REGULAR MEETING AGENDA
Wednesday, April 19, 2017, 6:00 pm
CCRPC Offices at 110 W. Canal Street, Suite 202
Winooski, VT 05404

CONSENT AGENDA: Minor TIP Amendments

DELIBERATIVE AGENDA

1. Call to Order; Changes to the Agenda (Action: 1 min.)
2. Public Comment Period on Items NOT on the Agenda
3. Action on Consent Agenda (MPO business) (Action; 2 min.)
4. Approve Minutes of March 22, 2017 Meeting * (Action; 2 min.)
5. Approval of Bylaw Amendments * (Action; 10 min.)
6. Transportation Capital Program Project Prioritization action (MPO business) (Action; 20 min.)
7. Chittenden County Active Transportation Plan Approval (MPO business) (Action; 20 min.)
9. Lake Champlain Byway Chittenden County Corridor Management Plan Update (Discussion; 20 min.)
10. FY18 Unified Planning Work Program (UPWP) & Budget Review (Discussion; 10 min.)
11. Chair/Executive Director’s Updates (Information; 5 min.)
   a. Chair – Board Development Committee to develop officer nominations for the May meeting
   b. Annual Meeting location and guest speaker (Catamount Country Club)
   c. MTP Update
   d. Regional Dispatch Update
   e. Water Quality Implementation Role
   f. Executive Director’s Report (to be sent separately)
12. Committee/Liaison Activities & Reports * (Information; 2 min.)
   a. Executive Committee (draft minutes April 5, 2017)*
      i. Act 250/Sec 248 letters *
   b. Energy Subcommittee (Draft minutes March 21, 2017)*
   c. UPWP Committee Meeting #3 (Draft notes, March 23, 2017)*
   d. Finance Committee (draft minutes, March 29, 2017)*
   e. Transportation Advisory Committee (draft minutes April 4, 2017)*
   f. Clean Water Advisory Committee (draft minutes April 4, 2017)*
   g. MS4 Subcommittee of CWAC (draft minutes April 4, 2017)*
   h. Long Range Planning Committee (draft minutes March 9, 2017)*
      i. Brownfields Advisory Committee (draft minutes April 10, 2017)*
13. Member’s Items
14. Adjournment

*Attachment

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 Emma Vaughn, CCRPC Title VI Coordinator, at 802-846-4490 ext. *21 or evaughn@ccrpcvt.org, no later than 3 business days prior to the meeting for which services are requested.
The April 19th Chittenden County RPC meeting will air on Saturday, April 22, 2017 at 8 p.m. and repeat on Sunday, April 23rd at 1 a.m. and 7 a.m. It will also be available online at: https://www.cctv.org/watch-tv/programs/chittenden-county-regional-planning-commission-67

**Upcoming Meetings** - Unless otherwise noted, all meetings are held at our offices:
- Energy Sub-Committee - Tuesday, April 18, 2017; 5:00-7:00 p.m.
- Transportation Advisory Committee – Tuesday, May 2, 2017; 9:00 a.m.
- Clean Water Advisory Committee – Tuesday, May 2, 2017; 11:00 a.m.
- MS4 Subcommittee – Tuesday, May 2, 2017; 12:30 p.m.
- Executive Committee - Wednesday, May 3, 2017; 5:45 p.m.
- Brownfields Advisory Committee - Monday, May 8, 2017; 3:00 p.m.
- Long Range Planning Committee – Thursday, May 11, 2017; 8:30-10 a.m.
- CCRPC Board Meeting - Wednesday, May 17, 2017; 6:00 p.m.

**Tentative future Board agenda items:**

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<thead>
<tr>
<th>May 17th</th>
<th>UPWP &amp; Budget Public Hearing and action</th>
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<tr>
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<td>PPP Amendments Public Hearing and action</td>
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<td>1st Draft Regional Energy Element of ECOS Plan review</td>
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<td>Lake Champlain Byway Chittenden County Corridor Management Plan action</td>
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<td>Regional Stormwater Education and Involvement Agreement action</td>
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<td>Report on Nominations for FY18 officers</td>
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<td>June 21st – Catamount Country Club</td>
<td>Guest Speaker – ANR Secretary Julie Moore</td>
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<td>Annual Meeting – Election of Officers</td>
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<td>Warn TIP public hearing for July</td>
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<td>July 19th</td>
<td>FY18-21 TIP Public Hearing</td>
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Chittenden County Regional Planning Commission
April 19, 2017
Agenda Item C1: Consent Item

FY2017 Transportation Improvement Program Amendments

Issues

Make the following changes to the FY2017-2020 TIP:

**Pearl Street Improvements, Essex Junction** (Project HP111, Amendment FY17-09):

- **Description of TIP Change:** Increase construction cost from $1,820,000 to $2,750,000. Add $744,000 in federal funds in FY18. This is a CIRC Alternatives Phase II project and is not subject to CCRPC’s fiscal constraint limit.

- **Reason for Change:** The following factors resulted in this cost increase:
  - The cost estimate for this project was developed in 2012. Costs increase by approximately 5 percent per year due to inflation
  - The initial cost estimate did not include construction engineering which includes a resident engineer required to be on the construction site to deal with day-to-day issues
  - The initial cost estimate included signal improvements at Post Office Square, and acknowledged that improvements may be needed at South Summit Street to allow the signals to be coordinated, but detailed costs were not included for the South Summit Street signal.
  - This estimate includes some nonparticipating items such as decorative lighting. These costs are not eligible for reimbursement according to VTrans amenities policy and won’t ultimately be applied to the federal or state project cost

**2017 Transportation Alternatives Program Awards**

- **Description of TIP Change:** Add the projects below to the FY17 TIP. These projects were awarded Transportation Alternatives Program Awards.
  - **Picard Circle Stormwater Improvements, South Burlington** (Project OT029, Amendment FY17-10): Design and construction of stormwater infiltration and drainage infrastructure along Picard Circle – add $52,000 for design in FY17. The award includes $1,600 (federal) for right-of-way and $233,546 (federal) for construction which will be added in FY18.
  - **Lamplite Acres Drainage Improvements, Williston** (Project OT030, Amendment FY17-11): Design and construct critical drainage areas at Lamplite Acres – add $300,000 (federal) in FY17.
  - **Crosswalk Improvements, Winooski** (Project BP099, Amendment FY17-12): Construct enhanced crosswalk treatments at five locations in Winooski – add $289,000 (federal) in FY17.
  - **Lee River Road Sidewalk, Jericho** (Project BP100, Amendment FY17-13): Design and construction of 1,000 feet of sidewalk and other pedestrian improvements on Lee River Road – add $60,000 (federal) for design in FY17. The award includes $12,000 (federal) for right-of-way and $208,000 (federal) for construction to be added in FY18.
I-89 U-Turn Widening, Milton (Project HP130, Amendment FY17-14):

- **Description of TIP Change:** Add $54,000 in Federal funds for design and $540,000 for construction in FY17 to:
  - Widen an existing U-turn at I-89 mile marker 100.9 to 50 feet and add 400-foot deceleration/acceleration lanes with 150 foot tapers.
  - Construct a new 50-foot-wide U-turn at I-89 mile marker 102.7 with 400-foot deceleration/acceleration lanes with 150 foot tapers.

- **Reason for Change:** These changes are being made to improve access in the vicinity of the recently reconstructed bridge over the Lamoille River.

Better Roads Category A Awards (Amendment FY17-15):

- **Description of TIP Change:** Add a new project to the TIP for Better Roads Category A grants awarded to Chittenden County Communities. Add $35,540 in federal funds in FY17.

- **Reason for Change:** The Better Roads Program’s Category A Planning Grant provides a funding mechanism for towns to inventory road-related erosion and develop implementation plans. These grants will be funded with 80 percent federal funds and 20 percent local funds. This item will fund all Chittenden County projects awarded funding through this program in FY17.

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

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

**For more information, contact:** Christine Forde

cforde@ccrpcvt.org or 846-4490 ext. *13
1. **Call Order/Changes to the Agenda.** The meeting was called to order at 6:02 p.m. by the Chair, Chris Roy. There were no changes to the agenda.

2. **Public Comment Period for items not on the agenda.** There were none.

3. **Action on Consent Agenda.** There were no items on the consent agenda.


5. **Public Hearing on Bylaw Amendments.** Chris Roy opened the public hearing. Charlie Baker passed around a new version of the bylaws, because we received some comments from Milton after they reviewed it at their SLB meeting last week. The comments received from Milton are:

   Page 10 – not clear that a municipal service agreement is with CCRPC. Charlie Baker suggested an amendment to clarify this.
Page 17 – Regarding the Clean Water Advisory Committee (CWAC), Milton asked if the Champlain Water District (CWD) should be added as a member of this Committee. This deserves further discussion.

Paragraph 1c, within this same section – concern that the language is suggesting that this committee would oversee the adoption of municipal regulations. This is certainly not the intent; the purpose is to coordinate assistance at the option of the municipalities. Charlie Baker suggested an amendment to clarify this.

There was discussion regarding the second comment. There was a question about whether CWD has any interest in joining the CWAC. Marc Landry stated that they don’t serve the entire region. Chris Roy asked for the CWAC to consider this recommendation. Jeff Carr, adding to the comment that they don’t serve the entire County, asked if we would then expand the Committee to other water utilities. Charlie Baker added that there are other partners that might be considered as well (Winooski Natural Resources Conservation District, watershed non-profits, etc.). Jeff Carr suggested that we ask the CWAC first, and the Board will consider their recommendation at the next meeting.

No other comment from the public.

JEFF CARR MADE A MOTION, SECONDED BY MARC LANDRY, TO CLOSE THE PUBLIC HEARING. CHRIS ROY ASKED IF THERE WAS ANYONE FROM THE PUBLIC WHO WANTED TO COMMENT. HEARING NONE, THE VOTE WAS CALLED. MOTION PASSED.

6. Warn FY18 UPWP for Public Hearing in May (MPO Business). Charlie Baker explained that the UPWP Committee is continuing their work on development of the FY18 work program and budget. They will meet for a final time tomorrow night. We need to warn the hearing for May now as there won’t be enough days from the April meeting.

MIKE O’BRIEN MADE A MOTION, SECONDED BY ANDY MONTROLL, TO WARN THE PUBLIC HEARING FOR THE FY18 UPWP FOR MAY 17TH AT 6PM. (MPO VOTE ONLY)

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<th>Community</th>
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<td>Yes</td>
<td>Williston</td>
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<td>Winooski</td>
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<td>VTrans</td>
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MOTION PASSES WITH 17 OF 24 VOTES AND 12 OUT OF 18 COMMUNITIES VOTING IN FAVOR.

MIKE O’BRIEN MADE A MOTION, SECONDED BY ANDY MONTROLL, TO WARN THE PUBLIC HEARING FOR THE FY18 UPWP FOR MAY 17TH AT 6PM. NO FURTHER DISCUSSION, THE VOTE WAS CALLED. MOTION PASSED.

7. Proposed Functional Class Changes (MPO Business). Marshall Distel and Jason Charest presented the proposed changes to the County’s functional classification system. They explained the three main classifications and the intended purpose of each: arterials, collectors, local roads.

Andrea Morgante arrived at 6:17pm.
They provided an overview of FHWA’s quantitative measures and overlapping metrics that are intended to help better tailor the system based on local characteristics. Jason Charest explained why functional class matters – it is essential for database and statistics reporting.

Bard Hill arrived at 6:19pm.

FHWA recommends that you review the classifications every ten years, and as far as we can tell, it has been since 1968 that we’ve done a comprehensive evaluation of the classes, but some have been changed on an ad hoc basis. Marshall Distel explained the process that they went through to complete a comprehensive review of the functional classification. There was some discussion regarding the guidance on why you’d avoid similar classifications for parallel roads and whether the traffic volumes should take precedence. That is just a guideline and you can make a recommendation on what makes the most sense. They also worked with municipalities, VTrans, and other RPCs so that the classification doesn’t change at a Town or Regional border. If the Board approves the recommendation classifications, they are recommending these changes to VTrans, and then VTrans would need to recommend the changes to FHWA.

Jeff Carr asked about the criteria for changing the classifications. Jason Charest indicated that the recommended changes are a reflection of the existing conditions. George Schiavone asked what is the impact of changing the classification from principal to minor arterial? There is essentially no effect in the immediate future; there could be a potential future funding consideration if there is a pot of money in the future for highways that makes this distinction although we think it unlikely. Jeff Carr asked is there any negative ramifications? Nothing negative unless it is going to be removed from the federal aid system (rural major collector to a rural minor collector). Jeff Carr asked if we have done anything that will make it harder for our core City to compete? No, they are still going to be on the federal aid system. Marshall Distel added that we are actually adding more roadway mileage to the federal aid system. Andrea Morgante asked if the classification has anything to do with how a municipality would classify a truck route? And will the re-classifications require any improvements once the classifications are changed? Jason Charest said no, the functional class has nothing to do with the locally designated truck routes; and no improvements will be needed since we are simply matching the classification to the current conditions on the road. Jeff Carr stated, to be clear, I’m not concerned about implications today, but what could potentially be coming around the corner. Chris Shaw added that ITS may be an example for a future ramification. Staff indicated that there are no negative ramifications that we can anticipate. Jason Charest added that we’d be diluting the purpose of classification if we classified all roads as principal arterials; the intent is really to accurately classify a road based on its current conditions. The TAC did not alter the Staff recommendation, the municipalities were okay with the recommendation before it was brought to the TAC. George Schiavone asked what is the purpose of the classifications? Jason Charest stated that it will allow us to better report on our roadways.

JEFF CARR MADE A MOTION, SECONDED BY ANDREA MORGANTE, TO ACCEPT THE PROPOSED FUNCTIONAL CLASS CHANGES, REQUEST THAT VTRANS CONSIDERS THESE CHANGES AS PRESENTED FOR SUBMITTAL TO FHWA, AND AUTHORIZE THE EXECUTIVE DIRECTOR TO SEND A MEMO TO VTRANS DOCUMENTING THIS REQUEST. Further discussion ensued. Jim Donovan asked about the online map. He couldn’t find what the existing classifications are on the website. Jim Donovan stated that it may make sense to change Hinesburg Road to Charlotte Road to a collector. Marshal Distel stated that it is now. Jim Donovan added that Dean Bloch and Daryl Benoit also reviewed the map. Dave Tilton referred to the spreadsheet and asked about the question in the comments from...
VTrans regarding Old Stage Road in Westford. The question was a recommendation from VTrans and the change was made on the map, so it is no longer a question. If the Board recommends these changes they go to VTrans, and if VTrans approves them they will forward them to FHWA. George Schiavone again asked about the purpose of all of this. It will allow us to better report on our roadways; and Andrea Morgante added that it is essentially going to correct bad data and prevent us from having to make ad hoc changes. Tim Baechle asked about the implications on data. Particularly data regarding crash locations – we wouldn’t want someone to think that we’ve made great improvements if the reality is that we’ve simply shifted data from one road classification to another. Jason Charest stated that shouldn’t be a problem. Chris Roy added that we haven’t done this comprehensive reclassification before so we’ll need to stay aware of that possibility. George Schiavone asked if VTrans will have to update the classifications for the rest of the State? VTrans will be working with the rest of the RPCs to update them throughout the State.

NO FURTHER DISCUSSION. THE VOTE WAS CALLED. (MPO VOTE ONLY)

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MOTION PASSES WITH 19 OF 24 VOTES AND 14 OUT OF 18 COMMUNITIES VOTING IN FAVOR.

8. Demographic Forecasts. Melanie Needle provided an update on this work. PAC and LRPC recommend approving the forecast, but they did have some clarifying questions. One of the questions was regarding the persons in household which was on a previous slide prepared by RSG. We were understanding it to mean household size, however it means family households (not group quarters) and the point of the slide was to show that the change in non-student population is changing at a slower rate than households. Another clarifying question was the increasing household size in Burlington. The Consultants indicated that Burlington’s household size is increasing despite the type of development occurring because the population is forecasted to grow at a faster rate than households and therefore the derived household size is going to increase. In addition, the household size reflects the recent growth in household size in Burlington. Jeff Carr added that is likely a reflection of the housing costs. Melanie Needle stated that we’ve had extensive conversations with the PAC members that had questions and they are now satisfied with the explanation. Andy Montroll asked if the students are accommodated in the forecast. They are looked at in the population forecast; but the dorms are not included in households as they are considered group quarters. Andy Montroll stated the impact of the student population that live in homes (not dorms) is huge in Burlington so he wants to make sure this is being counted. Melanie Needle and Jeff Carr assured him that it is being counted.

The forecast shows that the County is expected to be a leader in growth in the State. It is important to keep in mind there is a level of confidence at the County level, but higher margins of error with the municipal level forecasts. Melanie Needle provided an overview of the changes between the last forecast and this final version. The changes described herein are from last month’s forecast. The population forecast has the following changes:

- The 2010 and 2015 population estimates correspond to the U.S. Census estimate and not the adjusted estimates.
• Decline in Bolton, Colchester, Hinesburg, Jericho, Richmond, St. George, and Underhill. Charlotte remained steady

• Reallocation accounted for some of the scale issues that we faced in the initial forecast, namely that Williston was increasing at levels that might have been unrealistic especially when compared to other areas like Burlington and South Burlington.

The 2045 and 2050 households were handed out this evening, because these weren’t in the packet. The revisions to the household forecast from the last version include:

• Change in households in Burlington, given the residential development plans
• Corrections were made to account for the population forecast revision for Huntington, Richmond, St. George, Underhill, and Westford. The rest of the forecasted municipality households we left unchanged.
• Change in 2040-2050 in all towns because of methodology

The revisions to the employment forecast from the last version include:

• In the initial forecast, Essex’s share of employment was decreasing and not consistent with a recent GBIC study we fixed the share of Essex’s employment at its 2015 level through 2050. This resulted in an increase of nearly 13,000 jobs from 2015 through 2050 for Essex when compared to the initial forecast.
• Bolton, Charlotte, Colchester, Milton, Richmond, St. George, Underhill, and Williston decreased; Hinesburg, Huntington, Jericho, and Winooski, remained steady.
• Increase: Essex, Burlington, Shelburne, and South Burlington.

Charlie Baker asked what the total forecasted population growth number is. It is 183,172 in 2050 (compared to 161,382 in 2015). Total household population is lower than the total population due to group quarters as discussed earlier. There was further discussion regarding the student population and how the transportation modeling is dependent on households. The total employment forecast is 182,688 in 2050 (compared to 135,511 in 2015). There is more employment growth than population growth because this is where we have the infrastructure, and this reflects the number of workers that work here not necessarily live here. Andrea Morgante asked if we’ll use the forecasts for other planning decisions – like health-related issues including how many nursing homes that we might need. Charlie Baker stated that the forecast will be used for more than just transportation planning; and we will redo it every five years. Jeff Carr reminded the Board that in 2001 we let a lot more judgement influence our forecast; this time we let the data drive with some logical judgement adjustments on the back-end. Charlie Baker added that this started with the Legislative Joint Fiscal Office forecast which kept growth even throughout the state, and that isn’t true because we are growing more than the rest of the State. This forecast was adjusted for that reality. Over the last five years we haven’t been working with similar forecasts that the municipalities were using, so we hope this will now put us all on the same page.

DAN KERIN MADE A MOTION, SECONDED BY JIM DONOVAN, TO APPROVE THE 2050 POPULATION, HOUSEHOLD AND EMPLOYMENT FORECASTS FOR USE IN DEVELOPMENT OF THE 2018 ECOS PLAN UPDATE. NO FURTHER DISCUSSION. THE VOTE WAS CALLED. MOTION PASSED. Jeff Carr abstained.

9. Comments on Initial Draft of the Municipal Roads General Permit. Charlie Baker provided an overview of this work. The State is seeking comments by April 1st. These comments have been vetted through the TAC, CWAC and Executive Committee. There was one additional comment from
staff right before the meeting. The initial draft framework of the permit states that whoever does
the road erosion inventory should verify that the road is hydrologically connected. We’d like them
to rely on the GIS data; or provide a lot more guidance on how we would field verify that. Andrea
Morgante asked about comment #5 – to do effective ditching we may have to go outside of the road
right of way. We need to begin the conversation on how we are going to increase road ROWs, or
change road standards to decrease the road width. Andrea Morgante stated that we should at least
ask how we can start to address this on a statewide basis. Charlie Baker stated that the comment
covers the general problem with lack of site control, and we imagine the solutions will evolve.
Andrea Morgante added that it is a burden for the municipalities to deal with this, and maybe the
legislature should take this up. Chris Roy stated that this starts to raise a whole host of takings
issues. Jeff Carr supports adding a request to begin policy discussions on dealing with the issue. Jim
Donovan asked about the public road - private road interface. Charlie Baker indicated that this is
addressed a bit in the culvert question; but we’ll add a question on public road - private road
interface.

MARC LANDRY MADE A MOTION, SECONDED BY ANDREA MORGANTE, TO APPROVE SUBMITTAL OF
THE COMMENTS IN THE PACKET AND AS REVISED ON THE INITIAL DRAFT OF THE MUNICIPAL ROADS
GENERAL PERMIT TO THE LEGISLATURE. HEARING NO FURTHER DISCUSSION, THE VOTE WAS
CALLED. MOTION PASSED.

10. Public Participation Plan Amendment & Warn Public Hearing. Chris Roy explained that this agenda
item is simply to notice a public hearing for changes to the Public Participation Plan. Chris Roy
explained the purpose of the proposed amendment is to address the unworkability of 30 day notice.
The amendments clarify that public hearings need a 15 day notification period unless otherwise
required by law. This will help prevent the Board from having to warn a hearing on documents that
are not yet complete.

ANDY MONTROLL MADE A MOTION, SECONDED BY CHRIS SHAW, TO WARN A PUBLIC HEARING FOR
THE PUBLIC PARTICIPATION PLAN AMENDMENTS FOR MAY 17TH AT 6PM. HEARING NO FURTHER
DISCUSSION, THE VOTE WAS CALLED. MOTION PASSED.

11. Town Highway Bridge Pre-Candidate Prioritization (MPO Business). Christine Forde explained that
each year VTrans asks all RPCs to prioritize projects in their capital program. The capital program
includes three categories of projects: Front of the Book (construction to begin within the next four
years), Development & Evaluation (in development), and Candidate list (next in line to be worked
on). VTrans also asks RPCs to prioritize bridges in a pre-candidate list, these are for projects that will
be fixed much further down the line. The packet includes VTrans ranking as well as ours. Our
bridges are doing pretty well for the most part. Our highest ranked bridge is #117. Our top ten
worst will be submitted to VTrans. Andrea Morgante asked if the hydrological conditions are
considered? Christine Forde stated the factor is included in VTrans’ scoring. Jim Donovan asked
where the sufficiency ratings come from, because there was a question about a lower efficiency
rating from a local assessment. Christine Forde stated that the ratings come from VTrans’ bridge
inspection reports.

CHRIS SHAW MADE A MOTION, SECONDED BY ANDREA MORGANTE, TO APPROVE THE TOWN
HIGHWAY BRIDGE PRE-CANDIDATE PRIORITIZATION FOR SUBMISSION TO VTRANS. NO FURTHER
DISCUSSION. THE VOTE WAS CALLED. (MPO VOTE ONLY)

Bolton  Absent  Burlington  Yes (4)  Charlotte  Yes
MOTION PASSES WITH 19 OF 24 VOTES AND 14 OUT OF 18 COMMUNITIES VOTING IN FAVOR.

12. Chair/Executive Director’s Updates.
   a. Regional Dispatch Update. Charlie Baker is going to each of the SLBs to give a dispatch update. He has been to all of the municipalities with dispatch, and each of these municipalities have appointed someone to the Joint Fiscal Committee (with an exception of Essex). He is getting to the rest of the SLBs over the coming weeks. Good conversations so far.
   b. Water Quality Implementation Role. Charlie Baker wanted to make the board aware that the legislature asked the Treasurer to figure out how to fund water quality improvements in the long run. There were 30 recommendations at the wall; and we aren’t sure where those stand right now. On the other side, they are figuring out how to distribute funds. There has been some discussion about RPCs playing a role in project management. We haven’t done much of this kind of work, but the RPCs that experienced Irene damage have. Chris Shaw asked if that would dovetail with the road erosion inventory work we are doing now? Charlie Baker stated that it does, as well as the tactical basin planning work. The state is really trying to get a lot of implementation dollars on the ground starting on July 1.
   c. FY18 Capital Program. Christine handed out a list of Chittenden County projects that are in the front of the book. We just wanted to make you aware of what VTrans provided to the legislature. This is a four-year program and this list shows what is funded in the current year.
   d. Executive Directors’ Report. Charlie Baker will send this out sometime between next week and the next meeting.

13. Committee/Liaison Activities & Reports. These were all included in the meeting packet.

14. Members’ Items. Jeff Carr asked the reason for the delay in Route 117 paving by another year as that road is in rough shape. Christine Forde will make a request for that reasoning.

15. Adjournment. JEFF CARR MADE A MOTION, SECONDED BY DAN KERIN, TO ADJOURN THE MEETING AT 7:46 P.M. THE MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

Regina Mahony
## Chittenden County Regional Planning Commission
### April 19, 2017
#### Agenda Item 5: CCRPC Bylaw Amendments – Action

### Issues:
The attached draft Bylaws have been drafted by the Board Development Committee to address three issues: 1) authorizing CCRPC to enter into intermunicipal service agreements; 2) adding the Clean Water Advisory Committee as a Standing Committee; and, 3) revising the term limit for CCRPC officers from two years to four years. Background on each of these changes is described below.

1) In 2016, the Legislature approved and the Governor signed H.249, an act relating to intermunicipal services. This law (24 V.S.A. § 4345b) allows for municipalities to contract with their regional planning commission for the provision of services after the RPC amends its bylaws to authorize it to enter into intermunicipal service agreements and the agreement is approved by each municipal legislative body that wants to participate in the service. This law also requires that the RPC hold one or more public hearings. At least 30 days prior to any hearing required under this subsection, notice of the time and place and a copy of the draft bylaws, with a request for comments, shall be delivered to the chair of the legislative body of each municipality within the region.

In May of 2016, CCRPC reviewed a draft MS4 agreement for CCRPC to provide intermunicipal services to several municipalities and other MS4 permittees to provide stormwater public education and public involvement services. That agreement is on hold pending adoption of updated bylaws.

2) In September 2015, the CCRPC created the ad hoc Clean Water Advisory Committee (CWAC). In addition to spelling out the Committee’s composition, member’s terms and duties the board charged that "(b)y the end of 2016, the Committee shall report back to the Commission with recommendations for formal incorporation, or not, into the CCRPC bylaws including membership composition and duties."

3) The Board Development Committee discussed providing the ability of an officer to remain in office for more than the current two years and is recommending four years in lieu of eliminating the term limit altogether.

The draft Bylaws were sent to each municipal clerk and manager/administrator on January 19, 2017 for 30-day review. We subsequently received clarification edits from our attorney and one municipal official. A public hearing on the draft Bylaws was held on March 15th. At that time, clarifying language was requested by the Town Milton (highlighted in yellow in the attached draft). One of these clarifications involved the future membership of the Clean Water Advisory Committee.

### CWAC:
That the Bylaws be adopted with the CWAC being limited to 24 voting members and the ability to add non-voting members by the CWAC or CCRPC.

### Exec. Comm.:
That the Bylaws be adopted as attached with changes removing the limit of 24 voting members of the CWAC and a provision that allows the CCRPC to add voting or non-voting members after a recommendation of the CWAC.

### Staff:
That the Bylaws be adopted with the changes recommended by the Executive Committee and shown in the attached draft.

### Contact:
Contact Charlie Baker with any questions: cbaker@ccrpcvt.org, 846-4490 ext. *23
ARTICLE I. NAME, VISION AND MISSION

The name of this regional planning organization is the Chittenden County Regional Planning Commission. These by-laws shall regulate and govern the affairs of the Chittenden County Regional Planning Commission.

The Chittenden County Regional Planning Commission's organizational vision is to be a pre-eminent, integrated regional organization that plans for healthy, vibrant communities, economic development, and efficient transportation of people and goods while improving the region’s livability.

The mission of the Chittenden County Regional Planning Commission is to act as the principal forum for planning, policy and community development in the region. We will do this by providing planning and technical assistance that meets the needs of our member municipalities and the public, while remaining consistent with our federal and state requirements. Our work will result in the development and implementation of plans that support sustainable development and improve the region’s quality of life and environment.

ARTICLE II. ENABLING LEGISLATION

The Chittenden County Regional Planning Commission is an organization that combines the previously separate Chittenden County Regional Planning Commission (CCRPC) and Chittenden County Metropolitan Planning Organization (CCMPO). The CCRPC and CCMPO were combined with the adoption of these bylaws and subsequent actions to form one combined organization by action of the CCRPC and CCMPO Boards of Directors on May 18, 2011.

The legal basis and powers for Chittenden County Regional Planning Commission serving as the region’s regional planning commission stem from and are as stipulated in 24 V.S.A. § 4301 et seq., as amended, 24 V.S.A. § 4345 et seq. and such other laws as may be enacted by the General Assembly of the State of Vermont. The CCRPC was chartered by the municipalities of Chittenden County on May 2, 1966 with amendments to the original charter dated May 26, 1997 and September 28, 1998 and is funded in part through the State of Vermont property transfer tax as outlined in 24 V.S.A. § 4306(a). To the extent a conflict exists with a provision in Vermont statutes governing regional planning commissions, the Vermont statutes will control.

The CCMPO conducts Metropolitan Transportation Planning pursuant to 23 U.S.C. 134 and was designated by the Governor of Vermont on June 10, 1983 pursuant to Federal Highway Act of 1962, as amended (23 U.S.C. 101 et. seq.); the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et. seq.); and by agreements dated April 20, 1983 and January 28, 1998 to serve as the metropolitan planning organization (MPO). In an agreement dated January 28, 1998 the CCMPO added membership to include the nine rural communities formerly
members of the Chittenden County Rural Planning Organization.

These bylaws hereby replace the charter and bylaws of the CCRPC and bylaws of the CCMPO.

ARTICLE III. DUTIES, RESPONSIBILITIES AND DUES

In keeping with its purpose, the Chittenden County Regional Planning Commission will have the following duties and responsibilities:

A. In order to carry out the responsibilities of the regional planning commission, the Chittenden County Regional Planning Commission should carry out the duties as stipulated in 24 V.S.A. Chapter 117, Section 4301 et seq., as amended, and such other laws as may be enacted by the General Assembly of the State of Vermont.

B. In order to carry out the responsibilities of the metropolitan planning organization (MPO), the Chittenden County Regional Planning Commission should carry out the duties as stipulated in 23 CFR § 450.300 et seq., as amended, and such other laws and rules as may be enacted by the Congress of the United States, the United States Department of Transportation or the General Assembly of the State of Vermont.

C. Member communities provide local match funds for Chittenden County Regional Planning Commission programs funded in the annual work program under State and Federal law. Communities shall be assessed their reasonable fair share based on their community’s proportional equalized education grand list of the Chittenden County Regional Planning Commission region. The most current data available for this grand list shall always be utilized in this distribution.

D. The duties and responsibilities of members and alternates will be articulated in job descriptions developed by the Chittenden County Regional Planning Commission.

E. The Chittenden County Regional Planning Commission may enter into municipal service agreements to promote cooperative arrangements and coordinate, implement, and administer service agreements among municipalities, including arrangements and action with respect to planning, community development, joint purchasing, inter-municipal services, infrastructure, and related activities; and exercise any power, privilege, or authority, as defined within a service agreement under section XI of this bylaw, capable of exercise by a municipality as necessary or desirable for dealing with problems of local or regional concern.

F. Such other duties and responsibilities as are required by federal, state and local law or regulations, or otherwise authorized by law and endorsed by majority vote of its members.
ARTICLE IV. APPOINTMENT OF REPRESENTATIVES, TERM OF OFFICE

A. Board Membership in Chittenden County Regional Planning Commission is as follows:

<table>
<thead>
<tr>
<th>Bolton</th>
<th>Buel’s Gore</th>
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<tbody>
<tr>
<td>Burlington</td>
<td>Charlotte</td>
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<tr>
<td>Colchester</td>
<td>Essex</td>
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<tr>
<td>Essex Junction</td>
<td>Hinesburg</td>
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<tr>
<td>Huntington</td>
<td>Jericho</td>
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<tr>
<td>Milton</td>
<td>Richmond</td>
</tr>
<tr>
<td>St. George</td>
<td>Shelburne</td>
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<tr>
<td>South Burlington</td>
<td>Underhill</td>
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<tr>
<td>Westford</td>
<td>Williston</td>
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<tr>
<td>Winooski</td>
<td></td>
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<tr>
<td>Vermont Agency of Transportation (VAOT)</td>
<td>US Federal Highway Administration (FHWA)</td>
</tr>
<tr>
<td>Agriculture</td>
<td>Industrial/Business</td>
</tr>
<tr>
<td>Socio-Economic-Housing</td>
<td>Conservation/Environmental</td>
</tr>
<tr>
<td>Burlington International Airport (BIA)</td>
<td>Federal Transit Administration (FTA)</td>
</tr>
<tr>
<td>Chittenden County Transportation Authority (CCTA) dba Green Mountain Transit</td>
<td>Railroad Industry</td>
</tr>
</tbody>
</table>

B. Each member municipality’s locally elected legislative body shall appoint a representative (Municipal Representative) to the Chittenden County Regional Planning Commission and that representative's alternate, with the alternate having voting privileges in the absence of the representative. It is desirable that the Municipal Representative be a current or past member of the locally elected legislative body. Municipal Representatives and alternates shall serve at the pleasure of their respective locally elected legislative bodies and may be removed during their term. The term of the Municipal Representative and alternate will be for two years beginning July 1st. Communities whose beginning letter falls between A through K shall appoint a representative for even numbered fiscal years; and, communities whose beginning letter falls from L through Z shall appoint a representative for odd numbered fiscal years. Appointments by locally elected legislative bodies to fill a vacancy shall be for the unexpired term.

C. Regional Board members represent the following sectors: Agriculture, Socio-Economic-Housing, Industrial/Business, and Conservation/Environmental. Staff shall solicit nominees from stakeholder organizations. Regional Board members shall be appointed by the Chittenden County Regional Planning Commission for a term of two years for even numbered fiscal years at the June meeting. Regional Board members shall serve at the pleasure of the Chittenden County Regional Planning Commission and may be removed during their term.

D. The Vermont Secretary of Transportation or his/her designated alternate will represent the State of Vermont Agency of Transportation.
E. The following Transportation Board Members will appoint their respective representatives and alternates: FHWA, FTA, CCTA, and the BIA. The Railroad Industry shall be represented by a representative each from Vermont Rail Systems and New England Central Railroad who will alternate years as the primary and alternate representative. Representatives of these organizations serve at the pleasure of their appointing bodies.

Article V. QUORUM & VOTING

A. MPO business is defined comprehensively to include all activities undertaken by the Chittenden County Regional Planning Commission to carry out its responsibilities and authority as a metropolitan planning organization.

B. MPO voting. When conducting MPO business, the voting power of the Chittenden County Regional Planning Commission shall consist of a total of 24 votes apportioned as follows:

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Votes</th>
<th>Municipality</th>
<th>Votes</th>
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</thead>
<tbody>
<tr>
<td>Bolton</td>
<td>1</td>
<td>Burlington</td>
<td>4</td>
</tr>
<tr>
<td>Charlotte</td>
<td>1</td>
<td>Colchester</td>
<td>2</td>
</tr>
<tr>
<td>Essex</td>
<td>1</td>
<td>Essex Junction</td>
<td>1</td>
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<tr>
<td>Hinesburg</td>
<td>1</td>
<td>Huntington</td>
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<tr>
<td>Jericho</td>
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<td>Milton</td>
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<td>Richmond</td>
<td>1</td>
<td>St. George</td>
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<td>Shelburne</td>
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<td>South Burlington</td>
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<td>Underhill</td>
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<td>Westford</td>
<td>1</td>
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<tr>
<td>Williston</td>
<td>1</td>
<td>Winooski</td>
<td>1</td>
</tr>
<tr>
<td>VT Agency of Transportation</td>
<td>1</td>
<td></td>
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</tr>
</tbody>
</table>

Municipalities that are incorporated shall each have at least one vote. A majority of the voting power (i.e. 13 of 24 votes) shall constitute a quorum for the transaction of MPO business at meetings. A majority of the voting power (i.e. 13 of 24 votes) and a majority of the municipalities (10 of 18) is required to adopt or amend MPO business.

Notwithstanding the need to make adjustments as a result of official corrections to the decennial census urbanized area boundary, the Chittenden County Regional Planning Commission shall review, and amend as it deems appropriate, its voting mechanisms and voting distribution for the purposes of MPO business within one year of the publication of each decennial census urbanized area boundary.

C. All other business. For the purposes of voting on all other business, including elections, FHWA, VAOT, CCTA, Railroad Industry, FTA and BIA are non-voting Board members. A
majority of the total of Municipal and Regional Board members shall constitute a quorum for the transaction of all other business at meetings of the Chittenden County Regional Planning Commission unless otherwise noted. Each Board member has one vote. Only Municipal Board members shall vote on approving municipal plans and planning processes per 24 V.S.A. § 4350.

ARTICLE VI. EXECUTIVE DIRECTOR

A. Executive Director shall:

1) Be responsible to the Chittenden County Regional Planning Commission.

2) Conduct a regional planning program, within the framework of 24 V.S.A., Chapter 117, and other state statutes relevant to regional planning.

3) Carry out all aspects of the regional transportation planning program in coordination with the Assistant/MPO Director.

4) Manage contracts with consultants for the purpose of implementing the duly adopted Unified Planning Work Program (UPWP).

5) Recommend changes to the bylaws, etc. to reflect the passage of new federal or state legislation.

6) Be responsible for the office.

7) Hire and manage staff including consultation with the Executive Committee when hiring the Assistant/MPO Director.

8) Be in charge of all general correspondence of the Chittenden County Regional Planning Commission.

9) Assist the Secretary/Treasurer, and in this capacity, shall be responsible for:

   a) keeping minutes of regular and special meetings of the Chittenden County Regional Planning Commission;

   b) notifying Board members of their election to office or appointment to committees;

   c) receiving all money due the Chittenden County Regional Planning Commission.

10) Prepare an annual budget and UPWP, including estimated revenues and expenditures, for the fiscal year to be reviewed by the Executive Committee of the Chittenden County Regional Planning Commission prior to submission for approval by the full Board.

11) Disburse the funds in accordance with the budget and as authorized by the Secretary/Treasurer.

12) Keep accounts which shall at all times be open to inspection by the Board members.

13) Undertake such other duties as the Chittenden County Regional Planning Commission shall assign.

14) Prepare an annual written report after the completion of each fiscal year.

15) Prepare a calendar for the ensuing year, which shall be presented to the Chittenden County Regional Planning Commission.

16) Prepare quarterly financial reports in a format approved by the Executive Committee and the Chittenden County Regional Planning Commission.

17) Prepare a recommendation to the CCRPC regarding any potential municipal service agreements and, if entered into, report on their status, the services provided, and funding arrangements, as appropriate.
B. Job descriptions and responsibilities for additional staff shall be on file.

ARTICLE VII. OFFICERS & EXECUTIVE COMMITTEE

A. Election of Officers and Executive Committee

The Chittenden County Regional Planning Commission shall annually elect three officers, a Chair, Vice-Chair, and Secretary/Treasurer. In addition, the Chittenden County Regional Planning Commission shall annually elect two municipal Board members to the Executive Committee. One municipal Board member of the Executive Committee shall represent a community of 5000+ population; the other, a community of less than 5000 population, based on information from the latest census or population estimate completed by the US Census Bureau.

The Board Development Committee shall render its report of nominations to fill ensuing vacancies prior to the June meeting. The Board Development Committee may nominate one or more candidates for each office. Candidates may also be nominated from the floor.

The officers of the Chittenden County Regional Planning Commission shall be elected by a two-thirds majority of the Board members present and voting pursuant to 24 V.S.A. § 4343(b). The results of the voting shall be announced at the June meeting of each year. In the event a majority for any office is not reached, the top two vote getters will have a run-off election and the Chittenden County Regional Planning Commission will continue to vote until a majority is reached.

B. Qualifications and Duties of Officers

1) As a qualification for office, the Chair shall have served at least one year as a representative on the Chittenden County Regional Planning Commission. The Chair shall have the power to call special meetings, establish agendas, preside over Chittenden County Regional Planning Commission meetings and, with concurrence of the Chittenden County Regional Planning Commission, establish and appoint committees and their members. The Chittenden County Regional Planning Commission will have at least those committees delineated in Article XI of these by-laws. The Chair shall execute agreements, contracts, and checks in accordance with administrative policies and procedures approved by the Executive Committee.

2) The Vice-Chair shall act as the Chair in the absence of the Chair, and in his/her absence have the same powers as the Chair.

3) The Secretary/Treasurer shall act as the Chair in the absence of the Chair and Vice-Chair, and in his/her absence have the same powers as the Chair. The Secretary/Treasurer shall be responsible for such secretarial and financial duties as are customary to the office.

4) In the absence of the Chair, Vice-Chair, and Secretary/Treasurer another member of the Executive Committee will act as the Chair with the consent of the CCRPC Board.

C. Membership and Elections for Vacancies of the Executive Committee
The members of the Executive Committee shall consist of six members: the Chair, Vice-Chair, Secretary/Treasurer, immediate past Chair and the two municipal members described in Section A above, elected at the June meeting. In the event of a vacancy existing between annual elections, the Chittenden County Regional Planning Commission shall elect a member to the Executive Committee to serve until the next June meeting.

D. Terms of Office
The terms of office of Executive Committee members shall begin immediately after the June meeting of each year at which they are declared elected and shall end immediately after the next June meeting unless re-elected; but officers shall hold office until their successors have been elected and installed. The Chair, Vice-Chair and Secretary/Treasurer shall serve no longer than four consecutive years in any one office. Municipal members of the Executive Committee may not serve more than four consecutive years in that position.

E. Purpose, Power and Duties of the Executive Committee
The purpose of the Executive Committee shall be to facilitate the administration of the Chittenden County Regional Planning Commission, ensure that policy and planning recommendations are brought before the Board, and ensure that the decisions of the Chittenden County Regional Planning Commission are implemented.

The Executive Committee shall be subject to the orders of the Chittenden County Regional Planning Commission voting membership, and none of its acts shall conflict with action taken by the Chittenden County Regional Planning Commission. The duties of the Executive Committee will include, but not be limited to, the following:

1) to monitor and assure the implementation of Chittenden County Regional Planning Commission Board of Director decisions;
2) to oversee the development of the agenda for Chittenden County Regional Planning Commission meetings;
3) to oversee the affairs of the Chittenden County Regional Planning Commission between its regular meetings but to act for the Chittenden County Regional Planning Commission only when immediate action is required and the Chittenden County Regional Planning Commission Board of Directors would not be able to take the necessary action;
4) to annually recommend to the full Chittenden County Regional Planning Commission at the June meeting Regional Board members to be elected to represent the categories prescribed in Article IV. A.
5) to oversee the activities of the Finance Committee (FC), Board Development Committee (BDC), Unified Planning Work Program Committee (UPWPC), Transportation Advisory Committee (TAC), Planning Advisory Committee (PAC), and Long Range Planning Committee (LRPC), and Clean Water Advisory Committee (CWAC) and to review Committee recommendations prior to submission to the Board of Directors;
6) to oversee organizational and personnel policies;
7) to recommend for employment an Executive Director subject to confirmation by the Chittenden County Regional Planning Commission;
8) to support, and annually review the Executive Director;
9) to assist the Executive Director in the hiring of the Assistant/MPO Director;
10) to determine, recommend and transmit to the Chittenden County Regional Planning Commission for approval all recommendations concerning public policy and plan recommendations forthcoming from the Chittenden County Regional Planning Commission's program, which would affect the Chittenden County region and its individual constituent cities and towns;

11) take action on Act 250/Section 248 applications per the CCRPC adopted Guidelines and Standards for Reviewing Act 250 and Section 248 Applications;

12) to make recommendations to the Chittenden County Regional Planning Commission concerning entering into, withdrawal from, and/or terminating municipal service agreements;

13) to develop and update the Chittenden County Regional Planning Commission strategic plan and report findings to the Board of Directors;

14) to establish sub-committees on an as needed basis; and

15) to submit a written report of its activities and/or minutes of its meetings prior to each Chittenden County Regional Planning Commission meeting.

F. Executive Committee Meetings
Meetings will be held, at a minimum, in advance of the regular meeting of the Chittenden County Regional Planning Commission. Special meetings can be called at the request of the Chair or the Executive Director. A quorum to conduct business shall consist of four members. Members may participate via telephone or video conference if unable to attend in person.

Article VIII. MEETINGS
The rules of procedures of the Chittenden County Regional Planning Commission shall be Robert's Rules of Order the latest edition. These procedures will be followed except where superseded by these by-laws.

Board members will be sent their meeting notification, agendas, and appropriate documents at least one week prior to the actual meeting date, except in the case of special meetings. The Chittenden County Regional Planning Commission is a public body and shall comply with the Vermont Open Meeting Law (1 V.S.A. § 310 et seq.) and Access to Public Records Laws (1 V.S.A. §§ 315-320 et seq.). Special meetings may be called by the Chair or by a combined group of 50 percent or more of the voting Board members. The Chittenden County Regional Planning Commission Board may employ a “Consent Agenda” process when appropriate for expediting minor administrative actions related to the efficient operation of the Chittenden County Regional Planning Commission and the management of Chittenden County Regional Planning Commission programs and documents (e.g., qualifying TIP amendments). Any administrative change to Chittenden County Regional Planning Commission documents, policies, or procedures, other than items defined in Article X of these by-laws, may be identified and included in the Consent Agenda element of the full agenda for a regularly-schedule Board meeting.

At the beginning of each Board meeting, under the “Changes to the Agenda” item, the Chair will entertain requests from any Board member to move individual Consent Agenda items to the
Deliberative Agenda for discussion and action. The Board will then act on the Consent Agenda. If a Consent Agenda item is moved to the Deliberative Agenda for discussion and action, Board members will have the opportunity to request additional information on the item from staff, municipalities, and/or agencies, as appropriate. The Board may then (1) move and vote to approve the item moved from the Consent Agenda to the Deliberative Agenda, at which time the subject administrative change becomes effective, or (2) move and vote to send the change to the appropriate body (e.g., Executive Committee, TAC, or staff) for further review and recommendation.

**Article IX. FISCAL YEAR & MEETING DATES**

The Chittenden County Regional Planning Commission’s fiscal year shall be July 1st through June 30th.

The Annual Meeting shall be set by the Executive Committee and affirmed by the Chittenden County Regional Planning Commission Board.

The June Meeting of the Chittenden County Regional Planning Commission shall each year include the election of the organization’s Officers and the Executive Committee.

The Chittenden County Regional Planning Commission Board shall annually establish the day, time, and location of the Chittenden County Regional Planning Commission regular meetings. Meetings of the Chittenden County Regional Planning Commission shall be conducted at least quarterly.

**Article X. ADOPTIONS OR AMENDMENTS.**

A. Bylaws

Upon recommendation of the Executive Committee or upon request by resolution through written ballot by a majority of the Board members any proposed amendment to the by-laws shall first be sent to the Board members and the Board member municipalities’ locally elected legislative bodies for preliminary consideration and comment for a period of not less than thirty days. Not later than thirty days after this period, the Executive Committee shall submit to the Chittenden County Regional Planning Commission, (1) a report summarizing the comments received and recommendations of the Executive Committee; and (2) if authorized by the Chittenden County Regional Planning Commission, the proposed amendment in final form as a written ballot. If submission of the amendment as a ballot is not authorized by the Chittenden County Regional Planning Commission, but within ninety days after issuance of the report such submission is requested by a petition signed by at least twenty-five percent of the Board members, the Executive Committee shall, within thirty days following receipt of said petition, submit to the Chittenden County Regional Planning Commission a written ballot of the proposed amendment as originally submitted. Adoption of any amendments shall require the affirmative vote of two-thirds majority of the Board members.
B. MPO Business

Before the Chittenden County Regional Planning Commission may adopt or make other than minor amendments or administrative changes to MPO business, notice to Board member municipalities’ locally elected legislative bodies and to the general public shall be given consistent with the Public Participation Plan.

Minor amendments to the UPWP, such as reallocating dollars between approved tasks, can be done with Chittenden County Regional Planning Commission Board approval, without a public hearing.

No municipality or organization shall challenge the validity of the Transportation Improvement Program (TIP), UPWP, or Metropolitan Transportation Plan (MTP) as adopted according to this article, for procedural defects, after thirty (30) days following the day on which it was adopted.

C. Regional Plan

The Chittenden County Regional Planning Commission shall hold public hearings and seek comments on a proposed Regional Plan or amendments consistent with 24 V.S.A. § 4348. The Chittenden County Regional Planning Commission shall hold public hearings and review municipal plans and planning processes consistent with 24 V.S.A. §4350. The Metropolitan Transportation Plan (MTP) is integrated into and part of the Regional Plan.

D. Metropolitan Transportation Plan

The MTP shall be considered and voted upon first as MPO Business. Then the full membership of CCRPC shall consider and vote upon the full Regional Plan.

E. Unified Planning Work Plan

The portion of the UPWP that is transportation funded shall be considered and voted upon as MPO Business. Then the full membership of CCRPC shall consider and vote upon the full UPWP.

Article XI. MUNICIPAL SERVICE AGREEMENTS

Participation by a municipality in a municipal service agreement with the CCRPC shall be voluntary and only valid upon appropriate board action, as set forth in 1 V.S.A. § 172 and other applicable provisions of law, including the Open Meeting Law by the legislative body of the municipality. To become effective, a municipal service agreement shall be executed by a duly authorized agent of the regional planning commission and of each of the legislative bodies of the municipalities who are proposed parties to the service agreement. The agreement may include other parties as may be relevant to a particular service. Any modification to a service agreement shall not become effective unless approved by all parties to the service agreement, including the legislative bodies of all involved municipalities. Such modifications shall be in writing, with a copy provided to all parties to the agreement.

A municipal service agreement shall describe the services to be provided and the amount of funds payable by, and/or a formula for allocating costs to, each municipality that is a party to the service agreement. Service of personnel, use of equipment and office space, and other necessary


services may be accepted from municipalities as part of their financial support and shall be clearly documented in the annual budget for the service approved by the parties to the agreement.

When deemed appropriate by the participating municipalities and the CCRPC, a service agreement may include a governance committee made up of representatives of the participating municipalities and CCRPC. If a governance committee is formed, the service agreement will shall include appropriate details regarding the responsibilities, voting rights and financial obligations of each member.

All service agreements shall contain a termination date unless some other method of termination is expressly provided in the agreement. Service agreements shall also contain a provision describing how parties may withdraw from the agreement prior to the termination date. The method of withdrawing from and/or terminating a service agreement shall generally be the same as the process for entering such agreement - i.e., by majority vote of the members of the legislative body, subject to other applicable provisions of law. If, however, the service agreement involves multi-year financial obligations or other contractual obligations have been incurred in reliance on the service agreement, the withdrawing party shall withdraw only upon satisfaction of those obligations or mutual written agreement regarding the process to satisfy the same.

i. The withdrawal provision of a municipal agreement with one municipality shall provide for at least 30 days’ notice unless otherwise provided in the agreement.

ii. The withdrawal provision of a municipal agreement with multiple municipalities shall provide for at least six months’ notice prior to the beginning of a fiscal year unless otherwise provided in the agreement.

Nothing within this section shall limit CCRPC’s ability to enter into contracts or agreements to provide services with other governmental organizations or non-profit entities, including those serving multiple municipalities.

Article XII. COMMITTEES

There shall be committees of the Chittenden County Regional Planning Commission as described herein. All Chittenden County Regional Planning Commission Board members are encouraged 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.

A. Finance Committee (FC)

The Finance Committee shall oversee the Chittenden County Regional Planning Commission finances and matters related to organizational finances as specifically described in items 1-8 of this section.
The Chair of the Finance Committee shall be the Chittenden County Regional Planning Commission Secretary/Treasurer. There shall be 2 additional members including the Chittenden County Regional Planning Commission Vice-Chair and one member of the Board of Directors.

The Finance Committee shall meet on a quarterly basis or as needed to conduct the following activities:

1) oversee Chittenden County Regional Planning Commission finances;
2) oversee the Chittenden County Regional Planning Commission annual budget development and report findings to the Executive Committee in cooperation with the Unified Planning Work Plan Committee;
3) oversee the Chittenden County Regional Planning Commission annual audit and report findings to the Executive Committee;
4) oversee the staff benefit structure on an annual basis and report recommendations and/or findings to the Board;
5) oversee the staff compensation budget recommendations on an annual basis and report recommendations and/or findings to the Board;
6) oversee the development of a compensation study on a five-year basis and report recommendations/findings to the Board;
7) conduct other duties as assigned by the Board and/or Executive Committee; and
8) establish sub-committees on an as needed basis.

B. Board Development Committee (BDC)

The Board Development Committee shall oversee the Chittenden County Regional Planning Commission nominating process, updates to the Chittenden County Regional Planning Commission bylaws, Board member development, communications, and engagement as specifically described in items 1-10 of this section.

The Chair of the Board Development Committee shall be the Chittenden County Regional Planning Commission Immediate Past Chair (should there not be an available Immediate Past Chair the Executive Committee shall appoint a Chair). There shall be up to 4 additional members of the Board of Directors.

The Board Development Committee shall meet on a semi-annual basis or as needed to conduct the following activities:

1) prepare a slate of officers;
2) review and recommend updates of the Chittenden County Regional Planning Commission bylaws on an as needed basis and report findings to the Executive Committee;
3) conduct new Board member recruitment in coordination with municipal locally elected legislative bodies;
4) oversee Board member training and development;
5) conduct periodic Board performance evaluations;
6) oversee and conduct Chittenden County Regional Planning Commission outreach and communications (or delegate to an ad hoc Community Engagement Committee);
7) oversee and conduct Chittenden County Regional Planning Commission marketing and branding (or delegate to an ad hoc Community Engagement Committee);
8) review and recommend updates of the Chittenden County Regional Planning Commission Public Participation Plan on an as needed basis (or delegate to an ad hoc Community Engagement Committee) and report findings to the Executive Committee;
9) conduct other duties as assigned by the Board and/or Executive Committee; and
10) establish sub-committees on an as needed basis.

C. Unified Planning Work Plan Committee (UPWPC)

The Unified Planning Work Plan Committee shall oversee the Chittenden County Regional Planning Commission annual work plan development process as specifically described in items 1-5 of this section.

The Chair of the Unified Planning Work Plan Committee shall be a Board member selected by the Chair of the CCRPC. There shall be up to 12 members as follows:
- 3-5 Board members
- 2 Transportation Advisory Committee members
- 2 Planning Advisory Committee members
- Vermont Agency of Transportation
- Federal Highway Administration (ex-officio, non-voting)
- Chittenden County Transportation Authority (ex-officio, non-voting)

The Unified Planning Work Plan Committee shall meet on a semi-annual basis or as needed to conduct the following activities:
1) develop a draft annual Unified Planning Work Program (UPWP) and report findings to the Executive Committee in cooperation with the Finance Committee;
2) review and recommend updates to the UPWP development process policies on an as needed basis and report findings to the Executive Committee;
3) develop performance measures to monitor the implementation of the UPWP, update the performance measures on an as needed basis, monitor the implementation of the UPWP using the established performance measures and report findings to the Executive Committee;
4) conduct other duties as assigned by the Board and/or Executive Committee; and
5) establish sub-committees on an as needed basis.

D. Transportation Advisory Committee (TAC)

The Transportation Advisory Committee shall oversee the Chittenden County Regional Planning Commission transportation activities and policy development funded primarily through the Federal Highway Administration Metropolitan Planning Organization (MPO) program as specifically described in items 1-9 of this section.

The Chair of the Transportation Advisory Committee shall be a TAC member elected by the TAC or appointed by the Chair of CCRPC. There shall be up to 31 members and
representatives of organizations as follows:

- 1 Board member
- Representatives of the 18 municipalities eligible to vote on MPO business as described in Article V. A.
- Vermont Agency of Transportation
- Federal Highway Administration
- Chittenden County Transportation Authority
- Burlington International Airport
- Campus Area Transportation Management Association
- Special Services Transportation Agency
- Person representative of the Business Community
- Person representative of the Disabled Community
- Person representative of the Elderly Community
- Person representative of the Environmental Community
- Person representative of the Bicycle and/or Pedestrian Community
- Person representative of the Rail Industry

The terms of TAC members will be for two years beginning July 1st, communities whose beginning letter falls between A and K shall appoint a representative to serve beginning in even numbered fiscal years and communities whose beginning letter falls from L through Z shall appoint a representative to serve beginning in odd numbered fiscal years.

Appointments of all other members will be on an annual basis by the Board Chair. Appointments to fill a vacancy shall be for the unexpired term.

The Transportation Advisory Committee shall meet on a monthly basis or as needed to conduct the following activities:

1) review Metropolitan Transportation Plan (MTP) updates, revisions, and amendments as developed by the Long Range Planning Committee;
2) review and recommend to the Board the Transportation Improvement Program (TIP) and TIP amendments, Sidewalk and Transportation Enhancement Grant program recommendations and priorities and other program ranking recommendations as needed;
3) review and recommend technical planning/engineering studies for inclusion in the UPWP;
4) review completed MPO funded planning and scoping studies;
5) oversee the selection of consultants to be retained for MPO funded projects and programs;
6) undertake MPO related technical and policy activities similar to the Planning Advisory Committee;
7) coordinate transportation land use activities with the Planning Advisory Committee;
8) conduct other duties as assigned by the Board and/or Executive Committee including recommendations to the Board as needed; and,
9) establish sub-committees on an as needed basis.

E. Planning Advisory Committee (PAC)

The Planning Advisory Committee shall oversee the Chittenden County Regional Planning
Commission regional planning activities and policy development as specifically described in items 1-13 of this section.

The Chair of the Planning Advisory Committee shall be a PAC member elected by the PAC or appointed by the Chair of CCRPC. There shall be up to 31 members and representatives of organizations as follows:

- 1 Board member
- Representatives of the 18 incorporated municipalities and Buel’s Gore
- 3-5 members of public/interest groups that may include, but are not limited to, the Vermont Department of Health and Champlain Housing Trust
- Vermont Agency of Transportation and other interested state agencies (ACCD, ANR, AOA)
- Federal Highway Administration (ex-officio, non-voting)
- Chittenden County Transportation Authority (ex-officio, non-voting)

The terms of PAC members will be for two years beginning July 1st, communities whose beginning letter falls between A and K shall appoint a representative to serve beginning in odd numbered fiscal years and communities whose beginning letter falls from L through Z shall appoint a representative to serve beginning in even numbered fiscal years.

Appointment of all other members will be on an annual basis by the Board Chair.

Appointments to fill a vacancy shall be for the unexpired term.

The Planning Advisory Committee shall meet on a quarterly basis or as needed to conduct the following activities:

1) review municipal plans (with the inclusion of ad hoc Committee members from the involved and adjacent communities);
2) review and make recommendations to the Board regarding *Guidelines and Standards for Reviewing Act 250 and Section 248 Applications* and identify development projects that may require Act 250 or Section 248 review so that the Board’s role in the process may be proactive instead of reactive;
3) review and recommend regional planning technical/planning/engineering studies for inclusion in the UPWP;
4) provide interface between the Board, work groups and functions related to cross cutting planning issues and the Regional Plan;
5) develop regional planning policy recommendations for Board consideration and/or action;
6) provide input to MTP, UPWP, and TIP development, and other transportation planning processes, on issues or projects of a regional nature;
7) oversee the selection of regional planning and MTP land use related consultants to be retained for projects and programs;
8) evaluate and prioritize regional planning technical assistance;
9) review and make recommendations to the Board regarding Regional Plans of adjacent regions;
10) undertake regional planning related technical and policy activities similar to the Transportation Advisory Committee;
11) coordinate transportation land use activities with the Transportation Advisory
Committee;
12) conduct other duties as assigned by the Board and/or Executive Committee; and
13) establish sub-committees on an as-needed basis.

F. Long Range Planning Committee (LRPC)

The Long Range Planning Committee shall oversee the Chittenden County Regional Planning Commission development of the Metropolitan Transportation Plan (MTP), the Regional Plan (RP), and other associated long range planning activities as specifically described in items 1-8 of this section.

The Chair of the Long Range Planning Committee shall be a Board member selected by the Chair of the CCRPC. There shall be up to 14 members and representatives of organizations as follows:

- 3-6 Board members
- 1 or 2 TAC members
- 1 or 2 PAC members
- 1 to 3 members of public/interest groups
- 1 representative of the Vermont Agency of Transportation

The Long Range Planning Committee shall meet on a semi-annual basis or as needed to conduct the following activities:

1) develop the Metropolitan Transportation Plan at least every five years and present to the Board for adoption;
2) develop the Regional Plan at least every eight years and present to the Board for adoption;
3) develop policy recommendations related to the MTP and RP for Board consideration and/or action;
4) provide guidance to the MTP, RP, UPWP, and TIP development and other land use transportation planning processes on issues and/or projects of a long range planning nature;
5) coordinate activities with the TAC and PAC to assure consistency in plans and policy recommendations to the Board;
6) prepare an annual report of indicators to benchmark the region’s progress towards meeting regional and transportation planning goals;
7) conduct other duties as assigned by the Board and/or Executive Committee; and
8) establish sub-committees on an as needed basis.

G. Clean Water Advisory Committee (CWAC)

The Clean Water Advisory Committee (CWAC) shall oversee the Chittenden County Regional Planning Commission activities and policy development regarding but not limited to, the Vermont Lake Champlain Total Maximum Daily Load (TMDL) Plan and its related plans and programs.

The Chair of the CWAC shall be a CWAC member elected by the CWAC or appointed by the Chair of CCRPC. There shall be up to 24 members and representatives of organizations as
follows:

- 1 CCRPC Board member or Alternate (who may also represent their municipality)
- Representatives of the County’s 19 municipalities
- University of Vermont
- Vermont Agency of Natural Resources (ANR)
- Vermont Agency of Transportation
- Burlington International Airport
- Other voting or non-voting members as may be determined appropriate by the CCRPC after a recommendation from the CWAC

The terms of CWAC municipal members will be for two years beginning July 1st, municipalities whose beginning letter falls between A and K shall appoint a representative to serve beginning in even numbered fiscal years and communities whose beginning letter falls from L through Z shall appoint a representative to serve beginning in odd numbered fiscal years. Organizational members shall appoint a member for a 2-year term with an alternate if desired. Initial appointees of the ad hoc CWAC shall remain appointed until their municipality or organization makes an appointment to this standing committee. Appointments to fill a vacancy shall be for the unexpired term.

The CWAC shall meet as needed to conduct the following activities:

1. oversee programming related to the CCRPC’s efforts in assisting the ANR with basin planning and surface water management including but not limited to:
   a. CCRPC’s assistance to ANR in the development of tactical basin plans;
   b. technical assistance and data collection activities, including information from watershed organizations, to inform municipal officials and the State in making water quality investment decisions;
   c. coordinating assistance to municipalities considering planning and adoption of implementation of municipal development regulations to better meet State water quality policies and investment priorities, at the option of the municipality;
   d. assistance to ANR in implementing a project evaluation process to prioritize water quality improvement projects within the region to assure cost effective use of State and federal funds.

2. undertake water quality related technical assistance and policy activities and coordinate activities with the Transportation Advisory Committee including but not limited to activities related to implementation of Municipal Roads Stormwater General Permits;

3. There shall be a Municipal Separate Storm Sewer System (MS-4) subcommittee of the CWAC comprised of the municipalities and organizations in Chittenden County subject to a Municipal Separate Storm Sewer System (MS-4) or Transportation Separate Storm Sewer System (TS-4) permit:
   a. This subcommittee shall operate under agreements contained in a mutually-agreed upon Memorandum of Understanding regarding implementation of, but not limited, to Minimum Control Measures #1 and #2 or as may be amended or consolidated.
b. This subcommittee has sole authority regarding implementation of the Memorandum noted above.

4. The CWAC or other individual subcommittees of the CWAC may also, as appropriate, meet as needed to conduct the following activities:
   a. review and recommend to the Board water quality program recommendations and priorities;
   b. review and recommend water quality studies for inclusion in the UPWP;
   c. review completed CCRPC studies regarding water quality issues;
   d. oversee the selection of consultants to be retained for water quality related projects and programs;
   e. conduct other duties as assigned by the Board and/or Executive Committee including recommendations to the Board as needed; and,
   f. establish sub-committees on an as-needed basis.

Article XIII. RESOLVING CONFLICTING INTERESTS

A. Preamble
A public official must exercise his or her authority solely for the benefit of the public and, in fact, stand in a fiduciary relationship to the public. He or she is held by the law to a most rigid standard with respect to any activity which places his or her individual interest in a position where collision with public responsibility becomes possible. The law requires that not only must public officials actually separate private interests from public responsibility, but must also give every appearance of this separation.

A real conflict of interest exists when a private interest exists leading to a personal benefit or gain. An apparent conflict of interest exists when there is a perception that a conflict of interest exists leading to a personal benefit or gain.

Such a conflict would arise when (1) a Board member, (2) any member of his or her immediate family, (3) his or her partner, or (4) an organization which employs or is about to employee any of (1) through (3) above, have a financial or other interest in the firm selected for the award.

Board members of both the Chittenden County Regional Planning Commission and the Chittenden County Regional Planning Commission’s sub-grantees will neither solicit nor accept gratuities, favors, or items of value (excluding calendars, pens, and other nominal items) from contractors, potential contractors, or parties to sub-agreements.

When a significant real or apparent conflict of interest arises the concerned parties shall discuss the matter with the Executive Committee. Board members should raise the issue of a potential conflict of interest of another Board member or staff person whenever they feel one exists and the person in question does not declare a real or apparent conflict of interest. All real conflicts of interest require compliance with Section B below. The Executive Committee will determine all apparent conflicts of interest. If there is an actual conflict of interest the Committee shall decide on a case-by-case basis whether an individual can participate in discussions, but the individual
shall not vote. Alternatively, if there is an apparent conflict of interest the Committee will decide whether and how an individual may participate and if the individual may vote.

B. Board Member Actions
In the event a real conflict of interest, as herein defined, does or would result, the Board member shall act as follows:

1) Disclosure. In the event a proposed contract, material or labor is to be furnished to the Chittenden County Regional Planning Commission, the Board member shall state on the record the nature of his or her conflict of interest. He or she shall not communicate, either formally or informally, with any other Board member with respect to the awarding of such contract and shall not vote on the question of its issuance.

2) Disclosure of Fiduciary Relationship. In the event the Board member has fiduciary relationship with any individual, partnership, firm or corporation seeking to contract with the Chittenden County Regional Planning Commission, or to provide materials or labor thereto, or has a fiduciary interest in a project or a project before Act 250 or other regulatory board where the Chittenden County Regional Planning Commission is a party, the Board member shall, regardless of contract amount, state on the record the nature of his or her interest, refrain from all formal or informal discussion with any other Board members with respect to such contract or project, and shall not vote on the question of its issuance or approval or disapproval.

3) Form. Upon joining the Chittenden County Regional Planning Commission or at the beginning of the fiscal year, Board members will sign a form indicating that they have read and understand this Section.

ARTICLE XIX XIV. APPROPRIATIONS TO THE CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION

The Chittenden County Regional Planning Commission may receive and expend monies from any source.

CCRPC Charter
ADOPTED by the Commission May 2, 1966.
AMENDED by the Commission May 26, 1997
AMENDED by the Commission September 28, 1998
Superseded by the Commission, May 18, 2011, effective July 1, 2011

CCMPO Bylaws
Adopted by the Chittenden County Metropolitan Planning Organization July 15, 1983.

CCRPC Bylaws
Amended by CCRPC September 23, 1991; May 27, 1997; February 27, 2006
Superseded by the Commission, May 18, 2011, effective July 1, 2011
2019 Transportation Project Prioritization

Issues:

Each year the Vermont Legislature requires that projects in the Transportation Capital Program be prioritized. Specifically, they directed VTrans to develop a numerical grading system to assign a priority ranking to all paving, roadway, safety and traffic operations, state bridge, interstate bridge, and town highway bridge projects. The rating system was to consist of two separate, additive components as follows:

1. One component shall be an asset management-based factor which is objective and quantifiable and shall consider, without limitation, the following:
   - the existing safety conditions in the project area and the impact of the project on improving safety conditions;
   - the average, seasonal, peak, and nonpeak volume of traffic in the project area, including the proportion of traffic volume relative to total volume in the region, and the impact of the project on congestion and mobility conditions in the region;
   - the availability, accessibility, and usability of alternative routes;
   - the impact of the project on future maintenance and reconstruction costs.

2. The second component of the priority rating system was to consider the following factors:
   - the functional importance of the highway or bridge as a link in the local, regional, or state economy; and
   - the functional importance of the highway or bridge in the social and cultural life of the surrounding communities.

A prioritization methodology was developed as a collaborative effort between VTrans and the regional planning commissions (RPCs). VTrans provides technical input on projects to determine the first part of the project score and the RPCs provide input on the second part of the score.

VTrans Methodology Overview

Prioritization methodologies were developed for each program category listed in the Transportation Capital Program. The methodologies are summarized below.

Paving

- Pavement Condition Index – 20 points (more points are given for higher levels of pavement deterioration)
- Benefit/Cost – 60 points (output comes from a Pavement Management System software which considers the type of pavement treatment, traffic volumes and percentage of trucks)
- Regional Priority – 20 points
**Bridge**

- Bridge Condition – 30 points (considers the condition of components of the bridge such as the deck, superstructure and substructure)
- Remaining Life – 10 points (considers the rate at which the bridge is deteriorating)
- Functionality – 5 points (adequacy of the alignment and the width)
- Load Capacity and Use – 15 points (considers if there is a weight restriction and the traffic volumes)
- Waterway Adequacy and Scour Susceptibility – 10 points (characteristics of the waterway the bridge crosses, if applicable)
- Project Momentum – 5 points (considers right-of-way and permit issues)
- Benefit Cost Factor – 10 points (considers the benefit to the traveling public of keeping the bridge open)
- Regional Priority – 15 points

**Roadway**

- Highway System – 40 points (looks at highway sufficiency rating and network designation)
- Cost per vehicle mile – 20 points
- Project Momentum – 20 points (considers right-of-way and permitting issues)
- Designated Downtown project – 10 bonus points
- Regional Priority – 20 points

**Traffic Operations**

- Intersection Capacity – 40 points (based on level of service)
- Accident Rate – 20 points
- Cost per Intersection Volume – 20 points
- Project Momentum – 10 points (considers right-of-way and permitting issues)
- Regional Input – 20 points

**CCRPC Priority Methodology**

CCRPC developed a methodology for regional priority scores in 2005. The methodology uses planning factors MPOs are required to consider in their planning process, as stated in ISTEA and reiterated in subsequent legislation. The planning factors are: Economic Vitality; Safety and Security; Accessibility, Mobility and Connectivity; Environment, Energy and Quality of Life; Preservation of Existing System; and, Efficient System Management.

The methodology uses a project scoring sheet that identifies project characteristics that result in a score of High, Medium-High, Medium, Low or No Impact for each of the six scoring criteria. Each project receives one score for each planning factor. The score is determined by finding the highest scoring project characteristic that applies to each project. Necessary information for scoring projects is derived from existing studies and data collected/processed by CCRPC, VTrans, consultants or towns. Only one score is applied to the project for each planning factor even though multiple characteristics may apply to the project.

In addition to the six scoring categories, projects receive points if the project is in the current TIP according to the following schedule:
- 10 points for construction funds in the TIP
- 8 points for right-of-way in the TIP
- 6 points for engineering in the TIP
Projects receive only one score for the TIP Status item corresponding to the highest scoring project phase even if there are multiple phases listed in the TIP for the project.

The list of projects to be scored comes from the annual Transportation Capital Program and is supplied by VTrans. The list includes all projects in the Capital Program except rail projects, aviation projects, interstate projects, bridge maintenance projects, projects funded with federal safety funds, bike/ped and Transportation Alternatives awards and projects expected to be under construction in the near future.

Preliminary project scoring sheets were sent to TAC members having projects in their towns for review and comment.

Attached are the preliminary project scores for the Regional Priority factor. The attached table lists projects in rank order by program category, from high score to low score. Ties between projects are broken in the following way: higher functional classes are placed before lower functional classes. Functional class order is: Interstate, Principal Arterial, Minor Arterial, Major Collector. If ties still remain higher traffic volumes are placed before lower traffic volumes.

**TAC Recommendation:** Approve the 2019 regional project ranks, with changes if any, and forward them to VTrans.

**Staff Recommendation:** Approve the 2019 regional project ranks, with changes if any, and forward them to VTrans.

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

**Attachments:**
- CCRPC Prioritized Project Lists – 2019
- CCRPC Project Scoring Sheet
### 2019 CCRPC Prioritized Project List

**Roadway Projects**

<table>
<thead>
<tr>
<th>Roadway</th>
<th>Rank</th>
<th>CCRPC Score</th>
<th>Economic Vitality</th>
<th>Safety and Security</th>
<th>Accessibility, Mobility and Connectivity</th>
<th>Environment, Energy and Quality of Life</th>
<th>Preservation of Existing System</th>
<th>Efficient System Management</th>
<th>TIP Status</th>
<th>Planning Designation</th>
<th>Functional Class</th>
<th>High Crash</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pearl Street, Essex Junction - CIRC PHASE II</td>
<td>1</td>
<td>65</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>Medium</td>
<td>High</td>
<td>Medium</td>
<td>CON-1,2</td>
<td>State Village</td>
<td>Principal Arterial</td>
<td>Yes</td>
</tr>
<tr>
<td>US2/Industrial Avenue, Williston</td>
<td>2</td>
<td>63</td>
<td>High</td>
<td>High</td>
<td>Medium-High</td>
<td>High</td>
<td>High</td>
<td>Medium</td>
<td>CON-3,4</td>
<td>Enterprise</td>
<td>Principal Arterial</td>
<td>Yes</td>
</tr>
<tr>
<td>Susie Wilson Road Improvements, Essex - CIRC PHASE III</td>
<td>3</td>
<td>60</td>
<td>High</td>
<td>High</td>
<td>Medium-High</td>
<td>High</td>
<td>Medium-High</td>
<td>High</td>
<td>PE-1,2</td>
<td>Metro</td>
<td>Major Collector</td>
<td>Yes</td>
</tr>
<tr>
<td>Exit 12, Williston - CIRC PHASE III</td>
<td>4</td>
<td>58</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>Medium</td>
<td>CON-3,4</td>
<td>State Growth Center</td>
<td>Interstate/Principal Arterial</td>
<td>Yes</td>
</tr>
<tr>
<td>US2A/James Brown Drive, Williston - CIRC PHASE I</td>
<td>5</td>
<td>54</td>
<td>Medium-High</td>
<td>High</td>
<td>Medium-High</td>
<td>Medium-High</td>
<td>Medium-High</td>
<td>Medium</td>
<td>CON-3,4</td>
<td>Enterprise</td>
<td>Minor Arterial</td>
<td>Yes</td>
</tr>
<tr>
<td>Champlain Parkway, Burlington</td>
<td>7</td>
<td>51</td>
<td>High</td>
<td>Medium</td>
<td>Medium-High</td>
<td>Low</td>
<td>Medium-High</td>
<td>Low</td>
<td>CON-3,4</td>
<td>Enterprise/ Metro</td>
<td>Principal Arterial</td>
<td>No</td>
</tr>
<tr>
<td>Prim/West Lakeshore Drive Intersection, Colchester</td>
<td>8</td>
<td>51</td>
<td>Medium-High</td>
<td>High</td>
<td>Medium-High</td>
<td>Medium-High</td>
<td>Medium-High</td>
<td>High</td>
<td>PE-1,2</td>
<td>CCRPC Village</td>
<td>Minor Arterial</td>
<td>Yes</td>
</tr>
<tr>
<td>VT117/North Williston Road Hazard Mitigation, Essex - CIRC PHASE III</td>
<td>9</td>
<td>44</td>
<td>Medium-High</td>
<td>Medium</td>
<td>Medium-High</td>
<td>Medium-High</td>
<td>Medium-High</td>
<td>Medium</td>
<td>Circ Alt</td>
<td>Rural</td>
<td>Major Collector</td>
<td>No</td>
</tr>
<tr>
<td>Mountain View Road Improvements, Williston - CIRC PHASE III</td>
<td>10</td>
<td>40</td>
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<td>Medium</td>
<td>Medium-High</td>
<td>Medium-High</td>
<td>Medium-High</td>
<td>Medium</td>
<td>Circ Alt</td>
<td>Suburban/Rural</td>
<td>Major Collector</td>
<td>No</td>
</tr>
<tr>
<td>Airport Drive, S. Burlington</td>
<td>11</td>
<td>39</td>
<td>High</td>
<td>Medium</td>
<td>Medium-High</td>
<td>Low</td>
<td>Medium-High</td>
<td>-</td>
<td>Enterprise/ Metro</td>
<td>Principal Arterial</td>
<td>Minor Arterial</td>
<td>No</td>
</tr>
</tbody>
</table>

**Traffic Operations & Safety**

<table>
<thead>
<tr>
<th>Roadway</th>
<th>Rank</th>
<th>CCRPC Score</th>
<th>Economic Vitality</th>
<th>Safety and Security</th>
<th>Accessibility, Mobility and Connectivity</th>
<th>Environment, Energy and Quality of Life</th>
<th>Preservation of Existing System</th>
<th>Efficient System Management</th>
<th>TIP Status</th>
<th>Planning Designation</th>
<th>Functional Class</th>
<th>High Crash</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exit 16 Improvements, Colchester - CIRC PHASE I</td>
<td>1</td>
<td>59</td>
<td>High</td>
<td>High</td>
<td>Medium-High</td>
<td>Medium</td>
<td>High</td>
<td>Medium</td>
<td>CON-1,2</td>
<td>Enterprise/ Metro</td>
<td>Principal Arterial</td>
<td>Yes</td>
</tr>
<tr>
<td>Severance Corners, Colchester - CIRC PHASE II</td>
<td>2</td>
<td>59</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>Medium</td>
<td>Medium</td>
<td>Medium</td>
<td>CON-3,4</td>
<td>State Growth Center</td>
<td>Principal Arterial</td>
<td>Yes</td>
</tr>
<tr>
<td>VT2A/Industrial Avenue, Williston - CIRC PHASE III</td>
<td>3</td>
<td>54</td>
<td>Medium-High</td>
<td>High</td>
<td>High</td>
<td>Medium-High</td>
<td>Medium-High</td>
<td>High</td>
<td>PE-1,2</td>
<td>Suburban</td>
<td>Minor Arterial</td>
<td>Yes</td>
</tr>
<tr>
<td>US7/Middle Road/Railroad Street, Milton</td>
<td>4</td>
<td>54</td>
<td>Medium-High</td>
<td>Medium</td>
<td>Medium-High</td>
<td>Medium-High</td>
<td>Medium-High</td>
<td>Medium</td>
<td>CON-3,4</td>
<td>Center</td>
<td>Minor Arterial</td>
<td>Yes</td>
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<tr>
<td>US7/Harbor Road/Falls Road, Shelburne</td>
<td>5</td>
<td>50</td>
<td>High</td>
<td>High</td>
<td>High</td>
<td>Medium</td>
<td>Medium</td>
<td>Medium</td>
<td>CON-3,4</td>
<td>State Village</td>
<td>Principal Arterial</td>
<td>Yes</td>
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<tr>
<td>VT15/Sand Hill, CIRC PHASE II</td>
<td>6</td>
<td>47</td>
<td>High</td>
<td>Medium</td>
<td>Medium-High</td>
<td>Medium</td>
<td>Medium</td>
<td>Medium</td>
<td>PE-1,2</td>
<td>Rural</td>
<td>Principal Arterial</td>
<td>No</td>
</tr>
<tr>
<td>US2/Trader Lane</td>
<td>8</td>
<td>44</td>
<td>Medium-High</td>
<td>Medium</td>
<td>Medium</td>
<td>Medium</td>
<td>Medium-High</td>
<td>Medium</td>
<td>PE-1,2</td>
<td>CCRPC Village</td>
<td>Minor Arterial</td>
<td>No</td>
</tr>
</tbody>
</table>

* US7/Harbor Road/Falls Road has recently completed scoping and CCRPC seeks to have this project added to the Capital Program. The project has been scored, but not ranked because it is not currently part of the transportation program.*
## 2019 CCRPC Prioritized Project List
### Paving, State Bridge and Town Highway Bridge

<table>
<thead>
<tr>
<th>Project Details</th>
<th>CCRPC Score</th>
<th>Economic Vitality</th>
<th>Safety and Security</th>
<th>Accessibility, Mobility and Connectivity</th>
<th>Environment, Energy and Quality of Life</th>
<th>Preservation of Existing System</th>
<th>Efficient System Management</th>
<th>TIP Status</th>
<th>Planning Designation</th>
<th>Functional Class</th>
<th>High Crash</th>
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<td>VT15, Essex-Underhill</td>
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<td>30</td>
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<td>VT15, Underhill-Cambridge</td>
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<td>Low</td>
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<td>Rural</td>
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<td>US2, Richmond-Bolton</td>
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<td>Medium</td>
<td>Low</td>
<td></td>
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<td><strong>State Bridge</strong></td>
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<td></td>
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<td>US2 Bridge over I-89, Colchester</td>
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<td>52</td>
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<td><strong>Town Highway Bridge</strong></td>
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<td>Underhill Bridge 7 on Pleasant Valley Road</td>
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<td>Jericho Bridge 15 on Brown's Trace</td>
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<td>Charlotte Bridge 31 on Dorset Street</td>
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<td></td>
<td>Rural</td>
<td>Town Road</td>
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### CCRPC Project Prioritization

#### Scoring Criteria

<table>
<thead>
<tr>
<th>Planning Factors</th>
<th>Economic Vitality</th>
<th>Safety and Security</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>High Impact</strong> (10 points)</td>
<td>Support the economic vitality especially by enabling global competitiveness, productivity, and efficiency</td>
<td>Increase the safety and security of the transportation system for motorized and nonmotorized users</td>
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<tr>
<td>Project Name:</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>☐ Project provides new or improved access, including transit and pedestrian/bike access, to or within a Vermont designated Growth Center, Downtown, New Town Center or Village Center or a CCRPC designated Enterprise Planning Area</td>
<td>☐ Safety improvement in a VTrans identified High Crash Location – intersection or section of roadway</td>
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<tr>
<td></td>
<td>☐ Project on an interstate or principal arterial that improves access for freight</td>
<td>☐ Bridge improvement for a bridge with critical safety deficiencies (sufficiency rating up to 25)</td>
</tr>
<tr>
<td></td>
<td>☐ Project improves airport access</td>
<td>☐ Dedicated pedestrian/bike facility making intermodal linkages or regional connections in a location with a documented existing safety problem</td>
</tr>
<tr>
<td></td>
<td>☐ Project improves access, including transit and pedestrian/bike access, to tourism facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>☐ Project that improves access to the rail network</td>
<td></td>
</tr>
<tr>
<td></td>
<td>☐ New/expanded Park and Ride Lot</td>
<td></td>
</tr>
<tr>
<td><strong>Medium-High Impact</strong> (7 points)</td>
<td>☐ Project provides new or improved access, including transit and pedestrian/bike access, to or within a CCRPC designated Center, Metro or Village Planning area, or a municipal designated growth area</td>
<td>☐ Bridge improvement for a bridge with serious safety issues (sufficiency rating of 25.1 to 50)</td>
</tr>
<tr>
<td></td>
<td>☐ Project on a minor arterial or major collector that improves access for freight</td>
<td>☐ New median barriers, guardrails or shoulders</td>
</tr>
<tr>
<td></td>
<td>☐ Project addresses environmental issues that could impact economic development (stormwater, flood resiliency)</td>
<td>☐ Intersection/roadway safety improvement in a location with a documented safety problem</td>
</tr>
<tr>
<td></td>
<td>☐ New/expanded Park and Ride Lot</td>
<td>☐ Rail grade crossing improvement or warning signs</td>
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<td>☐ Dedicated pedestrian/bike facility making intermodal linkages or regional connections in a location with a documented existing safety problem</td>
<td>☐ Dedicated pedestrian/bike facility with a documented safety problem on a Principal or Minor Arterial roadway</td>
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<tr>
<td><strong>Medium Impact</strong> (5 points)</td>
<td>☐ Project that provides new or improved access, including transit and pedestrian/bike access, to or within a future activity area identified in a municipal plan or study</td>
<td>☐ Bridge safety improvement for a bridge with a sufficiency rating from 50.1–70</td>
</tr>
<tr>
<td></td>
<td>☐ Bus station/stop amenities and shelters</td>
<td>☐ Repave interstate or principal arterial</td>
</tr>
<tr>
<td></td>
<td>☐ Project maintains or improves an access facility important to rural community including town highway bridges</td>
<td>☐ Dedicated pedestrian/bike facility in a location with a documented safety problem on a Major Collector roadway</td>
</tr>
<tr>
<td></td>
<td>☐ Repave interstate or principal arterial</td>
<td>☐ Safety related transportation project identified in a study/report</td>
</tr>
<tr>
<td><strong>Low Impact</strong> (3 points)</td>
<td>☐ Other transportation improvement that supports economic development</td>
<td>☐ Repave a minor arterial or major collector</td>
</tr>
<tr>
<td></td>
<td>☐ Repave a minor arterial or major collector</td>
<td>☐ Dedicated pedestrian/bike facility in a location with a documented safety problem on a local road</td>
</tr>
<tr>
<td><strong>No Impact</strong> (0 Points)</td>
<td>☐ No discernible benefit</td>
<td>☐ Other safety related improvement identified in a study/report</td>
</tr>
</tbody>
</table>

* Improved access is defined as increase in capacity or reduced delay
<table>
<thead>
<tr>
<th>Project Characteristics</th>
<th>Planning Factors</th>
<th>Environment, Energy and Quality of Life</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Impact (10 points)</td>
<td>Bicycle /pedestrian facility making intermodal linkages or regional connections to or within a Vermont designated Growth Center, Downtown, New Town Center or Village Center</td>
<td>Pedestrian/bike facility making intermodal linkages or regional connections resulting in the potential for reducing VMT</td>
</tr>
<tr>
<td></td>
<td>Project that facilitates movement of goods or improves intermodal connectivity to or within a Vermont designated Growth Center, Downtown, New Town Center or Village Center</td>
<td>Clean fuel buses/vehicles and alternative fuel infrastructure</td>
</tr>
<tr>
<td></td>
<td>Project that benefits areas where 10% or more of the households are below the poverty level</td>
<td>VMT reduction program including transportation demand management and park and ride lots</td>
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<tr>
<td></td>
<td>Bridge or other project that maintains connectivity or reduces flood vulnerability in a location with no alternative route for residents or businesses or a detour of 25 miles or more</td>
<td>Transportation project that encourages compact land use or transit oriented development</td>
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<tr>
<td></td>
<td>Bicycle/pedestrian facility making intermodal linkages or regional connections to or within a CCRPC designated Center, Metro, Enterprise or Village Planning area or municipal designated growth area</td>
<td>Transportation project that reduces stormwater runoff or improves water quality or other stream ecological conditions for impaired waterways</td>
</tr>
<tr>
<td>Medium-High Impact (7 points)</td>
<td>Project that facilitates movement of goods or intermodal connectivity to or within a CCRPC designated Center, Metro, Enterprise or Village Planning area or municipal designated growth area</td>
<td>Transportation project that reduces delay at an existing high volume intersection or group of intersections within a Vermont designated Growth Center, Downtown, New Town Center, Village Center, CCRPC designated Center, Metro, Enterprise or Village Planning area or municipal designated growth area</td>
</tr>
<tr>
<td></td>
<td>Project that facilitates movement of goods or intermodal connectivity to or within a CCRPC designated Center, Metro, Enterprise or Village Planning area or municipal designated growth area</td>
<td>Traffic calming/streetscape project within a Vermont designated Growth Center, Downtown, New Town Center, Village Center, CCRPC designated Center, Metro, Enterprise or Village Planning area or municipal designated growth area</td>
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<tr>
<td></td>
<td>Project that maintains or improve connectivity on interstate or principal arterial</td>
<td>Projects that remove traffic from a neighborhood within a Vermont designated Growth Center, Downtown, New Town Center, Village Center, CCRPC designated Center, Metro, Enterprise or Village Planning area or municipal designated growth area</td>
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<tr>
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<td>Bridge or other project that maintains connectivity or reduces flood vulnerability in a location with limited alternative routes for residents or businesses (detour 10 – 24.9 miles)</td>
<td>Pedestrian/bike facility making local connections resulting in the potential for reduced VMT</td>
</tr>
<tr>
<td></td>
<td>Bicycle/pedestrian facility making intermodal linkages or regional connections to or within a CCRPC designated Center, Metro, Enterprise or Village Planning area or municipal designated growth area</td>
<td>Transportation project that reduces stormwater runoff or improves water quality or other stream ecological conditions for non-impaired waterways</td>
</tr>
<tr>
<td>Medium Impact (5 points)</td>
<td>Project that facilitates movement of goods or intermodal connectivity to or within a locally important activity center</td>
<td>Transportation project that reduces delay at an existing high volume intersection or group of intersections</td>
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<tr>
<td></td>
<td>Project that facilitates freight movement or intermodal connectivity to or within a locally important activity center</td>
<td>Necessary bridge or roadway improvements within a Vermont designated Growth Center, Downtown, New Town Center, Village Center, CCRPC designated Center, Metro, Enterprise or Village Planning area or municipal designated growth area</td>
</tr>
<tr>
<td></td>
<td>Project maintains or improves connectivity on minor arterial or major collector</td>
<td>Necessary bridge or roadway improvements on interstate or principal arterial</td>
</tr>
<tr>
<td></td>
<td>Project that maintains connectivity and mobility for a rural community including town highway bridges with a detour of 5 – 9.9 miles</td>
<td>Necessary bridge or roadway improvements on minor arterial or major collector</td>
</tr>
<tr>
<td>Low Impact (3 points)</td>
<td>Project that maintain or improve connectivity on minor arterials or major collectors</td>
<td>Other project that has a positive effect on the environment, energy use or quality of life in the region</td>
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<tr>
<td></td>
<td>Bridge project with a detour less than 5 miles</td>
<td>Other bridge improvements</td>
</tr>
<tr>
<td>No Impact (0 Points)</td>
<td>No discernible benefits</td>
<td>No discernible benefits</td>
</tr>
<tr>
<td>Project Characteristics</td>
<td>Planning Factors</td>
<td>Efficient System Management</td>
</tr>
<tr>
<td>-------------------------</td>
<td>------------------------------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------</td>
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</tbody>
</table>
|                         | Preservation of Existing System  
Emphasize the preservation of the existing transportation system |                                                                                              |
| High Impact             | □ Reconstruction, resurfacing or intersection improvement for a project with a documented critical need  
□ Bridge structural improvement for a bridge documented to be in danger of being closed or weight restricted (sufficiency rating of less than 25)  
□ Reconstruction or resurfacing of an existing pedestrian/bike facility making intermodal linkages or regional connections with a documented signification need | □ TDM strategies, programs and incentives including new or expanded park and ride lot that would reduce VMT  
□ Traffic signal interconnect or other ITS improvement to reduce congestion  
□ Improvement that reduces congestion to roadway, corridors or intersection with significant congestion (V/C over 1.5)  
□ Pedestrian/bike facility making intermodal linkages or regional connections resulting in the potential to reduce congestions |
| Medium-High Impact      | □ Reconstruction, resurfacing or intersection improvement for a project with a documented significant need  
□ Bridge structural improvement for a bridge with documented significant structural deficiencies (sufficiency rating of 25 – 50)  
□ Reconstruction or resurfacing of an existing pedestrian/bike facility with a documented significant need  
□ Necessary improvement to an existing park and ride lot | □ Improvements that reduces congestion to roadway, corridor or intersection (V/C over 1)  
□ New interchange on limited access highway, in a location with significant congestion, to relieve congestion  
□ New signals or roundabout where warranted  
□ New connections between existing streets to facilitate the use of alternative routes and reduce congestion  
□ Necessary improvements to operate existing bridges and roadways on interstate or principal arterial |
| Medium Impact           | □ Reconstruction, resurfacing or intersection improvement for a project with a documented moderate need  
□ Bridge structural improvement for a bridge with documented moderate structural deficiencies (sufficiency rating of 50.1-70)  
□ Reconstruction or resurfacing of an existing pedestrian/bike facility | □ Improvement that reduces congestion to roadway, corridor or intersection (V/C less than 1)  
□ Median treatment or access management  
□ Bicycle/pedestrian facility making locally important connections resulting in the potential for reducing congestion  
□ Improvements that reduce travel time  
□ Necessary improvements to operate existing bridges and roadways on minor arterial or major collector |
| Low Impact              | □ Other improvement to the existing transportation system  
□ Transportation improvement that has an indirect benefit to the existing transportation system | □ Necessary improvements to operate town highway bridges on minor collectors and local roads  
□ Other improvements that benefit the transportation system. |
| No Impact               | □ No discernible benefits                                                                            | □ No discernible benefits                                                                      |
CCRPC Board
04/19/2017
Agenda Item 7: Action Item

Active Transportation Plan

Background: CCRPC began an update to the Bike Ped plan in the summer of 2015 and held extensive public outreach through workshops and the project’s on-line map comment tool through that fall and winter. Preliminary network and infrastructure recommendations were presented to the TAC and Board last spring and fall, based largely on GIS analysis that considered:

- Public comment, safety, level of stress,
- Trip origins and destinations, and
- Previous plans/studies.

A project feasibility layer was added later and combined with priorities to produce a recommended network map identifying both.

Staff provided extensive comments on priority recommendations and feasibility determinations last September which led to some revisions and another round of comment/review solicitation. We conducted this through Front Porch Forum and local Bike/Ped committees from October to December. More recently TAC comments were received and further revisions made.

At the April TAC meeting, staff presented the plan with a focus on its network recommendations.

Staff Recommendation: Staff recommends approval of the Active Transportation Plan.

TAC Recommendation: Voted to approve the ATP on 4/4/17

Staff contact: Peter Keating, pkeating@ccrpcvt.org 861-0124

Attachments: The ATP and priority map can be found at http://www.ccrpcvt.org/our-work/our-plans/regional-bikeped-plan/
Chittenden County Regional Planning Commission
April 19, 2017
Agenda Item 8: Action Item

Comments on draft “Investigation and Remediation of Contaminated Properties Rule”

Issues

Enclosed is a draft comment letter proposed for the Board’s consideration to send to the Vermont Department of Environmental Conservation (DEC) on the Department’s draft “Investigation and Remediation of Contaminated Properties Rule.” Comments must be transmitted no later than 11:59 p.m., April 19, via email to DEC.

CCRPC was asked to weigh in on this draft Rule by the City of Burlington’s Mayor’s Office, because this Rule creates an unnecessary and costly procedure for management of urban soils, and runs counter to the state’s, region’s and local goals of smart growth development. The draft memo includes concerns expressed by the Mayor’s Office, and suggested edits from CCRPC’s Brownfields Advisory Committee.

Please keep in mind:

1. The suggested edits in the attached memo are Staff’s first attempt at capturing the Brownfield Advisory Committee’s comments from April 10th. We’ve asked the Committee to review and let us know by Monday, April 17th if their comments are accurately captured.

2. Brownfield Advisory Committee members, Razelle Hoffman-Contois of the Vermont Department of Health and Brett Long of the Vermont Department of Economic Development abstained from this discussion and from preparation of any comments.

The full draft rule can be viewed here: http://dec.vermont.gov/sites/dec/files/documents/02.01.2017.final_.draft_.i.rule_.pdf

Executive Committee Recommendation

On April 5th the Executive Committee reviewed the Mayor’s comments and recommended that the Board consider them, along with any comments from the Brownfields Advisory Committee.

Brownfields Advisory Committee Recommendation:

CCRPC’s Brownfields Advisory Committee reviewed the Mayor’s comments and suggested additional comments at their Monday April 10th meeting. There was consensus to recommend these comments to the CCRPC Board for submittal to DEC. Razelle Hoffman-Contois and Brett Long have abstained from discussion and preparation of comments.

Staff Recommendation:

Recommend that the attached memo, with any edits from CCRPC’s Brownfields Advisory Committee, be submitted to the DEC.

For more information, contact:

Dan Albrecht
dalbrecht@ccrpcvt.org or 846-4490 ext. *29
MEMORANDUM

TO: Emily Boedecker, Commissioner, and Lynda Provencher, VT Department of Environmental Conservation
FROM: Chittenden County Regional Planning Commission Board of Directors
DATE: 4/19/2017
RE: Draft Investigation and Remediation of Contaminated Properties Rule (I-Rule)

Thank you for the opportunity to comment on the Draft Investigation and Remediation of Contaminated Properties Rule (I-Rule). The draft I-Rule is still unworkable, runs counter to the State’s and our smart growth goals, and does not meet the intention of Act 50. Given our concerns expressed below as well as that provided by others at your April 5th and 6th public meetings, we ask that you draft another revision to address the following comments and provide at least one last opportunity for public comment prior to submission to LCAR. We feel strongly that this is not yet ready for adoption.

DEC’s rules are orders of magnitude more stringent than Vermont’s neighbors and lack the scientific basis to justify that divergence.

- For example, as the table in Appendix A makes clear, the rules would regulate PAHs for residential projects at amounts 1/200th the regulatory limit of Massachusetts, but do not claim that Massachusetts regulations are creating public health or environmental concerns that justify such an approach.

**Suggested edits:**

1. The VT Department of Health’s methodology and assumptions used in determining their Risk Based Residential Soil Screening Concentrations should be shared prior to the next revision of the I-Rule for transparency and so we may all understand the Department’s reasoning.

2. We understand that the VT VDH Risk Based Residential Soil Screening Concentrations for PAH benzo[a]pyrene (PAHs – B[a]P TEQ) will be raised from 0.0104 ppm to 0.076 ppm for residential, based on information provided at the April 5th public meeting. While this is an improvement, we also understand that EPA will be adjusting their Regional Screening Levels (RSLs) to 7x the current level. Given VT Department of Health levels trump EPA RSL levels when established for residential, the revised VT VDH level is going to be lower than the EPA levels. Therefore, we recommend the revised rule:
   a. Establish flexibility for “development soils” for site specific assessment and mitigation through the corrective action plans, and not require that the VT DPH standard automatically trump the EPA levels; and
   b. Establish the PAH benzo[a]pyrene level to at least the new EPA RSL level of 0.112, or higher putting us more in line with our neighboring states.

<table>
<thead>
<tr>
<th>Residential Standard</th>
<th>PAHs -B[a]P TEQ (ppm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>VDH Standard in Current &amp; Proposed Rule (current text)</td>
<td>0.010</td>
</tr>
<tr>
<td>VDH Standard Revision (from 4/5 meeting)</td>
<td>0.076</td>
</tr>
<tr>
<td>EPA Current RSLs</td>
<td>0.016</td>
</tr>
<tr>
<td>EPA Revised RSLs – 7x</td>
<td>0.112</td>
</tr>
</tbody>
</table>

3. Add a section within the Rule explaining how the background threshold levels come into play.
4. Correct the VT DEC Background Soil Concentration listed for arsenic, as it does not match that reported in the background study.

DEC’s rules fail to meet the unambiguous intent of the legislation directing the promulgation of these regulations to allow for thoughtful development in Vermont’s downtowns, and instead DEC’s rules will have the unintended consequence of encouraging sprawling development at the expense of Vermont’s green fields and forests.

- The draft rules fail to meet the intent of the legislation by proposing to put in place regulations that not only discourage downtown development, but could erode our environment by encouraging sprawl and bear no relation to the existing regulations of any of our neighboring states.
- As a result, these rules will dramatically increase the cost of downtown development – with no discernable environmental or public health benefit – thus encouraging development outside of our downtowns and villages at a substantial environmental and social cost.
- These proposed rules are directly in contradiction with the thoughtful policies that Vermonter have pursued for years to preserve our green spaces, to encourage smart growth, and to help create opportunities for all our citizens in our downtowns and villages.
- These rules would also have a direct and serious negative impact on organizations like Champlain Housing Trust that seek to develop affordable housing and expand opportunities for some of our most vulnerable residents.

Suggested edits:

1. Establish specific instructions and standards for “development soils” with flexibility for site specific management in the corrective action plans. The definition of development soils acknowledges that these soils are not hazardous waste, yet the standards are still too strict and lack flexibility for the various conditions that exist in urban areas. Specifically:
   a. Appendix B establishes the ability to conduct a site-specific background study when there is reason to believe the contamination present is naturally occurring. This provision should be extended to development soils, acknowledging that soils in our infill areas are going to contain remnants of human habitation and common past land uses and practices, and management of these low level contaminants is best done through these site specific studies and corrective action plans. IS THIS WHAT WE WANT TO RECOMMEND???
   b. Definition of “background” should also be broadened to acknowledge and address the concept in 1.a. above.
   c. Remove the requirement for non-hazardous contaminated soil to be covered with an engineered cap of a minimum of 18 inches. We understand 18 inches is a Superfund guideline that should not be universally required of superficial levels of contaminants in urban soils. We recommend flexibility in cap size, as determined in the corrective action plans on a site by site basis.
   d. Allow for off site stockpiling of non-hazardous development soils, as is currently allowed for petroleum contaminated soils (currently prohibited in § 35-510(a)). Further, allow for stockpiling in areas of influence, even if on site, on a case by case basis, with a contingency established in the corrective action plan. IS THIS WHAT WE WANT TO RECOMMEND???
   e. Amend the definition of “site” to account for legal property boundaries in connection with the prohibition on stock piling rule. I DIDN’T UNDERSTAND THIS COMMENT IN FULL – SHOULD WE KEEP THIS OR DELETE?
   f. Provide flexibility on long-term operations and management if the cap is proving effective and stable.
DEC’s rules waste valuable Vermont taxpayer dollars and private funds for no public benefit.

- The proposed rules have already had a disheartening impact on important community projects and organizations, unnecessarily costing taxpayers hundreds of thousands of dollars, slowing projects down, and discouraging future projects.
- Green Mountain Transit (formerly CCTA) was required to expend more than $376,000 to move soils off-site that posed no meaningful public risk.
- Similarly, the Committee on Temporary Shelter, Champlain College, the Community Sailing Center and the City of Burlington have all struggled with the implications of these new regulations as they have increased project costs.

**Suggested edit:**

1. This may be outside of this Rule, but it is imperative we make it easier for facilities to accept these soils.
## APPENDIX A

### Residential Use Soil Cleanup Standards (ppm)

<table>
<thead>
<tr>
<th>Contaminant</th>
<th>CT</th>
<th>ME</th>
<th>MA</th>
<th>NH</th>
<th>NJ</th>
<th>NY</th>
<th>RI</th>
<th>VT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lead</td>
<td>500</td>
<td>375</td>
<td>300</td>
<td>400</td>
<td>400</td>
<td>400</td>
<td>150</td>
<td>400</td>
</tr>
<tr>
<td>Arsenic</td>
<td>10</td>
<td>5.375</td>
<td>20</td>
<td>11</td>
<td>19</td>
<td>16</td>
<td>7</td>
<td>0.68</td>
</tr>
<tr>
<td>PAHs (expressed as Benzo-a-pyrene)</td>
<td>1</td>
<td>1.1</td>
<td>2</td>
<td>0.7</td>
<td>0.2</td>
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### Commercial/Industrial Use Soil Cleanup Standards (ppm)

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**SS** - Site-specific
Chittenden County Regional Planning Commission
April 19, 2017
Agenda Item 9: Discussion Item

Lake Champlain Byway Chittenden County Corridor Management Plan Update

Issues
Staff will present on activities of the Lake Champlain Byway over the years and on the attached Plan in preparation for a planned adoption resolution by the Board at its May 17th meeting.

The attached Plan is an update to the original 2002 Corridor Management Plan.

Background:
The Chittenden County Corridor of the Byway consists of the municipalities of Milton, Colchester, Winooski, Essex Junction, Burlington, South Burlington, Shelburne and Charlotte. The designated Byway motor route is U.S. 7 and a portion of U.S. 2. Although not located on the motor route, Essex Junction is included in the Byway due to its role as a transportation node given that it hosts an Amtrak passenger rail station. The 2002 CMP successfully met the requirements of Corridor Management Planning required for designation. However, a new and revised CMP is needed for a variety of reasons.

- first, the State of Vermont’s Byway program requires it;
- second, the plan needs to be updated to reflect the current state of the Byway’s intrinsic resources;
- third, the Byway must take account of the elimination of Federal NSB grant opportunities and program support that started in Federal fiscal year 2013, and
- fourth, a new CMP needs to incorporate what the Byway and its supporting organizations have learned as they have implemented various projects and collaborated together to “manage” the Byway over the last several years.

Staff Recommendation:
Please review the following sections to see if the intent is appropriate.

Page ii: Overall Byway Goals and Strategies
Section 4.1. 2017 CMP Objectives
4.3. Organizations involved in management of the Byway’s intrinsic resources
4.4. Overall responsibility of organizations that coordinate and/or manage the Byway’s intrinsic resources
4.4.1. Responsibilities of the Byway Council
4.4.2. Responsibilities of the Chittenden County Corridor Planning and Implementation Committee
4.4.3. Responsibilities of the Chittenden County Regional Planning Commission
4.4.4. Responsibilities of the municipalities
4.4.5. Responsibilities of the non-profit and private sectors

For more information, contact:
Dan Albrecht
dalbrecht@ccrpcvt.org or 846-4490 ext. *29
March 30, 2017

TO: Chittenden County Regional Planning Commission Member Municipalities and CCRPC Representatives

FROM: Bernadette Ferenc, Transportation Business Manager


At its meeting on March 22nd the CCRPC voted to warn **two public hearings for Wednesday, May 17, 2017 at 6:00 p.m.** at its offices at 110 West Canal Street, Suite 202, Winooski. This mailing provides the communities of Chittenden County with a 30-day notice of the public hearings as required by our bylaws and relevant statutes. Copies of this hearing notice and enclosures are being sent to municipal clerks for posting on public bulletin boards.

**The first hearing** is to review and hear public comments on its proposed FY2018 Unified Planning Work Program (UPWP) and budget. The UPWP includes the tasks the CCRPC proposes to have completed by staff and/or consultants during our fiscal year, which will run from July 1, 2017 through June 30, 2018. We are enclosing a copy of the full document for your review.

Please review the proposed UPWP and budget at [http://www.ccrpcvt.org/about-us/commission/annual-work-plan-budget-finances/](http://www.ccrpcvt.org/about-us/commission/annual-work-plan-budget-finances/) and contact your CCRPC representative or Charlie Baker, CCRPC Executive Director (cbaker@ccrpcvt.org) with any questions or comments. Information regarding the full list of project ideas submitted through our UPWP solicitation process conducted during January and February may also be found on our website. Any suggestions submitted by municipal staff, commissions, associate transportation organizations and the public are included on the list, along with the disposition of the request.

**The second hearing** is to review and hear public comments on proposed changes to the CCRPC’s Public Participation Plan (PPP). The PPP is the CCRPC’s guiding methodology for involving the public in its work, using both traditional and innovative outreach methods to meet the needs of the growing and increasingly diverse Chittenden County community.

The proposed amendments to the PPP include an adjustment to the number of days required to notice public hearings and amendments to the Unified Planning Work Program (UPWP), as well as the Transportation Improvement Program (TIP). The proposed amendments are available for review at [http://www.ccrpcvt.org/our-work/our-plans/public-participation-plan](http://www.ccrpcvt.org/our-work/our-plans/public-participation-plan).

Public comments will be accepted in writing (mailed to CCRPC, 110 West Canal St, Ste 202, Winooski, VT 05404) or via email, until the scheduled public hearing on May 17th. Citizens may also provide oral comments at the public hearings.

Enclosures (to municipalities only)
- Proposed FY2018 Unified Planning Work Program (UPWP) and budget
- Proposed Public Participation Plan amendments

4/12/17 – The Draft UPWP & Budget are slightly revised from the version sent with this notice, but is posted as a separate document from the meeting packet for the April 19th board meeting.
The meeting was called to order at 5:45 p.m. by the Chair, Chris Roy. He can only stay for a short time, so he asked Mike O’Brien to take over the meeting when he leaves.

1. Changes to the Agenda, Members’ Items: Chris noted we will move Items 6 and 12 up after approval of minutes. We will add an item for comments on draft brownfields rules as items 8a.

2. Approval of March 8, 2017 Executive Committee Meeting Minutes. MIKE O’BRIEN MADE A MOTION, SECONDED BY ANDY MONTROLL TO APPROVE THE MINUTES OF MARCH 8, 2017. MOTION CARRIED WITH BRIAN BIGELOW ABSTAINING.

6. FY18 UPWP and Budget. Charlie asked members to review the budget spreadsheet first. Line 14, MPO staff time, is down $89,910 from FY17, which is due primarily to the lower indirect rate. Items highlighted in yellow are things that are pending and the dollars are placeholders (lines 45, 50 and 51). Line 51 deals with water quality that is being talked about by ANR and the legislature. Charlie then reviewed the expense side. He noted that we project a deficit of $131,525 for FY18. We added notes at the bottom of the sheet to give a history of our indirect rate over the past 5 years, as well as the revenue over expenses for each fiscal year. What this shows is that over these years we have received more enough to cover this deficit. The indirect rate is going down to 67.42% for FY18. We have an agreement with VTrans which determines the indirect rate process. We made money in FY16, so that is what affects FY18 indirect rate. We do expect that this deficit amount will actually be lower. When asked if we’re going to have to send back the $300,000, Charlie noted the idea is that over time it will even out. Andy noted that we dealt with this a couple of years ago too.

Discussion ensued about our budget being the same structure we’ve used, but with a lower indirect rate; and the fact that lowering expenses will further reduce the indirect rate and therefore recover even less. We build our budget on actual costs. Charlie explained that although this looks bad with such a large deficit, we had recovered costs higher than estimated. Chris Roy suggested that VTrans and the feds should have a maximum sway in the rate. Charlie said 3 or 4 years ago the RPCs entered into a MOU with VTrans about how to calculate indirect rate. Lengthy discussion continued.

Charlie noted we did talk to the chief auditor about this and VAPDA will discuss this again tomorrow probably leading to an update of the MOU over the summer. Mike said he noticed that we already made some cuts in our expenses. Charlie noted that we have budgeted a 3% raise for salaries.
12. **Executive Session.** MIKE O’BRIEN MADE A MOTION TO GO INTO EXECUTIVE SESSION AT 6:07 P.M. TO DISCUSSION PERSONNEL ISSUES AND HAVE THE EXECUTIVE DIRECTOR JOIN US. BARBARA ELLIOTT SECONDED AND THE MOTION CARRIED UNANIMOUSLY.

BARBARA ELLIOTT MADE A MOTION, SECONDED BY MIKE O’BRIEN, TO COME OUT OF EXECUTIVE SESSION AT 6:26 P.M. MOTION CARRIED UNANIMOUSLY.

BARBARA ELLIOTT MADE A MOTION, SECONDED BY ANDY MONTROLL, THAT THE EXECUTIVE COMMITTEE RECOGNIZE EMPLOYEE ACHIEVEMENT AND AUTHORIZES THE EXECUTIVE DIRECTOR TO SPEND UP TO 100% OF THE FY18 SALARY BUDGET AS DETERMINED BY THE EXECUTIVE DIRECTOR FOR STAFF AND AS DETERMINED BY THE EXECUTIVE COMMITTEE FOR THE EXECUTIVE DIRECTOR. MOTION CARRIED UNANIMOUSLY. Chris Roy left the meeting and Mike O’Brien took over as chair.

3. **Act 250 & Section 248 Application.**
   a. Bellis, Richmond. Application #4CO558-5B. Regina referred to the letter in the packet. The site plan is actually from their previous application to show the location. This is a partial review of Wildlife Habitat addressing proposed onsite and offsite mitigation to protect a deer wintering area that will be affected by the creation of a two-lot subdivision and the construction of one single-family residence, an accessory dwelling, shared driveway, onsite water and sewer; and preservation of 42.88 acres of land on Lot 2. We have conferred with Richmond, but this project has been in the works for a long time and they aren’t sure if local approval was given. JOHN ZICCONI MADE A MOTION THAT WE SEND THE LETTER TO THE D.E.C. BARBARA ELLIOTT SECONDED AND THE MOTION CARRIED UNANIMOUSLY.

4. **Bylaw Amendments.** Charlie noted that we did not take action at the March meeting as Milton had given us a couple of edits. The first had to do with municipal service agreements – page 10, line 33 – they wanted it clarified that this related to municipal service agreements with the CCRPC and not with other municipalities. John Zicconi questioned page 11, line 29 and whether we should remove the “or nonprofit” and just say “…other entities and governmental organizations...” Members agreed to remove “nonprofit”. On page 17, under CWAC, Milton wondered if we should include Champlain Water District, which brought up discussion about whether other organizations should be included, such as other water districts. There is some possibility that ANR may require a formal relationship with these organizations. The CWAC had added: There shall be up to 24 members and representatives of organizations as follows (and lists them). Charlie asked if we agree with the addition of “voting” members. After a brief discussion, it was agreed by Executive Committee that instead of saying – other organizations as may be determined appropriate by the CWAC or the CCRPC; that we say something like, “Other organizations as may be determined appropriate by the CCRPC may be added in a voting or non-voting capacity, as recommended by the CWAC.” Discussion continued on voting. Other RPCs are adding conservation district members, etc. Charlie would be more comfortable with the board making the decision on the voting rights at the time an organization or entity is added. JOHN ZICCONI MADE A MOTION, SECONDED BY ANDY MONTROLL, TO RECOMMEND THE CHANGES TO THE BYLAWS TO THE BOARD TAKING INTO CONSIDERATION THE CHANGES WE MADE TODAY. MOTION CARRIED UNANIMOUSLY.

5. **Procurement Policy Update.** Although we will not take action on this topic today, members had questions.
a. Mike O’Brien asked if the question we had about Local Motion billing us full costs for the bike racks even though they received a commission is addressed in this document. Charlie said yes, under procurement Code of conduct, second bullet.

b. When asked why we’re amending this, Charlie said it is a federal requirement noted in our audit. Christine Forde did research to get our policy compliant with 2 CFR, Part 200 (Super circular) and Vermont Agency of Administration Bulletin 3.5 dealing with procurement and contracting procedures.

c. Page 8, retainer contractors – some members did not understand, so staff explained that we solicit firms to be pre-qualified so that when projects come up, we can choose the firm best fitted for the work.

d. Barbara questioned page 4 – Procurement by competitive proposals (Standard Bid Process) and the word “adequate” and suggested we change it to “at least 3”, unless a valid reason why not.

e. Barbara also noted that under Procurement Types and Requirements, we say there are four methods of procurement, but only list three. We need to add sealed bids.

As it turns out, Charlie talked to Amy Bell this morning and she asked that we table action on this until we clarify some things to be sure all RPCs have similar procurement policies, by perhaps forming a working committee. Our audit requires that we must have a new policy in place by June 30th. Barbara presented Charlie with a marked up copy with grammatical/ spelling/punctuation corrections.

Discussion went back briefly to a note on the FY18 budget regarding a sound system in the main conference room. When Charlie asked members if there has been a concern about not being able to hear in the conference room, members thought perhaps the issue is the conference telephone and not the need for a sound system. They did suggest we bring this question up to the full board. Charlie noted we have another month before the Executive Committee needs to make a recommendation to the Board on the UPWP and Budget.

6. Chittenden County Active Transportation Plan. There is a memo in the meeting packet describing changes since the Board presentation last September after another round of comment/review solicitation. Staff asked for the Executive Committee to make a recommendation to the board to approve the Active Transportation Plan. Since members had not reviewed the most recent document, they did not make a recommendation and will defer to the TAC’s opinion.

8. Discuss Auditor Selection for FY17 Audit. Brian Bigelow noted that there was a question about whether we want to do an RFP since it’d been five years. Mike O’Brien said another question was whether the staff auditor was becoming too familiar with our system. Charlie had asked Fred Duplessis if there are industry standards regarding when new audit firms or staff should be solicited, but there were none. Members agreed that it might be time to send out an RFP. Nobody has an issue with Sullivan Powers, but we want to keep a check on the costs.

8 a. Brownfields – comments on Draft Investigation and Remediation of Contaminated Properties Rule (i-Rule). Regina distributed staff comments to send to Vermont Dept. of Environmental Conservation and asked members what they want to do. The current rule is too costly to implement. Another study was done and new rules have been prepared to address the issue, but they haven’t. This document takes the Mayor’s suggestion verbatim. We’d like to have the Brownfields Committee review this at their meeting next week since they’re familiar with the Rule; and then bring any additional comments to the board at the meeting, since comments are due April 19, 2017. Staff is looking for a recommendation
from the Brownfields Committee. Members agreed to recommend the board take the recommendation from the Brownfields Committee.

9. Chair/Executive Director’s Report.
   a. Regional Dispatch Update. Charlie has three more towns to get to on the regional dispatch update. Andy Montroll noted the Mayor is in favor per his State of the City speech. Essex is the one town that has tabled action about joining the Joint Survey Committee.
   b. Water Quality Implementation Role. The legislature and DEC are considering funding the RPCs to help manage water quality implementation projects.
   c. Annual Meeting Location and Guest Speaker. We have confirmed with Catamount Country Club on Mountain View Road in Williston for June 21st and the guest speaker will be Julie Moore, ANR Secretary.

10. Agenda review for April 19, 2017 board meeting. Members felt the agenda was too full and asked what could come off. The energy plan contract requires us to have a draft by the end of May, so we wanted to give a heads up at the April meeting. It was agreed to postpone any presentation until May.

Andy asked Executive Committee members to let him know if they do not want to continue to serve, as the Board Development Committee will be charged with coming up with a slate of officers for FY18 by the May meeting.

There being no further business, JOHN ZICCONI MADE A MOTION, SECONDED BY ANDY MONTROLL TO ADJOURN THE MEETING AT 7:15 P.M. MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

Bernadette Ferenc.
April 6, 2017

Stephanie H. Monaghan  
Act 250 Coordinator  
111 West Street  
Essex Junction, VT 05452

RE: James and Karen Bellis; Richmond; Application #4C0448-5B

Dear Ms. Monaghan:

The Chittenden County Regional Planning Commission’s Staff and Executive Committee have reviewed this Act 250 application for a Project described as the partial review of Criterion 8(A)—Wildlife Habitat, addressing proposed onsite and offsite mitigation required in previously approved Partial Findings of Fact and Conclusion of Law and Order #4C0558-5A. The mitigation in question is required to protect a Deer Wintering Area that will be affected by the creation of a two-lot subdivision and the construction of one single-family residence, an accessory dwelling, a shared driveway and onsite water and sewer for Lot 1, and the preservation of 42.88 acres of land on Lot 2. To the best of our knowledge, the project has not yet received local approval. **We offer the following comments:**

The project is located within the Rural Planning Area as defined in the Chittenden County Regional Plan, entitled the *2013 Chittenden County ECOS Plan*. While the Rural Planning Area is not one of the areas planned for growth we find this two lot subdivision, with one single family house and one detached accessory dwelling on 4.02 acres, and 42.88 acres preserved to be a suitable level of growth within the Rural Planning Area. In addition, the density and uses are consistent with the local regulations. Therefore, we find this project to be in conformance with the Planning Areas of the *2013 Chittenden County Regional Plan*.

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. **We offer no comments related to transportation at this time.**
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
March 10, 2017

Judith C. Whitney, Clerk
Vermont Public Service Board
112 State Street, 4th Floor
Montpelier, VT 05620

Re: Petition of Vermont Green Line Devco, LLC, pursuant to 30 V.S.A. §248, for a certificate of public good to own, operate and construct an underwater and underground 400 MW high voltage direct current (“HVDC”) electric transmission line, converter station and associated facilities to be located in Lake Champlain and the Towns of Ferrisburgh, Waltham and New Haven, Vermont, and for de minimis regulation.

Docket # 8847

Dear Ms. Whitney:

Enclosed for filing in the above captioned matter please find our Motion to Intervene on behalf of Chittenden County Regional Planning Commission. No Certificate of Service is provided because all parties are informed digitally through the ePSB system.

Thank you for your attention on this matter. Please contact me if you have any questions or concerns.

Sincerely,

Charlie Baker
Executive Director

cc: Service List (digitally via ePSB system)
STATE OF VERMONT
PUBLIC SERVICE BOARD

Petition of Champlain VT, LLC, d/b/a TDI New England, for a certificate of public good, pursuant to 30 V.S.A. §248, authorizing the installation and operation of a high voltage direct current (HVDC) underwater and underground electric transmission line with a capacity of 1,000 MW, a converter station, and other associated facilities, to be located in Lake Champlain and in the Counties of Grand Isle, Chittenden, Addison, Rutland and Windsor, Vermont, to be known as the New England Clean Power Link Project (“NECPL”)

Docket #8400

MOTION TO INTERVENE

CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION

Now comes Chittenden County Regional Planning Commission (“CCRPC”), pursuant to Vermont Public Service Board (“Board”) Rule 2.209, hereby files the following Motion to Intervene. In support hereof, CCRPC states the following:

1. Petitioner seeks to develop a high voltage direct current (HVDC) underwater and underground electric transmission line with a capacity of 1,000 MW, a converter station, and other associated facilities, to be located in Lake Champlain and in the Counties of Grand Isle, Chittenden, Addison, Rutland and Windsor, Vermont.

2. The CCRPC is a political entity that represents the needs of member municipalities and the region as a whole. CCRPC member municipalities affected by the project include the City of Burlington, Town of Charlotte, Town of Colchester, Town of Shelburne, and the City of South Burlington. In addition, the potential reconductoring of the transmission lines between Vermont Transco’s New Haven substation and the Williston substation may have significant impacts on the municipalities through which the transmission line traverses, including the Chittenden County municipalities of Hinesburg, St. George and Williston. Petitioner’s project will impact these municipalities in the CCRPC Region; therefore, the project will impact CCRPC as well. The CCRPC is uniquely interested in the project’s impact on the region’s economic interests.
3. Title 30, Section 248(b)(1), states that before the Public Service Board issues a certificate of public good with respect to an in-state facility, with respect to a transmission line subject to board review, the line will not unduly interfere with the orderly development of the region with due consideration having been given to the recommendations of the municipal and regional planning commissions.

4. CCRPC previously filed a Motion to Intervene on 1/13/17, citing a substantial interest in economic and environmental issues in the CCRPC region. This motion was denied by the Public Service Board in “Order Re: Motions to Intervene” (dated 2/23/17), which stated that “CCRPC's motion does not explain how it has a substantial interest in this Project, which is not located in Chittenden County” (emphasis added).

   *This is false.* Page 2 of Exhibit VGLD-BR-4 is a map entitled “Vermont Green Line Lake Champlain Marine Centerline Overview Plan.” This map shows that, beginning in the segment labeled HVDC-VT-M-007 and continuing south to the landing site, the centerline of the proposed transmission line is located within Vermont. 24 VSA §5 defines the Chittenden County as its member municipalities and “so much of Lake Champlain as lies in this State west of the towns in the county adjoining the lake and not included within the limits of the County of Grand Isle.” *Therefore, the project is located within Chittenden County, and the Board’s denial of CCRPC’s motion to intervene on the grounds that the Project is not located in Chittenden County must be reconsidered.*

   Additionally, it should be noted that CCRPC was granted party status in the proceedings regarding TDI New England’s underwater transmission line, which followed a similar path through Lake Champlain (see Order Re: Intervention Requests, Docket #8400, 3/12/2015).

5. A person has the right to intervention, pursuant to Board Rule 2.209(A): “Upon timely application, a person shall be permitted to intervene in any proceeding (1) when a statute confers an unconditional right to intervene; (2) when a statute confers a conditional right to intervene and the condition or conditions are satisfied; or (3) when the applicant demonstrates a substantial interest which may be adversely affected by the outcome of the proceeding, where the proceeding affords the exclusive means by which the applicant can protect that interest and where the applicant's interest is not adequately represented by existing parties.” *Id.*

6. CCRPC has a substantial interest in economic issues in the CCRPC region and its particularized interests may be adversely affected by the outcome of this proceeding. CCRPC is particularly concerned about two economic issues:
   a. Whether Chittenden County lakefront municipalities (City of Burlington, Town of Charlotte, Town of Colchester, Town of Shelburne, and the City of South Burlington) will receive tax revenues from this project; and
   b. The potential reconductoring of the transmission lines between Vermont Transco’s New Haven substation and the Williston substation, which may have significant impacts on the Chittenden County municipalities (Hinesburg, St. George and Williston) through which the transmission line traverses.
7. CCRPC’s interests potentially diverge from the interests of the other parties and therefore may not be adequately protected by other parties. CCRPC’s unique interests within its jurisdictional boundaries cannot be protected unless it directly participates in this proceeding. Further, CCRPC represents its member municipalities and their interests, which are not protected by any other parties in this case.

8. There are no alternative means by which CCRPC’s interests can be protected as they relate to this matter.

9. Intervention will not unduly delay the proceeding or prejudice the interests of existing parties or the public.

WHEREFORE, the Chittenden County Regional Planning Commission respectfully requests that the Board grant its Motion to Intervene pursuant to Board Rule 2.209(A), or in the alternative, Board Rule 2.209(B).

Dated at Winooski, Vermont this 10th day of March, 2017.

Chittenden County Regional Planning Commission

By:  

Charlie Baker
Executive Director
Chittenden Cty. Regional Planning Commission
110 West Canal Street, Suite 202
Winooski, VT 05404
March 10, 2017

Leslie A. Cadwell, Esq.
Alison Milbury Stone, Esq.
Legal Counselors and Advocates, PLC
PO Box 827
Castleton, VT 05735

Re: Docket # 8847 - Petition of Green Line Devco LLC for a Certificate of Public Good

Ms. Cadwell and Ms. Milbury:

Enclosed for your response is the Chittenden County Regional Planning Commission’s Information Requests on Petitioner. All parties have email addresses listed in the ePSB Portal for this case will be notified of the case through our submittal in ePSB.

Thank you for your attention on this matter. Please contact me if you have any questions or concerns.

Sincerely,

Charlie Baker
Executive Director

cc: Service List (digitally via ePSB)
PUBLIC SERVICE BOARD

Petition of Vermont Green Line Devco LLC, pursuant to 30 V.S.A. §§231 and 248, for a certificate of public good to own, operate and construct an underwater and underground 400 MW high voltage direct current (HVDC) electric transmission line, converter station, and associated facilities to be located in Lake Champlain and the Towns of Ferrisburgh, Waltham, and New Haven, Vermont. (Docket #8847)

INFORMATION REQUESTS SERVED UPON PETITIONER BY THE CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION

The Chittenden County Regional Planning Commission (“CCRPC”) by: Charlie Baker, Executive Director, Regina Mahony, Planning Program Manager, and Emily Nosse-Leirer, Planner, hereby serves the following set of Information Requests upon the Petitioner in this matter in accordance with Public Service Board (“Board”) Rule 2.214 and V.R.C.P. 33 and 34, and requests that Petitioner answer the requests in accordance with V.R.C.P. 33 and 34 and deliver its answers and all requested documents and materials to the CCRPC via email not later than April 7, 2017. Petitioner is requested to provide a copy of its answers in electronic format, that is, in Word or .pdf format.

INSTRUCTIONS

1. Reproduce the request being responded to before the response per V.R.C.P. 33.

2. Responses to any and all CCRPC requests that are contained herein or that may be filed later should be supplied to the CCRPC as soon as they become available to Petitioner. That is, Petitioner should not hold answers to any requests for which they have responsive data, documents, etc. until responses to any or all other requests are compiled.

3. V.R.C.P. 33 requires the response to each request to be made under oath by a person competent to testify concerning the response and all documents and exhibits produced as part of the response. With respect to each request, please state (1) the name(s) and title(s) of the person or persons responsible for preparing the response; and (2) the administrative unit which maintains the records being produced or maintains the data from which the answer was prepared; and (3) the date on which each question was answered.

4. Where information requested is not available in the precise form described in the question or is not available for all years (or other periods or classifications) indicated in a series of years (or other periods or classifications), please provide all information with respect to the subject matter of the question that can be identified in Petitioner’s workpapers and files or that is otherwise available.

5. These requests shall be deemed continuing and must be supplemented in accordance with V.R.C.P. 26(e). Petitioner is directed to change, supplement and correct its answers to conform to all information as it becomes available to Petitioner, including the substitution of actual data for estimated data. Responses to requests for information covering a period not entirely in the
past (or for which complete actual data are not yet available) should include all actual data available at that time and supplementary data as it becomes available.

6. Wherever responses include estimated information, include an explanation (or reference to a previous explanation) of the methods and calculations used to derive the estimates.

7. Some of the CCRPC's requests may make particular reference to a portion of Petitioner’s filing. Notwithstanding this specific direction, these items should be understood to seek discovery of all information available to Petitioner that is responsive to the questions stated.

8. “Identify,” when used in connection with natural person(s) or legal entities, shall mean the full name and current business address of the person or entity.

9. “Document,” as used herein, shall be construed as broadly as possible to include any and all means and media by which information can be recorded, transmitted, stored, retrieved or memorialized in any form, and shall also include all drafts, versions or copies which differ in any respect from the original. All spreadsheets provided must have all formulae intact and accessible.

10. “Petition,” as used herein, means Petitioner’s petition filed with the Vermont Public Service Board in this docket, unless the context indicates otherwise.

11. With respect to each document produced by Petitioner, identify the person who prepared the document and the date on which the document was prepared.

12. If any interrogatory or request requires a response that Petitioner believe to be privileged, please state the complete legal and factual basis for the claim of privilege, provide the information required by the 5/16/95 order in Docket No. 5771 and respond to the parts of the interrogatory or request as to which no privilege is asserted.

13. If any interrogatory or request is objected to in whole or in part, please describe the complete legal and factual basis for the objection, and respond to all parts of the interrogatory or request to the extent it is not objected to. If an objection is interposed as to any requested documents, please identify the document by author, title, date and recipient(s), and generally describe the nature and subject-matter of the document as well as the complete legal and factual basis for the objection.

14. To expedite the discovery process and the resolution of this docket, Petitioner should contact CCRPC as soon as possible, and prior to the above deadline for response, if it seeks clarification on any of these information requests.

15. CCRPC reserves the right to submit additional information requests to Petitioner.
INTERROGATORIES AND REQUESTS TO PRODUCE

Economic Interests

1. ISO New England in their letter to Hantz Presume, dated December 28, 2016, noted that the Reliability Committee “did not identify a significant adverse effect on the reliability or operation characteristics” from this transmission line. However, this included VELCO-16-T18 as part of the project. VELCO-16-T18 is the reconductoring of the 115Kv transmission lines between New Haven and Williston. This reconductoring may have significant impacts on the CCRPC member communities of Hinesburg, St. George and Williston. Is this reconductoring necessary for system stability and reliability, and will more details on the scope and impacts of the reconductoring be provided so that CCRPC may evaluate and comment on the impacts of the reconductoring to the region?

Dated at Winooski, Vermont this 10th day of March, 2017.

Chittenden County Regional Planning Commission

[Signature]

Charlie Baker
Executive Director
Chittenden County Regional Planning Commission
110 West Canal Street, Suite 202
Winooski, VT 05404

cc: Parties (digitally via ePSB)
March 10, 2017

Stephanie H. Monaghan
Act 250 Coordinator
111 West Street
Essex Junction, VT 05452

RE: 4 Pearl Street Investments, LLC; Essex Junction; Application #4C1264-1;

Dear Ms. Monaghan:

The Chittenden County Regional Planning Commission’s Staff and Executive Committee have reviewed this Act 250 application for a project described as the approval of commercial signs and awnings on a previously-approved mixed use building. The Project is located at 4 Pearl Street in Essex Junction, VT. The project was previously approved by the Essex Junction Zoning Board of Adjustment in 2014, but we understand that awnings and signage of the dimensions in question here are allowed by the Village of Essex Junction Land Development Code and may be approved administratively by Essex Junction staff. We offer the following comments:

In 2014, CCRPC found this project to be in conformance with the Chittenden County Regional Plan, entitled the 2013 Chittenden County ECOS Plan. The proposed aesthetic amendments to the project do not change this fact. Specifically, this project is located in the ECOS Plan’s Center Planning Areas, which, among other characteristics, “are intended to be regional centers or traditional downtowns that serve the County and beyond and contain a mix of jobs, housing, and community facilities…and offer a variety of transportation options, including non-motorized modes.” We find that the addition of signage and awnings assists with the creation of a pedestrian-friendly streetscape, further supporting the ECOS Plan’s goals.

We have no comments on impacts to traffic at this time.

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,

[Signature]

Charlie Baker
Executive Director

Cc: CCRPC Board
Certificate of Service
1. **Welcome + Introductions**

2. **Review Minutes**

The January 31st minutes were revised based on a committee members feedback. The Committee reviewed these changes and approved them. Everyone voted yes except Jim Donovan, who abstained as he was not present. The Committee will also review the February 21st minutes and approved them. Everyone voted yes except Jim and Sharon, who abstained because they were absent.

3. **Presentation on New Public Service Department Guidance for Writing Enhance Energy Plans**

**Utility-scale wind targets**

Jeff asked if the region would still have to meet the same MW target. Melanie confirmed that we would. Sharon said that it makes sense to leave wind targets at the regional level but not to break them down to the local level. Melanie showed a map (see corresponding slide). The committee discussed the fact that not splitting the wind targets up by town might mean that it is hard to see whether each town is meeting its energy targets. Would they have to meet it all through solar? Or would there only be region-level wind generation targets, and towns would only have to make as much energy as they could make in solar? What about those towns with wind potential in the regional plan? The committee asked staff to look into the best way to deal with this issue and report back.

Jeff also made the point that the regional plan will hold in Section 248 proceedings so if there is a conflict between the regional and town plan it’s important for the regional plan to be in agreement with what the towns want here.

Robin Pierce raised a concern that the plan discusses energy generation too much, and should discuss conservation more. Melanie clarified that the generation targets included here do reflect the 1/3
reduction in energy usage by 2050.

Sharon asked if the plan can have a statement to the effect of deferring to local policies. Melanie made the point that the policies used to make the map are all local policies. Karen mentioned that towns need to be very involved in the process of splitting up wind power if it’s not going to be split evenly through the county. The committee agreed, and thought that affected towns should have serious talks with their residents, possibly by hosting specific forums on these issues. Could the town planners in affected communities be the point people for these discussions? The committee agreed that these are discussions that the state needs to have, but that they will be hard discussions to have.

Jeff suggested, and Catherine agreed, that discussing wind energy footprints in terms of turbines rather than acreage might be helpful for communicating the needs of the region.

Staff mentioned that they will have preliminary results of energy consumption per sectors by town at the next meeting.

**Acreage Changes**

Previously, staff have been using DPS guidance that 1 MW of solar = 8 acres of panels. New DPS guidance suggests that using an overestimation of 60 acres per 1 MW would be better to ensure that we’re able to meet the guidance.

Keith suggested that maybe it would be better to list this as a “contingency factor,” ex. 1 of every 4 property owners would likely be able to develop as appropriate. Or say that XX acres is the amount of land that is needed physically, but that it’s likely that only XX% of properties will be able to make it work.

Discussion continued on whether inflating the number of acres that towns should plan for is appropriate or not. Perhaps the solution is having a paragraph that states that only a certain percentage of prime acres will be developed, and so towns should be cognizant of that.

Keith suggested that dividing the number of acres needed to make a target MW by the number of total prime acreage will give us a percentage showing the town’s likely ability to make its targets.

See also the relevant slides in the presentation.

The committee was pleased to learn that a significant portion of the region’s solar could likely be met through rooftop systems. Staff will continue to revise these targets.

**Defining preferred locations for generation**

Preferred locations allow net metering systems to be up to 500 kW in size, rather than the 150 kW caps for non-preferred locations.

Net metering rules that are still being discussed allow for preferred locations to be defined as “a specific location that is identified in a joint letter of support from the municipal legislative body and municipal and regional planning commissions in the community where the net-metering system will be located.”
Karen asked if CCRPC will be willing to write supporting letters for issues like this. Regina said that we don’t have a policy yet, but likely would not if the town wasn’t already fully in support of the project.

Keith suggested that the RPC might want to facilitate a public process for municipalities to come up with preferred sites.

4. **Regional Solar + Wind Targets, Solar Town Targets**
Based on committee feedback, Melanie analyzed the differences in electricity use per capita between towns, but the committee agreed that it didn’t make sense to factor this in.

Melanie also showed the differences between two different methods to split up energy generation targets per town. Method 1 averaged population share and resource share per town, and Method 2 included those and the town’s share of electricity consumption. Most towns had a slight reduction in target MW with Method 2, but South Burlington and Burlington had increases. The committee agreed that Method 2 would be the best. Regina asked if this method was anti-smart growth because it means that, for example, Burlington’s population growing would mean that their solar targets would grow as well, and it might be impossible for the city to make this amount of energy. Staff will move forward on Method 2.

Melanie informed the committee that all the towns that have provided local constraints can meet their solar targets with the local constraints factored in.

Sharon asked if the state’s draft sound standards for wind will be incorporated into the maps. Melanie said she will examine the draft rules for buffers for wind turbines from residential areas. It’s unclear when the rules will be adopted. Staff will examine this further.

5. **Update on LEAP modeling**
Melanie reminded the committee of the discussion that took place with David Roberts at the last subcommittee meeting. David presented several options for future Vehicle Miles Traveled (VMT) to be incorporated into the LEAP model. Staff recommends that the Long-range Energy Alternative Plan (LEAP) model use 9,269 miles as a base VMT per capita number for the model. Melanie clarified that the LEAP model will also consider CCRPC’s VMT reduction strategies included in the planning scenarios from the ECOS plan. The committee asked if their local data analysis can include more accurate local data. The answer is yes, but there might not be better data for every analysis option.

LEAP will be revised with CCRPC’s population projection model that is in the process of being approved by the board now.

CCRPC staff has spoken with VT Gas staff about the phase out of natural gas use in the LEAP model. This is obviously outside of VT Gas’s business plan. The best option going forward is for the plan to include “real world” language saying that the 90X250 scenario is aspirational and that there are a lot factors in play like cost that are not considered in the technical model and do not consider the likelihood of electrifying the heating sector given these factors.

6. **Next Steps**
The meeting adjourned at 7:04pm. The next meeting will be on April 18.
UPWP Committee Meeting 3
March 23, 2017

Attendees:
Mike O’Brien, Committee Chair
Amy Bell, VTrans
Barbara Elliot, TAC
David Armstrong, GMT
Chris Jolly, FHWA
Ken Belliveau, PAC
John Zicconi, Board
Andrea Morgante, Board
Justin Rabidoux, TAC
Joss Besse, PAC

Staff:
Charlie Baker
Regina Mahony
Eleni Churchill
Forest Cohen
Marshall Distel
Christine Forde

1. Opening the Meeting - Committee Chair Mike O’Brien opened the meeting at 5:35 p.m. Introductions were made.

2. Minutes – David Armstrong and Joss Besse noted minor corrections to the second UPWP Committee meeting minutes. Barbara Elliot then moved to approve the minutes from the prior meeting and Ken Belliveau seconded approval of the minutes. The motion was approved unanimously.

   Marshall Distel noted an additional agenda item (#4) was included to review the draft FY18 budget.

3. Review of Draft FY18 UPWP – Eleni Churchill and Regina Mahony provided the Committee with an overview of the draft FY18 UPWP. Eleni explained changes in the latest draft UPWP hard copy provided at the meeting (3/23/17) compared to the draft document that the committee received on 03/17/2017. Changes where highlighted in orange and were related to the CCRPC staff costs, transportation consultant costs, and municipal contributions. Regina pointed out that lines 25, 26, and 28 are examples of land use projects that cannot fit into the UPWP due to a lack of available planning staff hours. These projects will be reevaluated at the FY18 mid-year adjustment. Eleni explained that the local match for the proposed Charlotte project was not approved by the Selectboard. Therefore, the original $50,000 budget for this project will be moved to the Winooski Bridge Scoping project. Marshall responding to a question from the second UPWP Committee meeting, indicated that neither the Mount Philo Road nor Spear Street in Charlotte are listed as regional priority bicycle corridors in the latest (draft) Active Transportation Plan.
Charlie Baker explained the Water Quality Project Development & Implementation Task (3.3.1) and how the CCRPC may be tasked by ANR to manage water quality construction projects. At this point, this is a place holder in the UPWP. It is currently a pending initiative. Charlie also noted some of the additional water quality tasks that are currently in the FY18 Work Program.

Mike asked Charlie to clarify the total costs at the end of the draft UPWP to the Committee. Charlie explained that when staff looked at the current draft FY18 UPWP, there was no need to cut any more consultant projects out of the budget. Everything that is currently listed fits within the overall budget constraints and available staff hours. Eleni explained that the CCRPC is comfortable with the amount of transportation staff time that will be required to complete the FY 18 tasks/projects. Charlie detailed how the staff hours were configured and the process of working backwards to make everything fit into the Work Program. Regina indicated that the land use staff is somewhat overbooked compared to the transportation staff, which is why there are a few land use projects that need to be delayed.

Amy Bell noted that by the end of the year, the CCRPC will have a much better understanding about how much funding will be available from carry-forward projects.

Amy also explained how the Town of Bolton might need to investigate a potential pedestrian-only tunnel adjacent to the Notch Rd. VTrans will be sending a letter that will recommend that the Town approach the CCRPC for a scoping project to address the community’s pedestrian needs at the underpass. Joss explained how this is currently a pressing safety issue. The current tunnel is dark and narrow, and a safety hazard for pedestrians. If the town wants to proceed with this scoping, the CCRPC will reevaluate this project at the mid-year adjustment to try to fit this into the FY 18 Work Program.

Amy noted that there may be small adjustments made to the draft UPWP deliverables due to TPI tasks and technical assistance requests that will need to be added into the Work Program. Charlie noted that the same is true regarding our regional planning scope of work with ACCD.

Justin asked about the FY17 carry forward projects. Charlie explained that this information will be provided in the next version of the draft FY 18 UPWP that will go out to the Board in May.

4. Review of Draft FY18 Budget

Charlie provided the Committee with an overview of the draft FY18 budget. Line 14 went down primarily because of a lower indirect rate that has been approved for FY18. Less of the CCRPC’s expenses are getting reimbursed, which explains this drop. Charlie explained the new water quality projects. John Zicconi then asked about the better
roads grants. Charlie explained that this should be pending and highlighted in yellow. The expense budget is fairly consistent from year to year, with the main changes related to salaries and benefits. There will be a new half-time employee with the Chittenden County Opioid Alliance, that is reflected in the FY18 budget. Charlie noted an increase in line 88 that reflects tuition reimbursement for employee training. Charlie and Forest explained the fluctuations in the approved indirect rate and how this impacts year-end income. John explained that the budget doesn’t reflect a problem, but rather it reflects that the CCRPC needs to give back some of the excess revenue that was collected in years when the indirect rate was higher.

Ken Belliveau asked about the Circ Alternatives Phase II projects in line 19. Charlie explained that this was part of the Circ Alts TDM projects/initiatives which concluded in December 2016.

5. Advance FY18 UPWP (Action)
Justin Rabidoux moved that the UPWP Committee make a recommendation to forward the FY18 UPWP to the Executive Committee and Board. John Zicconi seconded this motion. The motion was then approved unanimously.

6. Adjournment - Mike adjourned the meeting at 6:30.

Respectfully submitted,

Marshall Distel
The meeting was called to order at 5:50 p.m. by the Committee Chair, Brian Bigelow.

1. **Approve January 25, 2017 Finance Committee Meeting Minutes.** MIKE O’BRIEN MADE A MOTION TO APPROVE THE MINUTES OF JANUARY 25, 2017. BRIAN BIGELOW SECONDED AND NOTED A SPELLING ERROR. MOTION CARRIED.

2. **Review of Financial Reports – FY17 through February**
   a. **Balance Sheet; Income Statement.** Forest noted that as of February 28th, we had $124,840 in checking; $241,035 in savings (dues); $233,903 in Money Market and CDs (reserve). The current assets over liabilities is $645,120. Deferred revenue Communities (dues) - $204,495 available for match. **INCOME:** Through February we are 67% through the budget year. ACCD funds are being spent ahead of budget at 85%. When ACCD funds are fully expended, we will match expenses with revenue from local dues. Transportation staff billing is close to budget. We are close to billing out the Water Quality grant; and, we’ve exceeded our budget for the Regional Prevention Partnership grant. Staff is working with Dept. of Health to see if we can increase the budget. When asked about the Jericho Stormwater Master Plan being at 405%, Forest noted that he’s trying to determine how best to report this, as we’ll be seeing more of these grants as time goes on. **EXPENSES:** The salaries expense (row 79) is tracking close to budget, while benefits are a little behind. It appears likely that the Conference Travel expense will exceed the budget, while that Conference expense will be quite a bit under budget. The telephone/internet expense costs seem high, but our equipment/maintenance line is underspent – he will review how things are charged. Mike O’Brien questioned whether the EVs continue to be a good deal and when the lease is up. Forest said they continue to be a good deal as we are able to charge the approved mileage rate for the trips. Our lease was extended for one year and will expire Oct/Nov. We are waiting for new models that will have a longer charge range before we update our vehicles. The software purchase line shows a -$1,000 because a couple of organizations have purchased a license for $500 each. Our net income through February is about $57,000.
   b. **Cash Flow.** Cash is good. We’re ahead of projections and have a decent amount of money in the bank. We may end up with a little more that we started with and, if so, we can put that into reserve account.

3. **Review Draft FY18 Budget.** Charlie noted that the top of the FY18 budget doesn’t look much different, except we have fewer municipal contracts. Line 14 shows MPO staff recovery $89,000 below FY17. He believes it has to do with the lower approved indirect rate of 67.42% for FY18. He reviewed the chart at the end of the expense side that shows the history of our indirect rate. The
idea is that over time you just recover your costs, with some years having higher indirect rate and others lower. So, the projected loss for FY18 is $139,525. However, between FY13-FY16 we have had audited year end income of $240,325. Discussion ensued about Reserves. Charlie noted we are a reimbursable organization and only the dues are a little flexible, so those can be put into reserve. Mike suggested we explain that we’re not really losing $140,000 because we already have the money. Charlie noted that this is the first cut and we’ll still be reviewing the numbers so by the public hearing we’ll have better numbers. Mike suggested we add some language about what we want the spreadsheet to say about this deficit. We need to make it clear that the municipalities will not be billed to cover this. Forest and Charlie will come up with a way to show how we can cover the deficit for FY18. Members continued to review the income and expense line items; and the capital budget items.

4. **Discuss Auditor Selection for FY17 Audit.** Charlie noted that Jeff brought up the issue that we’ve had the same audit firm and same person for more than five years. Do we feel strongly about having a new auditor to conduct the field work because of familiarity issues? Mike feels that Sullivan Powers has a good reputation and they wouldn’t do anything to jeopardize that. Fred Duplessis’ sense is that we are doing a pretty good job. Charlie has talked to Fred about industry standards of changing audit firms vs. assigning a different audit chief. Mike feels the only reason to go out for bid would be for cost savings. Members suggested we defer this to the Executive Committee.

5. **Other Business.** There was no other business.

MIKE O’BRIEN MADE A MOTION, SECONDED BY BRIAN BIGELOW TO ADJOURN THE MEETING AT 7:00 P.M. MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

Bernadette Ferenc
Peter Keating called the meeting to order at 9:00 AM.

1. Consent Agenda
Minor FY17 TIP amendments were unanimously approved.

2. Approval of Minutes
The March 8th minutes were approved without changes.

3. Public Comments
There were none.

3A. TIP Amendment
This item was added at this meeting. Christine distributed a memo describing a new project recognizing Better Roads Category A Awards. This will add $35,540 to the FY17 year. BRIAN BIGELOW MADE A MOTION THE TAC APPROVE THIS AMENDMENT. THE MOTION WAS SECONDED BY DENNIS LUTZ AND PASSED UNANIMOUSLY.

4. Active Transportation Plan
Peter presented this final version of the plan. He first thanked TAC members that served on the project advisory committee: Sandy Thibault, Bob Henneberger, Dave Armstrong, Katelin Brewer-Colie and Nicole Losch. He then provided historic content citing how far back the RPC has done bike/ped plans. He also described the public process to generate input and highlighted some plan assumptions and focus areas including:
• Improving network connectivity, closing system gaps
• Identifying priority corridors vs. specifying facility types
• Focusing more on biking and less on walking as biking is a viable inter-municipal mode

Peter also went over the plan’s content and then the GIS analysis used to identify the proposed regional network. This considered public input, examining region wide trip origins and destinations, and other related plans from the state or towns. The plan then created a hierarchy based on determining what a
corridor’s priority and feasibility were and Peter presented the criteria used to determine both priority and feasibility and displayed the map revealing the results. He followed this with this list of the plan’s short term and non-infrastructure recommendations:

- Develop a network wayfinding plan
- Upgrade existing bike lanes to separated bike lanes where possible and develop contraflow lanes on one-way streets
- Improve GMT bus stops to make them more appealing to cyclists and pedestrians
- Continue bike lanes through intersections and assure bike detection at signals
- Continue Education, Encouragement, Enforcement and Evaluation programs such as the Safe Routes to School program

The final steps in this project are to get TAC and Board approval and format the final document. Peter zoomed in to the map to get closer looks at the recommendations, focusing on Williston and Essex. Dennis Lutz commented that many of the corridor recommendations are State highways and VTrans has not always been willing to work with communities to make bike/ped improvements happen on these roads. He also thinks the actual effect of this plan will be minimal. Amy Bell responded that VTrans is making slow incremental steps to improve these facilities but they are nonetheless steps in the right direction. Bob Henneberger noted that the Complete Streets law and long range plans can help make future improvements happen. Following further discussion KATELIN BREWER-COLIE MADE A MOTION THE TAC RECOMMEND APPROVAL OF THE ACTIVE TRANSPORTATION PLAN TO THE CCRPC BOARD. THE MOTION WAS SECONDED BY DENNIS LUTZ AND PASSED UNANIMOUSLY.

5. Project Prioritization
Christine presented the latest version of this process that has been on-going for over 10 years. She first provided background information contrasting the VTrans Capital Program with CCRPC’s Transportation Improvement Program (TIP) and noting the different program categories in the Capital Program. Each year the Vermont Legislature requires that projects in the State’s Transportation Capital Program be prioritized. The numerical grading system assigns a priority rating to all paving, roadway, safety and traffic operations, state bridge, interstate bridge, and town highway bridge projects. The rating system consists of two separate components:

1. An asset management-based factor which is objective and quantifiable with data provided by VTrans.
2. A priority rating system focusing on functional importance taking into consideration several factors and established by Regional Planning Commissions.

Christine provided the details that go into each of the components, identifying categories and point assignments. Also taken into consideration is where the project falls in the TIP. Typically, projects that score well are those that:

- access designated growth areas, airport, tourism facilities
- improve safety in a location with a document safety problem
- are bicycle/pedestrian facilities making intermodal, regional connection or accessing designated growth areas
- Are reconstruction projects with critical need
- Improve corridors with significant congestion

Following discussion, DENNIS LUTZ MADE A MOTION THE TAC APPROVE THE PRIORITIZATION. THE MOTION WAS SECONDED BY BRUCE HOAR AND PASSED UNANIMOUSLY.
6. Metropolitan Transportation Plan (MTP) Scenarios

Peter referred members to the memo in the meeting packet that described the scenarios and how staff came up with them. He noted that we will be relying on our transportation model to evaluate different transportation futures and measure their impacts. The first scenario, or base case, will be run first and will look at what happens as the region grows in future years with only our current transportation system and the additional projects identified in our 4-year TIP. The other three scenarios will include the base case, but will be built on very different and distinct strategies so that any differences can be better evaluated in helping to determine the MTP scenario. It is likely that the MTP scenario will incorporate elements from all the scenarios. The scenarios and their elements are identified in the table below.

<table>
<thead>
<tr>
<th>Scenarios Evaluated for Years 2015, 2030, &amp; 2050</th>
</tr>
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<tbody>
<tr>
<td>Base Build</td>
</tr>
<tr>
<td>------------</td>
</tr>
<tr>
<td>Base Build, plus…</td>
</tr>
<tr>
<td>Autonomous and connected vehicle deployment; Intelligent Transportation Systems implementation; MaaS (Mobility as a Service) expansion – car sharing, ride-hailing (Uber, Lyft), bikeshare, flexible transit; communications infrastructure to make these possible</td>
</tr>
</tbody>
</table>

Peter noted that staff is seeking TAC comment on the proposed scenarios. Dennis Lutz remarked that all assumptions going into these scenarios be clearly described/defined. Staff agreed.

7. UPWP Update

Marshall distributed copies of the latest draft of the FY18 UPWP and explained that next month staff would be back for a more detailed presentation on this and ask the TAC for approval to send to the full Board. He noted in particular some project cells highlighted in yellow and asked TAC members to look at those for comments as currently they are pending projects and will be considered for funding at the mid-year adjustment.

8. Status of Projects and Subcommittee Reports

Peter referred members to the project list on the back of the agenda.

9. CCRPC March Board Meeting Report

Peter mentioned the Board approved roadway functional classification, demographic forecasts and MRGP comments that the TAC has considered last month. They also warned a May public hearing for the UPWP.
10. Chairman’s/Members’ Items
No items came up.

The meeting adjourned at 10:10 a.m.

Respectfully submitted, Peter Keating
DATE: Tuesday, April 4, 2017
TIME: 11:00 a.m. to 12:30 p.m.
PLACE: CCRPC Offices, 110 West Canal Street, Suite 202, Winooski, VT
DOCUMENTS: Minutes, documents, and presentations discussed accessible at:
http://www.ccrpcvt.org/meetings/clean-water-advisory-committee/

Committee Members in Attendance
Bolton: Sharon Murray  Hinesburg: St. George:  
Buels Gore: Huntington: Darlene Palola  Underhill: Brian Bigelow  
Burlington: Jenna Calvi  Jericho: Westford: Dave Tilton  
Charlotte: Milton: Williston: James Sherrard  
Colchester: Richmond: Winnebago: John Choate; Tim Grover  
Essex: Annie Costandi, Co-Chair  Shelburne: Chris Robinson  VAOT: Jennifer Callahan  
Essex Junction: Chelsea Mandigo  South Burlington: Tom DiPietro & Dave Wheeler  
Burlington Airport: University of VT: Lani Ravin  

Other Attendees: VT-DEC: Jim Pease, Karen Bates and Tim Clear  
CCRPC Board:

CCRPC Staff: Dan Albrecht; Charlie Baker; Regina Mahony

1. Welcome: Annie Costandi called the meeting to order at 11:00 a.m. Dan Albrecht requested the addition of an item to address latest proposed revisions to the CCRPC bylaws regarding the CWAC. The request was accepted.

2. Review and action on draft minutes of March 8, 2017 (Action):
After a brief recap by Dan Albrecht, Sherrard made a motion, seconded by Calvi to approve the March 8, 2017 minutes. No further discussion. MOTION PASSED. Sharon Murray abstained.

3. Clean Water Roadmap Web Tool
Tim Clear, DEC provided a presentation on this tool (https://anrweb.vt.gov/DEC/CWR/). Shows where the phosphorus is coming from across the VT landscape at a finer scale than the previous data. It allows you to apply BMPs to any land use at a landscape scale. He will send a link out so RPCs can sign up for an account and have greater access to the full features of the tool. Dan Albrecht asked if the municipalities will have that access as well; Tim Clear said that they will have access as well. The tool includes a variety of scales in the watershed down to the catchment scale (this is titled “NHDPlus” in the basin dropdown menu), which makes it more helpful than the previous tool with only went down to the HUC (hydrologic unit code) 12 scale. Tim Clear showed the detail behind the land use sectors. The public facing part of the tool is the “baseline”. The RPCs and those with log-ins will be able to work with the scenarios tool. You can add BMPs as an application to a land use in the scenario tool and it will show you how much phosphorus was reduced from that land use sector. The tool also includes a compare tab that displays charts for the base and scenario loads. There are no costs associated with the BMPs at this point; they weren’t able to come up with a cost per BMP to build into the tool. There may be a way to plug costs in. This tool is only for non-point sources (no wastewater treatment plants). If you are in scenario mode it will save the scenarios that you created. The tool also includes The Nature Conservancy’s Water Quality Blueprint Conservation values. The red areas in this data layer have the most conservation value. There is a lot more detail on The Nature Conservancy’s tool on their website. TNC’s water quality impact may be a helpful tool in looking for locations to address phosphorus reduction. Charlie Baker asked if this will be used for helping to prioritize projects? Tim Clear explained that this is not a site specific tool, the lowest scale you want to use this for is the catchment scale. This was funded by Kuerig Green Mountain, and developed by an outside consultant.
4. **Winooski Tactical Basin Plan Update**

Karen Bates, DEC, stated that the Winooski Tactical Basin Plan is on track to be done by December 2018. We’ve identified data on the priority areas where we want to focus; and the clean water roadmap tool will be helpful in that. Karen Bates has been meeting with the Steering Committee which includes the RPCs, and the Lamoille and Winooski Natural Resources Conservation District, and the watershed groups (Friends of the Winooski, Mad River, etc.). The NRCDs are concerned that they don’t have any funding to participate in this effort, so they are deciding how much they want to participate on the Steering Committee. Karen Bates went over the project schedule. Through August DEC and the RPCs will be downloading projects to the Watershed Project Database. Tom DiPetro asked about how to add private improvements that haven’t been gathered anywhere else (for example the Friendly’s, now CVS lot). DEC Staff explained that it hasn’t been figured out how that will be captured. But anything that wants to seek funding should be on the TBP list. DEC has all of the shovel ready projects that the municipalities were asked to provide, and by April 15th those will be added to the database. South Burlington will add it to the Flow Restoration model, and ideally he’d like to only upload that once into one database. Karen Bates asked the municipalities to give her any other projects that they want added to the database. You’ll get extra points down the road if the project is in the database, so definitely let her know.

They are looking at re-classifying some of the water bodies from Class B to B1 for fisheries. By June 2017 there will be fact sheets for each sub basin including phosphorus modeling results. These will help gather feedback from stakeholders. Outreach to subwatershed communities is on request at this point. There will be a more robust municipal outreach in the Fall. Dan Albrecht explained the role of the RPC – basin planning outreach; compile list of existing municipal level regulations/protections; mapping; and stormwater planning information. We are working on a couple of stormwater management plans currently, and these will help in the project prioritization.

There was a discussion on breaking down the Lower Winooski Basin into smaller areas to give the reader a more defined area that they can better relate to; and to focus community outreach meetings in logical groupings. Karen Bates suggested some break-down areas, and Charlie Baker suggested that these geographic areas should be able to be modeled together. Charlie Baker asked, by Fall 2018, if all of the projects will be entered into a scenario so we can see if what we are calling for in the TBP will be successful? Karen Bates described that the scenario tool may be used more as a public engagement, community prioritization tool because you’ll be able to pick and choose what BMP would produce the greatest result. James Sherrard stated that it is without cost considerations. Jim Pease asked for a clarification on the questions. Charlie Baker stated that ultimately CCRPC is being asked to provide a recommendation on the priorities in the TBP to the Secretary. We need the phosphorus reduction and cost estimates in order to be able to help prioritize. We need to attach quantitative data as much as we can. There was some discussion regarding the relationship between the TMDL and the Tactical Basin Plan. Charlie Baker clarified that we’ve committed to EPA that we are using the TBP to prioritize our projects to meet the TMDL. Everything is in the TBP, road work, MS4 work, etc. and all of that should be prioritized. At both the State and local level we want to make sure we are making financial decisions based on the most phosphorus reduction. Jim Ryan’s permit program is requiring municipalities to prioritize projects within the roads permit. That wouldn’t be done in the TBP. Tom DiPetro asked what EPA is going to look at for success, and how do we show what’s been done. Are they going to look to the TBP, or the roadmap tool? EPA hasn’t explained what they’ll be looking at yet. Karen Bates suggested that perhaps we should be adding a what we’ve done so far, and what success have we had in each sector. This would be the first Basin Plan that would do that accounting. So we’ll need to figure out how to get those past projects in the database. DEC has begun doing that with the ERP grant. Karen Bates asked what the municipalities would like to do. Tom is asking for coordination. He anticipates being asked by three different DEC departments so it would be great to coordinate this. Charlie Baker added that it is important to get these projects accounted for because we’ve committed to EPA for a phosphorus reduction plan so we should be able to show how we have been doing this, as well as how we plan to do it going forward.

5. **ADDED Agenda Item on CWAC Bylaws**
Dan Albrecht provided an overview of the changes to the CWAC Bylaws. There was some discussion regarding the “organizations as may be determined appropriate by the CWAC or the CCRPC.” The municipalities would be concerned about allowing other voting members that don’t have a financial stake. The CWAC decided to clarify that these other organizations would be non-voting members due to a lack of financial interest. Charlie Baker also explained the other clarification on assistance with municipal bylaws.

Tom made a motion to approve the bylaws as amended, second by Darlene. MOTION PASSED. Charlie Baker provided an overview on the comments we received and amendments that Staff is suggesting to address those concerns.

6. Items for May meeting agenda
Chelsea asked for the packets to be sent out a week before, there wasn’t enough time to review this information.
- Emily Baird regarding project tracking? There was a discussion regarding cancelling the May meeting if Emily isn’t available.
- Charlie Baker talked about the potential of pooled funds through ERP. Jim Pease added that we did not get funding for the street sweeping/catch basement cleaning study. The total study cost is $300,000. There is a potential for $50,000 from Wastewater Services (a regional entity would need to apply). We’d need to have some implementation components to it. Tom DiPetro asked about whether we are putting the cart before the horse. Can we figure out what the credit would be for doing some different implementation strategies (i.e. for leaf pick-up) before putting this large amount of money in a study. Let’s determine a credit, try that out for a while and then study it.

7. Adjournment
The meeting adjourned at 12:37 p.m. Respectfully submitted, Regina Mahony & Dan Albrecht
1. Welcome: Annie Costandi called the meeting to order at 12:37 p.m.

2. Chittenden County Stream Team Report
Holly explained the work that is upcoming. She asked if TallyHo would be interested in doing a stencil with the new brand for the stormwater drainage. Holly asked about a good event day to go to Williston. The 4th of July parade is probably the best. Dan Albrecht suggested that we may want to look into the Williston 4th of July parade. She is also looking into Waking Windows in Winooski; and Tom DiPietro will be in touch with some potential events in South Burlington. Regarding the needed, upright poster for a streamteam/rethink runoff display, TallyHo might be able to help with this, and they have funding for it (including funding for the stencil). The Committee is okay with the stencil idea, so long as it is a high quality stencil that can be re-used. There was consensus on both tasks for TallyHo.

4 Review Rethink Runoff Website
Dave Barron provided an overview of the website design and layout. They are still looking for photos (send to Tom and Chelsea). He will put a list together of specific needs for the photos. Dan and Chelsea owe some copy edits. There was consensus to remove “Restoring a Stream” from the “what are you interested” drop down menu. There was discussion that Holly would ask someone what Town they are from once she reaches out to them rather than adding that ask to the website. The map needs some work because not all of the impaired waters are showing up, and “impaired rivers” distinct from “impaired water bodies” is unclear. There was a question about whether the water quality monitoring streams will be mapped on the website. RSEP needs to be pulled out of the website and Stream Team needs to be added in some places.

Stormville will be brought into HTML5, rather than flash. They are still working on this for the next few weeks. There was a request to add a tag to the tree also as “maintain tree canopy”. There is no riparian buffer which should be fixed somewhere down the road.

There was a discussion about the stickers. Chelsea asked about adding the web address to the small sticker. There was consensus to replacing “RSEP” with “Keep Lake Champlain Clean”. Dan Albrecht will circulate the revised stickers to the group to help figure out how many stickers to order, and will do the ordering directly.

Holly will update the Facebook page with content from TallyHo so that everything matches.

There was some discussion regarding the launch date with the week of April 24th targeted. There was discussion about creating a Rethink runoff press release (branded under Rethink Runoff, not CCRPC).
There was discussion regarding the media buys. They decided to pull the Front Porch Forum ads because you can't actually keep the link in there. The announcement is way more successful, than the paid ad on Front Porch Forum. There was some discussion regarding the target age and income to get to homeowners. The cost and quantity for each outlet was discussed. Chris Robinson asked about the local newspapers, because it doesn't seem like we've gotten a lot of clicks from Seven Days. Albrecht noted that the 2013 survey indicated very few people read newspapers so that mechanism was dropped. There will be a 2 to 3 week push around when we expect there to be algae bloom. Ideally it will work to run the day of or after around a bloom or beach closing. We can check-in to see how successful that is for next year. Have we tried to get a Vermont Edition slot? Especially during algal bloom season. Albrecht indicated he would keep that in mind.

3. **Review and action on draft minutes of March 8, 2017 (Action):**

   After a brief recap by Dan Albrecht, James made a motion, seconded by John to approve the March 8, 2017 minutes with one correction. No further discussion. MOTION PASSED.

   John had a question about adding some of this content into a local mailing (water bills, newsletter, etc.) or put on the back side of something. Essentially he is looking for pdfs. Dave indicated he will set up vector pdfs.

5. **MOU Agreement**

   Albrecht provided a quick recap of some of the additions that were added based on feedback that we received so far. “Advise” in Section 5.b. Duties will be changed to “direct” based on a comment from Burlington’s attorney. There was consensus on the other edits which were highlighted in yellow on the version posted to the MS4 committee webpage. DiPietro made a motion, seconded by Robinson to approve the MOU with the proposed edits. No further discussion. MOTION PASSED.

   Dan will send this out with the timing that it should be brought to your legislative bodies after April 19th which is the date for CCRPC’s planned revision, to incorporate the concept of Municipal Service Agreements, will be adopted.

6. **Survey**

   Survey – agreement to do it this year instead of 2018 since we are re-branding right now. Albrecht will continue to work with the various members and UVM and DEC staff to tweak the survey. The Committee consensus was that the new survey should go out in October.

8. **Items for April meeting agenda**

   - No May meeting is needed at this time.

9. **Adjournment**

   The meeting adjourned at 1:40 p.m.

   Respectfully submitted, Regina Mahony and Dan Albrecht
DATE: Thursday, March 9, 2017
TIME: 8:30 a.m. to 10:00 a.m.
PLACE: CCRPC Offices, 110 West Canal Street, Suite 202, Winooski, VT

Members Present
Ken Belliveau, Williston – PAC Rep
Alex Weinhagen, Hinesburg – PAC Rep
Edmund Booth – ECOS Steering Committee Rep
Chris Shaw, South Burlington – Board Rep
Heather Danis – ECOS Steering Committee Rep
(via phone)
Jim Donovan – Board Rep

Staff
Regina Mahony, Planning Program Manager
Melanie Needle, Senior Planner
Eleni Churchill, Transportation Program Manager
Christine Forde, Senior Transportation Planner
Peter Keating, Senior Transportation Planner

1. Welcome and Introductions
Chris Shaw called the meeting to order at 8:35 a.m.

2. Approve Minutes
Ken Belliveau made a motion, seconded by Alex Weinhagen, to approve the minutes of February 9, 2017. No further discussion. MOTION PASSED. Jim Donovan abstained.

3. Forecasts
Melanie Needle indicated that we just received the revised forecast yesterday, and presented it to the PAC yesterday afternoon. Melanie Needle provided some highlights from the revised forecast, taken from the EPR memo (to be clear the changes as described below are from the previous forecast and the revised forecast):

- With these population and employment forecasts, Chittenden County is expected to be the leader in Northwest Vermont and the State of Vermont in population and employment growth.
- Keep in mind: High confidence in the county forecasts, significant degree of error in the municipal forecasts given the level of granularity although have taken into account the town perspective and statistical reliability.

- Population
  - The 2010 and 2015 population estimates correspond to the U.S. Census estimate and not the adjusted estimates.
  - Normalized population growth in Bolton, Charlotte, Colchester, Hinesburg, Jericho, Richmond, St. George, and Underhill resulted in a decline, except Charlotte remained steady.
  - Burlington, South Burlington, Williston, Shelburne, Essex, and Milton received residual population. This reallocation accounted for some of the scale issues that we faced in the initial forecast, namely that Williston was increasing at levels that might have been unrealistic especially when compared to other areas like Burlington and South Burlington.

- Households
  - Change in households in Burlington, to reconsider given the residential development plans.
  - Household levels remain fixed for most of the municipalities in the revised forecast but allow the population living in households fluctuate.

- Employment
  - In the initial forecast, Essex’s share of employment was decreasing and not consistent with a recent GBIC study - we fixed the share of Essex’s employment at its 2015 level through 2050. This resulted in an increase of nearly 13,000 jobs from 2015 through 2050 for Essex when compared to the initial forecast.
Bolton, Charlotte, Colchester, Milton, Richmond, St. George, Underhill, Westford, and Williston decreased; Burlington, Colchester, Milton, South Burlington, and Williston increased; Hinesburg, Huntington, Jericho, and Winooski, remained steady.

There was further discussion regarding the household size and confusion over a chart presented by RSG that appears to show that ‘Persons in Households’ would increase, and quite drastically from 2040 to 2050. Staff will get clarification on this. The PAC voted to recommend that the Board adopt the forecast, with clarification on the household size; however, Colchester voted against the motion.

Peter Keating asked if the GBIC study covered more municipalities than Essex and Essex Junction. Melanie Needle indicated that it does include more. There was some discussion over the bullets in the slides as some municipalities are shown as both ‘decreased’ and ‘increased’. It was clarified that the memo does indeed describe the changes both ways, and it is possible do to the re-distribution. Ken Belliveau stated the numbers in the short run for Williston are going to be off, the long-run they may be right. But I bet the 2020 number is going to be off. The population over the last 5 years went up by 700 people, and they show an increase of only 300+. Ken Belliveau added that they say about 100 new households in 2016. Ken Belliveau further explained Williston’s growth management policy – they have a cap of 80 dwelling units per year cap on wastewater allocation; and those allocations are good for 5 years. So 80 is not necessarily a cap on the actual number of housing units built per year. Alex Weinhalen referred to the household size spreadsheet for the revised forecast; and asked specifically about Burlington. The developments Burlington is seeing are not likely to produce an increase in household size. There was some discussion about the top down methodology (state to county to municipality) being a potential reason for this. EPR has been very clear about their lower level of confidence on the municipal forecasts.

Jim Donovan made a motion, seconded by Ken Belliveau, to recommend that the CCRPC Board approve this forecast, with a clarification on the number of persons in household. No further discussion. MOTION PASSED.

4. Transportation Schedule, Initial Project List and Fiscal Constraint

Eleni Churchill gave an overview of the MTP update schedule. Jim Donovan asked about returning back to the project list, once we run the model. Eleni Churchill and Christine Forde stated that we will do that. It is a two phase process – we include committed projects in the model to start, then the model will inform us of areas where other projects may be needed, and so we will go back and revise the list accordingly.

Christine Forde described the project list and explained that it is currently prioritized based on the methodology we’ve been using for a number of years. We will still need to add the fiscal constraint figure to the list. The list may not be complete. Christine Forde has reached out to the Towns with yellow highlighted projects on the roadway list.

Chris Shaw asked about the money – do we have separate pots of money for the roadway projects and the bike/ped projects? The fiscal constraint (total amount of dollars we can expect over the life of the plan) is one total number. In the current ECOS Plan, we made some decisions based on ECOS goals about what amount of money went into each funding category. There was a question about the accuracy of the construction cost estimates, and whether they will be increased to FY16 dollars. Peter Keating stated that we should and will do that, as some of these figures might be quite out of date and therefore not a true enough reflection of the real costs.

Peter Keating described the fiscal constraint process. In planning the last MTP we used 17% of the State’s pot of federal funding as our estimated share. That was the historic average over the previous seven years. It looks like the federal funding looking out into the future will remain flat. But we are meeting with VTrans to talk about Chittenden County’s share of the funding. In the last five years it has only been about 13%, but if you look back over 20 years it was closer to 20%. Once we know the final fiscal constraint figure, we will
break it down into the categories. Christine Forde added that the County has never had a consistent share of the state’s federal funding because it is depends on the projects in the pipeline.

5. **Energy Planning Maps and Data Analysis**

Melanie Needle described the methodology for identifying the wind and solar goals.

Ken Belliveau stated that we don’t want to make this completely additive. If acreage is going to be used for a solar array, it will likely take it out of the running for wind.

Chris Shaw asked if Staff has asked the municipalities for their input on siting location. Yes, we have. Chris Shaw also asked if the region and the municipalities have to meet the targets. Melanie Needle explained that this is not a requirement. Regina Mahony added if the municipalities want the elevated level of input in the PSB process then they have to show how they are meeting the state energy goals and these targets.

Alex Weinhagen asked about incorporation of the local constraints in the targets before the low and high range targets are calculated. Melanie Needle stated that the overall goal should be equal at the start. Alex Weinhagen asked if the municipal level 2 constraints (agricultural soils as an example), are being calculated into the targets? Those are real constraints also (in addition to the complete ‘no gos’) so they should be subtracted from the usable acreage. In addition, Alex Weinhagen stated that not all ‘prime’ acreage is going to actually be developed 100% with solar. We should add a qualifier that takes this into account.

There was a discussion regarding state highway ROWs, and whether they are listed as a constraint or not. Melanie Needle brought up the most recent guidelines and state highway ROWs are not included on the constraints list. Ken Belliveau stated that we aren’t even allowed to put a bike path in the CIRC ROW, so it shouldn’t be in the calculations for solar or wind.

There was a discussion about how and when we will account for roof-top solar. Melanie Needle described how Bennington accounted for it (they assumed a 50% reduction for the amount of rooftops that could be eligible for solar). That seems high, and the LRPC asked Staff to see if we could get a more accurate ‘solar capable’ rate from the solar companies. Alex Weinhagen also asked if we could do a rooftop capability GIS exercise since we have the footprint data. Staff will look into this.

6. **Comprehensive Economic Development Strategy – Project List**

Regina Mahony briefly went over the project list that was in the packet. Regina Mahony will follow-up via email with the list and a rationale for why we are suggesting things for removal. Jim Donovan suggested there may be some projects that are more regional and maybe should stay. Jim Donovan will share his thoughts with the LRPC via email.

7. **Next Meeting**

April 13, 2017 from 8:30am to 10:00am

10. **Adjourn**

The meeting adjourned at 10:05 a.m.

Respectfully submitted, Regina Mahony
Brownfields Advisory Committee  
*Monday, April 10, 2017; 3:00 p.m. - 4:00 p.m.;  
CCRPC Main Conference Room, 110 West Canal St., Suite 202 Winooski, VT*

<table>
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<tr>
<th>Committee Members in Attendance</th>
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<tr>
<td>Curt Carter, Chair - GBIC</td>
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<td>Marcel Beaudin</td>
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**Others in attendance:**  
Kurt Mueller - Johnson Company (via phone)

**CCRPC Staff:** Dan Albrecht; Regina Mahony; Emily Nosse-Leirer

1. **Call to Order, Introductions and Changes to the Agenda**
   
The meeting was called to order at 3:03. No changes were made to the agenda.

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

3. **Review and action on April 3, 2017 meeting summary**
   
Dan Albrecht gave a brief summary of the April 3 meeting. Kirsten Merriman-Shapiro made a motion to approve the minutes, and Peter Wernsdorfer seconded. The motion passed unanimously.

4. **Review and Action on draft Comment letter on Soils Rule**
   
The Committee reviewed CCRPC’s draft letter on the Vermont DEC’s draft *Investigation and Remediation of Contaminated Properties Rule*. The letter provides comments to DEC regarding their draft rules on the remediation of contaminated properties (I-Rule).

Kirsten mentioned that she finds the following issues challenging:

- The definition of background: the legislation defines “background” levels of soil contamination as the amount of contamination naturally occurring in soils *without* human activities. While this may be appropriate for rural areas, it is not appropriate for urban areas. For example, driving gasoline cars and burning wood both contribute contaminants to urban soils and these contaminations build up to a level that goes above “background” as defined by the state. Therefore the levels for “background” are too low and will make urban development impractical due to remediation costs for soils in areas that are historically settled.
  
- The committee discussed that there is no such thing as a pristine soil sample that has not been impacted by human activity. The rural samples are “control” samples, not samples measuring “naturally occurring contaminants.”
  
  - This is a problem both in the rules and in Appendix B

- Kurt Mueller clarified that the difference between industrial and residential levels is based on the amount of exposure to humans, not based on past use.

- Kirsten expressed concerns that this process is moving extremely quickly, and that there are not enough opportunities for interested parties to submit comments. She suggested that the letter be revised to include another opportunity for the public to submit comments. Curt Carter agreed that this would be nice, but he thinks that there is not much of a chance of this.
• Kurt raised concerns that the soil study completed by VT-DEC was not adequately incorporated into the rules. Additionally, the EPA recently determined that the main PAH contaminant (benzo-a-pyrene) is actually 7x less toxic than previously thought, but VT DOH still wants to regulate PAHs to a higher level. Kurt further is concerned that the scientific basis for this higher level of regulations is not explained here, and needs to be for a transparent process. It’s also difficult to comment when the regulatory thresholds keep changing. The committee concurred.

• Kirsten reiterated the need to ensure that these decisions are being made in a way that balances competing public interests. We cannot let health issues like avoiding soil contamination completely trump health issues such as promoting smart growth. The committee concurred.

• Curt Carter asked if there were any negative consequences to delaying these rules that anyone on the committee was aware of. Kurt Mueller said that in his opinion, the only possible consequences would be having to use the VDH’s older rules for PAHs, which are significantly more restrictive than newly recommended by the EPA, for longer.

• Kirsten suggested an addition to the I-Rule specifically discussing how to deal with urban/development soils, and Kurt agreed.

• Kirsten is concerned about the engineered soil cap required by the new rules. The rule requires too much of a cap and will be cost prohibitive and may be a problem for certain grade. The monitoring requirements are also very stringent. CCRPC’s comments should reflect that each site is unique and while some may require 18” of cap and continuous monitoring, it may be unnecessary for many sites. Also, what happens when atmospheric deposition makes the “clean” cap no longer clean?

• Kurt also raised concerns about the prohibition of offsite stockpiling. Sometimes this is necessary and should be allowed as long as you have a plan for what you’ll do with the stockpiled soil. Also, in these rules, the “site” is not defined by the legal property boundaries. This is an issue that still needs to be resolved.

• There also should be more support for people who have contaminated soils, especially if the thresholds remain so exceptionally low. These rules really just make the problem of contaminated soils worse.

The general consensus is that the rule needs more time for public comments and more explanation of what the scientific basis of the rules is. The rule is not ready for adoption.

The committee agreed that staff will revise the letter and forward the letter to the full CCRPC Board for their consideration.

5. Adjourn

The meeting adjourned at 4:04pm.