

CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
REGULAR MEETING AND PUBLIC HEARING
MINUTES

DATE: Wednesday, July 18, 2018
TIME: 6:00 p.m.
PLACE: CCRPC Offices; 110 W. Canal Street, Suite 202; Winooski, VT 05404
PRESENT: Bolton: Absent Buel's Gore: Absent
Burlington: Andy Montroll Charlotte: Absent
Colchester: Jeff Bartley Essex; Jeff Carr
Essex Junction: Dan Kerin Hinesburg: Andrea Morgante
Huntington: Barbara Elliott Jericho: Catherine McMains
Milton: Tony Micklus (6:06) Richmond: Bard Hill (6:06)
St. George: Absent Shelburne: Absent
So. Burlington: Chris Shaw Underhill: Brian Bigelow
Westford: VACANT Williston: Chris Roy
Winooski: Mike O'Brien VTrans: Amy Bell
Bus/Industry: Tim Baechle Socio/Econ/Housing: Absent
Cons./Env. Absent
Others: Matthew Langham, VTrans Rob Fish, Burlington Alternate
Scott Moody, CCTV Cameraman
Staff: Charlie Baker, Executive Director Regina Mahony, Planning Program Mgr.
Bryan Davis, Sr. Transportation Planner Christine Forde, Sr. Transportation Planner
Emily Nosse-Leirer, Sr. Planner Bernadette Ferenc, Trans. Business Mgr.

1. Call to order. The meeting was called to order at 6:03 p.m. by the Chair, Chris Roy. Chris noted that our meetings are now being live-streamed on YouTube.
2. Changes to the agenda. There were none.
3. Public Comment Period for items not on the agenda. There were no members of the public present.
4. Approve Minutes of June 20, 2018 Annual Meeting. JEFF CARR MADE A MOTION, SECONDED BY CHRIS SHAW, TO APPROVE THE MINUTES OF JUNE 20, 2018 WITH CORRECTIONS, IF ANY. MOTION CARRIED WITH ABSTENTIONS FROM JEFF BARTLEY AND ANDREA MORGANTE.
5. FY19-22 Transportation Improvement Program (TIP).
 - a. Presentation & Public Hearing. JEFF CARR MADE A MOTION, SECONDED BY DAN KERIN, TO OPEN THE PUBLIC HEARING AT 6:05 P.M. MOTION CARRIED UNANIMOUSLY. Christine Forde then made a Power Point presentation. She described what is involved with transportation planning and project implementation – the Metropolitan Transportation Plan (MTP)/ECOS Plan; planning studies and corridor studies; scoping studies; funding (TIP, STIP, Capital Program; and finally design, Right-of-way and construction. Christine then described what the TIP is, how projects get on the TIP and how to read the TIP. We are the only MPO in Vermont and we are federally mandated to develop a TIP and update it at least every four years; we update it every year. Our TIP is developed in cooperation with VTrans and GMT. Any project in the TIP has to be ready to go and has to have funding. In order to be funded the project also has to be in the State's Capital Program and since we work closely with VTrans they are in alignment. Charlie

1 noted that the state cannot spend federal transportation dollars without a project being in the
2 TIP. Christine then described the three sections of the TIP: I. Introduction; II Projects by
3 Municipality; and III. Summary of Financial Statistics. The proposed TIP funding levels include:
4 FY19 - \$69.9 million; FY20 - \$66.9 million; FY21 - \$52.4 million and FY22 - \$53.1 million for a four
5 year total of \$242.1 million. The TIP based on a federal fiscal year of October 1st – September
6 30th.

7
8 The TIP funding by category includes: Aviation - \$32.5 million (we have no say in those
9 expenditures); Bicycle/Pedestrian - \$6.1 million (18 projects); Bridge Preservation - \$14.4 million
10 (8 projects); Intermodal - \$2.3 million (1 project); New facility/Major Roadway Upgrade - \$59.9
11 million (6 projects); Paving - \$20.9 million (6 projects); Roadway Corridor Improvements –
12 \$150,000 (1 project); Safety/Traffic Operations/ITS - \$42.7 million (15 projects); Transit - \$58
13 million; and Stormwater/Environmental - \$4.1 million (15 projects). All funds listed in the TIP
14 are federal funds only and do not include state or local funds.

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16 Christine then reviewed a chart showing Federal funds obligated in Chittenden County by use
17 category from FY2000-FY2017. Charlie noted that there are performance measures that we'll be
18 looking at in the fall. Christine has been working with VTrans on a new project prioritization
19 process. JEFF CARR MADE A MOTION, SECONDED BY ANDY MONTROLL TO CLOSE THE PUBLIC
20 HEARING AT 6:34 P.M. MOTION CARRIED UNANIMOUSLY.

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22 b. Approval of the TIP. JEFF CARR MADE A MOTION, SECONDED BY ANDY MONTROLL, TO
23 APPROVE THE TIP AS PRESENTED. MPO VOTE:

24 Bolton:	Absent	Burlington:	Yes (4)	Charlotte:	Absent
25 Colchester:	Yes (2)	Essex:	Yes	Essex Jct:	Yes
26 Hinesburg:	Yes	Huntington:	Yes	Jericho:	Yes
27 Milton:	Yes	Richmond:	Yes	St. George:	Absent
28 Shelburne:	Absent	So. Burlington:	Yes (2)	Underhill:	Yes
29 Westford:	VACANT	Williston:	Yes	Winooski:	Yes
30 VTrans:	Yes				

31 MOTION CARRIED WITH 19 OF 24 VOTES; AND 13 OF 18 MUNICIPALITIES VOTING IN THE
32 AFFIRMATIVE.

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34 c. Certification of the Planning Process. Christine had provided a memo in the meeting packet
35 describing the federal requirements CCRPC must follow and a description of what each of those
36 regulations cover. JEFF CARR MADE A MOTION, SECONDED BY ANDY MONTROLL, TO
37 AUTHORIZE THE CHAIR TO SIGN THE CERTIFICATION OF THE PLANNING PROCESS. MOTION
38 CARRIED UNANIMOUSLY.

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40 6. FY19 Schedule of Meetings. The board packet included a list of proposed meeting dates for the
41 Executive Committee and the Board for FY 2019. The Executive Committee reviewed it at their meeting
42 earlier and recommend changing the September 5th Joint Executive/Finance Committee meeting to
43 August 29th. ANDREA MORGANTE MADE A MOTION, SECONDED BY DAN KERIN, TO APPROVE THE FY19
44 MEETING SCHEDULE AS AMENDED. MOTION CARRIED UNANIMOUSLY.

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46 7. Solicitation and Appointment of Members to serve on FY19 committees. Charlie noted that every
47 year we do a review of our committees and solicit members to serve. Please let Chris or Charlie know if
48 you want to serve on a particular committee. The bylaws say the chair shall establish and appoint

1 committees and their members with the concurrence of the full commission. JEFF CARR MADE A
2 MOTION, SECONDED BY CHRIS SHAW, TO AUTHORIZE THE CHAIR TO MAKE THESE COMMITTEE
3 APPOINTMENTS. MOTION CARRIED UNANIMOUSLY.

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5 8. Guidelines and Standards for Reviewing Act 250 and Section 248 Applications. Emily Nosse-Leirer
6 noted that the board reviewed this at their May meeting. The new draft includes comments from the
7 Board as well as the Planning Advisory Committee (PAC) who met last week and those are highlighted in
8 yellow. The PAC comments include explaining substantial deference and clarify that we'll continue to
9 work with municipal staff in this review. We do have a couple of additional changes we're
10 recommending that are highlighted in green in the handout of pages 6 and 7. It clarifies the difference
11 between when the Executive Committee can act on its own to participate in Act 248 and when the full
12 board should act. We have these outlined in Act 250 guidelines and we want to include these in the
13 Section 248 guidelines as well. The new language is: Under Intervening in PUC Hearings on page 6, the
14 new language added to the second paragraph says: "Action will be required by the CCRPC Board if the
15 Notice of Intervention, discovery questions or testimony indicate that the proposed project unduly
16 interferes with orderly development of the region or does not adhere to the land conservation
17 measures and specific policies stated in the Regional Plan."

18
19 Under Requesting a PUC Hearing, the new language states: Action will be required by the CCRPC Board
20 if the hearing request, discovery questions or testimony indicate that the proposed project unduly
21 interferes with orderly development of the region or does not adhere to the land conservation
22 measures and specific policies stated in the Regional Plan."

23
24 Jeff Carr said there is another dimension to this. We have given our Executive Committee authority to
25 do a lot without coming to the Board. He is concerned about a large project that might be in a
26 community that is not represented on the Executive Committee and feels it should then get feedback
27 from the board. Chris Roy acknowledged that there would be projects that make sense to bring to the
28 Board. He also noted that there are times when there isn't enough time to get Board input prior to
29 responding, but we can notify the board at the next meeting. Brief discussion continued. JEFF CARR
30 MADE A MOTION, SECONDED BY ANDY MONTROLL, TO ACCEPT THE STAFF RECOMMENDATION TO
31 ADOPT THE ACT 250/SECTION 248 REVIEW GUIDELINES. MOTION CARRIED UNANIMOUSLY.

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33 9. Guidelines and Standards for Confirmation of Municipal Planning Process and Approval of Municipal
34 Plans. Emily Nosse-Leirer noted that these draft guidelines outline how we'll review municipal plans
35 once we have a Determination of Energy Compliance from the state. Emily reviewed her memo that
36 summarizes the additional steps we'll need to take:

- 37 1. Municipalities write an enhanced energy plan or energy chapter that meets the Vermont
38 Department of Public Service Energy Planning Standards for Municipal Plans
39 (http://publicservice.vermont.gov/sites/dps/files/documents/Pubs_Plans_Reports/Act_174/Municipal%20Determination%20Standards_Final.pdf),
- 40 2. Municipalities request that CCRPC issue an affirmative determination,
- 41 3. CCRPC holds a public hearing and reviews the plan against the Energy Planning Standards, and
- 42 4. CCRPC makes a determination. An affirmative determination remains in effect until the plan
43 expires. A municipality can edit the plan to address a negative determination and have it
44 reviewed again.

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46 Some housekeeping edits are also suggested at this time:

- 47 1. Clarify the difference between plan amendments and plan re-adoptions (page 2),

- 1 2. Clarify the need for updated data during the plan re-adoption process (page 4 of Appendix A),
- 2 and
- 3 3. Remind CCRPC staff to distribute initial reviews of municipal plans to the CCRPC Board
- 4 representatives for surrounding municipalities (page 5).
- 5

6 Jeff Carr thanked staff for the update. Between this new review and the new Act 250/Section 248
7 review there may be a lot more work for us. a) Do we have the funding to do this work? And b) is
8 this amount of effort taking the place of something we did before in support of municipalities? He
9 wants to be sure it's not making it difficult for the Executive Director or staff. Charlie said it is a shift
10 and the state did provide funds for energy planning work in the last couple of years and has funding
11 for next year. Charlie said this is a shift in work, but not really displacing anything specific right now.
12 We've been able to accommodate municipal requests. Jeff is concerned that we may have to drop
13 some of the core functions and the board should know about that. Chris Roy noted that funding and
14 efforts have shifted to energy and stormwater issues over the last couple of years. Discussion
15 continued. Charlie said the state has been trying to address the funding issue for many of these
16 topics. We'll adjust as the needs change. Charlie asked members to review this document over the
17 next couple of months and it will be an action item for the Board in September.

18
19 10. Chair/Executive Director's Update:

20 a. Department of Public Service Public Hearing. Charlie noted that the Department of Public Service
21 will be holding a public hearing on August 6, 2018 at CCRPC offices on CCRPC's Request for a
22 Determination of Energy Compliance with 24 VSA, Section 5352.

23 b. Act 250 public outreach meeting. Charlie noted that the board packet included
24 Recommendations for Improving Vermont's Permitting System approved by CCRPC in November
25 2014. On Wednesday, September 12, 2018 at the Elks Club in Burlington there will be an Act 250
26 Public Outreach Meeting. There are a lot of legislators working on updating Act 250 after 50 years.
27 He noted that when you read the language in the bill authorizing that commission, it's not just Act
28 250, but the entire permitting system. A major issue in Vermont permitting is lack of integration
29 between all parties and agencies. A developer will talk to the state and hear one thing and then
30 hear something else from the town. He asked members to review this for input and noted that we
31 may want to form an ad hoc committee to look at this further. Chris Roy said typically Act 250 has
32 been left alone because nobody wants to open Pandora's box. The State is conducting the public
33 forums and we can anticipate some real and earnest discussion on Act 250 covering all sides of the
34 issue. Is there common ground we can agree on such as the November 2014 recommendations.
35 Charlie asked members to feel free to contact him or Regina Mahoney with any thoughts on this.

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37 11. Committee/Liaison Activities and Reports. There were Planning Advisory Committee minutes in the
38 board packet.

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40 12. Adjournment. JEFF CARR MADE A MOTION, SECONDED BY DAN KERIN TO ADJOURN AT 7:02 P.M.
41 MOTION CARRIED UNANIMOUSLY.

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43 Respectfully submitted,

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45 Bernadette Ferenc