

CHAITTENDEN COUNTY REGIONAL PLANNING COMMISSION  
EXECUTIVE COMMITTEE MEETING MINUTES  
DRAFT

DATE: Wednesday, July 18, 2018  
TIME: 5:15 p.m.  
PLACE: CCRPC Offices, 110 W. Canal Street, Suite 202; Winooski, VT 05404  
PRESENT: Chris Roy, Chair Mike O'Brien, Vice-Chair  
Barbara Elliott, At Large <5,000 Catherine McMains, At-Large>5,000  
Andy Montrall, Immediate Past Chair (5:30 p.m.)  
STAFF: Charlie Baker, Executive Director Regina Mahony, Planning Program Mgr.  
Forest Cohen, Senior Business Mgr. Emily Nosse-Leirer, Senior Planner  
Bernadette Ferenc, Transportation Business Mgr.

The meeting was called to order at 5:15 p.m. by the Chair, Chris Roy.

1. Changes to the Agenda, Members' Items. Regina Mahoney noted we have an additional letter that was emailed to members regarding a solar project in Richmond to add to Item 3.

2. Approval of June 6, 2018 Executive Committee Minutes. BARBARA ELLIOTT MADE A MOTION, SECONDED BY MIKE O'BRIEN, TO APPROVE THE MINUTES OF JUNE 6, 2018. MOTION CARRIED WITH CATHERINE MCMAINS ABSTAINING.

3. Act 250 & Sec. 248 Applications:

a. 2800 Roosevelt Highway Town Solar, Colchester, #18-2364-NMP. Emily noted that we have seen this project before. It's for a 150kW solar project off Roosevelt Highway in Colchester. In our comments during the advance notice period we noted that there were some possible constraints for them to note. The final project application does show that the project will directly impact .86 acres of prime ag soils, but we will defer to the Vermont Agency of Agriculture. We had also noted in that early review that it appeared that highest priority forest blocks and priority wildlife crossings might be impacted. ANR has determined that no changes to this project are necessary to avoid an undue adverse impact to these constraints. BARBARA ELLIOTT MADE A MOTION, SECONDED BY CATHERINE MCMAINS, TO APPROVE THE LETTER TO AEGIS RENEWABLE ENERGY. MOTION CARRIED UNANIMOUSLY.

b. Malletts Bay Town Solar, Colchester, Case #18-2408-NMP. Emily noted we have seen this project before when we commented in the advance notice stage. This is for a 150kW solar project off of Malletts Bay Avenue in Colchester. The CPG Petition included materials showing the exact location of the project, the delineation of known and possible constraints nearby and testimony describing the location of the project in relations to these constraints. Based on this information, it appears that this project avoids known constraints and minimizes impact to possible constraints. CCRPC has no further comments. BARBARA ELLIOTT MADE A MOTION, SECONDED BY CATHERINE MCMAINS, TO APPROVE THE LETTER TO AEGIS RENEWABLE ENERGY. MOTION CARRIED UNANIMOUSLY.

c. Union Bank/Snyder Market Street, Williston, Case #4C0887-1R-M. Emily noted that this is another amendment to the Finney Crossing project. It adds a bank in an area planned for growth. The traffic comments highlighted were contingent on confirmation from Lamoureux and Dickinson that these are correct, which we have since confirmed. Brief discussion on the decrease of two vehicle trip ends

1 per hour and if it really made a difference. Regina noted that the original permit allowed a certain  
2 number of trip ends, and that when the project reached a certain threshold, it would require a review  
3 of the traffic, so every trip end counts. MIKE O'BRIEN MADE A MOTION, SECONDED BY BARBARA  
4 ELLIOTT TO APPROVE THE LETTER TO THE D.E.C. MOTION CARRIED UNANIMOUSLY.

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6 d. Aegis Renewable Energy/Buttermilk LLC's Proposed 50kW Solar Carport Facility project. Emily  
7 noted that we have seen this before. It is for a 50 kW solar project at 74 Jolina Court in Richmond. In  
8 the advance notice stage, we strongly supported it because it was on a rooftop and this letter  
9 confirms that. BARBARA ELLIOTT MADE A MOTION, SECONDED BY CATHERINE MCMAINS, TO  
10 APPROVE THE LETTER TO AEGIS RENEWABLE ENERGY. MOTION CARRIED UNANIMOUSLY.

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12 4. Recommend FY 19 Meeting Schedule to Board. Members reviewed the proposed meeting schedule  
13 for both the Executive Committee and Commission meetings for July 2018 through June 2019. After it  
14 was noted that at least two members were not available on September 5, 2018, it was agreed to hold  
15 the joint Executive/Finance Committee meeting on August 29, 2018. BARBARA ELLIOTT MADE A  
16 MOTION, SECONDED BY MIKE O'BRIEN, TO RECOMMEND THE MEETING SCHEDULE AS AMENDED, TO  
17 THE BOARD. MOTION CARRIED UNANIMOUSLY.

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19 5. Review Commission Committees/Members. Staff presented a list of committees and current  
20 members. Chris will ask board members where they'd like to serve.

21  
22 6. Bank Signatures/resolutions for FY19. Forest noted that since we have a new officer we need to  
23 update the signatures on the business accounts. In the past we have had a motion authorizing the  
24 Executive Director and officers as signers on our accounts. BARBARA ELLIOTT MADE A MOTION ,  
25 SECONDED BY CATHERINE MCMAINS, TO AUTHORIZE THE EXECUTIVE DIRECTOR AND THE OFFICERS AS  
26 ACCOUNT SIGNERS FOR CCRPC. MOTION CARRIED UNANIMOUSLY. (Andy Montroll arrived at the  
27 meeting.) Charlie said our accounts were with Chittenden Bank which is now Peoples United which is  
28 not a local bank. He wondered if members objected to us researching a local bank or credit union, such  
29 as Opportunities Credit Union. In the interest of full disclosure, he noted that he is currently chair of  
30 their board. It is a low-income community development credit union. Members were okay with  
31 researching other banking options, especially if we could earn more interest.

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33 7. Guidelines & Standards for reviewing Act 250 & Section 248 Applications. Emily noted that the  
34 Executive Committee and Board reviewed this in May and made some suggestions and the PAC met last  
35 week and suggested other changes that are highlighted in yellow. The proposed changes differentiate  
36 between CCRPC's review of Act 250 applications and Section 248 applications.

1. Act 250 review will remain largely unchanged. During Act 250 review, the known and possible constraints listed in the ECOS Plan are reviewed by municipalities and state agencies. CCRPC will defer to the relevant municipality or state agency with jurisdiction over the constraint, rather than submit separate comments on constraints. CCRPC will continue to focus review on land use and transportation.
2. During Section 248 review, some, but not all, known and possible constraints listed in the ECOS Plan are reviewed by municipalities and state agencies. CCRPC will defer to state agencies to review constraints within their jurisdiction, but will review and provide comments on local constraints when municipal plans do not have substantial deference. This review will take the form of submitting comments on advance notices and may include commenting on applications during hearings, intervening in hearings or requesting hearings on applications.

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2 Emily distributed new pages 6 & 7 which adds language to address a question from Jeff Carr earlier  
3 today about how does the Executive Committee determine when to bring an application to the full  
4 board. These changes are highlighted in green.

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6 Under Intervening in PUC Hearings on page 6, the new language added to the second paragraph says:  
7 "Action will be required by the CCRPC Board if the Notice of Intervention, discovery questions or  
8 testimony indicate that the proposed project unduly interferes with orderly development of the region  
9 or does not adhere to the land conservation measures and specific policies stated in the Regional Plan."

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11 Under Requesting a PUC Hearing on top of Page 7, the new language states: Action will be required by  
12 the CCRPC Board if the hearing request, discovery questions or testimony indicate that the proposed  
13 project unduly interferes with orderly development of the region or does not adhere to the land  
14 conservation measures and specific policies stated in the Regional Plan."

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16 Brief discussion ensued, and it was noted that if there is a timing issue, we may allow the Executive  
17 Committee to intervene, with action by the Board at their next meeting. MIKE O'BRIEN MADE A  
18 MOTION, SECONDED BY ANDY MONTROLL TO RECOMMEND THE REVISED GUIDELINES TO THE FULL  
19 COMMISSION AS AMENDED. MOTION CARRIED UNANIMOUSLY.

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21 8. Chair/Executive Director's Report.

- 22 a. We've updated our timesheets and reports for the new fiscal year.  
23 b. We are also testing a new staff evaluation form after some staff requests for improvement.  
24 c. Our website was down for about 24 hours when the host was having hardware problems.  
25 d. The Commission on the future of Act 250 is holding a public outreach meeting on September 12<sup>th</sup>  
26 at the Elks club in Burlington. We have some recommendations that we came up with in 2014  
27 and we'll use that as the basis for comment. That document is in the board packet. There was  
28 brief discussion that we might want to set up an ad hoc Act 250 update committee.  
29 e. The Department of Public Service Hearing on CCRPC's Request for a Determination of Energy  
30 Compliance with 24 VSA Sec. 4352 will be held at CCRPC offices at 6 p.m. on August 6<sup>th</sup>.

31  
32 9. Other Business – August or September Executive Committee meeting date? When discussing the  
33 meeting schedule, it was decided that since several members are not available August 1<sup>st</sup> or September  
34 5<sup>th</sup> that the Executive Committee next meet jointly with the Finance Committee on August 29<sup>th</sup>.

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36 10. Executive Session. None needed.

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38 11. Adjournment. MIKE O'BRIEN MADE A MOTION, SECONDED BY ANDY MONTROLL, TO ADJOURN THE  
39 EXECUTIVE COMMITTEE MEETING AT 5:55 PM. MOTION CARRIED UNANIMOUSLY.

40  
41 Respectfully submitted,

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43 Bernadette Ferenc