

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

4 DATE: Wednesday, May 10, 2017  
5 TIME: 2:30 p.m. to 3:30 p.m.  
6 PLACE: CCRPC Offices, 110 West Canal Street, Suite 202, Winooski, VT  
7

Members Present	Others (for Building Code presentation):
Joss Besse, Bolton	Jennifer Green, Burlington Electric Department
Jacob Hemmerick, Milton	Ray Belair, South Burlington ZA
Paul Conner, South Burlington	Ned Daly, Essex Planning Commission
Dana Hanley, Essex	
Alex Weinhausen, Hinesburg	Staff
Everett Marshall, Huntington	Regina Mahony, Planning Program Manager
Karen Purinton, Colchester	Charlie Baker, Executive Director
Daryl Benoit, Charlotte	Emily Nosse-Leirer, Planner
Clare Rock, Richmond	Melanie Needle, Senior Planner
Katherine Sonnicks, Jericho	Lee Krohn, Senior Planner

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10 **1. Welcome and Introductions**

11 Joss Besse called the meeting to order at 2:37 p.m.  
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13 **2. Approval of March 8, 2017 Minutes**

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15 Paul Conner made a motion, seconded by Alex Weinhausen, to approve the March 8, 2017 minutes, with the  
16 following amendment: JAM Golf, not Gulf. No further discussion. MOTION PASSED.  
17

18 **3. Bolton Town Plan**

19 Lee Krohn noted that all previous comments were addressed, and he suggests approval to the Board. Joss Besse  
20 wanted to add one note about West Bolton regarding density. It has historically been much more dense, has  
21 lessened over time, and is looking to re-establish its previous density. Lee Krohn stated that CCRPC agrees with  
22 that goal, but just needed to make note of it for the record. Lee Krohn added that we will host the public hearing at  
23 the Board meeting, as we didn't have time to warn it at the PAC meeting.  
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25 Alex Weinhausen made a motion, seconded by Ken Belliveau, that the PAC finds the 2017 Bolton Town Plan, as  
26 submitted and as adopted by the Bolton Selectboard on April 26, 2017, meets all statutory requirements for CCRPC  
27 approval, and that the municipality's planning process meets all statutory requirements for CCRPC confirmation.  
28 The PAC further recommends that the Plan, and the municipal planning process, be forwarded to the CCRPC Board  
29 for approval. Further discussion: Paul Conner added that he checked with CCRPC Staff to confirm the Town has  
30 been paying their CCRPC dues. Alex Weinhausen asked if the Planning Commission budget will likely stay as is in  
31 the future, and noted that it is low. Joss Besse indicated that it will likely remain in the annual budgets and may not  
32 be much room for expansion. Lee Krohn added that Bolton is a small town. No further discussion. MOTION  
33 PASSED. Joss Besse abstained.  
34

35 **4. Regional Energy Planning Update**

36 Melanie Needle provided an overview of the municipal data that was sent out to the municipalities on 4/30. The  
37 data helps explain the level of change that is needed in the energy sectors in order to meet the State's energy goals.  
38 Melanie Needle reiterated that the data profiles are just a draft, and is intended to begin the conversation. Melanie  
39 Needle stated that she will ask if anyone has any questions first, then Emily Nosse-Leirer will go through the data,  
40 and Melanie Needle will go through the mapping.  
41

1 Clare Rock asked how the Department of Public Service (DPS) will look at something in the Town Plan that is not  
2 consistent with the Regional Plan. Melanie Needle stated that we are trying to anticipate that with a caveat in the  
3 ECOS Plan; but we are also hoping to get alignment as best as possible now so please let us know now if something  
4 doesn't look right on the maps. Had a discussion that our intent is to allow for greater flexibility at the local level,  
5 so that CCRPC can approve the Plans as they come forward. However, we'll have to monitor that each  
6 municipality is still meeting their local solar target and that we are collectively meeting the county wind target.  
7 Joss Besse asked how the targets were calculated at the County level; and suggested that there aren't many viable  
8 sites in Bolton outside of areas where housing already exists. Melanie Needle responded that is what is left after the  
9 restraints were mapped.

10  
11 There was a lot of discussion regarding the accuracy of the base layers. Melanie Needle asked the PAC whether the  
12 ECOS Plan Policy for prohibiting energy generation in areas with state and local known constraints makes sense  
13 and is the right approach. Melanie Needle was specifically asking about this statement "Renewable energy  
14 generation shall not take place in areas with state or local known constraints, unless located on an existing structure  
15 or impervious surface." Alex Weinhagen stated that yes, it does make sense. Karen Purinton asked about defining  
16 impervious surface because Colchester considers compacted soils as impervious surface. There was a suggestion to  
17 change "...unless located on an existing structure or impervious surface" to "...unless located on a preferred site."  
18 Ken Belliveau asked if that would then mean that the Plan isn't going to actually dictate where something will go?  
19 Staff confirmed and added the generation maps are helpful in setting goals and targets, rather than defining good  
20 areas for wind and solar generation because we've seen applications in areas that don't show up as good generation  
21 areas on these data layers.

22  
23 Paul Conner asked about the known constraints and possible constraints; specifically, he noted that the state  
24 significant species data layer is taking out the entire airport and part of Essex – and this is a site specific issue that  
25 might be a plant that needs protecting in one particular location not the entire swath. There was also discussion  
26 about the usefulness of including prime ag soils and forests as possible constraints since it adds most of the land  
27 area, thereby not helping solve the ultimate question of where these facilities should and shouldn't go. It leaves just  
28 as much of a question mark as we have today. Perhaps the language should focus on site assessment and require  
29 the reduction of impact as much as possible. Paul Conner suggested that we set a threshold for X% of impact to a  
30 possible constraint area is a problem, while Y% of impact is not. As an example, solar array footings don't actually  
31 result in that much of an impact. It would be very difficult for Staff to set those thresholds.

32  
33 Dana Hanley asked about protected land and associated easement. In Essex there is a Vermont Land Trust  
34 easement that does allow for a solar array. Melanie Needle explained that is why these constraints are listed as a  
35 possible constraint because some allow energy generation facilities and some do not. Site by site review is needed.  
36 Ken Belliveau asked if we know there is a local easement that restricts solar should we highlight that as a known  
37 constraint? Staff stated that yes you can, but you wouldn't need to because no one will actually get site control for  
38 a solar generation facility.

39  
40 There was a discussion about the maps and the language – the language will dictate the constraints, not the map  
41 because the resources need to be identified on a site by site basis.

42  
43 Question about the technical assistance – Melanie Needle stated that we currently have resources to help three  
44 municipalities and this work will occur before July 30, 2017. There may be additional assistance in FY18.

45  
46 Jacob Hemmerick asked why we have solar targets and not wind targets. Staff explained that we have wind targets  
47 but only at the County level. It would be helpful to see the County wide wind target. Discussion about wind target  
48 in Milton. Regina Mahony suggested that we need a way to show how each Town can meet their overall target,  
49 regardless of the technology they use (solar, wind, biomass, etc). We have not set it up that way currently, but  
50 we'll see if we can.

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52 **5. Regional Act 250/Section 248 Projects on the Horizon** – tabled.

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54 **6. Other Business**

- 1 a. Regina Mahony handed out an overview of sessions from the APA conference in NYC. She will email this  
2 out when the presentations are downloaded.
- 3 b. [Town Forest Recreation Planning Community Assistance Program](#) – Technical Assistance, due 6/1<sup>st</sup>.  
4 c. [2017 Bike and Ped Grant Program](#) – due July 14<sup>th</sup>.

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6 **7. Update on State Residential and Commercial Building Codes and South Burlington's Experience**

7 Steve Spatz, Residential Energy Consultant, is here to discuss Act 89. This is an overview of what is required by  
8 the Towns and what Towns can do. Currently working under 2015 code; there may be updates in 2018.

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10 There was some discussion about requiring the certification before issuing a CO. Yes, it is required. There was a  
11 question about whether there are materials for rehabs and expansions rather than building a whole new home  
12 because those aren't the majority of the permits. Efficiency Vermont is considering an additional program for  
13 additions and rehabs.

14  
15 The code requires nothing drastically different than what folks have been building for a while – it is about how  
16 pieces are put together and mitigating risk.

17  
18 More and more lenders and title attorneys are requiring RBES certificates in order to close loans/mortgages. Lack  
19 of a RBES certificate doesn't necessarily mean that you don't have a clean title, but it could mean that the buyer is  
20 no longer interested in buying it. Also, the homeowner may take civil action against the person certifying the  
21 building. A homeowner/builder can opt out of the code because they live their themselves; but when they go to sell  
22 it, it is buyer beware.

23  
24 Steve Spatz can provide this info via pdf; and also has some municipal guides that were emailed out to  
25 municipalities. Regina Mahony will send these resources out to the PAC when she receives them from Steve Spatz.

26  
27 Paul Conner provided a quick overview of what South Burlington has done, and he provided some lessons learned.  
28 The City's energy committee asked the PC to look into requiring solar ready roofs. After gaining some insight on  
29 what else is out there, the PC wanted to use something that was predictable, rather than come up with their own  
30 standards. In So. Burlington well over 70 to 80% of projects go through Act 250 where the stretch energy code is  
31 already required, so they were dealing with an equity issue where few developments weren't subject to the stretch  
32 energy code. So they ultimately decided to adopt the stretch energy code in the City. While this started in the City  
33 Center – they decided that they didn't want to develop a higher standard and disincentive for City Center growth –  
34 so this is applicable to the entire Town. The requirement has been in place for a year now, and they have had some  
35 issues with the window/glazing requirements in the City Center's Form Based Code and the stretch energy code.  
36 An applicant in their T5 zone just barely thread the needle to meet the stretch code and the glazing requirements.  
37 But they had to make the second story windows smaller, and that might be noticeable. They may need to build in a  
38 provision about how you address this conflict. Administering the stretch energy code isn't any different from a  
39 Staff perspective than administering the regular code; an important factor in considering the adoption of it. South  
40 Burlington only requires this of new construction, not additions.

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42 There was a question regarding the cost of development from the base code to the stretch code. Steve Spatz  
43 indicated that the cost of materials isn't necessarily a large difference, but the R20 insulation (stretch code) v. R15  
44 insulation (base code) adds another inch which can start to get tricky with construction. Foundation insulation is  
45 what is going to cost more and make the construction more complicated.

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47 **9. Adjourn**

48 The meeting adjourned at 4:38 p.m.

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50 Respectfully submitted, Regina Mahony