REGULAR MEETING AGENDA  
Wednesday, February 20, 2019 - 6:00 p.m.  
CCRPC Offices; 110 W. Canal Street, Suite 202  
Winooski, VT  05404

CONSENT AGENDA – DRAFT

C.1  None

DELIBERATIVE AGENDA

1. Call to Order; Changes to the Agenda
2. Public Comment Period on Items NOT on the Agenda
3. Action on Consent Agenda - (MPO Business)  
   (Action; 1 minute)
4. Approve Minutes of January 16, 2019 Meeting*  
   (Action; 1 minute)
5. Act 250 Recommendations*  
   (Action; 40 minutes)
6. Champlain Parkway and other projects, Chapin Spencer  
   (Discussion; 40 minutes)
7. Chair/Executive Director Report  
   (Discussion; 15 minutes)
   a. FY20 UPWP Update
   b. ECOS Annual Report
   c. Legislative Update
8. Committee/Liaison Activities & Reports *  
   (Information, 2 minutes)
   a. Executive Committee - draft minutes February 6, 2019*
      i. Act 250 Sec 248 letters*
   b. Transportation Advisory Committee – draft minutes January 8, 2019*
   c. Clean Water Advisory Committee – draft minutes January 8, & February 6, 2019*
   d. MS4 Subcommittee – draft minutes January 8, and February 6, 2019*
   e. Brownfields Committee – draft minutes July 2018 - Jan. 2019*
   f. UPWP Committee - draft minutes January 24, 2019*
   g. Act 250 Ad Hoc Committee - minutes January 23, 2019 & draft minutes January 30, 2019*
   h. Planning Advisory Committee - draft minutes February 13, 2019*
9. Members’ Items, Other Business  
   (Information, 5 minutes)
10. Adjourn

The February 20th Chittenden County RPC streams LIVE on YouTube at 

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.
Upcoming Meetings - Unless otherwise noted, all meetings are held at our offices:

- Planning Advisory Committee - Wednesday, February 13, 2019; 2:30 p.m.
- FY20 UPWP Committee Meeting, Thursday, February 21, 2019, 5:30 p.m.
- Transportation Advisory Committee - **Wednesday**, March 6, 2019; 9:00 a.m.
- Clean Water Advisory Committee - **Wednesday**, March 6, 2019; 11:00 a.m.
- CWAC MS4 Subcommittee – **Wednesday**, March 6, 2019; 12:15 p.m.
- Executive Committee – Wednesday, March 6, 2019; 5:45 p.m.
- CCRPC Board Meeting - Wednesday, March 20, 2019; 6:00 p.m.

Tentative future Board agenda items:

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<td>GMT – proposed transit system changes and paratransit Capital Program Prioritization</td>
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Potential Guest Speakers:
- Airport,
- Air Guard,
- VT Trans – Rail,
- UVM-MC Population Health
- Champlain Parkway
1. **Call to Order; Changes to the Agenda.** The meeting was called to order at 6:00 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 – MPO Business.** There were two items on the consent agenda for minor TIP amendments – one to add funds to the US2 Bridge over I-89 in Richmond; and the second to add funds in both FY19 and FY20 for the I-89 2050 (in Chittenden County) Scoping Study. JEFF CARR MADE A MOTION, SECONDED BY TONY MICKLUS, TO APPROVE THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY.

4. **Approve Minutes of November 28, 2108 Meeting.** JEFF CARR MADE A MOTION, SECONDED BY SHARON MURRAY TO APPROVE THE MINUTES OF NOVEMBER 28, 2018 WITH EDITS. MOTION CARRIED TO APPROVE THE MINUTES AS WRITTEN, WITH ABSENTIONS FROM TONY MICKLUS, CATHERINE MCMAINS, BARBARA ELLIOTT, JEFF BARTLEY AND JIM DONOVAN.

5. **FY19 UPWP & Budget Mid-Year Adjustment (MPO and RPC Business).** Charlie noted that annually at this time we make adjustments to the work program and budget to reflect known changes. He
distributed a revised memo requesting additional consultant funds totaling $38,500 for five transportation tasks, which will affect the overall transportation budget. JEFF CARR MADE A
MOTION, SECONDED BY ANDY MONTROLL TO APPROVE THE TRANSPORTATION PORTION OF THE FY19 UPWP MID-YEAR ADJUSTMENT. (MPO BUSINESS) VOTE:

Bolton: Yes Burlington: Yes (4) Charlotte: Yes
Colchester: Yes (2) Essex: Yes Essex Jct.: Yes
Hinesburg: Yes Huntington: Yes Jericho: Yes
Milton: Yes Richmond: Yes St. George: Absent
Shelburne: Yes So. Burlington: Yes (2) Underhill: Yes
Westford: Absent Williston: Yes Winooski: Yes
VTrans: Yes

MOTION CARRIED WITH 22 OF 24 VOTES; AND 16 OF 18 MUNICIPALITIES VOTING.

MIKE O’BRIEN MADE A MOTION, SECONDED BY JEFF CARR, TO APPROVE THE OVERALL FY19 UPWP MID-YEAR ADJUSTMENT. MOTION CARRIED UNANIMOUSLY.

JIM DONOVAN MADE A MOTION, SECONDED BY TONY MICKLUS, TO APPROVE THE OVERALL FY19 MID-YEAR ADJUSTMENT BUDGET. MOTION CARRIED UNANIMOUSLY.

6. Richmond Town Plan Approval, Confirmation of Planning Process, and Determination of Energy Compliance. Emily Nosse-Leirer noted that the Town of Richmond has requested CCRPC 1) Approve its 2018 Town Plan; 2) confirm its planning process; and 3) grant a determination of energy compliance to its 2018 Town Plan. Staff provided a proposed resolution, a staff review of the 2018 Richmond Town Plan dated June 5, 2018 and annotated January 9, 2018; and staff review of that plan’s enhanced energy plan. Richmond is the first municipality in Chittenden County to request a determination of energy compliance. Bard Hill thanked CCRPC staff for all of their help. BARD HILL MADE A MOTION, SECONDED BY JIM DONOVAN, THAT THE CCRPC BOARD APPROVE THE 2018 RICHMOND TOWN PLAN, CONFIRM RICHMOND’S PLANNING PROCESS; AND GRANT AN AFFIRMATIVE DETERMINATION OF ENERGY COMPLIANCE TO THE 2018 RICHMOND TOWN PLAN; AND AUTHORIZE THE CHAIR TO SIGN THE RESOLUTION. MOTION CARRIED UNANIMOUSLY.

7. Clean Water Advisory Committee Membership Guidelines Recommendation. Charlie noted that we had discussed this last fall and asked the CWAC to come up with guidelines for non-municipal membership. The following guidelines were approved 15-2 by the committee:
1) the organization’s primary focus is on watersheds that are within Chittenden County;
2) that they are established non-profit organizations with a track record of participating as partners with our municipalities on the implementation of water quality research, outreach and improvement projects;
3) that the organization be nominated by at least one CWAC municipal member; and
4) that the organization not be primarily engaged in political or lobbying activities.

Jeff Carr questioned what “primarily” is defined as in #4. Brian Bigelow feels #4 is covered in #1. Charlie noted that Don Meals felt there shouldn’t be a limit on membership as defined by #4. Chris Roy noted that these are guidelines that can be changed. Discussion ensued. Any recommendation for membership would come from CWAC and would have to be approved by the Board. There are no non-voting members and that was discussed. ANDREA MORGANTE MADE A MOTION, SECONDED BY BARBARA ELLIOTT, TO APPROVE THE GUIDELINES FOR NON-MUNICIPAL MEMBERSHIP AS
RECOMMENDED BY THE CLEAN WATER ADVISORY COMMITTEE (CWAC). MOTION CARRIED UNANIMOUSLY.

8. Commission on Act 250 Recommendations. Regina Mahony distributed a two-page introduction to a legislative bill on Act 250 reform. She gave a slide presentation including some background, commission report findings, commission recommendations, etc., which are appended to these minutes. A very lengthy discussion ensued with many questions. Sharon Murray represented Vermont Planners Association on the Act 250 Commission and was able to shed some light on some of the questions. Chris Roy is also quite familiar with the proposals and added to the conversation. The CCRPC ad hoc Act 250 Committee will develop comments for the Executive Committee and PAC review. We anticipate there being recommendations for Board consideration in February.

9. Chair/Executive Director’s Report.
   b. Congratulations to Lee Krohn who recently became the permanent Shelburne Town Manager. We will not replace him at this time, but Christine Forde will take on some of the emergency management responsibilities.
   c. ECOS Annual Report. CCRPC staff is working with partners on the ECOS Annual Report which should be ready for the February meeting.
   d. Legislative Breakfast feedback. Jim Donovan heard from several legislators that these were very good meetings. Charlie said some suggested fewer topics and delving deeper. Jeff Carr noted it was good to have municipal managers speaking about various topics.
   e. Legislative Update. Charlie said another bill he is watching deals with water quality funding. The administration initially suggested water quality utilities and trying to set them up for the express purpose of having municipalities take more responsibility for non-regulatory projects. These are projects that are likely to be done in partnership with conservation districts or watershed associations. Andrea feels we have to work with local landowners to get the projects in the basin plans done, not just municipal projects.

10. Committee/liaison Activities Reports. Chris Roy noted that minutes of various committee meetings were included in the meeting packet.

11. Members’ Items, Other Business. There was none.

12. Adjourn. JEFF CARR MADE A MOTION, SECONDED BY JIM DONOVAN, TO ADJOURN THE MEETING AT 7:27 P.M. MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

Bernadette Ferenc
Proposed Act 250 Amendments

CCRPC Board Meeting
1/16/2019

Background

- Act 250 enacted in 1970
- Most amended legislation
- Effectiveness is highly debated
- Legislative committee was charged to review the legislation and propose recommendations in light of 50 years in 2020

Commission Report Findings

- Development occurred 2.5 to 6 times greater than population growth since 1982
- Impairment of VT waters remains significant
- Significant creation of small parcels (0 to 10 acres) from 2004 to 2016
- Approximately 75% of development in VT is not subject to Act 250
- Effects of Climate Change are manifesting in Vermont
- Federal and state environmental regulation has expanded; Act 250 no longer the primary environmental protection law

Commission Recommendations

VPA Legislative Liaison, Alex Weinhagen:

“In my estimation, most of the proposed changes relate to strengthening Act 250 protections and review jurisdiction. Many of the proposals to limit Act 250’s jurisdiction or streamline the review process (e.g., give more deference to ANR permits, exempt certain forestry and agricultural accessory uses, etc.) were rebuffed as counter to the spirit of Act 250’s public process or lacking in data to support the need for change. The tenor of the recommendations seems to be more clarity (e.g., capability and development maps), more ecosystem protection, continued robust public participation, and very limited streamlining or wholesale reshaping. All of this married with a dramatic change to the first level of the appeals process - i.e., a return to an administrative board review of appeals rather than the current judicial process through the Environmental Division of the VT Superior Court.”
The Good

- Emphasis on importance of regional and local plans
- Change in jurisdiction to natural resource based rather than arbitrary project size, though this does expand jurisdiction
- Permit release provision
- Consolidated appeal route for Act 250 and ANR permits

Initial Concerns

- Decreased jurisdiction in existing settlements isn’t entirely clear, enhanced designation only tied to geographically limited state designations, and little to no accommodation for ‘areas planned for growth’
- Regional Plan approval by the Vermont Environmental Review Board (replaces the Natural Resources Board)
- More costly development through climate change, energy, and forest block (including a mitigation fee) criteria in relation to our overall lack of affordable housing
- River Corridor maps have not been updated with accurate data

Jurisdiction Proposal

- Subject to Act 250 Review if project is in “rural and working lands” and “critical resource area”
- No Act 250 Review for commercial, industrial and subdivisions in “enhanced designation” areas – which if approved are no larger than the state designations
- Proposal lacks Act 250 relief for “existing settlement” areas (except interstate exchanges in these areas) or areas planned for growth.

Act 250 Map

- Expanded/clarified jurisdiction map: critical resource areas, forest blocks.
- Only our center planning areas and some villages have some relief with a lot more work to do first.
**Capability and Development Maps**

- Update done by Board and Secretaries of Commerce and Community Development, Digital Services, Agriculture and Natural Resources by January 2021.
- Consult RPCs prior to completion of update
- Public Hearing process
- Include: environmental constraints, critical resource areas, facilities and infrastructure, and areas targeted for conservation, public investment and development. Not clear how the areas for development will be used at all.
- Update at least every 8 years

**Other Components**

- Clarifying recreational trails
- Ag and Forest exemptions
- Regulating over 2,000 ft. rather than 2,500 ft.
- Increased jurisdiction in interchange areas outside of existing settlements
- No presumption of an ANR permit for discharge into an impaired water
- Appeals
- Reactivate Development Cabinet (doesn’t require a legislative change)

**Enhanced Designation**

- In Commission’s proposed bill and Administration’s proposed bill
- An add on to existing designation programs and doesn’t appear to provide an avenue for geographic expansion of designated areas
- The bar is high in some circumstances: historic preservation bylaws, water & wastewater for Villages, and river corridor bylaws if can’t amend mapped boundary

**Next Steps**

- CCRPC ad hoc Committee develop comments for Executive Committee and PAC review
- Recommended comments for Board action in February
Chittenden County Regional Planning Commission  
February 20, 2019  
Agenda Item 5: Draft Act 250 Comments

**Issues:** Act 47 (in 2017) created a commission of six legislators to “review the vision for Act 250 adopted in the 1970s and its implementation with the objective of ensuring that, over the next 50 years, Act 250 supports Vermont’s economic, environmental, and land use planning goals.” This commission prepared a report, including a draft bill. The bill itself is now in the House Natural Resources Committee. Here is a link to the House Natural Resources Committee page; and here is the latest bill. In addition, there is another bill that includes more detail about the enhanced designation proposal (H. 197); and yet another bill that Staff have not yet reviewed (S.104). At your January Board meeting we provided an overview of the proposals (the presentation is at the end of the January minutes).

Because the bills themselves will be a moving target throughout this session, and potentially next session as well, CCRPC’s ad hoc Act 250 Committee decided to draft general position statements that can be used to initially inform the legislative committees and help guide any more specific comments that we may provide. The ad hoc Act 250 Committee met twice, and then the draft position statements were reviewed by first the Executive Committee on 2/6, and then the Planning Advisory Committee on 2/13. Comments from both Committees have been incorporated into the attached position statements.

The overall intent of the position statements are to encourage the Legislature to ensure a more effective and efficient Act 250 process.

**Executive Committee Recommendation:** The Executive Committee recommended that this be sent to the PAC and to the Board, including PAC changes for their February meeting.

**PAC Recommendation:** The PAC offered comments as reflected in their minutes that were incorporated into the position statements.

**Staff Recommendation:** Staff recommends that the Board approve these positions statements as drafted, for the Executive Director to share with the Legislature.

**Staff Contact:** Contact Regina Mahony with any questions: rmahony@ccrpcvt.org, 846-4490 ext. *28.
Recommendations for Improving Vermont’s Act 250 Permitting System
Draft February 15, 2019

Act 47 (in 2017) created a commission of six legislators to “review the vision for Act 250 adopted in the 1970s and its implementation with the objective of ensuring that, over the next 50 years, Act 250 supports Vermont’s economic, environmental, and land use planning goals.” CCRPC has reviewed the work of this Commission and offers the following general positions intended to make Act 250 more effective and efficient.

1. CCRPC encourages the Legislature to ensure a predictable review process that minimizes inconsistency and duplication at all levels of review and puts those reviews in the most appropriate hands so environmental protection is not compromised, and housing and economic development is not unnecessarily time-consuming and expensive.

2. In general, the state permit process should encourage development in appropriately planned places and discourage development outside of those areas. Therefore, CCRPC strongly supports the concept that Act 250 should not have jurisdiction in areas planned for growth to encourage affordable housing and economic investment in our smart growth areas: walkable, transit-friendly, water and sewer-serviced areas. However, the enhanced designation concept as proposed is unworkable for the following reasons:
   a. It builds on an overly complex designation system that puts existing growth into a variety of unnecessary silos and does not adequately capture planned future growth areas. The existing designation system, of which there are five designations, should be overhauled into a comprehensive growth strategy rather than continue to build upon it with a sixth designation. Improving and possibly expanding existing designations is better than creating new designations.
   b. It is not a true Act 250 release; it merely shifts the burden of all the Act 250 criteria to the municipal level. Instead, we should support existing local planning and Downtown Board efforts to designate these areas as places for housing and economic development, acknowledge the greater environmental benefit of clustering growth into areas with existing infrastructure, and not enforce Act 250 criteria that were originally intended to minimize and mitigate indirect and cumulative impacts of major development.
   c. The current geographic boundaries of the designation programs are unnecessarily limited. As an example, the Village and Downtown designations are narrowly focused on commercial and civic uses and exclude redevelopment and infill in existing neighborhoods surrounding Villages and Downtowns. The Downtown Board should analyze each individual area on its merits as a smart growth area, and there should be incentives to improve existing sprawl areas.
   d. The Growth Center and Neighborhood Development Area designations come with an affordable housing requirement, and this should not be lost under a new structure.
   e. It adds an appeal process that the current designation programs don’t have. If an appeal process is a necessary component, add that to the current designations rather than creating a new one.
   f. The proposed bill will be a significant expansion of Act 250 jurisdiction, including expansion into areas where development is appropriate, such as existing neighborhoods surrounding centers; and the enhanced designation concept will not solve that problem.

3. CCRPC supports the comprehensive nature of resource area protections and the acknowledgement that Act 250 jurisdiction should be triggered by location in areas of statewide interest, regardless of project size (even single-family home developments).

4. Act 250 master plan permitting should rely more on conceptual plans and capacity analysis as opposed to engineer-sealed plans with more detail. Master Plan permit approval should include conditions of obtaining the other more detailed permits (stormwater, wastewater, etc.). This would ensure a more resident-friendly, efficient and less costly state permitting process, helping to reach affordable housing and economic development goals.
5. CCRPC finds that any mapping established to define jurisdiction, and particularly growth areas, in Act 250 should be based not only on state-level maps, but also on mapping in local and regional plans due to the extensive public participation involved in their development. There may also be resources that should be considered by Act 250 that are not identified on state-level maps.

6. CCRPC asks that the Legislature either work out further details before adopting new concepts or hold until further details are worked out (e.g. greenhouse gas mitigation fee). The development costs of some of these concepts could be substantial and would exacerbate existing inflated housing costs for Vermonters. New concepts should be more thoroughly considered before adoption. Further, all the fees should be comprehensively reviewed to understand the impact on development costs, particularly considering the goal of smart growth development.

7. CCRPC encourages the Legislature to consider a phased approach to implementing the new jurisdiction paradigm. If it moves forward, it will greatly expand the reach of Act 250, and could greatly disrupt the market. It would be best to first allow municipalities to apply for and obtain the enhanced designation before the greater rural development restrictions are implemented.

8. CCRPC supports an appeals process that allows coordination or consolidation of appeals of various municipal and state permits to one entity to ensure consistency in decision-making and prevent unaligned requirements between Environmental Court and the proposed re-invigorated Environmental Resource Board decisions.
Date: Wednesday, February 6, 2019
Time: 6:45 p.m.
Place: CCRPC Offices, 110 W. Canal Street; Suite 202; Winooski, VT 05404

Present: Chris Roy, Chair
Mike O’Brien, Vice Chair
Andy Montroll, Immediate Past Chair
Barbara Elliott, At. Large
Catherine McMains, At-Large

Via telephone:
Charlie Baker, Executive Dir.
Regina Mahony, Planning Program Mgr.
Forest Cohen, Sr. Business Manager
Amy Irvin Witham, Business Office Associate

The meeting was called to order at 5:45 p.m. by the Chair, Chris Roy. Several Executive Committee members joined the meeting via conference call due to the inclement weather.

1. Changes to the Agenda; Members’ Items: The agenda was changed to move item 5. Act 250 recommendations before item 4. Banking change resolutions.

2. Approval of January 2, 2019 Executive Committee Minutes. MIKE O’BRIEN MADE A MOTION, SECONDED BY BARBARA ELLIOTT, TO APPROVE THE MINUTES OF JANUARY 2, 2019 WITH CORRECTIONS IF ANY. MOTION CARRIED UNANIMOUSLY TO APPROVE THE MINUTES AS WRITTEN.

3. Act 250 & Section 248 Applications.
   a. Act 250 Hearing, Snyder Finney Crossing; Williston, #4Co887-1R-N. Regina noted that this is basically a renewal of their Findings of Fact from the master plan, which need to be renewed every five years. This project is located on Williston Road and Holland Lane in Williston. The master plan has been approved by the Williston Development Review Board, but each phase is subject to local review as they are proposed. CCRPC staff thinks it’s fine and we generally concur with the Traffic Impact Assessment. CATHERINE McMAINS MADE A MOTION, SECONDED BY ANDY MONTROLL, TO APPROVE THE LETTER TO THE ACT 250 COORDINATOR. MOTION CARRIED UNANIMOUSLY.

   Chris Roy recused himself from discussion/action on the next two items. Mike O’Brien took over as chair.

   b. Section 248 Advance Notice of Petition; Underhill GLC Solar-150kW; Underhill#19-0292-AN. Regina noted that this is a solar project on Beartown Road in Underhill. The Executive Committee has reviewed this before. As demonstrated in our preferred site letter, CCRPC is highly supportive of projects sited on previously developed sites like this parcel, which is a former landfill. This is the notice that they intend to submit a petition to the PUC. On the second page, we are requesting more information on the impact this project will have on slopes over 15%, including any plans to retain vegetation, stabilize the slopes after clearing and whether the full extent of clearing is required for the project. Catherine noted that in the beginning of the letter it says the Town of Underhill is still reviewing this notice and asked how that will affect our review. Regina said that is correct, but since it’s on town land she doesn’t think there will be an issue. If we send this letter tomorrow, we will remove the highlight on
that sentence. BARBARA ELLIOTT MADE A MOTION, SECONDED BY ANDY MONTROLL, TO APPROVE THE LETTER TO GREEN LANTERN SOLAR. MOTION CARRIED UNANIMOUSLY.

c. Act 250 Possible Hearing, Costco, Colchester - #4C0288-19F and #4C0288-19G. Regina said this deals with Costco’s request to open gas pumps on off-peak hours. We don’t have anything in the packet because we’re not sure what will happen. We were waiting to see what comments VTrans would submit, and they didn’t submit any yet. Since then it was determined not to hold a hearing right now. February 4th was the date for parties to submit comments; and February 15 is deadline for rebuttal on those comments. We don’t have anything to bring to the table right now. She believes it will go to hearing at some point.

5. Act 250 Recommendations. Regina distributed a revised document as Emma reviewed the original and made some wording changes. The Ad Hoc Act 250 Committee met twice and put these overarching statements together. They thought it would be a more effective way to get input from the full board. The bill itself is still in draft form and will probably change a great deal over time. The Ad Hoc Committee will continue to meet to review things as the bill moves forward. These recommendations are being reviewed by the Executive Committee, the Planning Advisory Committee (PAC) and the full board at its February meeting. Regina reviewed the intent of each of the nine recommendations.

1. The proposed bill does not define how we develop areas that are designated for growth. In general, the state permit process should encourage development in appropriately planned places and discourage development outside of those areas. The recommendation then describes why the enhanced designation concept as proposed is unworkable. The burden of all Act 250 criteria would just shift to the municipal level instead. Catherine McMains noted that most of the towns do not have the staff to do the review of Act 250.

2. Any changes should include a defined review process and how to get there. The paradigm under the proposed change, Act 250 would continue in areas that we want to protect.

3. In general, we support this but it needs to go along with a better #1.

4. The expansion of climate change, energy efficiency and forest block criteria, which have accompanying fees, would make development more costly and hinder the desperate need for affordable housing.

5. Deals with the order in which the design for projects is reviewed in Act 250. We recommend that Act 250 rely more on conceptual plans as opposed to engineer-sealed plan with more detail. Land Use permits should then include conditions of obtaining the other permits. This would ensure a more resident-friendly, efficient and less costly state permitting process. Brief discussion ensued.

6. Talks about mapping. This proposal takes a state-level, top down approach to mapping and we recommend that we use the local and regional maps to help develop state level maps, because of the extensive public involvement (especially with landowners) in developing the local/regional maps.

7. Asks the legislature to work out further details before adopting new concepts, which could exacerbate existing inflated housing costs for Vermonters.

8. Urges the legislature to consider a phased approach and make changes a little more piece meal. If all this change should happen at once, we could see things come to a halt for some time and it could disrupt the market and limit the development of affordable housing we really need. Brief discussion.

9. Deals with the appeals process that allows coordination or consolidation of appeals of various permits to ensure consistency in decision-making and prevent unaligned requirements between Environmental Court and Environmental Resources Board decisions.
Catherine thought that the whole idea of this Act 250 Review Committee was to make the whole process easier. Brief discussion ensued about the appeals process. Members suggested some clarifying language to a couple recommendations, as well as a statement at the beginning showing the overall goals of these comments. That the overall intent is to make the process more efficient and effective. Regina will provide a memo that goes along with these recommendations. The Ad Hoc Act 250 committee thought that as we get more versions of the bill, we could bring in more defined recommendations. **MIKE O’BRIEN MADE A MOTION, SECONDED BY BARBARA ELLIOTT, THAT THIS BE SENT TO THE PAC FOR THEIR MEETING NEXT WEEK AND TO THE BOARD, INCLUDING PAC CHANGES FOR THEIR FEBRUARY MEETING. MOTION CARRIED UNANIMOUSLY.**

4. **Banking Change Resolutions.** Forest noted that last month we suggested the concept of changing our banking to Opportunities Credit Union (OCU). Their mission is aligned with our ECOS Strategy to support low-income, new Americans and keeping the money local. We did more analysis and found that we could reduce fees and increase interest earned by switching to OCU. We also wanted to ensure that we could still collateralize our funds to protect funds over the FDIC/NCUA limit from catastrophic events. OCU would take out a line of credit to cover that and would absorb the cost. If we increase the amount later, we would have to pay a fee. Staff feels it’s a good idea. We would transfer our checking account and combine our savings account (local dues) and our money market funds into a money market account at OCU. We would leave our CD’s where they are at North Country Savings. Charlie again disclosed that he is the chair of OCU board because it aligns with our mission and goals. **Brief discussion. BARBARA ELLIOTT MADE A MOTION, SECONDED BY CATHERINE MCMAINS, TO APPROVE THE STAFF RECOMMENDATION TO CHANGE FINANCIAL INSTITUTIONS. MOTION CARRIED UNANIMOUSLY.**

6. **Executive Director’s Update:**
   a. **FY2020 UPWP Update.** The UPWP committee held its first meeting on January 24th and will meet again on February 22nd. We have approximately $1.25 million available for consultant/partner projects and we received requests totaling $1.5 million. Staff has already reduced the number of regional projects to try to get down to the available PL funds and at this point are within $40,000. There are a lot of transportation and water quality project requests, but not many requests for planning and zoning assistance.
   b. **ECOS Annual Report.** We are still meeting with partners to complete the Annual Report and hope to have it available soon.
   c. **Legislative update:** Charlie noted that he anticipates testifying at the legislature regarding our recommendations for Act 250 shortly after our board meeting. Other bills he’s following include: 1. ANR’s efforts to get water quality funding out locally – the delivery system; and there is a lot of conversation around how to do that. 2. There is another bill about to be proposed that would increase the percentage of the Property Transfer Tax that would be awarded to the RPCs.

7. **CCRPC February 20, 2019 Agenda review.** Chris Roy will not be attending this meeting, so Mike O’Brien will chair it. Members reviewed the proposed agenda and agreed to ask Burlington Public Works to give a presentation on the Champlain Parkway and other city projects in the pipeline.

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

9. **Executive Session.** None needed.
10. Adjournment. MIKE O’BRIEN MADE A MOTION, SECONDED BY CATHERINE MCMAINS, TO ADJOURN
THE MEETING AT 6:31 P.M. MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

Bernadette Ferenc
February 7, 2018

Rachel Lomonaco
Act 250 Coordinator
111 West Street
Essex Junction, VT 05452

RE: Union Bank and Market Street; Williston; Application #4C0887-1R-N

Dear Ms. Lomonaco:

The Chittenden County Regional Planning Commission’s Staff and Executive Committee have reviewed this Act 250 application for a project described as the renewal of the partial Findings of Fact and Conclusions of Law and Order for the full Finney Crossing Planned Unit Development (PUD) for an additional five year period and to amend these findings of fact under Criteria 5 (traffic), 9(B) (primary agricultural soils) and 9(K) (public investments). The project is located on Williston Road and Holland Lane in Williston, Vermont. Finney Crossing’s master plan has been approved by the Williston Development Review Board, but each phase will be subject to local review as they are proposed.

The project is located within the Center Planning Area as defined in the Chittenden County Regional Plan, entitled the 2018 Chittenden County ECOS Plan. We find the renewal of this project remains consistent with the Planning Areas for the following reasons:

1. The Metro Planning Area is identified in the Plan as an area planned for growth, and therefore this project helps implement Strategy #2 of the Plan which calls for 80% of new development in the areas planned for growth.
2. The project is located in a state-designated Growth Center, will be served by municipal water and sewer service, and is accessible via GMT transit routes.
3. The density and uses are consistent with the local regulations, as demonstrated by the local approval of the Finney Crossing master plan and the subsequent local approval of various phases.

Therefore, we find this project to be in conformance with the Planning Areas of the 2018 ECOS Plan.

We also find that this project meets the requirements of Criterion 9(L) as it is located within a state designated Growth Center.

The Traffic Impact Assessment (TIA) revised June 26, 2018 conducted by Lamoureux and Dickinson Consulting Engineers, Inc. was reviewed. The TIA examined the impacts of an additional 444 pm peak hour trips on top of the previously approved 333 pm peak hour trips and we generally concur with the findings of the TIA.

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 2018
Chittenden County Regional Plan. While there are many other topics covered in the 2018 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 2018 ECOS Plan.

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

Sincerely,

Charlie Baker  
Executive Director

Cc: CCRPC Board  
Certificate of Service
February 7, 2019

Sam Carlson, Director of Project Development
Green Lantern Solar
PO Box 658
Waterbury, VT 05676

RE: Advance Notice of Petition for Underhill GLC Solar LLC’s Proposed 150 kW Project in Underhill, VT – 97 Beartown Road (Case #19-0292-AN)

Dear Mr. Carlson:

Chittenden County Regional Planning Commission has received the 45-day notice of a Section 248 Petition to be filed with the Vermont Public Utility Commission for a 150 kW solar project at 97 Beartown Road in Underhill, Vermont. We have reviewed this project in light of CCRPC’s 2018 Chittenden County ECOS Plan, which gained a Determination of Energy Compliance from the Vermont Department of Public Service on August 9, 2018. Please be advised that the Town of Underhill is still reviewing this notice.

ECOS Energy Goal
CCRPC finds that this project meets the intent of the Energy Goal (Goal #17) of the 2018 ECOS Plan: “Move Chittenden County’s energy system toward a cleaner, more efficient and renewable system that benefits health, economic development, and the local/global climate by working towards the State’s Comprehensive Energy Plan goals.”

Strategy 2, Action 4b of the ECOS Plan states “CCRPC supports the generation of new renewable energy in the County to meet the Vermont Comprehensive Energy Plan’s goals of using 90% renewable energy by 2050, in a manner that is cost effective and respects the natural environment.” Development of this solar facility helps implement this action. The Plan’s suitability policies help determine whether projects are cost effective, and the Plan’s constraint policies help determine whether projects respect the natural environment.

Suitability Policies
The 2018 ECOS Plan recommends the location of renewable energy generation facilities in appropriate locations, as defined by the polices in Strategy 2, Action 4b. The project as proposed meets the following suitability policies:

- The project is located in an area proximate to existing distribution and transmission infrastructure with adequate grid capacity.
- The project is located on a preferred site, as designated through letters from the Underhill Planning Commission, the Underhill Selectboard, and CCRPC (CCRPC letter dated 12/6/2018)
- The project is outside of any state designated centers or historic districts.

CCRPC finds that the location of this project meets the suitability policies of the 2018 ECOS Plan. As demonstrated in our preferred site letter, CCRPC is highly supportive of projects sited on previously developed sites like this parcel, which is a former landfill.
Constraints
The *2018 ECOS Plan* states that development should be located to avoid state and local known constraints that have been field verified, and to minimize impacts to state and local possible constraints that have been field verified (Strategy 3, Action 1.f and Strategy 4, Action 1.f and Action 2.e).

Based on the site plan included in the advance notice, CCRPC has reviewed the constraints that exist on the site of the proposed project using the ANR Natural Resources Atlas and ANR BioFinder.

_Slopes over 15%:_ It appears that vegetative clearing is proposed on areas of slopes over 15%, a local possible constraint identified in the *2018 ECOS Plan*. **CCRPC requests more information on the impact this project will have on slopes over 15%, including any plans to retain vegetation, stabilize the slopes after clearing and whether the full extent of clearing is required for the project.**

These comments are based on information currently available; we may have additional comments as the process continues. We understand that the project may change between the advance notice and the final application. CCRPC will review the project location again after the final application is submitted to confirm our initial findings above.

Please feel free to contact me with any questions.

Sincerely,

Charlie Baker
Executive Director

cc: CCRPC Board
Andrew Strniste, Director of Planning & Zoning, Town of Underhill
Eleni Churchill called the meeting to order at 9:00 AM. She first called for a round of introductions, then asked for any changes to the agenda, which there were none.

1. Consent Agenda
DENNIS LUTZ MADE A MOTION, SECONDED BY NICOLE LOSCH, TO APPROVE THE TWO TIP AMENDMENT ITEMS DESCRIBED IN THE CONSENT AGENDA MEMO. THE MOTION PASSED UNANIMOUSLY.

2. Approval of Minutes
AMY BELL MADE A MOTION, SECONDED BY DENNIS LUTZ, TO APPROVE THE MINUTES OF THE NOVEMBER 6, 2018 TAC MEETING. THE MOTION CARRIED.

3. Public Comments
None.

4. I-89 Corridor Project
This multyear planning effort will comprehensively look at the entire Interstate corridor in Chittenden County. This project is one of the 2050 MTP investments but there is a need to take a closer look at Interstate improvements. Eleni Churchill gave a brief presentation on the study goals and consultant procurement process. Day-to-day project management will be overseen by CCRPC and the project will include a technical committee, an advisory committee, focus groups and other public involvement efforts.
Procurement followed a two-step process with a letter of intent followed by invitations for full proposals, with VHB selected by the review committee as the preferred consultant. CCRPC staff requests that the TAC approve the consultant team recommended by the selection committee (VTrans, TAC, and CCRPC). Discussion: Does the Exit 12 Scoping Study fit into this study? The project team will assume that the Exit 12 project will be complete and is included as part of this study, as will other Interstate exit scoping studies like Exit 16. What did the RFP say about the analytical framework for land use impacts, and how will those get weighted in selecting a preferred alternative? It’s too early to fully answer this question. The CCRPC used to have a land use framework model but will work with the consultant team to develop a new land use model as one method of evaluation, but various other methodologies will be presented to the TAC when appropriate. Who else is on the VHB’s consultant team? They are partnering with RSG and UVM Transportation Research Center, as well as Third Sector Associates and Dr. Austin Troy. Will the project and traffic model evaluate whether interstate congestion would be reduced if the Circ Highway, or elements of it, were built? This could be one of the alternatives examined if it addresses the project purpose. Some of the early 2050 MTP evaluations looked at a few alternatives locally but not yet at the regional scale. This project will also look at potential impacts to arterials as well as other I-89 interchanges to get traffic off the interstate. DENNIS LUTZ MADE A MOTION, SECONDED BY DEAN PIERCE, TO APPROVE VHB AS THE CONSULTANT FOR THE CHITTENDEN COUNTY I-89 2050 STUDY. THE MOTION PASSED UNANIMOUSLY.

5. Legislative Priorities this Session
Charlie Baker noted that about 60-70 people attended the CCRPC Legislative Breakfast in December. They were provided background information on the ECOS Plan, impact of Chittenden County on state tax contributions, grand list growth, update on Chittenden County Public Safety Authority, CCRPC resources and some current projects. He then reviewed the legislative priorities for this coming session which include: bolstering the state’s workforce, mental health and substance abuse issues, smart growth (focusing growth where we want it), housing stock and affordability, MTP projects, water quality, Act 250 and permit system changes, and increased funding for regional and municipal funding.

6. 2019 UPWP Budget Adjustment
Halfway through each fiscal year the CCRPC adjusts the work program budget and task schedule. Eleni highlighted mid-year changes to the current UPWP, which will be voted on by the CCRPC Board on January 16. The adopted version will be posted at: https://www.ccrpcvt.org/about-us/commission/annual-work-plan-budget-finances/.

7. 2020 Draft UPWP
Bryan Davis provided a brief update on the FY20 UPWP development schedule. Project requests are due January 18, and UPWP Committee meetings are scheduled for January, February and March. A draft FY20 UPWP will be available in April with Board action anticipated in May.

8. Status of Projects and Subcommittee Reports
Eleni referred members to the project list on the reverse side of the meeting agenda. There was a brief discussion of NHS updates, which were approved by FHWA. The ECOS Map Viewer will include the updated NHS layer: http://map.ccrpcvt.org/ChittendenCountyVT/

9. CCRPC November Board Meeting Report
Eleni noted that there was no Board meeting in December. The Board met on 11/28 and heard a presentation on Greenride Bikeshare and the upcoming I-89 Corridor Study. The meeting began with a 45-minute presentation on Board responsibilities as an MPO.

10. Chairman’s/Members’ Items
Sandy Thibault informed members that CATMA is preparing a Strategic Business Plan and is seeking input from stakeholders, include municipalities. CATMA staff will send out a survey link in the coming weeks and asks for member input.
AMY BELL MADE A MOTION, SECONDED BY DEAN PIERCE, TO ADJOURN THE MEETING. THE MOTION CARRIED.

The meeting adjourned at 10:00AM.

Respectfully submitted, Bryan Davis
CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
CLEAN WATER ADVISORY COMMITTEE – DRAFT MINUTES

DATE: Tuesday, January 8, 2019
SCHEDULED TIME: 11 a.m. to 12:15 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: Joss Besse
Hinesburg: Merrily Lovell
St. George:
Buels Gore: Huntington: Darlene Palola
Underhill: Brian Bigelow
Burlington: Jericho:
Westford:
Charlotte: Milton: Dave Allerton
Williston: James Sherrard
Colchester: Karen Adams
Richmond: Jessica Draper
Winooski: Jon Rauscher, Tim Grover
Essex: Annie Costandi
Shelburne: Chris Robinson (arr. 11:07 a.m.)
VAOT: Jennifer Callahan
Essex Junction: Chelsea Mandigo
South Burlington: Tom DiPietro (arr. 11:16 a.m.)
VANR: Christy Witters
Burlington Airport: Larry Lackey, Polly Harris (Stantec)
University of VT: Claire Forbes
CCRPC Board: Don Meals
Friends of the Winooski River:
Lewis Creek Assoc:
Winooski NRCD: Kristen Balschunat

Other Attendees: Milly Archer VLCT, Jess Rubin MycoEvolve,

CCRPC Staff: Dan Albrecht, Charlie Baker

1. Call to Order. The meeting was called to order by Annie Costandi at 11:00.

2. Review and action on draft minutes of October 2, 2018. After a brief recap by Dan Albrecht, Karen Adams pointed out that the Colchester intern’s first name is Andrew. Karen Richards made a motion, seconded by James Sherrard to approve the minutes as corrected. MOTION PASSED with Polly harris, and Don Meals abstaining.

3. Recommend appointment guidelines for non-municipal representatives to CWAC. Annie opened the discussion about the four draft criteria:
   1) the organization’s primary focus is on watersheds that are within Chittenden County;
   2) that they are established non-profit organizations with a track record of participating as partners with our municipalities on the implementation of water quality research, outreach and improvement projects;
   3) that the organization be nominated by at least one CWAC municipal member; and
   4) that the organization not be primarily engaged in political or lobbying activities.

   Don spoke out in opposition to the 4th criteria to have as broad as representation as possible. James noted that the primary goal is to help municipalities. Joss would be concerned if the word “primarily” was removed from the 4 criteria. Annie noted that Don suggested having members be non-voting was an option. James would not be concerned if organizations were non-voting. There was discussion about how big a difference there is between voting and non-voting members, particularly if there are votes on policy positions to an agency.

   James Sherrard moved that the four bullets be approved as written with a second from Darlene Palola. Everyone was in favor except Don Meals and Brian Bigelow were opposed and the following abstained: Christy Witters, Jennifer Callahan, Kristen Balschunat and Chris Robinson. MOTION PASSED.

4. From SWMP to Project Implementation, Chittenden County Examples: Danielle Owcarski, DEC & Dan Albrecht, CCRPC. Danielle first presented on how to find and prepare watershed projects for implementation using DEC’s story map available at this link: https://arcg.is/1jmubL More and more state funding is going towards green stormwater projects (primarily trying to treat water flow across impervious surfaces). The Tactical Basin Plans present the big picture for each watershed but also include an
Implementation Table highlighting the most critical types of projects that are needed. To access project ideas, one then explores the state’s Watersheds Project Database where you can sort by town, by type of project, by project readiness, etc.

Danielle and Dan then showcased two examples of how projects were moved from the TBP phase, through a stormwater master plan process and then towards implementation. The Town of Jericho secured an Ecosystem Restoration Program grant of about $50k and completed sub-surface chambers and regressed to improve a pre-existing basin with better infiltration at the corner of VT-15 and Packard Road. The Town of Underhill worked with the CCRPC to obtain about $20k in Clean Water Block Grant funds and will be installing a large raingarden to treat roof and parking lot runoff at the Town Office on Pleasant Valley Road.

5. Draft Water Quality – Clean Water Utilities bill. Charlie reviewed some comments that he sent to the Secretary of ANR regarding a bill that she is drafting requiring municipalities to participate in clean water utilities for the purpose of implementing, owning, and maintaining non-regulatory projects. It sounds like that this early bill will be getting combined with a bill that Senator Bray was drafting. We’ll have to monitor this bill as it moves through the legislature.

6. Updates. 3-acre rule – Padraic wasn’t able to be here as the draft rule is going to LCAR today. He will be at the February meeting to discuss. Jess Rubin from UVM provided an update on some research for using mycoremediation for water pollution reduction (see PDF posted at Committee webpage).

7. Items for February 5th meeting agenda. draft 3-acre permit rule and preliminary list of potential regulated parcels; legislative update

8. Adjournment. The meeting adjourned at 12:20 p.m.

Respectfully submitted, Charlie Baker
CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
CLEAN WATER ADVISORY COMMITTEE – DRAFT MINUTES

DATE: Tuesday, February 5, 2019
SCHEDULED TIME: 11 a.m. to 12:15 p.m.
PLACE: CCRPC Offices, 110 West Canal Street, Suite 202, Winooski, VT
DOCUMENTS: Minutes, documents, and presentations discussed accessible at:
http://www.ccrpvcvt.org/meetings/clean-water-advisory-committee/

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Other Attendees: Watershed Consulting: Dana Allen; Hoyle; Tanner: Kirstin DiPietro Worden; Krebs & Lansing: Derick Read; Blue Stormwater: Juliana Dixon

CCRPC Staff: Dan Albrecht, Chris Dubin, Charlie Baker (until 11:23 a.m); Regina Mahony

1. Call to Order. The meeting was called to order by Annie Costandi at 11:00 a.m.

2. Review and action on draft minutes of January 8, 2019. After a brief recap by Dan Albrecht, Don Meals made a motion, seconded by James Sherrard to approve the minutes as corrected: Chelsea was not in attendance. MOTION PASSED with abstentions by Polly Harris and Chelsea Mandigo.

3. Water Quality Legislative Update. Charlie Baker reviewed the Clean Water redesign graphic from the Administration (1/9/2019). It is becoming clear that we are not going to achieve our goals in regulatory programs alone; clean water projects need to be implemented in non-regulatory programs and they are therefore shifting toward putting some money toward these programs.

There are two bills: The first is looking at the revenue side, but unclear where that is going at this point. Matt Chapman is presenting a concept of a second bill that would mimic this distribution of getting money out for non-regulatory programs. They are moving away from a utility concept, but they are looking at how to get the money distributed by watershed – conservation groups, watershed groups, Regional Planning Commissions. Who is going to administer these non-regulatory projects? Depends on who owns it (private landowner? Conservation districts? RPCs?). They are concerned about how these projects are going to be maintained over time. There was a discussion about not turning this into a regulatory system. Not clear about how this relates to the agriculture world. The legislators are understanding that what has been funded are the projects that are ready, and it does make sense to get to a more thoughtful approach. It sounds like the concept is that the Clean Water Board would be asked to budget for non-regulatory first and then prioritizing grants.

There was a discussion about credit trading. Charlie’s understanding is that this system sets up the ability to do this later, but they aren’t thinking they can get it all set up right now. In a meeting with Secretary Moore last week it sounded like trading within the same sector within the same lake segment will likely be allowed; but not between different sectors, nor between different lake segments. There was a discussion about this in the agricultural concept.
There was a suggestion to remember that municipalities will need funds for operations and maintenance costs, in addition to funds for project planning and construction. There is still a major funding gap.


Padraic Monks, DEC reviewed the rule and response summary are on the DEC website at [https://dec.vermont.gov/watershed/stormwater/stormwater-rule-update](https://dec.vermont.gov/watershed/stormwater/stormwater-rule-update) Note that the rule is not “final” despite the wording of the filename. LCAR postponed reviewing the rule until their 2/14 meeting.

The permit will cover 3-acre sites: any parcel or project that has 3 acres or more impervious surface that was either never permitted or permitted before at a larger acreage threshold. Landowners will need to retrofit these sites and bring these parcels up to standards.

The actual general permit will have more details worked out, for example:

- Need coverage by October, 2023 – will likely need to apply 9 months in advance at a minimum. The state would like to avoid having everyone apply at the exact same time. Trying to focus on schools for early adoption.
- Associated impact fee system – the general permit will include more detail on how this is administered and when these fees are due. The fee is not set to reflect a true cost of bringing an acre into compliance. It is set to dis-allow folks to do nothing onsite. It is an incentive to go above and beyond.

DEC is hoping to have the draft general permit out in the next few weeks.

They don’t have a data set of these parcels publicly available yet. They will do advance outreach to landowners that allow for a mechanism to contend. There was a discussion regarding trying to coordinate between the minimum requirements of the 3-acre requirements versus other permits like the flow restoration projects and requirements. DEC will share the list of properties once they have it ready with the municipalities before sending the letters out to landowners to enable coordination.

There was a discussion regarding work that is already underway on school projects. DEC does not yet have a final rule and general permit in place to know exactly what the standards will be. While unlikely that these won’t meet the standard, there is some risk since the standards are not finalized.

Operational permit dropped from 1 acre to ½ acre in 2018 Legislative session – comes into effect in 2022.

DEC is using an impervious surface data set from 2011. There was a question about someone reducing impervious cover to come under the permit, and at what point that would be done officially.

5. MRGP.

a. CCRPC compliance tracking & 2019 assistance: Chris Dubin provided an overview of the outlet mapping and road segment matching work he has been doing to help clarify requirements under the MRGP permit. Chris Dubin reminded the municipalities about the Grants in Aid projects, and asked municipalities to let him know if CCRPC’s information does not look correct.

b. Annual Report materials (Discussion). Chris Dubin showed the CWAC the simple Annual Report form that will be due by April 1st. CCRPC will send out a memo showing the month and year the inventory was completed in each municipality. MS4 municipalities do not need to submit this form. (Information related to the municipalities progress on road standards will be contained within their MS4 annual reports). CCRPC will plan to re-inventory in 2020 and 2021. Chris showed the CWAC the hub site [available at: http://ccrpc.maps.arcgis.com/apps/opsdashboard/index.html#/8bda43d6acd04351965f83184d328333](http://ccrpc.maps.arcgis.com/apps/opsdashboard/index.html#/8bda43d6acd04351965f83184d328333) which includes up to date MRGP segment data. Please explore this tool and let CCRPC
know if there is anything that isn’t correct. CCRPC will be doing general clean-up work on the
data this summer.

6. Updates.
      Development – Dana Allen indicated that they will be developing some public/private case study
      projects to see how these projects will actually play out within the realm of the new 3-Acre permit.
      Working through a lot of questions currently. CCRPC and Winooski NRCD (along with other
      RPCs and NRCDs) is a partner in this project. Eventually there will be a list of potential projects
      in Chittenden County on which WCA will seek feedback prior to moving forward with conceptual
      design.

7. Items for March 6th meeting agenda. Topics will be discussed off-line. Note that this meeting will be on
   a Wednesday.

8. Adjournment. The meeting adjourned at 12:15 p.m.

   Respectfully submitted, Regina Mahony & Dan Albrecht
CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION

MS4 SUBCOMMITTEE
OF CLEAN WATER ADVISORY COMMITTEE – DRAFT MINUTES

DATE: Tuesday, January 8, 2019
SCHEDULED TIME: 12:30 p.m. to 1:30 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/

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1. **Call to Order:** Chelsea Mandigo called the meeting to order at 12:30 p.m.

2. **Changes to the Agenda** – None

3. **Review and action on draft minutes of November 6, 2018**

   After a brief recap by Dan Albrecht, Jennifer Callahan made a motion, seconded by Chris Robinson to approve the minutes as drafted. MOTION PASSED.

4. **Recap on Spring 2018 and Fall 2018 Rethink Runoff campaign (Discussion)**

   Dave Barron recapped the visits to the website in 2018 as well as the series of pop-up ads that ran during the campaign. Total visits were 7,832 (editor’s note: the highest since tracking began with common metrics in 2012). Both he and Dan Albrecht pointed out that advertising is more present and visible throughout the April-September timeframe as the greater cost efficiency of online advertising means led to situations in 2017 and 2018 where there was no late May-July lull because ads were performing well and funds were able to extended for more online ads in this timeframe.

5. **Stream Team 2019 Work Plan Overview (Discussion)**

   Kristin Balschunat walked the committee through the work plan highlighting the planned targets for each category of action. Current towns wherein in hands on projects will take place are Burlington, Milton and Shelburne while outreach events are planned for Colchester, Essex and Essex Junction.


   Dave Barron walked through the types and prices for the following: Banner Stand, Table Cloth, Canopy and Rack Cards. Kristin walked through the designs of two hypothetical rack cards. After a brief discussion, Tom DiPietro made a motion, seconded by James Sherrard to move forward with purchase of an Interchangeable Banner Stand, a Tablecloth with dye-sublimated graphics and various quantities of Rack Cards at a total cost not to exceed $1,500. James Sherrard suggested exploring price options to add imbedded flower seeds to the rack cards as a way to encourage household retention. MOTION PASSED with Polly Harris abstaining.

7. **Updates**

   Jim Pease distributed a spreadsheet (see Committee webpage) modelling hypothetical street sweeping efficiencies based upon the preliminary results of the CCRPC-DEC-USGS study conducted this past year in partnership with Barre, Burlington, Essex, Essex Junction, Montpelier, Shelburne, South Burlington, St.
Albans and Winooski. The spreadsheet’s columns compared current street sweeping practices and the current
credit % of Target Prorated (-10%/year) to TMDL Monitoring Period (2000-2009) vs. various modelled
numbers for Sweeping with Leaf Management if Wisconsin Street Sweeping practices were implemented in
Medium Density Residential Areas or implemented on Existing Routes With At Least 17% Forest Cover. Tree
Cover within the Right of Way (which was calculated by the UVM Spatial Analysis lab) is a big driver in the
results. The modelled results generally show that if municipalities adopt the Wisconsin practices (more
frequent fall sweepings and use of a Vacuum sweeper on the final run, etc.) then there is a high potential for
municipalities to receive a Phosphorus Leaf Removal Credit.

Tom DiPietro asked Christy Witters about DEC’s recommended guidance concerning public outreach
on chloride application rates and storage. James Sherrard indicated that he is reluctant to recommend any exact
application rates with others agreeing and that they would refer people to contact DEC. Christy indicated that
MS4s can take or leave DEC’s guidance but an MS4’ SWMP might not be approved.

8. Items for February 5th meeting
The Chairs will work with Dan to draft the February 5th agenda.

9. Adjournment
The meeting adjourned at 1:47 p.m.

Respectfully submitted, Dan Albrecht
CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
MS4 SUBCOMMITTEE
OF CLEAN WATER ADVISORY COMMITTEE – DRAFT MINUTES

DATE: Tuesday, February 5, 2019
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1. Call to Order: Chelsea Mandigo called the meeting to order at 12:27 p.m.

2. Changes to the Agenda – None

3. Review and action on draft minutes of January 8, 2019 (Action)
After a brief recap by Dan Albrecht, James Sherrard made a motion, seconded by Karen Adams to approve the minutes with a correction to spell Ms. Balschmut’s first name as Kristen not Kristin in section 5. MOTION PASSED with Polly Harris and Annie Costandi abstaining.

4. Review of Article for submission to Water Environment Federation SW magazine (Action)
Chelsea and Annie noted that the article had been prepared using new text developed by them along with previous boilerplate provided by Dan. One typo was noted and corrected. Tom DiPietro made a motion, seconded by Jennifer Callahan to approve submission of the article as corrected. MOTION PASSED.

5. Review and approve final MCM#2 2018 Calendar Year Report (Action)
Kristen Balschmut noted that the draft had been circulated earlier in February and no additional edits were suggested. Tom DiPietro made a motion, seconded by Jennifer Callahan to approve submission of the article as corrected. MOTION PASSED with Polly Harris and Christy Witters abstaining.

6. Review January 2019 status update (Discussion)
Kristen Balschmut recapped the update posted earlier to the Subcommittee page. Of particular note were: the Subcommittee indicated no need for them to review WNRCD’s application prior to its submission to the LaRosa Program for testing of the WQ samples collected by RRST; RRST needs candidate streams for a cleanup project, and needs ideas on Young Adult books to curate a Stream Team reading list for local libraries.

7. Updates
In response to a query from Tom DiPietro, Christy Witters indicated that the MS4s SWMPs have not yet been processed and she is working on finalizing DEC’s MS4 reporting template. Also, WNRCD’s Annual Tree & Trout sale has started.

8. Items for WEDNESDAY, March 6th meeting
Final MCM-#1 report, Final RRST WQ Summary Report; DEC template for MS4 reporting

9. Adjournment
The meeting adjourned at 12:45 p.m.

Respectfully submitted, Dan Albrecht
Brownfields Advisory Committee Meeting
Monday, July 16, 2018 Scheduled Time: 3:00 p.m. - 4:30 p.m.
CCRPC Main Conference Room, 110 West Canal St., Suite 202 Winooski, VT

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

Committee members in attendance:
Curt Carter, GBIC (Chair) 
Dr. Pablo Bose (UVM)
Razelle Hoffman (VDH)- via phone Frank Gardner (EPA) - ex officio

Guests in attendance:
Lori Hayes (Champlain Chiropractic) Kathi O’Reilly (Town of Colchester)
Andrea & Steve Charest (Petra Cliffs) Erik Sandblom (KAS)
Steve LaRosa, Steve Shaw (Weston & Sampson) Miles Waite, Waite-Heindel

Staff in attendance:
Dan Albrecht

1. Call to Order, Introductions and Changes to the Agenda

The meeting was called to order at 3:00 pm.

2. Public comments on items not on the Agenda

None.

3. Review and action on May 2nd meeting summary

No action due to light attendance.

4. Action on Site Nominations/Assistance Requests

a. Petroleum: ($37,900) 2031 Roosevelt Highway, UST Assessment & Removal

The staff recommendation as distributed prior to the meeting was as follows: The UST removal bid process worked very well, the subcontractor price is reasonable, and the accompanying assessment work is appropriate for gauging next steps. Removal of the tanks will remove an immediate concern. Staff and the committee previously endorsed assisting with the tank removal and there are sufficient funds in the FY16 grant to cover these costs. Recommend full funding.

After a brief discussion, the three Committee members concurred with the staff recommendation.

b. Hazardous: ($19,000) 2031 Roosevelt Highway, Phase II ESA, non-PCF eligible costs

The staff recommendation as distributed prior to the meeting was as follows: From conversation with Weston & Sampson staff, while doing this work now does achieve some efficiencies in terms of staff mobilization, the proposed work is not urgent. Additionally, we still need to obtain an Eligibility Determination from EPA that Hazardous Substances funds can be used.

Given the absence of a clear redevelopment plan as well as the fact we and the property owners still don’t know what issues are at play in terms of cleanup, insurance claims, issues with VAOT ROW, etc. we should either: 1) hold off on making a decision on this; 2) provide up to $1k from our existing FY16 grant to cover
preparation of the SSQAPP so that its primed or 3) hold off on final decision but provide funds for SSQAPP.

Staff from Weston & Sampson indicated that it would take 30-40 days before the SSQAPP would be finalized. Dan noted that once the tanks are pulled a lot more will be known about the site both in terms of cleanup but also in terms of which sources of funds (PCF, insurance, etc.) might come into play.

Dan also stressed to Ms. Hayes the need for her and her husband to work with Town officials to flesh out possible redevelopment options. In order to weigh requests fairly, the CCRPC and the Committee need the Hayes to work with the Town and report back to this Committee with more details.

After a brief discussion, the three Committee members recommended that CCRPC provide up to $1,000 for preparation of the SSQAPP but hold off on making a final decision on the remaining $18,000 requested.

c. Hazardous ($16,658): Petra Cliffs, 75 Briggs Street, Phase II ESA costs

The staff recommendation as distributed prior to the meeting was as follows: After review of how we have distributed project funds since the fall of 2016 within the category of Commercial Redevelopment, we can see that some other projects have received a more robust percentage of their Phase II ESA costs funded by our program. On the other hand, we can also see that over the course of the grant, we have received relatively few requests for housing projects which has been and remains our priority.

Recommend that the CCRPC provide Hazardous Substances funding (with FY18 Grant funds) in the amount of $11,011 to supplement the $11,576 previously awarded with Petroleum funds. This would bring up CCRPC contributions to $22,587 or 80% of the overall Phase II ESA costs of $28,234.

Dan walked the Committee members and guests through a spreadsheet he and Emily had prepared showing the relative funding amounts provided to the 17 projects the program has assisted so far. In general housing projects and municipal and non-profit projects are more strongly supported. We still would like to receive more requests for housing projects. Note that projects are addressed as they come in rather than all at once (as in a grant competition) which is why there is not a linear relationship between the amount/percentage provided and the type of project.

After a brief discussion, the three Committee members recommended that CCRPC provide Hazardous Substances funding (with FY18 Grant funds) in the amount of $11,011 to supplement the $11,576 previously awarded with Petroleum funds.

Given that only three committee members were present, Dan requested and the three Committee members present concurred, that he reach out to the other Committee members via email to seek their concurrence with the three recommendations made today.

5. Updates

   a. 314 North Winooski Avenue, Phase II ESA

   The ESA will be wrapped up later this month.

   b. Milton Grange, Phase I

   The ESA is complete. No Phase II is needed.

   c. Milton, U.S. Route 7 “Hourglass” Road Project: Phase I ESA and Haz Bldg Materials Assessment Site visits will be taking place soon.

   d. CCRPC-DEC Brownfields Outreach meeting, Sept 6th

   This meeting is planned for 11:30-1. DEC will present on their programming and CCRPC will highlight the various projects our program has supported.

6. Adjourn

The meeting adjourned at 4:38 p.m.
Brownfields Advisory Committee  Meeting
Monday, October 1, 2018  Scheduled Time: 3:30 p.m. – 5:00 p.m.
CCRPC Main Conference Room, 110 West Canal St., Suite 202
Winooski, VT

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

Committee members in attendance:
Curt Carter, GBIC (Chair)
Razelle Hoffman (VDH)-via phone
Kirsten Merriman-Shapiro (UVM)
Sarah Bartlett (DEC, ex-officio)

Guests in attendance:
Ben Avery (Blackrock Construction)
Chris Barrett (Burlington Housing Authority)
Jeremy Roberts (KAS)
Robin Pierce (Village of Essex Junction)
Leisa Pollander (Sara Holbrook Comm. Ctr.)

Staff in attendance:
Dan Albrecht

1. **Call to Order, Introductions and Changes to the Agenda**
The meeting was called to order at 3:00 pm.

2. **Public comments on items not on the Agenda**
None.

3. **Review and action on May 2nd meeting summary**
No action due to light member attendance.

4. **Action on Site Nominations/Assistance Requests**
   a. **Petroleum: Final action on previous preliminary approval, 3 Maple Street (Essex Junction) Environmental Oversight**
      
      Ben Avery provided an update on the project. The building will house 30 new units of mostly Studio, 1-BR and a few 2-BR units along with 5,000 square feet of commercial space. It would be one of three building in the phased development, comprising about 220 units in total and the other two buildings do not appear to have brownfields issues. Depending upon how the final calculation of non-Act 250 jurisdictional determination progress the overall development would have 30 to 60 units in total that would be permanently affordable. The project would plan to break ground in the spring of 2019. The project has received Master Plan approval from the Village. Jeremy Roberts indicated they would sample soils during construction and that the most likely system to be installed would be piping underneath the slab.

      In response to a query from Ms. Merriman-Shapiro, Mr. Avery said at this early point he does not know if the first building will have some units designated as affordable but, in the end, once the full development is completed those required thresholds will be met. Staff and committee members noted that the project can be funded with Petroleum grant funds and had previously been endorsed for
funding by the Committee in February 2017 with final authorization pending until receipt of Village zoning process approval. That approval has been met. Incidentally, the previously approved $12,175 cost for KAS’s services estimated in 2017 has not changed.

The Chair and Committee members recommended that CCRPC provide Petroleum funding using FY16 Grant funds in the amount of $12,175 to contract with KAS to provide the requested Environmental Oversight services.

b. Petroleum and Hazardous Substances: Sara Holbrook Center (Burlington), Corrective Action Plan

Ms. Pollander provided a brief update. The total fundraising goal is $3.9 Million, and they only have about $730,000 left to raise. They are looking to break ground in April 2019.

Mr. Roberts noted that Phase II results indicated the expected mix of urban fill and some contaminants however there were no VOCs found and no significant issues were seen in connection with the floor drain that was investigated.

Staff thanked Ms. Pollander for inviting us to previous publicity events surrounding the project and can provide a CCRPC logo and appropriate funding acknowledgement verbiage for use in future press releases. Ms. Pollander indicated they would be happy to do so.

On a motion by Carter with a second by Merriman-Shapiro, the Committee recommended unanimously that CCRPC provide Petroleum & Hazardous Substances funding in the amount of $4,900 to contract with KAS to provide the needed Corrective Action Plan. Staff will determine which sources of funds to use, either the FY16 or FY18 grant or both.

c. Hazardous: 676 Riverside Avenue & 56 Bright Street (Burlington), Corrective Action Plan

Mr. Barrett described the project which would include the 56 Bright Street parcel adjacent to Burlington Housing Authority’s maintenance building located in the former Ben-ways taxi building at 676 Riverside Avenue. The project would be a Permanent Supportive Housing building with 12-14 units, with the majority to serve the developmentally disabled and four units to be managed by Champlain Housing Trust to serve the homeless community.

Mr. Roberts indicated that prior studies in the area indicate the usual “urban fill” and that the CAP costs of $4,850 would need to be charged to Hazardous Substance grant funds as there is no discrete area of Petroleum contamination.

On a motion by Carter with a second by Hoffman, the Committee recommended unanimously that CCRPC provide Hazardous Substances funding in the amount of $4,850 to contract with KAS to provide the needed Corrective Action Plan. Staff will determine which sources of funds to use, either the FY16 or FY18 grant or both.

5. Updates

a. 314 North Winooski Avenue, Phase II ESA: The draft ESA is being finished up.

b. Milton Grange, Phase I ESA: The ESA is complete. No major concerns identified.

c. Milton, U.S. Route 7 “Hourglass” Road Project: Phase I ESA and Haz Bldg Materials Assessment: These are still ongoing.

6. Adjourn

The meeting adjourned at 4:30 p.m.
Minutes: Brownfields Advisory Committee, Monday, November 26, 2018, 3:00 p.m. – 4:00 p.m.

Attendees:
Heather Carrington, City of Winooski (committee member)
Matt Vaughn, Lake Champlain Basin Program (committee member)
Kurt Mueller, Johnson Co. (CCRPC consultant)
Michelle Parker, Granite Works property owner (via phone)
Clare Rock, CVRPC (via phone)

CCRPC Staff:
Dan Albrecht, Senior Planner
Emily Nosse-Leirer, Senior Planner

1. Call to Order, Introductions and Changes to the Agenda
   The meeting began at 3:00 pm.
2. Public comments on items not on the Agenda
   None.
3. Review and action on October 1st meeting summary
   Deferred until the next meeting when there will be hopefully more Committee members in attendance.
4. Site Nominations/Assistance Requests

CVRPC request on behalf of Granite Works (Montpelier), Shallow Soil Vapor Investigation (Johnson & Company: $15,196, petroleum funding)

Michelle reiterated that a few prospective purchasers have been scared away by the presence of contamination and sales have fallen through.

Kurt gave a description of the contamination that has been evaluated on the site. Specifically, there is a well inside the building with approximately 18 inches of mineral oils (ex. turpentine) floating in the groundwater. This is a solvent that’s a byproduct from granite etching. Kurt Mueller stated that Johnson Co.’s hope is that the mineral oils are contained only within the foundation, which might lead to indoor air concerns if it’s not removed. Knowing whether or not air quality could be mitigated will allow a purchaser to know whether or not the foundation area needs to be excavated, and thus what the cost will be.

Emily summarized her review of the property with regards to CCRPC’s Site Evaluation Criteria. In response to Emily’s question about whether the property owner has put any of their own money into it, Michelle replied that the owner has no money to put into the project and in fact has been using loans to meet
Formal action on the request was deferred due to low committee attendance.

**Hazardous Substances: CVRPC request on behalf of Bonacorsi (Barre), Confirmatory Indoor Air Testing (Johnson & Company: estimated $12k-$13k)**


Clare described the history of the building and described the work that CCRPC has funded there in the past.

Kurt described that the screening on indoor air quality indicated levels that are hovering just at the level of unacceptably high. This testing is confirmatory to see if there is actually a problem or not, and whether the contamination is being contained by the slab foundation.

Clare indicated that the property owner has provided $1,500 towards recent testing. Kurt indicated that there has been some owner support in the past for testing, but he does not know a dollar amount that has been provided.

Dan discussed the funding patterns that CCRPC has been following for different categories of projects, supporting 100% of housing projects and a range from 50-85% of other kinds of projects (see the spreadsheet at the CCRPC Brownfields webpage).

Heather expressed a concern that giving the properties bonus points for CVRPC’s funding isn’t fair to other projects which are receiving a lot more funding from the property owners, not just from another RPC’s brownfields grant.

Clare asked when a funding decision would be made. Dan said he hopes to get a formal staff recommendation request (somewhere in the 75-80 percent range) to the committee out by the beginning of next week.

Formal action on the request was deferred due to low committee attendance.

**City of Winooski, downtown lot redevelopment, preliminary information on eventual request.**

At a future meeting, Heather will provide more details on possible development on the lot that is currently serving as parking for CCV.

5. **Updates**

Kurt gave a brief overview of the Hourglass project in Milton. There was a pump island and a leaking tar machine found on one of the properties. One of the property owners has not allowed sampling on his properties, which has caused work to stall. The Town of Milton needs to know what amount of hazardous materials are present in the buildings before purchasing and demolishing the buildings. The next step is getting these samples and possibly evaluating whether there are underground storage tanks associated with the pump islands. Dan suggested that CCRPC staff will follow up with the Town of Milton and VTrans to see if testing can be done in the right of way, since the homeowner won’t allow for testing.

6. **Adjourn**

The meeting adjourned at 3:55 p.m.
Meeting Summary: Brownfields Advisory Committee, Wednesday, December 19, 2018, 1:30 p.m. – 2:30 p.m.

Committee members:
Heather Carrington, City of Winooski
Kirsten Merriman-Shapiro, Burlington CEDO (via phone)

CCRPC Staff:
Dan Albrecht, Senior Planner
Emily Nosse-Leirer, Senior Planner

Guests:
Ben Avery, Black Rock Construction
Katrina Mattice, Stone Environmental
Maura Fitzgerald, 314 North Winooski property manager
Lori Hayes, Champlain Chiropractic

1. Call to Order, Introductions and Changes to the Agenda
The meeting began at 1:30 p.m.

2. Public comments on items not on the Agenda
None.

3. Review and action on October 1st and November 26th meeting summaries
No action. Deferred until next meeting.

4. Site Nominations/Assistance Requests
a) Burlington: Champlain Transmission, 314 North Winooski Ave, LLC, Supplemental Site Investigation (Stone Environmental, Hazardous Substances, $30,166)
   Maura explained that they are still working on finalizing potential tenants but as with the prior plan for a restaurant it will likely be a food related business. Robert Lake, (dba 314 North Winooski, LLC) did go ahead with the purchase of the building from the prior owners and has enrolled in the BRELLA program.
   Dan summarized the staff recommendation which read as follows:
   To date, CCRPC has funded a Phase I at 100% ($3,113) and a Phase II at 90% ($26,339 of $29,244 requested). In recent months, CCRPC Staff has been using “80% of funds requested” as a general guideline for commercial only developments (e.g. Petra Cliffs, CVRPC proposals, etc.). However, typically we have only been dealing with requests for funds of around $25k (i.e. the typical cost of a Phase II ESA). Recommendation: Partially fund the proposal. Namely pay for Tasks 1-3 totaling $12,214 of the $30,166 requested. CCRPC’s payment of the complete Phase I and a substantial portion of the Phase II costs represents a significant aid to getting this project launched. If approved, this would represent a Total Contribution by CCRPC of 65% ($38,533) of Phase II total costs of $59,410).
   Action: Committee members were in favor of the recommendation however the opinion of the other Committee members will be solicited via email prior to staff moving forward.

b) Essex Junction: Petroleum Impacted Soil Cuttings at 3 Maple Street (KAS, Petro, $715)
   Ben indicated that the project is moving along. In November they received approval for Phase I of the project and they anticipate breaking ground in early spring. Overall, the complex will have 60 units of affordable housing.
   Dan summarized the staff recommendation which read as follows:
This is a minor addition (requested by DEC) to the initial $12,175 approved by CCRPC. This will help move this housing project towards groundbreaking. **Recommendation:** Fully fund the proposal. There are ample Petroleum assessment funds available.

Action: Committee members were in favor of the recommendation however the opinion of the other Committee members will be solicited via email prior to staff moving forward.

c) Winooosi: City of Winooosi, Lot 7 D, Phase I (Weston & Sampson, Petro or Haz, $3,000)

Heather indicated she would recuse herself from voting. She updated the group noting that the parcel in question (which has no buildings on it) is currently used for parking. Essentially if everything proceeds smoothly this would be the location of both parking facilities with a hotel on top and the city in turn would gain ownership of the Winooosi Hotel Group property near the bridge (previously assessed with use of CCRPC’s funds). That land would be kept for use as a park. With its own funding, the City will be conducting geo-technical assessments of the property.

Dan summarized the staff recommendation which read as follows: *The City will be using its own funds to cover initial Geotech and Environmental investigations as there is a need to move fast on bringing this project to fruition. CCRPC typically covers all the costs of Phase I’s due to their low cost and the value they provide during initial scoping of a project.** Recommendation: Fully fund the proposal.

Action: Committee members (sans Heather) were in favor of the recommendation however the opinion of the other Committee members will be solicited via email prior to staff moving forward.

d) Colchester: Champlain Chiropractic. Additional wells/sampling (Weston & Sampson, Petro, $5,500, remaining $ to meet PCF deductible)

Emily summarized the staff recommendation which read as follows: *This project continues to progress. The applicants have obtained a sketch plan document detailing a hypothetical two building apartment complex that demonstrates the potential in the location and both they and the City have identified some potential persons who may wish to bring a firmer plan of development and/or purchase the property. The $5,600 request will help to complete the deductible and thus trigger the availability of substantial PCF dollars. Recommendation: Fully fund the proposal for $5,600. This will bring the total funds provided by CCRPC to $53,500. CCRPC has been supportive of the project due to the parcel’s prime location in a designated growth center, its potential for mixed-use redevelopment and to address a contamination concern. Delay action on request for additional hazardous substances funding pending receipt of detailed work needed and breakdown of elements covered by PCF, other non-PCF Petro costs (if applicable), any costs covered by insurance and any needed Hazardous Substances work. Note that staff feels additional funding from CCRPC Brownfields Assessment funds are best used on redevelopment projects, and the total funds provided to this project are greater than others.*

Curt noted that unlike other projects the CCRPC has supported this property has not yet reached the “project” stage as the likely end use is unknown at this time. That being said, he is in favor of the staff recommendation as it will keep the momentum going as well as, by meeting the $10k deductible, trigger the availability of funds from the Petroleum Cleanup Funds.

Lori indicated that her and Paul’s goals are to retire by late 2019. The property is not yet “on the market” as, based upon some guidance from EPA’s website, they want to get the property fully cleaned up and marketable first rather than trying to find a buyer/developer halfway through the cleanup process.

Action: Committee members were in favor of the recommendation however the opinion of the other Committee members will be solicited via email prior to staff moving forward.

e) Williston: Catamount Family Center (Petroleum, $500 application fee to BRELLA)

Melinda provided the background to the request. A Phase I environmental assessment was completed in December 2017 by LE Environmental, hired by The Trust for Public Land as part of their normal due diligence for a fee acquisition. The ESA documented one Recognized Environmental Condition, a 500 gallon underground storage tank (UST) that had released gasoline. The tank was removed in November 20, 2017 and the site was listed with the VT DEC. LE Environmental concluded that subsurface contamination is limited and is not
widespread. According to staff at Vermont DEC, the site is very low risk in terms of affecting environmental and human health and the contamination has little chance of spreading. Additional monitoring was done in October 2018 that showed the contaminant concentrations decreased from the spring 2018 sample but were still above the Vermont Groundwater Enforcement Standards. Waste Management staff at VT DEC are recommending continued monitoring of the site until contamination levels have naturally subsided to acceptable standards, at which time a Site Management Activity Complete (SMAC) letter will be issued.

Especially since the town will likely acquire this property prior to issuance of a SMAC letter, staff at VT DEC are recommending the Town enroll in the Brownfields Reuse and Environmental Liability Limitation Program.

Dan indicated that EPA staff has indicated that CCRPC can use its grant funds to cover this $500 fee. Dan summarized the staff recommendation which read as follows:

This is a small but useful contribution by CCRPC. This will aid the continued public use of the property. Recommendation: Fully fund the proposal. There are ample Petroleum assessment funds available.

Action: Committee members were in favor of the recommendation however the opinion of the other Committee members will be solicited via email prior to staff moving forward.

At the conclusion of the discussion of these 5 projects, Kirsten noted that there is a natural tension between trying to support only projects that are ripe vs. “economic gardening” to bring properties to a marketable state.

6. Adjourn

The meeting adjourned at 2:30 p.m.
Brownfields Advisory Committee Minutes  
Tuesday, January 22, 2019  
3:00 p.m. – 4:15 p.m.

CCRPC Main Conference Room, 110 West Canal St., Suite 202 Winooski, VT

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

Committee Members Present:
Curt Carter, GBIC (chair)  
Matt Vaughn, Lake Champlain Basin Program (via phone)

Other Attendees:
Robin Pierce, Village of Essex Junction  
Dan Voisin, Stone Environmental  
Lee Rosburg, Stone Environmental  
Miles Waite, Waite-Heindel  
Ted Chamberlain, Chamberlain Construction  
Allen Liptak, LE Environmental  
Patrick Dunseith, Intervale Center  
Sarah Adams-Kollitz, McClure Multi-Generational Center  
Michael Smith, Vermont DEC (via phone)  
Meg Donahue, attorney representing NY Cleaners  
John Caulo, HULA

CCRPC Staff:  
Dan Albrecht, Senior Planner  
Emily Nosse-Leirer, Senior Planner

1. **Call to Order, Introductions and Changes to the Agenda**  
The meeting was called to order at 3:06pm.

2. **Public comments on items not on the Agenda**  
None.
3. **Review and action on 10/1, 11/26 and 12/19 meeting summaries**

Summaries will be approved via email to the members.

4. **Action on Site Nominations/Assistance Requests**

**Essex Junction: Road Res-Q (Phase I ESA)**

The Village Green project is proposed on part of the current Road Res-Q property (see site plan in referenced material) as part of the “Design 5 Corners” project. Robin explained that this is part of a broader intersection redesign that increases the pedestrian friendliness of the intersection and makes the intersection better. Essex Junction is not going to need to buy the whole property. Curt mentioned that the form needs to be signed by the landowner, which is his only concern. Emily and Dan explained the staff recommendation included in the packet; the staff recommendation is to fully fund the Phase I with petroleum funds, pending the landowner signature. Curt and Matt concurred with the staff recommendation. This will be circulated out to the remaining committee members for review and action. The project has not been assigned to a consultant.

**Burlington: Intervale, (Phase I ESA and $500 BRELLA Fee)**

Patrick explained that the Intervale rents this property and wishes to complete a Phase I before purchasing it. Matt asked for a map showing the parcel’s location to be sent around. Matt also asked what the concern was from the McNeil plant – Miles explained that the concern could be PAHs from incomplete combustion, similar to other areas of urban soils in Burlington. Curt asked whether the Phase I can wait until the snow is off the ground and Patrick explained that it can wait until then. Dan explained that a Phase I needs to be completed within 6 months before closing. Curt and Matt concurred with the staff recommendation. This will be circulated out to the remaining committee members for review and action.

**Colchester: New York Cleaners, (Phase I ESA + Bldg materials assessment)**

Miles explained the history of the property, which was formerly a dry cleaner. Phase I, Phase II and CAP were previously completed, indicating that groundwater injection would be needed for groundwater remediation. Septic contamination is also a problem. The self-storage units proposed would be slab on grade construction and there would not be any wastewater system for this development. Eventually the owner may want to enroll in BRELLA. Miles warns that this property will likely be quite a bit of work, especially because the building is proposed to be demolished- the prospective purchaser wishes to know the amount of work that he will be taking on. Miles also mentioned that there is an existing storage tank which may open up the option for petroleum activities.

Matt asked for more information on the economic benefit of the project, especially whether jobs will be created or not. Ted mentions that there is a demand for more storage units in the area. No jobs will be created, so the staff ranking is too high for that portion. Michael mentioned that additional information is needed to understand the current status of the site. Dan explained that the staff recommendation was to follow CCRPC’s past practice and pay 100% of the Phase I costs and 80% of the hazardous materials costs (general standard for commercial non-housing projects). Dan explained that the hazardous materials eligibility determination will need to wait, as EPA staff aren’t working due to the government shutdown. Curt and Matt concurred with the staff recommendation. This will be circulated out to the remaining committee members for review and action. Because of the government shutdown, formal EPA approval for CCRPC to fund the work may take a while. Dan clarified that each new proposal for further work on this project will be evaluated individually as it comes in, so the committee will evaluate future funding.
**Burlington: McClure Multi-Gen Center (Phase I ESA)**

The Burlington Children’s Space is hoping to exercise their purchase option on the McClure Multi-Generational Center. They want to understand their liability before purchasing it and understand whether further remediation is necessary. There’s also pressure from the City of Burlington to expand the childcare options in the center. There are grant monies available from the City of Burlington for the purchase, but they expire in spring 2019. There are concerns about vapor intrusion in the space and a sub-slab depressurization system was installed, but questions remain about the efficacy of that system. There were I-Rule exceedances for PCE within the building as of 2017. Enrolling in BRELLA may be an option, as it’s unclear if any liability protections are currently in place. The building will be purchased with a perpetual land lease, but legal advice is that this still puts the occupant into the chain of liability. Because of the government shutdown, formal EPA approval for CCRPC to fund the work may take a while. Curt and Matt concurred with the staff recommendation. This will be circulated out to the remaining committee members for review and action.

**Burlington: Blodgett Oven: (Corrective Action Plan & Construction Soil Monitoring)**

John explained the existing site conditions on the property, as shown on the property map. This site is 15 acres. The goal of the project is to create a coworking space focused largely on tech employers, which John argues is key to Chittenden County’s economic development. The plan is ideally to attract new businesses rather than to relocate existing businesses. The site has urban soils due to its location, but the largest concern is PCBs in the 50 Lakeside building, probably from general maintenance of hydraulic equipment. Some of the slab will need to be removed or capped in other places. There are also PCBs in the caulking on the windows. The removal and demolition of these materials will necessitate monitoring of the construction and demolition section. Curt asked for clarification of what’s being requested. Lee explained that the project needs a CAP to satisfy the I Rule and serve as the EPA cleanup plan. Lee estimated around $15,000 for the CAP preparation. Dan asked why it was so much higher than we usually see for CAPs, and Lee explained that coordination with the EPA will take a lot of time. Groundwater assessments have taken place and there is not lake contamination. There are institutional controls on the site stating that daycares are not permitted and excavation over 4 feet is prohibited under certain PCB levels. The construction soils management cost is unknown because there is no offsite soil disposal proposed. A formal cost assessment for the project is necessary clearly detailing CAP costs and soil monitoring costs. Upon receipt, CCRPC staff will either schedule a Committee meeting for review or solicit a recommendation via email from the members. Because of the government shutdown, formal EPA approval for CCRPC to fund the work may take a while.

5. **Adjourn**

The meeting adjourned 4:28pm.
FY2020 UPWP Committee Meeting 1  
January 24, 2019

Attendees:

- Mike O’Brien, Committee Chair
- Amy Bell, VTrans (via phone)
- Chris Jolly, FHWA
- John Zicconi, Board
- Mike Bissonnette, Board
- Jeff Bartley, Board
- Karen Yacos, Local Motion
- Allegra Williams, Local Motion
- Annie Bourdon, CarShare VT
- Jessica Draper, PAC
- Justin Rabidoux, TAC
- Rachel Kennedy, GMT
- Sandy Thibault, CATMA
- Charlie Baker, CCRPC
- Regina Mahony, CCRPC
- Marshall Distel, CCRPC
- Bernie Ferenc, CCRPC
- Christine Forde, CCRPC
- Bryan Davis, CCRPC

• Committee Chair Mike O’Brien opened the meeting at 5:30 p.m.
• Introductions were made.
• Marshall provided an overview of the UPWP process and detailed how the UPWP Committee will be assisting with the development of the FY20 Work Program.
• Rachel Kennedy outlined GMT’s transit planning tasks that were underway in FY19 and introduced the FY20 tasks. Total ridership is up 3.3% when compared to FY18 (Local routes: 2.8%, Local commuter: 14.8%, Link routes: 8%). An overview of service planning, NTD reporting, ride check (Annual survey of boardings/deboardings), miscellaneous planning activities and public engagement efforts were provided. Lastly, Rachel presented the FY20 scope of work for GMT. The $402,340 request represents a level funding ask from FY19.
• Following the GMT presentation, Marshall introduced the other partner organizations. Allegra Williams from Local Motion provided the first presentation. Allegra outlined how Local Motion has been providing their services to enhance walking and biking in Chittenden County. Local Motion supports municipalities, businesses, commuters, schools and local bike-walk advocacy groups through education and technical assistance. Their work focuses on identifying methods to encourage more people to choose walking and biking as a mode of transportation. Local Motion’s work areas were outlined, and some examples of recent projects were provided.
• Annie Bourdon provided an overview of CarShare Vermont, which has a mission to provide a convenient and affordable alternative to private vehicle ownership, while also enhancing the environmental, social and economic wellbeing of our region and planet. CarShare Vermont is one of 4 remaining independent carsharing operators in the U.S. Over 1,000 members from all over the Burlington area are served by a fleet of 16 vehicles. Annie stressed that her organization is nearly 80% funded through CarShare Vermont users. The other 20% comes from Go Vermont, foundations, donations and the
Examples of past UPWP projects were provided, as well as an overview of the two FY20 requests: “Old North End Park It! Pledge,” and “Housing for People, Not Cars.”

- Sandy Thibault delivered a presentation on CATMA, a non-profit, membership-based, transportation management association serving Chittenden County. They administer and manage customized transportation demand management programs that offer members better and more sustainable options to get to work, ways to save money, reduce parking challenges and congestion, and cut carbon emissions. Sandy provided an overview of the history of CATMA, their expansion to Regional Transportation Management Association, establishment of the Employee Transportation Coordinator Network (ETC) and how CATMA has been collecting local commuter data via surveys. For FY20, CATMA hopes to strengthen and create strategic partnerships, support new TDM policies and programs, engage transportation groups, enhance regional bikeshare/first-last mile solutions and increase the utilization of carpools and vanpools.

- Leah Soderquist presented on behalf of United Way, which has partnered with the CCRPC to create a collaborative volunteer management system to support the transportation needs of older adults and persons with disabilities in Chittenden County. Leah started out by describing how United Way has worked on various transportation-related initiatives across our region. The Neighbor Rides program is a UPWP-funded initiative that utilizes volunteer drivers and their personal vehicles to provide cost-effective and convenient rides to older adults and persons with disabilities in Chittenden County. For FY20, United Way is proposing to identify and prioritize gaps in the current Neighbor Rides system and develop creative solutions to address mobility needs.

- Following the partner organization presentations, Charlie and Marshall provided a brief overview of the FY20 summary spreadsheet of project requests. The CCRPC anticipates having around $1.25 million available for new transportation-related project requests. Current requests total just over $1.5 million.

- Any comments or questions regarding the FY20 applications should be submitted to Marshall by Friday, February 11th.

- During the second meeting on 2/21, the UPWP Committee will take a closer look at the applications to determine which projects should be funded. Committee Chair Mike O’Brien adjourned the meeting at 7 p.m.

Respectfully submitted,

Marshall Distel
**ad hoc Commission on Act 250 Committee**

**Minutes**

**Date:** Wednesday, January 23, 2019, 5:30pm to 7:00pm  
**Location:** CCRPC Small Conference Room, 110 West Canal Street, Winooski  
**Attendees:** Chris Roy, Tony Micklus, Jim Donovan, Justin Dextradeur, Curt Carter (GBIC), Charlie Baker and Regina Mahony

I. **Welcome, Changes to the Agenda, Members’ Items.** Chris Roy welcomed everyone.

II. **Review of Previous CCRPC Work – 2014 CCRPC Permit Reform Policy.** The Committee briefly reviewed the previous work and identified components that would still be relevant this time around.

III. **Review of the Legislative Commission Report and Draft Bill, the Administration’s Bill and the draft CCRPC Comments.**

Regina asked if there were any other components of the report or draft bills that the Committee wanted to discuss that weren’t highlighted at the presentation at the last Board meeting. Together with review of the draft CCRPC comments, the Committee discussed the following:

- Any changes to the Act 250 legislation should be with an aim toward decreased duplication, more predictability that minimizes inconsistency in reviews, and puts technical reviews in the hands of the technical experts (e.g. stormwater review at ANR). There was some discussion about making the technical reviews a condition of Act 250 rather than having to get them up front. The technical permits are where the costly engineering work occurs, and it isn’t efficient to get that work done first if Act 250 or interested parties ask for layout/design changes. While the master plan process is intended to provide this option, it still requires a lot of up front technical work. There was also discussion about greater coordination with municipal permitting as well (e.g. towns says move development this way, and Act 250 says move development back the other way). Greater consistency and predictability, without compromise of environmental standards, could help with affordable housing and inspire development where we want it to happen.
- It could be helpful if there was someone to provide guidance on how to navigate through the overall permitting system; and perhaps a sketch review for Act 250 with feedback along the lines of the Permit Review Sheet.
- Greater acknowledgement of municipal planning in the Act 250 process would be helpful.
- Capability & Development Maps – creating these maps at the state level, so far removed from individual property owners was the reason why these failed the first time around. Towns and RPCs go through a significant amount of public involvement and effort to get these maps correct, and therefore should be the starting point. It would help to get clarity on how these maps are intended to be used.
- There was a comment that on Tuesday (1/29) the House Natural Resources Committee is going to walk through a bill from legislative counsel and decide what’s in and what’s out. Because the proposed bills are going to change, CCRPC should work from policy recommendations; with examples of what is good or bad in the current proposals.
- There was some discussion about whether we should provide data about development in our region, or just focus on responding to the proposed bills. There was consensus to focus on the proposed bills rather than comment on the data in the report.
- Energy efficiency – using language like “best available technology” is not necessary the right thing to do because it’s the most expensive and with nominal improvement over the best technology. Also development standards should not be higher for projects that go to Act 250, than those that do not. It creates a reverse incentive issue.
Regarding the greenhouse gas mitigation fee. The current bill lacks guidance to the Board to develop rules. There should not be new requirements in the bill without more clear direction on how it will be used. Transportation Demand Management (TDM) is a great tool for urban areas; however, it isn’t really a successful option in more rural areas.

There was discussion on whether the Committee was in support of the overall change in jurisdiction (from project size to geographic area). There was some concern regarding establishing an additional layer of process for the municipalities (yet another designation process); some concern around projects over 1 acre being subject to Act 250 everywhere except the very small enhanced designation areas; and concern about whether the historic preservation standard is too high or not. However, there was general consensus that the benefits of Act 250 being completely off the table in the places where we want to grow is very helpful.

Enhanced designation – there was some discussion that no Act 250 criteria are removed so there really is no Act 250 relief. Rather the municipality needs to prove that they will review all Act 250 criteria as expanded under the proposed bill. There needs to be clarification on what is needed at the municipal level to achieve enhanced designation. It will be difficult for municipalities to fix their bylaws quickly to meet the enhanced designation requirement; and Act 250 will expand its jurisdiction – the combination could halt development everywhere. Perhaps the legislation should be phased; and/or grandfather existing designations, and give them 5 years to come up to speed on the new criteria.

There was a discussion about the ‘in between areas’ (areas beyond the state designations that have infrastructure). It would help if the Neighborhood Designation buffer could be greater than ¼ or ½ mile; and a municipality could have more than one designation. As an example, Burlington should be able to get another designation in the new north end and south end.

The commission’s report repeatedly seems to confuse state designations and existing settlements, but these are not one in the same. It would help if that was unpacked with practical examples. We should believe in smart growth where we have infrastructure. Question regarding the statistic in John Adams powerpoint that statewide 83% residential and commercial development happen outside existing settled areas. Is that right or should it be outside of “designated centers”?

Regarding rural and working lands – the proposal is for all 1-acre development to go to Act 250. After some discussion, the Committee was okay with this generally, however, there needs to be an expansion of the places for growth more broadly and an acknowledgement of the impacts on rural municipalities.

Appeals – Currently Environmental Court and Supreme Court handle all the appeals in one place and therefore includes efficiencies. The alternative in the proposal is the Environmental Board rather than Environmental Court. The Environmental Board is more citizen friendly, but the opportunity to consolidate appeals is lost. The proposal has merit in the burden of proof being on the appellant (i.e. if you are the developer and lost you have the burden of proof; if you are the neighbor and lost you have the burden of proof).

Act 250 and ANR permits going to one board is consistent, but you aren’t applying consistent standards.

The Committee decided to draft broad policies for review by the Board. Then the Committee can easily go through the specific bills and identify how the proposals conflict or support the broad policies.

IV. Adjourned at 7:10pm.

NEXT MEETING: January 30th 5:30 to 7pm
ad hoc Commission on Act 250 Committee

Minutes

Date: Wednesday, January 30, 2019, 5:30pm to 7:00pm
Location: CCRPC Small Conference Room, 110 West Canal Street, Winooski
Attendees: Chris Roy, Tony Micklus, Justin Dextradeur, Curt Carter (GBIC), Charlie Baker and Regina Mahony

I. Welcome, Changes to the Agenda, Members’ Items. Chris Roy welcomed everyone.

II. Review Minutes from January 23, 2019. Tony Micklus made a motion, seconded by Chris Roy, to approve the minutes of January 23, 2019 with amendments from Jim Donovan. No further discussion. MOTION PASSED.

III. Review of Draft Overarching Statements

Regina Mahony handed out the draft statements with Jim Donovan’s edits. The Committee reviewed the statements and suggested additions and clarifications. These clarifications included: adding mention of the affordable housing shortage; identify challenges with the enhanced designation concept; overall proposed expansion of Act 250 will cause an increase in development costs; identify the technical permits issue as a separate comment; and acknowledge good local planning; etc.

Regina will make the edits and send it back to the Committee for review. They will also be sent on to the Executive Committee and the Planning Advisory Committee for their review.

IV. Review of latest Proposed Bill(s). Tabled. The latest bill is not much different from the original. It sounds like the House Natural Resources Committee is going to take their time coming up to speed and moving through this bill.

V. Adjourned at 6:40pm.

NEXT MEETING: Placeholder meetings will be set for February 27th and March 13th 5:30 to 7pm
DATE: Wednesday, February 13, 2019
TIME: 2:30 p.m. to 4:30 p.m.
PLACE: CCRPC Offices, 110 West Canal Street, Suite 202, Winooski, VT

Members Present:
Joss Besse, Bolton
Matt Boulanger, Williston
Larry Lewack, Bolton
Darren Schibler, Essex
Alex Weinlagen, Hinesburg
Eric Vorwald, Winooski
Everett Marshall, Huntington
Sarah Hadd, Colchester
Sean Cannon, Colchester
Victor Sinadinoski, Milton
Meagan Tuttle, Burlington
Paul Conner, South Burlington
Zachary Maia, Colchester (intern)

Andrew Strniste, Underhill (via phone)
Dean Pierce, Shelburne (via phone)

Other:
Pam Loranger, Colchester Planning Commission
Jacki Murphy, Colchester Selectboard Member
Deb Sachs

Staff:
Regina Mahony, Planning Program Manager
Emily Nosse-Leirer, Senior Planner
Melanie Needle, Senior Planner
Dan Albrecht, Senior Planner (in attendance for Other Business)

1. Welcome and Introductions
Paul Conner called the meeting to order at 2:34 p.m.

2. Approval of December 12, 2018 Minutes
Darren Schibler made a motion, seconded by Victor Sinadinoski, to approve the December 12, 2018 minutes with a correction in the title for item #3 to “State Parcel Mapping Project”; and the motion for the Richmond energy plan should be corrected because the Plan wasn’t a draft with amendments at the time of review, so “the draft energy amendments” will be changed to “enhanced energy elements”. No further discussion. MOTION PASSED.

3. Data – 2018 Development Activity and Census Prep
Melanie Needle sent out the annual data request for 2018 development activity and bike-ped infrastructure in January. Thanks to those who have provided the data so far. We don’t yet have all of the municipal data, but the very preliminary number is 560 units for 2018.

Melanie Needle provided an overview of the preparations for the 2020 Census including review and modification of statistical boundaries. There are proposed changes to the census tracks and block groups based on the 2010 Census population numbers. Melanie provided a preliminary map of roughly where these changes are proposed.

There is also an opportunity to request a Census Designated Places (CDP) designation, in order to receive data based on that geography. Melanie Needle does not yet know how complicated the process is, or how likely it is to receive the designations.

There was a question regarding how the block and census changes relate to previous Census’ data and how can we compare that data going forward? Do they back correct the data? Melanie Needle will look into this. There was also a question about whether the block geographies have gone away? Melanie Needle will look into this as well; it may just be that there aren’t any changes proposed to them.

CCRPC will communicate with all municipalities that have proposed changes to the census tracks and block groups. Once we have a way to view this data correctly, we will share the information.

4. CCRPC’s draft Act 250 Legislative Recommendations
Regina Mahony provided an overview of CCRPC’s draft comments, and handed out the latest version with edits from the Executive Committee meeting. The PAC reviewed the comments and had the following comments/suggestions:

- #2, enhanced designation concept – there was a lot of discussion on this concept. There was an overall sentiment that the existing designations are flawed so why build on a broken system? The Village and Downtown designations are narrowly focused on commercial and civic uses and exclude redevelopment and infill in existing neighborhoods surrounding Villages and Downtowns. The Neighborhood Development Area designation is only intended for residential growth. Lastly, the Growth Centers (there are only 6) and New Town centers are hardly used. And for those municipalities that have gone through the arduous growth center and new town center designations, the enhanced designation concept would require them to get another approval; rather than allowing them to stand up on their own under the existing Downtown Board approval. It was also discussed that the Growth Center designation is not appealable, but the Enhanced Designation is appealable. If the problem is that the Growth Center designation should be appealable, then just fix that rather than creating another designation. It was also discussed that the Growth Center and Neighborhood Development Area designations come with an affordable housing requirement, and this should not be lost under a new structure. Overall there should be a more comprehensive growth strategy that doesn’t put existing growth in illogical silos; and accommodates planned areas for growth.

- #4, more costly development – There was general consensus that the point of this comment is unclear. These changes are in the criteria, they aren’t intended to dictate jurisdiction. There appear to be two concepts co-mingled: all the fees should be comprehensively looked at including the impact on development costs and what those fees will be used for, in light of reinforcing our goals in #2; and concepts are too new and not well thought out – significantly more detail is needed. The fees should be permitted to disincentivize growth where we don’t want it. There was also a recommendation to get away from cost altogether in this statement, and just explain that the fees/concepts are too new; and there may be unintended consequences such as affordability issues. There was also aggregation that CCRPC shouldn’t be saying that forest block protection adds to the cost of development; and that “catastrophic” is hyperbole and should be edited.

- #5, conceptual plans – There was a strong recommendation to delete this statement, as it isn’t likely to make a difference. After all the input on streamlining and coordinating ANR and Act 250 permits the Commission ultimately decided that state permits should not be beyond reproach. Regina clarified that the intent is to allow an opportunity in Act 250 for the neighbors to weigh in and adjust the design before more detailed engineered plans are developed so that they don’t need to be amended after the neighbor input. It is a significant cost. There was a comment that generally, folks who are opposed to a project demand more detail earlier on. The real solution would be to consolidate review at the local and state level so you don’t need to change the engineering plans at every level. There was a suggestion to perhaps re-word the statement to consider incorporation of a sketch plan type of review; and/or an opportunity to contest Act 250 criteria earlier in the process. There was some concern about overcomplicating the Act 250 review. There was also a suggestion to perhaps fix the master planning process to address this concern.

- #6, mapping in local and regional plans – There was a suggestion to word this more strongly. The developed areas and areas planned for growth should be defined at the local level.

Regina explained that these comments were developed by an ad hoc Committee of the Board. Both the Executive Committee and the PAC were asked to weigh in on these comments. The comments will be edited based on today’s discussion and forwarded on to the Board for their consideration next week.

5. 2019 Colchester Municipal Development Plan & Enhanced Energy Review

Joss Besse opened the public hearing at 3:37pm. Regina Mahony distributed an email to the PAC that Charlie Baker received from Deb Sachs. Deb Sachs was in attendance as well and indicated that she was here as a volunteer on behalf of Sue Deppe, the Chair of the Colchester Energy Committee. Deb Sachs expressed concern that the draft Colchester Plan (as well as the Regional Plan) is falling short of meeting statewide energy goals, including greenhouse gas emission reduction goals that have actually gone up since 2011. She added that CCRPC is approving the opportunity for the Plan to be used by the PUC, and from her view the Plan does not call for bold policy necessary to meet the state’s energy goals. In addition, the Town has developed a Scorecard to regulate renewables
over 15kW which is discriminatory against commercial solar. Deb Sachs added that perhaps there will be an
opportunity to re-work this planning framework at the state and regional plan level. Based on her math Colchester
would need about 2,000 acres of ground mounted solar to meet the goals, which is higher than what the Plan
indicates.

Joss Besse asked if there was any other public comment. Pam Loranger, Colchester Planning Commission Chair,
announced that the energy component of the Plan was at the forefront of the Plan update since 2017 and represents a
significant amount of work on the topic. They feel confident that the Plan meets the Act 174 standards.

Hearing no further comment, Joss Besse, closed the public comment period at 3:48pm.

Emily Nosse-Leirer started by providing an explanation of the process and working with the Act 174 enhanced
energy planning standards. She explained that the CCRPC Staff and the PAC have worked within the parameters of
the Act 174 standards, and we don’t have the ability to adjust those in our process. Emily Nosse-Leirer provided an
overview of the staff report for the Colchester Plan. There were initial comments that the staff provided to the
Colchester Planning Commission for their public hearing on Feb. 5th. The staff report is annotated to explain that
these comments have been addressed. Further, the data on current electric vehicle registration has been added and the
state and local constraint maps have been included.

Sarah Hadd stated that she appreciated the staff review and the timing of the comments so the PC could review those
at their public hearing. She also appreciates the comments received from colleagues that can be categorized as typos.
Sarah Hadd added that the intent of the Scorecard is to be more supportive of solar siting and they’ve had legal
review of it.

PAC comments/questions:

1. Are there any zoning changes proposed in the energy planning part of the Plan? Sarah Hadd stated that there
   is an action to consider siting standards.
2. The plan overall is very well written. A minor edit is needed on page 2 – clarify that you are talking about
electricity sources.
3. Really like the Scorecard concept as well; perhaps a map of how areas rank could be helpful to show solar
developers the highest scoring locations.
4. There is a lot of really good stuff in the Plan including the implementation analysis, and year by year
   implementation program.
5. Regarding energy/preferred sites – how does the Scorecard align with the state’s preferred site locations.
   Does the scorecard open up further areas to preferred site status? Sarah Hadd stated that the land use
   chapter does identify areas where they are concerned about these utilities and places they don’t want
to see any development, and areas where they want to see these energy facilities happen. Sarah
   explained that the scorecard process of granting preferred sites is a way to incentivize net metering
development where they really want to see it. She stated that the town has been responsible for two
   solar facilities coming online for their own electricity use during the drafting process of this plan,
   both of which were granted preferred site status. Emily Nosse-Leirer clarified the difference
   between net metering and non-net metering generation, and that the preferred site scorecard only
   applies to net metering generation. Net metering means that the owner uses the power they
   produced and get paid for any excess that goes back into the grid. Net metering generation can be
   bigger and/or receive better buy back rates if it is located on a preferred site. Many preferred sites
   are defined by the Vermont Net Metering Rules, but the rules also allow towns to define their own
   preferred sites in addition. Net metering can still happen on non-preferred sites, it just can’t be as
   large and probably won’t be as lucrative. Other generation isn’t net metered at all, it just goes
directly into the grid. The preferred site process doesn’t apply to this kind of commercial
   generation. The only town plan policies that would be evaluated during that process are the land use
   policies that are receiving substantial deference.
There was a question for Deb Sachs – are your comments specific to the CCRPC process which we are all following? If you found that 2,000 acres of solar is much more than what this Plan calls for, is there a major flaw in the system? Deb Sachs stated that the issue is that the LEAP model relies on importing half of renewable energy from outside of the state, and the current Hydro Quebec - GMT deal expires in 2028. Therefore we may need more renewable energy than the current planning framework calls for. This would need to be re-worked at the state level, and then the regional level.

Alex Weinragen made a motion, seconded by Victor Sinadinoski, that the PAC finds that the draft 2019 Colchester Town Plan meets all statutory requirements for CCRPC approval, and that the municipality’s planning process meets all statutory requirements for CCRPC confirmation.

The PAC also finds that the draft 2019 Colchester Town Plan will meet the requirements of the enhanced energy planning standards (“determination”) set forth in 24 V.S.A. §4352.

Upon notification that the Plan has been adopted by the municipality, CCRPC staff will review the plan, and any information relevant to the confirmation process. If staff determines that substantive changes have been made, the materials will be forwarded to the PAC for review. Otherwise the PAC recommends that the Plan, and the municipal planning process, should be forwarded to the CCRPC Board for approval, confirmation, and an affirmative determination of energy compliance.

No further discussion; the MOTION PASSED.

Colchester staff left the meeting at this point to prepare for a DRB meeting. Sarah Hadd expressed her support for the Winooski Plan, and congratulated Eric Vorwald on a job well done.

Paul Conner thanked Deb Sachs for bringing these issues to the attention of the PAC and recognized that we do have a disconnect between the state’s goals and the framework. Deb Sachs suggested that we have a conversation about this outside of a particular Plan review process.

6. 2019 Winooski Master Plan & Enhanced Energy Review

There is no public hearing for this Plan review because it was held in December.

Emily Nosse-Leirer provided an overview of the staff report which addresses concerns that the PAC expressed at the December meeting. The Planning Advisory Committee reviewed this plan at their December 12, 2018 meeting and requested that several changes be made to the plan to ensure compliance with statutory requirements. Additionally, the PAC’s motion indicated that they would review the plan again before deciding whether to recommend that the CCRPC board grant approval, confirmation and a determination of energy compliance to the plan. The comments from the December PAC meeting and the City of Winooski’s response to them are summarized in the Staff report and memo. Emily provided an overview of these comments and changes. We also now have clarity that the City is indeed requesting the enhanced energy designation. Staff finds that the Plan meets all of the statutory requirements.

Paul Conner thanked Eric Vorwald for the clarifications and found that they really helped. He added that while we would all like to have every planning area clearly defined, that isn’t always possible. The three aerial photos in the beginning are super helpful in conveying Winooski’s story.

Paul Conner made a motion, seconded by Darren Schibler, that the PAC finds that the draft 2019 Winooski Master Plan will meet all statutory requirements for CCRPC approval, and that the municipality’s planning process meets all statutory requirements for CCRPC confirmation.

The PAC also finds that the draft 2019 Winooski Master Plan meets the requirements of the enhanced energy planning standards (“determination”) set forth in 24 V.S.A. §4352.

Upon notification that the Plan has been adopted by the municipality, CCRPC staff will review the plan, and any information relevant to the confirmation process. If staff determines that substantive changes have been made, the
materials will be forwarded to the PAC for review. Otherwise the PAC recommends that the Plan, and the municipal planning process, should be forwarded to the CCRPC Board for approval, confirmation, and an affirmative determination of energy compliance.

No further discussion; the MOTION PASSED.

7. Regional Act 250/Section 248 Projects on the Horizon
Milton: mixed use development proposal at 444 Route 7 South – Sawyer property.
Huntington: still seeking projects
Burlington: nothing going to Act 250
Winooski: there is an application for a hotel and parking structure in Downtown under an Act 250 master plan, so this will go to Act 250, and the City Council needs to be a co-applicant.
Williston: Shunpike and Williston Road – industrial project. Jurisdictional question about whether they will need to go to Act 250 or not.
Bolton: nothing.
South Burlington: Three airport projects (quick turn-around for rental cars, relocation of taxiway G, establishment of airplane waiting area). New hotel on south end of the parking garage.
Hinesburg: Nothing new.
Shelburne: no longer on the call.
Underhill: nothing.

8. Other Business
a. Underhill Amendment Letter. Regina Mahony stated that Underhill did a minor plan amendment as the letter suggests. This does not change the Plan expiration date, and staff has indicated that the Plan still meets their Plan approval and confirmation process. As is our approved process, the letter is attached as a FYI for the PAC.
b. River Corridor Maps – The State has now released a new version of the River Corridor maps with the old geomorphic/fluvial erosion hazard area data incorporated. Regina Mahony showed the PAC CCRPC’s River Corridor online map where you can compare the newest River Corridor map layer, with the previous version and your municipal setbacks. Regina Mahony stated that the state included the geomorphic/fluvial erosion hazard area data into the latest river corridor boundary. The state is also open to further edits of the map for a period of time; there was no end date specified. Regina Mahony urged the PAC members to review the map layers and let CCRPC staff know if they’d like any assistance with this. This is relevant for two reasons: this is the boundary that ANR will regulate to via Act 250; and ERAF match funds. Currently the ERAF rule is not changing and most of our municipalities have early adopter status. That may change down the road. Related to this, the current ERAF rule and information from DEC was attached to the packet.
c. Dan Albrecht provided the PAC with a quick reminder that we have a Brownfields Program here at CCRPC – we can help support municipal projects with Phase I and II assessments. Anytime you want to buy a property or are thinking of doing a land swap let us know because we might be able to help.

8. Adjourn
Matt Boulanger made a motion, seconded by Victor Sinadinoski, to adjourn. MOTION PASSED. The meeting adjourned at 4:40 p.m.

Respectfully submitted, Regina Mahony