN PLANNING ORGANIZATION (CCMPO), WHICH WAS DESIGNATED TO MEET THE REQUIREMENTS OF FEDERAL TRANSPORTATION LAWS, AND BE RESPONSIBLE FOR MANAGING THE TRANSPORTATION PLANNING PROCESS IN CHITTENDEN COUNTY HIRED ELENI IN FEBRUARY 2007; AND CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION MERGED WITH CCMPO IN 2012; AND

WHEREAS, ELENI CHURCHILL HAS FAITHFULLY SERVED THE CCMPO/CCRPC FOR TEN YEARS AS AN EMPLOYEE; AND

WHEREAS, ELENI CHURCHILL, HAS PROVIDED OUTSTANDING EFFORTS IN PROVIDING TRANSPORTATION PLANNING SUPPORT FOR THE CCMPO/CCRPC BOARD, STAFF, MUNICIPALITIES, AND PARTNER AGENCIES; AND

WHEREAS, ELENI CHURCHILL HAS CREATED, LED AND CHAMPIONED MANY INITIATIVES AT THE CCMPO/CCRPC INCLUDING: SERVING AS SENIOR TRANSPORTATION PLANNING ENGINEER OVERSEEING NUMEROUS TRANSPORTATION CORRIDOR, NETWORK AND SCOPING STUDIES; AND, BECOMING TRANSPORTATION PROGRAM MANAGER IN 2015

NOW, THEREFORE, BE IT RESOLVED BY THE CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION THAT:

IT THANKS ELENI CHURCHILL FOR HER OUTSTANDING WORK, DEDICATION, PROFESSIONALISM AND HIGH ETHICAL STANDARDS, AND SUPPORT OF THE LEADERSHIP OF THE CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION THEREBY EARNING THE RESPECT AND GRATITUDE OF HER PEERS, THE PUBLIC AND PUBLIC OFFICIALS;

DATED THIS 19th DAY OF JULY 2017 IN WINOOSKI, VERMONT

CHRISTOPHER D. ROY, CHAIR
CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION

- RESOLUTION HONORING JASON CHAREST-

WHEREAS, THE CHITTENDEN COUNTY METROPOLITAN PLANNING ORGANIZATION (CCMPO), WHICH WAS DESIGNATED BY THE GOVERNOR OF VERMONT TO MEET THE REQUIREMENTS OF FEDERAL TRANSPORTATION LAWS, IS RESPONSIBLE FOR MANAGING THE CONTINUOUS, COOPERATIVE AND COMPREHENSIVE TRANSPORTATION PLANNING PROCESS IN CHITTENDEN COUNTY HIRED JASON CHAREST IN JUNE 2007; AND THE CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION MERGED WITH CCMPO IN 2012; AND

WHEREAS, JASON CHAREST HAS FAITHFULLY SERVED THE CCMPO/CCRPC FOR TEN YEARS AS AN EMPLOYEE; AND

WHEREAS, JASON CHAREST, HAS PROVIDED OUTSTANDING EFFORTS IN PROVIDING TRANSPORTATION PLANNING SUPPORT FOR THE CCMPO/CCRPC BOARD, STAFF, MUNICIPALITIES, AND PARTNER AGENCIES; AND

WHEREAS, JASON CHAREST HAS CREATED, LED AND CHAMPIONED MANY INITIATIVES AT THE CCMPO/CCRPC INCLUDING:
RUNNING THE REGIONAL TRANSPORTATION MODEL
OVERSEEING SCOPE EFFORTS AND PROJECT DEVELOPMENT ACTIVITIES
PROVIDING TRAFFIC ENGINEERING ASSISTANCE TO MUNICIPALITIES AND PARTNERS INVOLVED WITH THE METROPOLITAN TRANSPORTATION PLAN;
MENTORING NEW CCRPC STAFF; AND

WHEREAS, THROUGHOUT HIS CAREER AT CCRPC/CCMPO, JASON CHAREST HAS ALWAYS BEEN PROFESSIONAL AND HAS HAD HIGH ETHICAL STANDARDS IN HIS WORK, THEREBY EARNING THE RESPECT AND GRATITUDE OF HIS PEERS, THE PUBLIC AND PUBLIC OFFICIALS;

NOW, THEREFORE, BE IT RESOLVED BY THE CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION THAT:

IT THANKS JASON CHAREST FOR HIS OUTSTANDING WORK, DEDICATION, PROFESSIONALISM AND HIGH ETHICAL STANDARDS, AND SUPPORT OF THE LEADERSHIP OF THE CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION.

DATED THIS 19th DAY OF JULY 2017 IN WILLISTON, VERMONT

CHRISTOPHER D. ROY, CHAIR
Chittenden County Regional Planning Commission
July 19, 2017
Agenda Item 9: Energy Planning Action Item

Issues: As we continue our work on the energy planning component of the ECOS Plan update, we’d appreciate direction on the siting policy. To prepare you for that discussion we’ve included pertinent information herein. Please note, that while some of this is subject to change, this is our best estimate at this time.

At the Board meeting we will:
1. Present our target for additional renewable energy generation that we must produce by 2050 to meet the State’s energy goals.
2. Present the amount of acreage needed to meet those targets for solar and wind in comparison to our total acreage, constraints and percentage of areas well suited for solar and wind generation.
3. Discuss and ask for action on the siting policy in relation to the state and local constraints.

Below you will find more information on each of those pieces.

1. Target for additional renewable energy generation that we must plan for in 2050 to meet the State’s energy goals and Act 174 Energy Certification Standards:

Table 1

<table>
<thead>
<tr>
<th>Chittenden County Electricity Demand (MWh)</th>
<th>2016</th>
<th>2050</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1,547,369</td>
<td>2,460,000</td>
</tr>
</tbody>
</table>

Table 2

<table>
<thead>
<tr>
<th>Renewable Energy Generation Target</th>
<th>MWh</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Projected Electricity Demand (2050)</td>
<td>10,000,000</td>
</tr>
<tr>
<td>In-State Generation Target (2050)</td>
<td>5,000,000</td>
</tr>
<tr>
<td>State Imported Generation (2050)</td>
<td>50%</td>
</tr>
</tbody>
</table>

Low Target for Renewable Energy Generation in Chittenden County: 15% of State

| Total Target | 756,250 |
| Existing Renewable Energy Generation | 556,623 |
| New Generation Needed | 199,627 |

High Target for Renewable Energy Generation in Chittenden County: 25% of State

| Total Target | 1,265,134 |
| Existing Renewable Energy Generation | 556,623 |
| New Generation Needed | 708,511 |

1. Department of Public Service, Generation_Scenarios_Aid, September 2016, Counts all generation sited in Chittenden County does not account for renewable energy credits sold. 2. The low target is based on Chittenden County’s share of the state population and share of prime wind/solar generation acreage. The high target is based only on the County’s share of the state population.
2. Amount of acreage needed to meet those targets for solar and wind in comparison to our total acreage, constraints and percentage of areas well suited for solar and wind generation.

Table 3

<table>
<thead>
<tr>
<th>Total Acreage in County (without lakes and ponds)</th>
<th>Acres</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Known Constraints</td>
<td>-86,859 acres</td>
<td>25%</td>
</tr>
<tr>
<td>Local Known Constraints</td>
<td>-26,426 acres (only additional acreage over above)</td>
<td>8%</td>
</tr>
<tr>
<td>Acreage Remaining</td>
<td>229,022 acres</td>
<td>67%</td>
</tr>
<tr>
<td>Prime Solar Acreage*</td>
<td>11,848 acres</td>
<td>5% of remaining acreage</td>
</tr>
<tr>
<td>Prime Wind Acreage*</td>
<td>48,238 acres</td>
<td>21% of remaining acreage</td>
</tr>
</tbody>
</table>

*Prime Solar/Wind Acreage means areas with high solar or wind potential and no known state/local constraints.

Table 4

<table>
<thead>
<tr>
<th>Possible Scenario for Achieving the Targets</th>
<th>MWh</th>
<th>MW</th>
<th>Acres Needed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Target: New Generation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>75% of Renewable Energy is Land-based Solar</td>
<td>149,720</td>
<td>163</td>
<td>1,302</td>
</tr>
<tr>
<td>25% of Renewable Energy is Wind</td>
<td>49,907</td>
<td>49</td>
<td>1,221</td>
</tr>
<tr>
<td>High Target: New Generation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>75% of Renewable Energy is Land-based Solar</td>
<td>531,383</td>
<td>433</td>
<td>3,466</td>
</tr>
<tr>
<td>25% of Renewable Energy is Wind</td>
<td>177,128</td>
<td>58</td>
<td>1,444</td>
</tr>
</tbody>
</table>

*Conversion from MWs to Acres assumes 1 MW per 8 acres for solar, 1 MW per 25 acres for wind.

Therefore, with the state and local known constraints considered we can meet the solar and wind generation targets. In fact, Chittenden County has over 3 times the amount of prime solar acreage and over 33 times the amount of prime wind acreage compared to the amount needed to achieve the high target example shown in table 4. Keep in mind that the possible constraints are not calculated at this time, as they are not outright prohibitions to development and we aren’t suggesting that we refer to them as such. However, collectively they make up a majority of the County (especially if we include the possible constraints in the Plan).

3. Discuss and ask for action on the siting policy in relation to the state and local constraints.

The question before you: Should the regional plan (ECOS Plan) prohibit development in state and local constraint areas, or act in a more advisory role?

Here are some relevant points of information that we’ve gathered since the CCRPC May
Board meeting received feedback from the municipal Planning Commission/Energy Committee/Conservation Commissions regarding their preference on the role of the Regional Plan:

- **Summary of conversation from DPS** – We’ve received some feedback from the Department of Public Service (DPS) and there is nothing surprising. Essentially we can take any level of policy stand we’d like. Bennington got their Certificate of Energy Compliance with more of a “pass” to the municipalities.

- **Local Known Constraints** – After careful review of the requested local known constraints, we’ve found resources in seven municipalities that we consider to be true “no build” areas (*see attached constraint spreadsheet*).

- **Municipal Planning Commission/Energy Committee/Conservation Committee feedback** on this question: Do you want your regional plan (ECOS Plan) to prohibit energy generation in areas with state and local known constraints? Six municipalities said yes, one said maybe, one said they want to wait on feedback from DPS, and seven did not respond (*see attached constraint spreadsheet*). To be clear this is not feedback from legislative bodies.

For your consideration, we’ve identified three options for a siting policy and an analysis of the pros and cons for each option. The options span from prohibition of development in known constraint areas, to a more general non-regulatory siting policy. See the attached Siting Policy Options spreadsheet.

**Staff Recommendation:** Staff has no specific recommendation on which siting policy option to choose, but would appreciate direction so that we can move forward on finalizing these pieces of the draft Plan.

**Exec. Comm. Recommendation:** The Executive Committee has no specific recommendation on which siting policy option to choose, but they feel this should be debated and decided by the Board.

**For more information contact:** Melanie Needle and Regina Mahony 846-4490 x *27 & *28 or mneedle@ccrpcvt.org & rmahony@ccrpcvt.org
## Known Constraints Requested by Municipalities, with Adequate Supporting Regulation, Incorporated into Mapping

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Resource Areas with Development Prohibition (aka known constraints)</th>
<th>Supporting Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bolton</td>
<td>1. Wetland Buffers</td>
<td>1. BLUDR Section 3.17(C)(3) All structures and other impervious surfaces shall be set back at least 50 feet from... wetlands identified on Vermont Significant Wetland Inventory (VSWI) maps or through field investigation, as measured from a delineated boundary.</td>
</tr>
<tr>
<td>Colchester</td>
<td>1. Steep Slopes 20%</td>
<td>1. Zoning Regulation Setback from Slopes. The minimum setback from a slope exceeding 45 degrees (See Appendix B) shall be fifty (50) feet (ARTICLE 2). 2. It is the purpose of this Section to provide for the protection and improvement of the surface waters and wetland within the Town of Colchester. These regulations and standards are intended to lead to the establishment and protection of natural areas along the Town’s surface waters and wetlands to provide improved protection for water quality and the provision of open space areas and wildlife habitat. It is the further purpose of this Section to provide for the retention of preexisting residential neighborhoods located along surface waters and streams in a manner consistent with the resource protection goals of this Section and the Municipal Plan. For the FEH portion of this district, permitted uses are those uses which are permitted in the underlying zoning district. For wetlands and surface waters, encroachment is allowed only for very specific uses recreation, access, stormwater management, or agriculture.</td>
</tr>
<tr>
<td>Essex</td>
<td>1. Steep Slopes 20 Percent or Higher</td>
<td>1. Town Plan Page 63: Development shall be designed to prevent the destruction of important natural resources, including wetlands, floodplains, unique geological features, primary agricultural soils, and slopes exceeding 15 percent; and Zoning Regulations 5.6.B.2: Development shall be prohibited on slopes of 20 percent and steeper due to the likelihood of environmental damage.</td>
</tr>
<tr>
<td>Hinesburg</td>
<td>1. Steep Slopes (25% or greater)</td>
<td>1. Hinesburg Zoning 5.26.2(1): Building sites and related development areas...shall avoid primary resource areas...including steep slopes of 25% or greater.</td>
</tr>
</tbody>
</table>
## Jericho
1. **Well Protection Area Overlay District**
2. **Natural Areas and Natural Communities**
3. **Primary Conservation Areas**

1. Only the following uses are permitted within 200 feet surrounding the water supply wells service the Jericho Village Water District, the Foothills water supply, the Jericho East water supply, and the Underhill-Jericho Water District, the Jericho Heights water supply, and any other public water supply: Wildlife management, Passive recreation, Proper operation and maintenance of existing dams, splash boards, and other water control, supply and conservation devices, Maintenance and repair of any existing structure, Agriculture and forestry provided that fertilizers, herbicides, pesticides and other leachable materials are neither applied nor stored outdoors. [No conditional uses] [Land Use Regulations 6.6.2]

2. **Natural Resources Overlay District:** §6.7. The purpose of the Natural Resources Overlay District is: to preserve wildlife habitat such as deeryards; to conserve and protect identified natural areas and natural communities such as significant habitat for flora and fauna; and to preserve identified scenic resources such as ridgelines. Only wildlife management, passive recreation, selective timber cutting and agriculture not involving structures is allowed in the natural areas and natural communities. Areas delineated as “natural areas and natural communities” shall consist of areas designated by the Vermont Natural Heritage Program and indicated on the map titled “Biological Natural Areas of Chittenden County” dated January, 1991 which are hereby incorporated by reference and made a part of this section.

3. **Tiered Conservation Priorities**, as shown on Map 9 of the Town Plan, depicts all the conservation priorities identified in Jericho in three tiers of priority.
   - **Primary Conservation Areas** are the most sensitive places: the rare natural communities, rare species, vernal pools, riparian areas, river corridors, and wetlands. These areas occupy a small percentage of the town and should not be developed. [pg. 38] [May be added to zoning in next update]

## Westford
1. **Steep Slopes 25% or greater**
2. **Deer Wintering Areas**
3. **Ledge Outcroppings; Flood Hazard Overlay District, Water Resources Overlay**

1. Development must not occur on areas containing steep slopes [pgs. 3-20, 3-51]
2. Development must not disturb areas with significant natural resources (SNR), deer wintering areas are included in the definition of SNR [pg. 3-52]
   - For the purposes of this provision, unbuildable land will include:
     - (a) Land within the Water Resources or Flood Hazard overlay district.
     - (b) Land with a slope of 25% or greater.
     - (c) Ledge outcroppings. [pg. 3-20] **[ALL EXCERPTS FROM ZONING REGULATION]**

## Williston
1. **Watershed Protection buffers**
2. **Primary Viewshed Areas**

1. **Williston Unified Development Bylaw 29.9.6: Watershed protection buffers shall remain undeveloped, except as provided here:** Development within watershed protection buffers shall be limited to utility and road crossings; trails and trail crossings, with minor related facilities like signs and benches; and runoff and erosion control measures [29.9.6.3].
2. **Bylaw 27.9.4: Site work, structures, and/or impervious surfaces shall not encroach upon the designated Scenic Viewshed except:** All lands that are included in Williston’s designated growth center, and all minor improvements to residential property listed in Chapter 20.
## Possible Constraints Requested by Municipalities, with Adequate Supporting Regulation, Incorporated into Mapping (* means that the municipality requested that a constraint be considered a "known" constraint, but staff did not feel that there was adequate regulation to support the request, and it was changed to a possible constraint)

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Possible Constraints</th>
<th>Supporting Regulation</th>
<th>Comments (if provided)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Burlington</strong></td>
<td>1. Historic Districts</td>
<td>1 and 3. Burlington's Standards for Historic Buildings and Sites state that new additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment. (5.4.8)</td>
<td></td>
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<tr>
<td></td>
<td>2. Mixed Use, Institutional Core Campus and Enterprise Zoning Districts</td>
<td>2. Development Ordinance Section 4.4.1 and 4.5.2: Development [in the Downtown Mixed Use Districts and institutional Core Campus Overlay] is intended to be intense with high lot coverage and large tall buildings placed close together. Development in the Enterprise District is intended to ensure that sufficient land area is appropriately designated within the city to provide an adequate and diversified economic base that will facilitate high-density job creation and retention (4.4.3)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. Historic Neighborhoods (Eligible for Listing)</td>
<td>3. Designated Downtown and Neighborhood Development Area are intended to be the center of Burlington's economic and commercial development</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4. Designated Downtown and Neighborhood Development Area</td>
<td>4. Development Ord. section 4.4.1 states that building heights and forms shall respect the principal view corridors, defined as the rights-of-way of Pearl, Cherry, College, and Main Streets, and preserve or enhance views to the lake and mountains.</td>
<td></td>
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<tr>
<td></td>
<td>5. Official Map Features</td>
<td>5. City Council Authority</td>
<td></td>
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<tr>
<td></td>
<td>6. View Corridors</td>
<td>6. Selectboard Authority</td>
<td></td>
</tr>
<tr>
<td><strong>Bolton</strong></td>
<td>1. Conservation District *</td>
<td>1. BLUDR Table 2.7(A): The Conservation District includes all land above 2,500 feet in elevation, the town’s permanently conserved lands, including town and state owned parks, forests and conservation land, and existing private in-holdings on Honey Hollow Road. Conditional Uses: Alpine Ski Facility, Primitive Campground, Nordic Ski Facility, Public Facility, Recreation/Outdoor, Telecommunications Tower.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Very Steep Slopes (25% or more) *</td>
<td>2. BLUDR Section 3.16(B): All development is specifically prohibited on very steep slopes in excess of 25% except for the following which may be allowed by the Development Review Board subject to conditional use review and the requirements of Subsection (A): ski lifts and ski trails associated with an approved alpine or Nordic ski facility, hiking and rock climbing trails, development on pre-existing lots legally in existence as of the effective date of these regulations for which the Board determines that there is no portion of the lot on which the slope does not exceed 25% and, as such, that the total prohibition of development on slopes in excess of 25% would unduly preclude reasonable use of the lot.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. Forest District</td>
<td>3. BLUDR Table 2.8 states that the only new construction allowed in the FHO II district is an accessory structure to an existing use</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4. Steep Slopes (15-25%)</td>
<td>4. BLUDR Section 3.16(A): Development on steep slopes equal to or in excess of 15%, or which results in such slopes, shall be subject to conditional use review under Section 5.4 and [provisions including stormwater management, erosion control and design intended to minimize visual impacts from public vantage points].</td>
<td></td>
</tr>
<tr>
<td></td>
<td>5. Surface Water Buffers*</td>
<td>5. BLUDR Section 3.17(B)(3) and (C)(1): All structures and impervious surfaces, except for allowed encroachments under Subsection (D) below, shall be set back at least200 feet from Goose Pond, Preston Pond and Upper Preston Pond, as measured from the annual mean high water mark.In addition, all structures and other impervious surfaces shall be set back at least 50 feet from... the shorelines of all other naturally occurring lakes and ponds with a surface area greater than one (1) acre, as measured from the mean water line.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>7. Flood Hazard Overlay II*</td>
<td>7. BLUDR Table 2.8 states that the only new construction allowed in the FHO II district is an accessory structure to an existing use</td>
<td></td>
</tr>
</tbody>
</table>

** Municipality requested that Conserved Lands be elevated to a Known Constraint. CCRPC staff finds that the development of conserved lands are governed on a case-by-case basis. Conserved Lands are a Possible State Constraint.
<table>
<thead>
<tr>
<th>Municipality</th>
<th>Possible Constraints</th>
<th>Supporting Regulation</th>
<th>Comments (if provided)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charlotte</td>
<td>1. Shoreland Setback and Buffer Area Surface Waters, Wetlands, and Buffer areas*  2. Flood Hazard Areas*  3. Special Natural Areas*  4. Wildlife habitat*  5. Conserved Land  6. Historic Districts, Site, and Structures  7. Slopes greater than 15%  8. Land in Active Agriculture  9. Water Supply Protection Areas  10. Scenic Views  11. Significant Wildlife Habitat</td>
<td>1-4: Zoning Regulation page 65 states Land development in Charlotte is evaluated and sited so as to avoid and / or minimize impacts to the following AHPV as identified in Charlotte’s Town Plan and Land Use Regulations: flood hazard areas, Surface waters, wetlands and associated setback and buffer areas, Shoreland setback and buffer areas, special natural areas, Wildlife habitat (as identified in Charlotte Town Plan or as field delineated)  5-11: Zoning Regulation page 65 states Land development in Charlotte is evaluated and sited so as to avoid and / or minimize impacts to the following AHPV as identified in Charlotte’s Town Plan and Land Use Regulations: Historic districts, sites and structures (as listed in Vermont State Historic Register); Steep slopes (equal to or in excess of 15%), Land in active agricultural use</td>
<td>** Municipality requested that Conserved Lands be elevated to a Known Constraint. CCRPC staff finds that the development of conserved lands are governed on a case-by-case basis. Conserved Lands are a Possible State Constraint.</td>
</tr>
<tr>
<td>Colchester</td>
<td>1. Shoreland Setback and buffer area  2. Shore Land Overlay District*  3. Water Protection Overlay District (EXCEPT for wetlands and surface waters)*</td>
<td>1. Zoning Regulation To preserve the natural growth and cover of the shorelines, to preserve water quality, to prevent pollution, to regulate development and appearance of the shorelines, to prevent erosion, to prevent nuisance, and to preserve the property rights of the shoreline property owners. Permitted uses are those uses which are permitted in the underlying zoning district.  3. It is the purpose of this Section to provide for the protection and improvement of the surface waters and wetland within the Town of Colchester. These regulations and standards are intended to lead to the establishment and protection of natural areas along the Town’s surface waters and wetlands to provide improved protection for water quality and the provision of open space areas and wildlife habitat. It is the further purpose of this Section to provide for the retention of preexisting residential neighborhoods located along surface waters and streams in a manner consistent with the resource protection goals of this Section and the Municipal Plan. For the FEH portion of this district, permitted uses are those uses which are permitted in the underlying zoning district.</td>
<td>** Municipality requested that Conserved Lands be elevated to a Known Constraint. CCRPC staff finds that the development of conserved lands are governed on a case-by-case basis. Conserved Lands are a Possible State Constraint.</td>
</tr>
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</tr>
<tr>
<td>--------------</td>
<td>----------------------</td>
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<td>-----------------------</td>
</tr>
</tbody>
</table>
| Essex        | 1. Scenic Resources Protection Overlay District*  
  2. Resource Protection District Industrial  
  3. Steep Slopes 15-20%  
  4. Core Habitat*  
  5. Habitat Blocks* | 1. Essex Zoning Table 2.20.A: The purpose of this overlay district is to avert or minimize the adverse impacts of development on identified scenic resources, viewsheds and roadscape corridors in the Town of Essex through appropriate site planning and design practices. The standards are intended to provide flexibility so that proposed development can be designed to fit the particular characteristics of the site on which it is located.  
  2. Essex Zoning Table 2.14: The objective of the RPD-I and the related O1 District parcel is to protect such natural attributes for public enjoyment, and, to carry out development activities in harmony with the natural surroundings. Of the 751.7 acres in this district, 60 percent has been formally designated for recreation/conservation use (including all of the related O1 District acreage) and the remaining 40 percent for permitted uses as set forth in (B) below that satisfy all other district requirements.  
  3.Zoning Regulations 5.6.8.2: Development is discouraged on slopes of 15 percent or steeper due to the likelihood of erosion and stormwater runoff problems.  
  4 and 5. Town Plan Policy 3(S).4 (p. 63): “Critical wildlife habitat, including but not limited to deer wintering areas, rare and/or endangered species habitat, local fisheries, and identified travel corridors, shall be protected from inappropriate development and land management activities.”  
  Town Plan p. 63: “By recognizing its natural features – topography, slopes, geology, soils, water resources, agricultural and forest lands – a town can protect those resources and ensure a high quality of life for its residents.”  
  Town Plan p. 72, Forest Lands: “Essex’s forests provide large habitat blocks for animals and offer economic potential through timber harvests. Forest trails open to hiking, mountain biking, horseback riding, cross-country skiing and snowmobiling improve quality of life and can support a recreation-based sector of the economy. Nearly 13,000 acres in Essex are forested, yet forest fragmentation from development is a major problem in Vermont, including Essex. The largest forests in Essex stretch north from the northeastern and northwestern parts of town into Colchester, Milton, Westford, and Underhill. The largely unbroken woodlands serve as prime habitat – the Vermont Agency of Natural Resources scores both forests as 9 out of 10. When development must occur in those habitat blocks, every effort shall be taken to minimize the intrusion on the forests through the use of siting standards.” | ** Municipality requested that Conserved Lands be elevated to a Known Constraint. CCRPC staff finds that the development of conserved lands are governed on a case-by-case basis. Conserved Lands are a Possible State Constraint. ** |
| Essex Junction** | See footnote |  | ** Municipality requested that Conserved Lands be elevated to a Known Constraint. CCRPC staff finds that the development of conserved lands are governed on a case-by-case basis. Conserved Lands are a Possible State Constraint. ** |
| Hinesburg** | 1. Moderately Steep Slopes (15-25%)  
  2. Core Wildlife Habitat  
  3. Village Growth Area and Industrial zoning districts  
  Town requested that Conserved Lands be elevated to a Known Constraint. CCRPC staff finds that the development of conserved lands are governed on a case-by-case basis per their individual development restrictions | 1 and 2. Hinesburg Zoning 5.26.2(1): Building sites and related development areas...shall minimize impact on secondary resource areas...including slopes between 25-25% and core wildlife habitat.  
  3. Hinesburg Zoning, Section 3.1: Village Growth Area Purpose. Development densities should be maximized to the extent practical in order to better realize Hinesburg’s overall "smart growth" strategy. |  |
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<th>Possible Constraints</th>
<th>Supporting Regulation</th>
<th>Comments (if provided)</th>
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| Jericho      | 1. Secondary Conservation Areas  
2. Village Centers | 1. Tiered Conservation Priorities, as shown on Map 9 of the Town Plan, depicts all the conservation priorities identified in Jericho in three tiers of priority. Secondary Conservation Areas are also very sensitive but some activities can occur within them without compromising their integrity. These include wildlife road crossings, a larger area surrounding vernal pools, significant (but not rare) natural communities, and ledge and cliff habitat that may be important for wildlife. In general, these places should be evaluated carefully when development is proposed within them for potential conflicts with the natural resource values. (Town Plan Pg. 38) 2. The purpose of the Village Center District is to encourage the concentration of people and community-focused activities in traditional centers (Land Use Regulations 3.2.7) | |
| Milton**     | 1. Agriculture Soils*  
2. Town Forest and Municipal Natural and Rec Areas with Management Plans*  
3. Habitat Blocks 8-10*  
4. Encumbered Open Space* | 1. For PLANNED UNIT DEVELOPMENTS-Residential that occur outside of the Town’s core, in areas zoned Agricultural/Rural Residential, Shoreland Residential and Forestry/Conservation/Scenic Ridgeline, a key goal for PLANNED UNIT DEVELOPMENTS-Residential shall be to retain rural community characteristics through the selection of appropriate BUILDABLE ENVELOPES that will minimize the visual impact of proposed developments from existing roadways. Included within the realm of rural community character is the preservation of existing farms and prime agricultural soils 2. Selectboard Authority 3. Town Plan Goal 8.1: Continue protection of existing natural resources identified in this chapter. [Including critical habitat] 4. Section 804.6: OPEN SPACE Requirements for developments with ten (10) or more multi-family residential units. The proposal shall provide for the preservation and maintenance of OPEN SPACE which is designed to be an integral part of the whole development. The size, shape and locations of OPEN SPACE shall be approved by the Development Review Board. The OPEN SPACE shall be protected by appropriate legal devices to ensure the continued USE of such lands for the purpose of AGRICULTURE, FORESTRY, recreation or conservation. Such mechanisms include dedication of development rights, conservation easements, homeowners associations, restrictive covenants, conveyance to land trusts, or other appropriate grants or restrictions approved by the Development Review Board. Permitted future USES and maintenance of the OPEN SPACE shall be specifically identified as part of the approval of development with ten (10) or more multifamily units. HOWEVER, the town plan recognizes the need to improve these regulations: Goal 8.5 is to “Establish standards for more appropriate, useful, and usable open space that is set-aside as a result of cluster subdivisions, such as Planned Unit Developments.” | |
<p>| Richmond     | Richmond has requested the following constraints, but there is not supporting language for them in the zoning or in the town plan, as the plan is expired and a drafting process is ongoing. The following will be considered by CCRPC staff after the adoption of the Town Plan: 1. Ridges 2. Slopes &gt; .30% 3. Trails 4. Conserved Land 5. ANR Primary Conservation Areas 6. Highest Priority Habitat derived from STA Report | | |
| Shelburne    | 1. Significant View Areas 2. Archeologically Sensitive Areas 3. Lakeshore Buffer | 1. Direct development in a manner to minimize undue adverse impacts on the Town’s scenic beauty, open lands, shorelines, and ridgelines with particular attention paid to roadside views or views from Lake Champlain. Identification of such resources can be aided by the maps listed in Objective 1 (Town Plan pg. 30) 2. could not map these 3. The purpose of this district is to preserve vegetation and natural cover of the shore adjacent to Lake Champlain in order to preserve views both from and of the lake, the preservation of water quality and prevention of pollution, the recognition of the extreme vulnerability of lakeshore properties to erosion and other nuisances, and the avoidance of problems resulting from over intensive exploitation of the lakeshore. Uses are permitted according to underlying district (Zoning) | |</p>
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<tr>
<td>South Burlington</td>
<td>1. Source Protection Area Zone 1*&lt;br&gt;2. Wetlands and buffers&lt;br&gt;3. Habitat Blocks and Riparian Connectivity&lt;br&gt;4. Slopes 20% or greater&lt;br&gt;5. SEQ Natural Resource Protection Area</td>
<td>1. The 2016 Comprehensive Plan includes a section on energy siting (page 3-41) states “South Burlington recognizes that there may at times be competing goals. While the City supports the harnessing of renewable energy, particularly in the case of solar arrays, it must consider the impacts of such structures on open spaces and wildlife corridors. As such, this plan shall strive to provide guidance as to where the siting of renewable energy facilities should be avoided in favor of certain conservation areas:&lt;br&gt;• All Primary Conservation Areas identified per the map included in the 2014 South Burlington Open Spaces Report&lt;br&gt;• Uncommon Species, Habitat Blocks identified per the Secondary Conservation Maps included in the 2014 South Burlington Open Spaces Report.” SPA-Zone I is indicated on the Primary Conservation Areas map.&lt;br&gt;2. Zoning It is the purpose of this Section to provide appropriate protection of the City’s wetland resources in order to protect wetland functions and values related to surface and ground water protection, wildlife habitat, and flood control. Encroachment is conditional with State CUD and/or DRB approval (Article 12) 3. this plan shall serve to provide guidance as to where the siting of renewable energy facilities should be avoided in favor of certain conservation areas: All Primary Conservation Areas identified per the map included in the 2014 South Burlington Open Spaces Report. Uncommon Species, Habitat Blocks identified per the Secondary Conservation Maps included in the 2014 South Burlington Open Spaces Report. (Town Plan, 3-41) 4. The presence of important ecological resources, as well as steep slopes, shallow soils, and extensive bedrock outcroppings should be incorporated into all types of planning for development and conservation (Town Plan, 2-105). 5. ??? Dwellings are permitted</td>
<td>The City as requested that their Source Protection Area - Zone 1 be a Known Constraint, but the source policy for this reads more like a possible constraint.</td>
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<td>Possible Constraints</td>
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| Underhill    | 1. Steep slopes (15-25%)  
2. Mt. Mansfield Scenic Preservation District*  
3. Wetlands and associated buffers, Surface Waters and buffers*  
4. Steep Slopes (>25%)*  
5. Above 1,500 ft. Elevation* | 1. The purpose of this section is to regulate land subdivision and development to minimize site disturbance and construction on steep slopes (15% to 25%), and to avoid site disturbance on very steep slopes (> 25%)  
2. Zoning Regulation: All structures, with the exception of telecommunications and wind towers and ancillary 25 facilities, tent platforms and lean-tos, and alpine and Nordic ski facilities, are prohibited over 1,500 feet in elevation above mean sea level. Town Plan: The Planning Commission should continue to support the current regulation prohibiting development above 1500’, but the Commission should also ascertain whether the community desires alternative energy structures on hillsides and ridgelines, including those above the 1500’ elevation level (pg. 21). The Planning Commission shall reconcile the seeming conflict between the competing interest of 1500’ elevation ridge protection and wind power development through regulatory tools such as specific regulations; individual site plan review; and conditional use review (pg. 67).  
3. Zoning Regulations: Protect the beneficial functions of wetlands including retaining stormwater runoff, soil stabilization, pollutant filtering, flood reduction, and protecting groundwater quality and quantity. Prevent soil erosion and river/stream channel instability. Protect and maintain water quality. Protect wetland and riparian wildlife, fish, and rare, threatened or endangered species habitat. Preserve public health and safety through the establishment of vegetated riparian buffer zones, which serve to slow and absorb floodwaters (pg. 60).  
4. Zoning Regulations: to avoid site disturbance on very steep slopes (> 25%), Exemption Utilities, including telecommunications facilities, power generation facilities, and transmission lines regulated by the Vermont Public Service Board. (pgs. 53-54)  
5. All structures, with the exception of telecommunications and wind towers and ancillary facilities, and tent platforms and lean-tos are prohibited in this district over 1,500 feet in elevation above mean sea level (pgs 14,17,20,23) | 1. There is a conflict between the zoning and town plan. Dwelling units are a permitted use in the Mt. Mansfield Scenic Preservation District. The towns desire to restrict renewable energy development does not match their zoning regulations. The language in the Plan expresses that the Town has a desire to protect its ridgelines for all types of development. |
<p>| Westford     | 1. Prime (and State-wide significant) Agricultural Soils | 1. Development must not disturb areas with significant natural resources (SNR), prime or statewide ag soils are included in the definition of SNR (pg. 3-52) | Check to ensure the Water Resource Overlay District covers streams draining less than 2 miles, Town requested ag soils as a possible constraint but regulation is more restrictive—should possibly be a Known Constraint? |</p>
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<td>Williston**</td>
<td>1. Conservation Areas/Natural Communities*</td>
<td>1. 27.4.4 Avoid Undue Adverse Impact. Alternative site designs may be required, alternative locations for the development may be required, and the minimum amount of land required to be set aside as open space may be increased, if necessary to avoid undue adverse impacts to Conservation Areas.</td>
<td>The town also requested that there be difference constraints for wind (viewsheds, watersheds, conservation areas) and solar (watershed, conservation) The town requested that Significant Wildlife Habitat Areas be listed as a possible constraint, but 27.5.6.4 specifically exempts alternative and renewable energy installations from SWHA regulations. The WCC stated that in consideration of renewable energy projects within Significant Wildlife Habitat Areas, a Habitat Disturbance Assessment should be conducted (similar to the Town’s requirement for new development) and that there should be no forest clearing.</td>
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** Municipality requested that Conserved Lands be elevated to a Known Constraint. CCRPC staff finds that the development of conserved lands are governed on a case-by-case basis. Conserved Lands are a Possible State Constraint. **
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<tr>
<th>Municipality</th>
<th>Respondent</th>
<th>Should the ECOS Plan prohibit energy generation in areas with known constraints, using “shall” language?</th>
<th>Do you want assistance from CCRPC on enhanced energy planning?</th>
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<tr>
<td>Burlington</td>
<td>Planning Commission</td>
<td>the Planning Commission does not feel comfortable providing comment on this issue until the CCRPC receives feedback from the state.</td>
<td>No</td>
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<td>Bolton</td>
<td>Sharon Murray, Selectboard Member</td>
<td>Yes (also see above)—otherwise do these differ from “potential” constraints? Per §4384a(3) the regional energy element/plan and enhanced local energy elements/plans are required to identify both “potential areas for the development and siting of renewable energy resources and areas that are unsuitable for siting those resources”... That was the intent behind A.174 w/re to integrating energy and land use planning, in association with giving more weight to regional and municipal plans in Section 248. This also suggests however, that known constraints should be given pretty careful consideration at the regional as well as local level.</td>
<td>At some point RPC assistance in this area would be welcome, but likely not in FY18. As you know, our Planning Commission will be focusing on an update of our development regulations over the next year or so—which potentially could include some assistance with solar facility screening standards?</td>
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<td>Charlotte</td>
<td>Planning Commission, Energy committee</td>
<td>According to Act 174, “the ECOS Plan will carry greater weight—substantial deference—in the Section 248 siting process for energy generation. The EC recommends that yes, we want our regional plan (ECOS Plan) to prohibit energy generation in areas that have “known” constraints.” If this were not the case, then making the distinction between “known” and “possible” constraints would be rendered meaningless and not have any weight or credibility. It’s crucial for public buy-in on the “possible” constraints to demonstrate a willingness to protect the “known” constraints.</td>
<td>Yes</td>
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<td>Colchester</td>
<td>Planning Commission</td>
<td>The Commission was supportive of including language in the regional plan regarding renewable energy prohibitions in areas of known, previously called Level 1, constraints. The Commission did agree that projects located on existing structures or impervious areas were acceptable (i.e. an existing home located within the Floodplain), and that any prohibition should be based on a site investigation to ensure the presence of the constraint. There was not support for prohibiting renewable energy generation in areas of possible constraints, previously called Level 2.</td>
<td>We are currently working with Colchester in FY 2017 and work will likely continue in FY18</td>
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<td>Hinesburg</td>
<td>Planning Commission</td>
<td>We do want the regional plan to prohibit energy generation in areas with known constraints; however, we recognize that gaining access to unconstrained areas may require passing through a constrained area. We allow for this in traditional development projects as follows (Section 6.12.1 #2, Subdivision Regulations): “Building sites and related development areas (e.g., roads, driveway, lawn, etc.) shall avoid primary resource areas and minimize impact on secondary resource areas. Limited impacts to primary resource areas for access (e.g., road or driveway) may be allowed, at the discretion of the Development Review Board, if there are no alternate development plans and no other means of access. In such cases, the access shall be designed to impact as little of the primary resource area as possible.” We encourage the regional plan to take a similar approach.</td>
<td>Yes</td>
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<td>Jericho</td>
<td>Planning Commission</td>
<td>[The Planning Commission members] are generally OK with that [the statement] but are concerned about potential future technology for renewable structures that could be developed that would not be intrusive or harmful to these areas. If that could be considered in the language, that is OK. Also, just for clarity, they would like it to add the following underlined word “... unless located on an existing structure or existing imperious surface.”</td>
<td>Yes</td>
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<td>St. George</td>
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<td>South Burlington</td>
<td>Staff with input from energy committee</td>
<td>I would recommend that renewable energy siting be treated, in these areas, as any other form of development would be treated. In most cases, this will mean that yes, these facilities would be prohibited. But there may be circumstances where a State or Federal permit would grant other forms of development in these areas; renewable energy should be treated similarly.</td>
<td>Yes assistance with identifying preferred sites</td>
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<td>Underhill Planning Commission and Energy Committee</td>
<td>Both the Planning Commission and the Energy Committee answered in the affirmative to this question, as both generally believed that the regional plan should regulate energy generation in areas with State and local known constraints.</td>
<td>Yes</td>
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<td>Siting Policy Options</td>
<td>Pros</td>
<td>Cons</td>
<td>Quest/Points (not necessarily a pro/con):</td>
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<td><strong>Option A:</strong> All development (note - not just renewable energy generation) <strong>SHALL</strong> not take place in areas with field-verified state or local known constraints, unless located on preferred sites.</td>
<td>Support specific local resource protections already in place (a.k.a. “known constraints”) while meeting our renewable energy generation targets. For example, Essex’s zoning regulations strictly prohibit development on slopes over 20%. By including that protected resource in our Plan, we would support Essex’s efforts to protect that resource at the Public Utilities Commission for energy generation facilities.</td>
<td>We would have inconsistent “rules” from one municipality to the next.</td>
<td>These constraint areas would become “no build” areas for all development, not just renewable energy facility areas.</td>
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<td>This would only include resources strictly protected in existing municipal regulations, for that municipality. We would not impose these resource protection measures that exist in some municipalities on the rest of the municipalities.</td>
<td>While we can meet our target, it does create a road block for energy facility generation.</td>
<td>We’d protect the state’s list of known constraints as well?</td>
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<td>We have approximately 7 municipalities with strict resource protection regulations that are truly identifying 100% no build areas.</td>
<td>It would make the ECOS Plan more of a regulatory document than it’s been in the past; and Act 250 is at the 11th hour for some developments so our input is coming late and we run the risk of being inconsistent with what has already been approved by the Town because there are a lot of nuances that get worked out through zoning and development review.</td>
<td>As the municipal plans get updated, and they change their “no build” areas we’d have to amend our Plan or state in the ECOS Plan that we will defer to the local plans as approved by CCRPC.</td>
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<td>By supporting these municipalities we would provide the service of protecting these resources at the Public Utilities Commission before the municipalities have a chance to update their Plans and gain the certification necessary to participate on their own. This would provide (a few) municipalities with the substantive deference without having to write their own plans. We’d testify on a case by case basis to the policy language that exists at the municipal level and our regional plan.</td>
<td>We’d have to dedicate more time to Act 250 and Section 248 reviews to support the policies in place; however, we do not anticipate that we would need to become experts on the resources.</td>
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<td>Clear directive to the Public Utilities Commission</td>
<td>More pressure on the municipalities to do this planning work, if they want substantial deference in the Public Utilities Commission for energy generation developments.</td>
<td>Would we still play a bigger role in Act 250 and Section 248?</td>
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<td><strong>Option B:</strong> All development (note - not just renewable energy generation) <strong>SHOULD</strong> not take place in areas with field-verified state or local known constraints, unless located on preferred sites.</td>
<td>Similar to our current non-regulatory role, and keeps the ECOS Plan a plan.</td>
<td>More pressure on the municipalities to do this planning work, if they want substantial deference in the Public Utilities Commission for energy generation developments.</td>
<td>Would we still play a bigger role in Act 250 and Section 248?</td>
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<td>Identifies constraints as red flags, but not a 100% no build road block for renewable energy generation facilities (or any development for that matter).</td>
<td>Less clear directive for the Public Utilities Commission.</td>
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<td>Still inconsistent between the municipalities, but since it isn’t a rule it will be easier to implement.</td>
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<td>Likely easier to maintain local plan compatibility with the ECOS Plan as the local plans get updated for energy planning purposes.</td>
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<td><strong>Option C:</strong> A more general siting policy that supports appropriately scaled renewable energy generation on developed sites so long as it does not preclude infill development. Additionally, utility scale generation is encouraged where distribution and transmission infrastructure has adequate capacity; and impacts to state/local known and possible constraints are minimized. This Plan also strongly encourages energy generation on preferred sites.</td>
<td>Similar to our current non-regulatory role, and keeps the ECOS Plan a plan.</td>
<td>More pressure on the municipalities to do this planning work, if they want substantial deference in the Public Utilities Commission for energy generation developments.</td>
<td>In practice is this any different than Option B?</td>
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<td>Likely easier to maintain local plan compatibility with the ECOS Plan as the local plans get updated for energy planning purposes.</td>
<td>Less clear directive for the Public Utilities Commission.</td>
<td>Do we still have to include the state known and possible constraints?</td>
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The Clean Water Advisory Committee thanks the State’s Clean Water Fund Board for this opportunity to comment publicly on the water quality funding decision making process. While the provided survey has been made available to our Committee members we would like to take the opportunity to provide more detailed comments from a municipal perspective. We appreciate your valuable time and efforts on this issue of paramount concern for all Vermonters.

**State-Wide Per Parcel Fee:**

We endorse the implementation of a State-wide funding per parcel fee which spreads the costs of water quality improvements among all Vermonters. This type of “all in” approach would incorporate all properties including those which are exempt from property taxes while establishing a direct nexus between development and water resources issues, that of impervious cover.

As appropriate as the State-wide fee is as a funding method, multiple municipalities have previously implemented a per parcel fee in the form of a stormwater utility. The CWAC asks the CWFB to formally recognize existing stormwater utilities and allow them the flexibility to continue to meet State permitting and TMDL requirements through the funding mechanisms they already have in place.

Property owners/municipalities with existing stormwater fees should not be “double charged”. To avoid double charging stormwater utilities it is suggested that utilities be exempt from state fees which are lesser than a municipal fee. If state fees are greater than any given municipal fee it may be appropriate for those municipalities to contribute the difference between the two fees to the Clean Water Fund. Essentially, any statewide fee levied for the purpose of water quality should not reduce funding of municipal stormwater programs/utilities, nor should a municipalities local management of stormwater render it ineligible for grant/loan programs.

**Collection of Per Parcel Fees:**

While collection may be most cost effective if administered at the state level, a detailed analysis of the cost of administration for the available options is needed. Municipalities have major concerns about being asked to bill on behalf of the state including tax exempt properties that do not receive municipal bills. Accordingly, the CWAC suggests that an analysis is performed to determine the collection method which has the lowest administrative cost. Regardless of state collection, local/regional collection, or a third party collection similar to Efficiency Vermont, the method resulting in the lowest administrative costs will provide the greatest amount of capital funds for water quality improvements.

**Long Term Costs of Operation and Maintenance:**

It is important to keep in mind that costs estimated in the recent Treasurers Report do not include project planning and development costs or ongoing operating and maintenance costs, which may be as much or more than the capital costs on an annual basis and are ongoing. Considering these additional project planning and development costs and the operating and maintenance costs which continue in perpetuity, the State should raise enough revenue to cover no less than 80% of capital costs.
Funding Efforts and State/Municipal Communication:

Vermont DEC recently created a number of new water quality funding programs. Unfortunately, these new programs had a very tight turnaround time which didn’t allow municipalities time to plan or budget according to funding eligibility requirements. Leading up to the most recent round of grants, municipalities were contacted by multiple branches of DEC, neither of which described the context of their information requests. This lack of background from the State resulted in confusion and inadequate information sharing at the municipal level. The grant application period is also occurring at a time of year when it is very difficult for municipalities to pull new projects together (during summer construction season). These funding programs are also predominantly for construction and do not provide significant funding for project development (i.e. engineering). In the future, it would be helpful for State staff to be more forthcoming and transparent with the reasoning behind their requests in addition to coordinating their efforts to prevent municipalities answering similar questions multiple times. For future state/municipal coordination efforts careful consideration of funding timelines, to include traditional bidding and construction schedules and capital planning processes, is requested.

Municipalities have been told that the reason for these issues is that the legislature has put pressure on DEC to spend enough FY18 funds to facilitate receiving adequate FY19 funds. However, since we (municipalities) weren’t given a reasonable amount of time to develop and plan projects it will be difficult to utilize these funds to the extent that DEC and others are hoping. This is further exacerbated by the fact that DEC is offering solely a 50% grant for MS4 communities (as opposed to the 80% grant for non-MS4’s). This grant allocation punishes the communities which have performed the most advanced planning level efforts as part of their Flow Restoration Plans, and are therefore more likely to have “shovel ready” projects for implementation. CWAC members have been told that the reason for this is to facilitate the geographic spread of projects across the State. While this is a reasonable policy goal, it is unreasonable to strive for geographic equity in each fiscal year when certain areas of the State may require different levels of effort at varying times. Geographic equity may take place over a number of years therefore allowing the state to provide an influx of funds when and where needed.

Clean Water Fund Allocations:

Clean Water Funds should be prioritizing the development (i.e., engineering) and implementation (i.e., construction) of both municipal and agricultural water quality projects. Over the short term (2-5 years), the Clean Water Funds should simultaneously allow for significant project development and not solely focus on construction. Over the longer term (5-20 years), the Clean Water Fund Board can continue to increase the percentage of implementation projects while phasing out engineering efforts.

Ultimately, when it comes to constructing water quality improvements, municipalities have the potential to be DEC’s largest, most cooperative, and most effective partners. As such, the funding programs developed by DEC will be far more successful if they take into account the suggestions above and consider the timelines by which municipalities operate.
The meeting was called to order at 5:45 p.m. by the Chair, Chris Roy.

1. Changes to the agenda; Members’ Items. There were none.

2. Approval of June 7, 2017 Executive Committee Meeting Minutes. MIKE O’BRIEN MADE A MOTION, SECONDED BY BRIAN BIGELOW, TO APPROVE THE JUNE 7, 2017 EXECUTIVE COMMITTEE MEETING MINUTES WITH ANY EDITS. Mike suggested on page 2, line 6 that we soften the language. We will change it to read “...had indicated that they believe they would maintain a more positive working relationship with Sullivan Powers & Co. Barbara Elliott noted a change on page 3, line 4 to change “these’ to “there”. MOTION CARRIED UNANIMOUSLY TO APPROVE THE MINUTES WITH EDITS.

3. Act250/Section 248 Applications:
   a. Cambrian Rise, Burlington, #4C1301. This project is on the former Diocese property on North Avenue. There is a pre-hearing and site visit set for next week, but no hearing is scheduled yet, but she wanted members to know what’s coming. She did just email District #4 to see why this isn’t exempt under the new rules. We have no traffic comments yet.
   b. O’Brien Farm Road, LLC; South Burlington, application #4C1106-3. This is for a development of 39.16 acres of land adjacent to Old Farm Road/Kennedy Drive/Eldredge Street & Kimball Avenue into a PUD with 118 residential units on footprint lots, along with six large residential/mixed use development lots, park space, and open space. This project seeks review of the residential units and associated infrastructure, and only partial findings for the six large residential/mixed use lots. The project has received master plan approval from the South Burlington Development Review Board, but each individual phase will be subject to site plan approval. The only issue we found was the LOS at Hinesburg Rd./Kimball intersection was quite different in a traffic engineering study done by Lamoureux & Dickinson dated August 2016 for this project showing LOS “D”; and the study done by Green International Affiliates in August 2015 for VTrans in conjunction with the culvert reconstruction currently underway just north of the intersection on Rt. 116 showing LOS “E”. A brief discussion about LOS “F” not always being equal – depending on the location-urban vs. rural. Regina noted we had this discussion in the ECOS plan development and we wanted to come up with a policy, but VTrans was working on a policy to address this issue. This issue remains unresolved. It was noted that LOS “F” is not always a bad thing and doesn’t mean the intersection is failing. Chris Roy suggested that we inform a municipality, but leave it up to them as to whether they feel LOS “F” is a bad thing. Regina said we could not be so negative about LOS “F” in the letter. JOHN ZICCONI MADE A MOTION TO APPROVE THE LETTER TO THE D.E.C. #4 WITH CHANGES AS DISCUSSED. MIKE O’BRIEN
SECONDED. Mike noted that he has worked on property in both applications, B & C, but the work was totally unrelated, so he will vote on these letters. VOTE: MOTION CARRIED UNANIMOUSLY.

c. Allen Brook Development, Essex, Application #4C0329-21. This is a development off of Allen Martin Drive in Essex. We find the project is in the area defined for growth, it meets requirements for Criterion 9(L), and going forward we suggest that the fee structure for additional development in this area should be reexamined in light of the town’s preferred alternative of a traffic signal at VT 15/Allen Martin Drive. JOHN ZICCONI MADE A MOTION TO APPROVE THE LETTER TO D.E.C. #4 AS DRAFTED. BRIAN BIGELOW SECONDED AND THE MOTION CARRIED UNANIMOUSLY.

4. Energy Planning. Regina noted that we’ve refined and gathered additional information regarding the siting policy for the ECOS Plan. Regina, Emily and Melanie have been reviewing the natural resources constraints that towns do not feel would be appropriate for wind or solar. The original spreadsheet in your packet includes known constraints in nine municipalities; further inspection reduces that to about four or five towns that have zoning that 100% protects areas from all development. We know we can meet the renewable generation targets with the constraints as the municipalities originally asked for them; and we’ve pulled more out of the known/100% no-build category so we should still be able to meet the targets. We also received feedback from the municipal energy committees/planning commissions in response to this question (referred to as Question 4 on your spreadsheet): Do you want your regional plan (ECOS plan) to prohibit energy generation in areas with state and local known constraints? In other words, should we have a strong “shall” statement? Half of the municipalities did not provide a response to this question. One said they don’t want to answer until we get feedback from DPS. The other half said yes, we should do this. Regina and Melanie talked to staff at DPS. They will be comparing our plan to the Act 174 guidelines. They won’t care about whether we say “shall” or “should” or “maybe”. They will be checking to be sure we’re treating all development equally. Regina said what we think that means is we’d have to identify areas that are no-build zones for everything, not just wind and solar. Charlie said the question to the board is whether we should say “shall” not or “should” not. We have maps that show the constraints and then we need policy statements to describe how to use the maps. Discussion continued. Charlie said if we adopt the “should” course, the town will have to develop an energy plan to protect the resources. If we say “shall” based upon the Town having done strong zoning work we would be supporting their local regulations at the Public Utilities Commission (new name for the Public Service Board). Lengthy discussion continued. Having a regional energy plan is a pre-requisite to municipal energy plans. John asked how far we have to go if we put in these constraints. Mike O’Brien is in favor of having this be guidance and not put in roadblocks. He feels we should use “should” language and let the towns decide for themselves. Town energy plan has to be consistent with the regional plan for CCRPC to certify their plan after we have a certified regional plan. Towns can go to DPS with a plan through June 2018. We should have a certified regional energy plan by July 2018 and then the towns come to RPC’s for certification of their local energy plan. Regina – do you want the full board to discuss this, or would you like us to get comments from the municipal elected officials first (vs. the planning commissions and conservation committees we already heard from)? Chris Roy said we should give members a choice of A or B. Should board members be asked direction or do we check with legislative bodies? Chris feels we as an RPC need to decide this. We should have discussion at the July meeting and give staff direction since we don’t meet in August. We are reviewing the work the municipalities did to protect a resource such as zoning work. Did a municipality do a good job on the natural resource regulations? Regina noted it is pretty difficult to regulate regionally when it’s really town-by-town
or site-by-site. Discussion continued about whether we use “shall” and if we’re ready to hire experts to deal with this. Chris feels that constraints for renewable energy sources are very different for wind turbines vs. solar farms. Regina said in the discussion with DPS, they said we could talk about scale and what makes sense in certain areas. She noted that all the maps are GIS data layers subject to inaccuracies. So they will provide a visual aid in the plan, but not site level information. The list of restrictions must be defined and then they’d have to be site verified. Lengthy discussion continued. If we want to say “shall,” we’re not putting anything in our plan that hasn’t been included in the local plans or zoning regulations. Plans can be just inspirational documents without being regulatory, it is a matter of what tone the town or region wants to take. Staff will prepare information for the Board packet.

5. **Resolutions to recognize employee service & board recognition.** Staff has prepared resolutions recognizing three staff members who celebrate their 10th anniversary at CCRPC: Eleni Churchill, Bryan Davis and Jason Charest. Marc Landry has been replaced as Colchester’s RPC representative, so we also want to recognize his twelve years of service. **BARBARA ELLIOTT MADE A MOTION TO RECOMMEND THE BOARD ADOPT ALL FOUR RESOLUTIONS. MIKE O’BRIEN SECONDED AND THE MOTION CARRIED UNANIMOUSLY.**

6. **Recommend FY18 Meeting Schedule to Board.** Staff presented a schedule of meeting dates for the Board and Executive Committee meetings for FY18. **BARBARA ELLIOTT MADE A MOTION, SECONDED BY MIKE O’BRIEN, TO RECOMMEND THE BOARD APPROVE THE FY18 MEETING SCHEDULE. MOTION CARRIED UNANIMOUSLY.**

7. **Review Commission Committees/members.** Members reviewed current list of board members on various committees. It was noted that Sandy Dooley and Marc Landry are no longer rep or alternate, so we need new board members on the Board Development Committee and Long Range Planning Committee respectfully. We will solicit board members who are not currently serving on any committee to serve. We will ask Bard Hill to serve on Long Range Planning Committee and Jeff Bartley of Colchester to serve on FY19 UPWP Committee.

8. **Chair/Executive Director’s Update.**
   a. **Priorities for the next year.** Include water quality funding and various grants. RPCs statewide got $1.5 million for Water Quality block grant. Southern Windsor RPC is the lead RPC for construction projects on the capital eligible list. We will also be updating our ECOS Plan with a new Energy section, the MTP (Metropolitan Transportation Plan) and CEDS (Community Economic Development Strategy). Charlie noted that a consultant was here a couple of week ago – Urban3 out of North Carolina. They are looking at data around how we use land. There is a conversation with several folks to try to do this analysis statewide since it might be helpful for decision-making. He will send members the link to a video.
   b. **Shared Dispatch Services update.** This effort is going well. Aaron Frank of Colchester has been doing a lot of number crunching on project costs. We are still on track to have this put on town meeting agendas for March.
   c. **Building Homes Together Campaign.** It was noted that we have 600 new residences in each of the last two years; and it’s looking like 962 for last year. This is the first year they have included demolitions. John Zicconi suggest we show trends in this spreadsheet.

9. **Agenda Review – July 19th meeting.** Members reviewed and made changes to the draft agenda.
10. **Other Business.** There was none.

11. **Executive Session.** None needed.

12. **Adjournment.** MIKE O’BRIEN MADE A MOTION TO ADJOURN AT 7:18 P.M. BARBARA ELLIOTT SECONDED AND THE MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

Bernadette Ferenc
July 7, 2017

Peter Keibel
District #4 Coordinator
111 West Street
Essex Junction, VT  05452

RE: Allen Brook Development, Essex; Application #4C0329-21

Dear Mr. Keibel:

The Chittenden County Regional Planning Commission’s Staff and Executive Committee have reviewed this Act 250 application for a nine-lot subdivision, the extension of Thompson Drive by 1,220 square feet, the construction of an office and laboratory building on Lot #1, the construction of a spec warehouse with associated office on Lot #5, the construction of a 16-space temporary parking lot on Lot #9 and associated infrastructure. The Project is located at 31 Allen Martin Drive in Essex, VT. The project has received approval from the Essex Planning Commission and Selectboard. We offer the following comments:

The project is located within the Enterprise Planning Area as defined in the Chittenden County Regional Plan, entitled the 2013 Chittenden County ECOS Plan (the Plan). We find this project to be consistent with this Planning Area for the following reasons:

1. The Enterprise Planning Area is identified in the Plan as an area planned for growth, and therefore this project helps implement Strategy #2 of the Plan, which calls for 80% of new development in the areas planned for growth.
2. The project will have water and sewer service, as it is within the Town of Essex sewer core area.

Therefore, we find this project to be in conformance with the Planning Areas of the 2013 Chittenden County Regional Plan.

We also find that this project meets the requirements of Criterion 9(L). We find that this area does not meet the exact definition of “existing settlement”. Therefore, under Criterion 9(L), the applicant must show that any project outside an existing settlement:

i. Makes efficient use of land, energy, roads, utilities and other infrastructure, and either:
   (I) Will not contribute to strip development, or
   (II) If the project is “confined to” existing strip development, it incorporates infill and minimizes the characteristics of strip development.

We find that this project makes efficient use of land, energy, roads, utilities and other infrastructure: it is located within an established industrial area; it will expand upon existing roads and curb cuts; and it has water or sewer service.

We also find that this project will not contribute to strip development. The Natural Resources Board Act 250 Criterion 9(L) Guidance indicates that a project does not contribute to a pattern of strip development if the properties surrounding the project tract are conserved lands that are unable to be developed and the underlying zoning limits commercial development of these properties. Previous development applications on this parcel have included provisions that 230+ acres will be conveyed to the Town of Essex for recreation and conservation purposes. Further, the parcel is located within the Resources Preservation-Industrial District as defined by the
Town of Essex Zoning Regulations. This District allows development on only 40% of a parcel at any given time. This prevents additional commercial development of this property.

We concur with the general findings of the Traffic Impact Study (TIS) conducted by Trudell Consulting Engineers dated June 7, 2016. The study acknowledged the project will impact delay and queuing at the VT 15/Allen Martin Drive intersection and is contributing towards a planned improvement of a westbound left turn lane on VT 15. The TIS indicated a scoping study of the VT 15/Allen Martin Drive intersection was under way at the time of the study. The scoping study has since been completed in April 2017 and resulted in a municipally preferred alternative of a traffic signal. Going forward, the fee structure for additional development in this area should be reexamined in light of this.

Due to the detailed level of development review in most Chittenden County municipalities and the environmental permit reviews at the Department of Environmental Conservation, CCRPC will give specific attention in its Act 250 reviews to the type of use and the Planning Areas section of the 2013 Chittenden County ECOS Plan. While there are many other topics covered in the 2013 Chittenden County ECOS Plan, there has been significant analysis at the Regional level regarding transportation impacts. The CCRPC will also focus its attention on transportation, where appropriate, in accordance with the Metropolitan Transportation Plan, which is within the 2013 Chittenden County ECOS Plan.

These comments are based on information currently available; we may have additional comments as the process continues. Please feel free to contact me should you have any questions.

Sincerely,

Charlie Baker
Executive Director

Cc: CCRPC Board
Certificate of Service
Peter Keating called the meeting to order at 9:00AM and asked for a round of introductions.

1. Consent Agenda
A minor TIP amendment for an I-89 paving project was unanimously approved.

2. Approval of Minutes
The June 6th minutes were approved without changes.

3. Public Comments
There were none.

4. Consultant Selection Approval
Christine referred members to the memo on this in the meeting packet and went over some of the details. We had issued an RFQ for a variety of consulting services including planning, engineering and environmental. We had received qualifications from 16 separate firm, in five different topic areas, in response. A selection committee of staff, TAC, PAC and CWAC reviewed the qualifications and came to concurrence of which firms to select. The topic areas and the recommended firms for each:

Project Development (Scoping) & Technical Assistance Studies:
- DuBois & King, Inc
- McFarland Johnson, Inc
- Resource Systems Group, Inc
- Stantec Consulting Services, Inc
- Vanasse Hangen Brustlin, Inc

Transportation Planning/Corridor/Area Wide Studies:
- Resource Systems Group, Inc
- Vanasse Hangen Brustlin, Inc
- WSP USA, Inc

Bicycle and Pedestrian Feasibility Studies:
- DuBois & King, Inc
Resource Systems Group, Inc
Stantec Consulting Services, Inc
Toole Design Group, LLC
Vanasse Hangen Brustlin, Inc

Intelligent Transportation Systems:
Stantec Consulting Services, Inc
Vanasse Hangen Brustlin, Inc
WSP USA, Inc

Public Participation:
Adamant Accord, Inc
Third Sector Associates
Town Planning & Urban Design Collaborative

The program under which these consultants will be hired will commence in July 2017 and extend through June 30, 2019, with possible extensions to June 30, 2020 and June 30, 2021.

BARBARA ELLIOT MADE A MOTION THE TAC APPROVE THE LIST OF CONSULTANTS AS RECOMMENDED. AMY BELL SECONDED THE MOTION WHICH PASSED UNANIMOUSLY.

5. Status of RPC’s Role in Water Quality
Chris reported on the CCRPC’s role in water quality issues with a focus on updates to our road erosion inventory work and available funding sources to address water quality planning and construction. He addressed the inventory work begun last summer and continuing this, with all communities expected to be completed later this summer. This work is from funding from CCRPC and Better Roads. Additional funding for other water quality work is coming from the CCRPC as well as the Department of Environmental Conservation - DEC. Chris mentioned that Better Roads grants in FY18 will not cover conceptual designs and cost estimates but CCRPC funding will cover these. Chris also presented a draft application for CCRPC funds and sought comment. Dennis Lutz suggested including some idea of the funding limitations to prevent one applicant seeking all the money. He also suggested getting this out soon so that work could be done before winter. An August 15th due date was offered. The DEC grants drew more discussion and some concern. Having to provide certification was cited as a reason Essex wouldn’t apply for these. There are also concerns that projects can be funded and built so quickly. The legislature wants to see a progress report of what’s accomplished with DEC funds this November but that kind of quick turnaround from grant award to construction seems impractical.

6. Metropolitan Transportation Plan (MTP) Schedule and Content Update
Peter, noting a number of new attendees, decided to give a short primer on the responsibilities of MPOs. He briefly described their three main responsibilities: UPWP, TIP and MTP. He then went into the schedule to update the latest MTP, noting that it had been revised to reflect more recent developments and to identify which elements should be ready when and which committees would be reviewing them at which meetings. He mentioned that the Current Conditions report presented last month is being revised and the financial plan, needed to determine fiscal constraint limits, was in draft form and being reviewed by staff. The MTP project list with fiscal limits shown will be available soon and by September the analysis of future conditions based on running several scenarios through our transportation model, will be complete. The schedule still sees a draft of the MTP ready this coming fall with an anticipated adoption date of next spring.

7. Certification of MPO Planning Process
Christine explained that this item had not previously come before the TAC but was something the Board acted on each year and that essentially states that the CCRPC is abiding by all federal regulations in its MPO related planning process. She noted that the CCRPC submits the certification each year when
forwarding its TIP to FHWA and FTA. She noted more detail on all of this in the documents in the TAC meeting packet.

8. Status of Projects and Subcommittee Reports
Peter referred members to the project list on the back of the agenda and encouraged members to inquire on project status if interested.

9. CCRPC June Board Meeting Report
Peter mentioned that the Board approved warning the FY18 TIP for public hearing.

10. Chairman’s/Members’ Items
Peter reported the need for an August TAC meeting as we now have two items to discuss: The MGRP permit and GMT’s NextGEN Transit Plan.

The meeting adjourned at 9:55 a.m.

Respectfully submitted, Peter Keating
Committee Members in Attendance

<table>
<thead>
<tr>
<th>Bolton: Joss Besse</th>
<th>Hinesburg: Darlene Palola</th>
<th>St. George: Brian Bigelow (left at 12:00 pm)</th>
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<tr>
<td>Buels Gore:</td>
<td>Huntingdon:</td>
<td>Underhill: Brian Bigelow (left at 12:00 pm)</td>
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<td>Jurassic Palola</td>
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<td>Burlington: Jenna Calvi</td>
<td>Jericho:</td>
<td>Westford:</td>
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<td>Charlotte:</td>
<td>Milton:</td>
<td>Williston: James Sherrard</td>
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<td>Colchester: Karen Adams</td>
<td>Richmond:</td>
<td>Winooski: Tim Grover</td>
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<td>Essex: Annie Costandi, Co-Chair</td>
<td>Shelburne: Chris Robinson, (arrived at 11:20 a.m.)</td>
<td>VAOT: Jennifer Callahan</td>
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<td>Essex Junction: Chelsea Mandigo</td>
<td>South Burlington: Tom DiPietro</td>
<td>VANR:</td>
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<td>Burlington Airport: Polly Harris (Stantec)</td>
<td>University of VT:</td>
<td>CCRPC Board: Don Meals, Co-Chair</td>
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<td>Other Attendees: Juliana Dixon, Lake Champlain International</td>
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<td>CCRPC Staff: Dan Albrecht, Charles Baker, Regina Mahony, Chris Dublin</td>
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1. Welcome: Annie Costandi called the meeting to order at 11:03 a.m.

2. Changes to the Agenda:
James Sherrard suggested that we submit a letter to the Clean Water Fund Board. The deadline for submission is August 2nd, the day after the next meeting. We can request an extension, or try to put a draft together for Board Approval. Committee members agreed to discuss the item after

3. Review and action on draft minutes of June 6, 2017 (Action):
After a brief recap by Dan Albrecht, Darlene Palola made a motion, seconded by James Sherrard to approve the June 6, 2017 minutes. No further discussion. MOTION PASSED with Don, Joss, Karen, and Polly abstaining.

4. Consider retention of Watershed Consulting Associates for Underhill SWMP contract
Dan Albrecht explained the role of the CWAC in approving consultants for UPWP projects. Dan Albrecht explained the RFP process and review Committee work for the Underhill Stormwater Management Plan (SWMP). The recommendation is to approve Watershed Consulting Associates for the Underhill SWMP contract.
Brian Bigelow made a motion, seconded by Jenna Calvi to approve the Watershed Consulting Associates for the Underhill Stormwater Management Plan contract as recommended. Don Meals stated that he will recuse himself on this and the next agenda item because he does work for two of the firms. No further discussion. MOTION PASSED.

5. Consider retention of CCRPC Selection of five Water Quality Professionals
Dan Albrecht explained that CCRPC typically works with consultants on retainer, rather than issuing a RFP for each individual project. This agenda item is to approve this list of consultants. CCRPC issued an RFQ for Planning, Engineering, and Environmental Services and receive qualifications from eight firms for the Water Quality category. Dan Albrecht explained the review process and the recommendation from the review committee. Ms. Calvi served as the CWAC representative on this review committee which selected the following water quality firms to recommend for CWAC approval:
  - Stone
  - WCA
Chelsea Mandigo made a motion, seconded by James Sherrard, to approve the selected consultants (listed above), as recommended by the selection committee, for Planning, Engineering and Environmental Services. Don Meals has recused himself because he does work for two of the firms. No further discussion. MOTION PASSED.

6. Brief preview of pending draft Municipal Roads General Permit (Information)
Dan Albrecht highlighted a number of standards that will likely be included in the draft MRGP expected to be released around July 15th and then finalized this fall after public comment and rule-making. Municipalities will apply for the permit starting in 2018, conduct road erosion inventories and file their Roads Stormwater Management Plan by the fall of 2020 and then start implementing projects in 2021.

7. Upcoming Funding Opportunities, CCRPC staff (Information)
Chris Dubin provided an overview of the road erosion work. There is $100,000 in the FY18 UPWP for transportation related water quality conceptual design. $50,000 will be used for the conceptual design for the top 5 priority road erosion sites for the FY18 inventory Towns; and $50,000 that we will issue on a competitive basis. There was a discussion about the Grants in Aid program. The application for this is due today with a certification of the hydrologically connected road miles; and work on segments that don’t currently meet the MRGP requirements. Charlie Baker explained the Block Grant, which the RPCs were awarded to partner with municipalities on construction projects. We haven’t worked out how to get this funding into the municipalities hands. Charlie Baker stated he hopes there are 100% municipally funded projects that are happening now, where 50% could be recovered from the State. There was a question about whether municipalities would be applying to the RPC or DEC. That is still being figured out. There was a suggestion to have a second round of grants in February/March, or a rolling application so we can prepare for next year. There was also a suggestion to use the ERP application as everyone is already familiar with that. This match can be in-kind.

Charlie Baker described the two-page state grant opportunities flyer (which Dan will have posted later this week), particularly the Municipal Highway and Stormwater Management program; and the Transportation Alternatives Program (typically used for sidewalks and bike paths is being used for water quality/stormwater for the next two years).

8. Consideration of comment letter to the Clean Water Fund
James Sherrard suggested that the CWAC or the full CCRPC submit a comment letter to the Clean Water Fund Board. Don Meals questioned the timing to be able to do this, in order to bring a final letter forward to the CCRPC Board. James Sherrard suggested the system needs to be figured out if we are always struggling to get comments to the Board. Don Meals stated that the CWAC is a committee of the Board and so we need to work within the proper framework.

James Sherrard made a motion, seconded by Don Meals, for Staff to request an extension to the comment deadline. No further discussion. MOTION PASSED. Sherrard volunteered to draft a comment letter for the CWAC to consider based on comments previously submitted for formal review by the CWAC at its August 2nd meeting.

6. Items for August 1st meeting agenda
a. Draft MRGP permit.
b. Clean Water Fund Board comment letter.

7. Adjournment
The meeting adjourned at 12:12 p.m.

Respectfully submitted, Regina Mahony
Brownfields Advisory Committee     Draft Meeting Minutes  
Monday, July 10, 2017  
CCRPC Main Conference Room, 110 West Canal St., Suite 202 Winooski, VT  

To access various documents referenced below, please visit:  
http://www.ccrpcvt.org/our-work/economic-development/brownfields/#advisory-committee

<table>
<thead>
<tr>
<th>Committee Members in Attendance</th>
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<tbody>
<tr>
<td>Curt Carter, Chair – GBIC</td>
<td>Razelle Hoffman-Contois, VDH</td>
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<td>Kristie Farnham – VT DEC, ex-officio (via phone)</td>
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<td>Others in attendance:</td>
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<td>Kurt Mueller, Johnson Company</td>
<td>Steve Larosa, Weston and Sampson</td>
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<tr>
<td>Sarah Bartlett, VT DEC</td>
<td>Lynda Provencher, VT DEC</td>
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<tr>
<td>CCRPC Staff: Dan Albrecht</td>
<td>Emily Nosse-Leirer</td>
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1. **Call to Order, Introductions and Changes to the Agenda**  
   No changes to the agenda.

2. **Public comments on items not on the Agenda**  
   No public comments.

3. **Review and action on April 10, 2017 meeting summary**  
   There was no quorum. The minutes will be reviewed at the next meeting.

4. **Presentation from DEC Staff on Final Proposed Investigation and Remediation of Contaminated Properties Rule (I-Rule)**  
   Sarah Bartlett and Lynda Provencher attended the meeting to present on the I-Rule and answer questions. The rule can be found at this link:  
   
   Lynda shared that the Legislative Committee on Administrative Rules (LCAR) has approved the rule and it is expected to be signed by the Secretary of State during the next few weeks. After signing, it will go into effect after 15 days. The earliest it will happen at the end of July, though it is more likely that it would happen in August.
   
   Lynda and Sarah presented on the rule via PowerPoint, and the presentation is available on the CCRPC Brownfields webpage (see link above)
   
   - Dan asked how the background values for lead, arsenic and PAHs compared to previous regulation. Lynda state that DEC has not previously established background levels. Miles stated that the new urban background level allows for easier development of urban sites.
   - Curt requested that CCRPC take a look at the “urban” zone definition and ensure that it meets the areas one would expect in Chittenden County.
• For “other locations” that may be considered to have urban soils, a developer should go to the site project manager at DEC.

• Dan asked the difference between the new cleanup standards for PAHs (Polycyclic Aromatic Hydrocarbons), arsenic and lead.

• Razelle asked if PAHs in these rules refer to all PAHs, and Lynda responded that they are TEQs (Toxic Equivalency Quotient)

• Razelle asked which screening values were used for the rule. Lynda stated that the screening values were the May 2016 version. Razelle stated that the rules should have used the June 2017 screening levels, which are less restrictive. Lynda and Sarah explained that it was not possible for them to reference the most current table as adopted, and that they instead have to reference a specific iteration of the screening values. The rules will be updated periodically in the future to include the latest screening values.

• Kurt stated that the groundwater MCL (Maximum Contaminant Levels) is extremely low, and wanted to know if this could affect BAP levels. Razelle explained that the MCL for some chemicals can be changed based on things in addition to health effects, such as economic impact of the rules.

• Dan asked Lynda and Sarah to comment on how the new Vermont cleanup standards from the new rule compare to the cleanup standards in other states. Razelle stated that this is comparing completely different issues, because all states use different background numbers, the total cleanup standards cannot be evaluated as equals. Some states only have background numbers, some states base their calculations on risk factors, etc.

• Several consultants in attendance expressed that they were pleased with the process and the new rules.

5. **Review and Action on 339 Pine Street Project**

Miles Waite gave an update on work completed at 339 Pine Street (Railyard Enterprise Project). The site is a possible alternative for the route of a road connecting Pine Street and Battery Street. Miles explained that the site has a deed restriction due to its location next to the Barge Canal, and there was concern that the weight of the road might cause NAPL (Non-Aqueous Phase Liquid) migration if there were peat soils on site. The testing completed indicated petroleum contamination, likely from an asphalt plant formerly on the site, but no NAPL and no peat were found. This alleviates some concerns about the roadway, but not all. The site is better than everyone thought it might be. Unlike at neighboring sites, the site does not have filled wetlands. However, roadway compression could still be a concern because of the presence of soft clay. However, the land is already subject to quite a bit of stress due to the heavy uses (soil storage, precast concrete storage, etc.) and so the new compression may not be a concern. More testing is proposed, for dissolved contaminants and other issues, but there is not currently funding for it. Samples have been taken, but not yet evaluated. Phase I and Phase 2A of the contract have been completed, but Phase 2B and 2C have not, and are not funded as part of the current committee approval. Now it will be necessary for the Railyard Enterprise Project partners to find the money to finish those phases.

6. **Project Updates**

• The Vaults (Pine and Howard Street, Burlington): Steve LaRosa stated that a Phase I was completed at the Vaults. There were 3 environmental conditions found on site, due to former dry cleaners, fires on site and 100+ years of industrial development. The property owner has forged ahead with the project on their own since they're in a hurry to start development.

• Waterfront Park (Burlington): Kurt Mueller stated that the Phase II at Alden Waterfront Park has been
completed. Several areas of concern were found during the reconstruction of the bike path in the park. It was necessary to determine whether groundwater was contaminated and whether it was migrating to the lake. In the area where creosote soaked timbers were found, PAHs were found to have a limited extent and there was no groundwater contamination. VOC (Volatile Organic Compounds) and SVOC (Semi-Volatile Organic Compounds) contamination in the swale was found to exist but there was no groundwater contamination. CCPRC has reviewed the final report, but the City of Burlington needs to review still before it can go to DEC and EPA. Moving forward, there needs to be a CAP (Corrective Action Plan) to mitigate the exceedances found in the soil, probably a cap that isolates the contamination and fixes some of the site’s drainage problems. Matt asked about the groundwater testing that occurred. Kurt stated that the groundwater table was high during the sampling due to it being in the spring, and that the contaminants were all at or above the water table levels. No exceedances of the groundwater enforcement standards were found.

- Strand Theater (62-70 Main Street, Winooski): The Corrective Action Plan process was begun in January. Final engineering design was delayed, hence little progress was made afterward, then on June 23, Redstone indicated that the work was on hold due to external factors and we have not been told to resume work.

- Winooski Hotel Project (4-12 Winooski Falls Way): The Phase II ESA field work was completed in May and the final report is being prepared. The data indicate that petroleum contaminated soils cover the western part of the property, and urban soils cover the entire property. Some of the soil gas has been impacted primarily by petroleum, mostly below DEC’s shallow soil gas thresholds. Little to no groundwater contamination was found and there was nothing above standards in the groundwater. We expect to have the report completed by July 20.

- Development at Pine & Flynn, Burlington: LEE’s work for the CCRPC is completed (ABCA (Analysis of Brownfields Cleanup Alternatives/CAP approved June 19, 2017). Construction and cleanup are underway with necessary environmental work funded by others.

- 3 Maple Street, Essex Junction: On hold pending progress with Village development review process.

- Work at City Market (207 Flynn) and 453 Pine Street continues.

- Lynda reminded CCRPC staff to include DEC staff on Phase I’s so that site walks can be completed and to ensure that all parties are on the same page.

7. **Adjourn**

The next meeting will be held at the call of the chair. The meeting adjourned at 5:10 p.m.