

CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
REGULAR MEETING MINUTES
DRAFT

DATE: Wednesday, February 20, 2019
TIME: 6:00 p.m.
PLACE: CCRPC offices; 110 W. Canal Street, Suite 202; Winooski, VT 05404
PRESENT: Bolton: Sharon Murray Buel's Gore: Absent
Burlington: Andy Montroll Charlotte: Jim Donovan
Colchester: Jeff Bartley Essex: Jeff Carr
Essex Junction: Dan Kerin Hinesburg: Andrea Morgante
Huntington: Barbara Elliott Jericho: Catherine McMains
Milton: Tony Micklus (6:02) Richmond: Bard Hill (6:10)
St. George: Absent Shelburne: John Zicconi (6:05)
South Burl: Justin Rabidoux (6:34) Underhill: Brian Bigelow
Westford: Dave Tilton Williston: Absent
Winooski: Mike O'Brien VTrans: Amy Bell
Socio/Econ/Housing: Justin Dextrateur Business/Industry: Tim Baechle
Agriculture: Absent Cons/Env: Absent
Others: Matthew Langham, VTrans Scott Moody, CCTV
Norm Baldwin, Burlington City DPW Susan Molzon, Burlington DPW
Mike Bissonette, Hinesburg Alternate
Staff: Charlie Baker, Executive Director Jason Charest, Sr. Trans. Eng.
Eleni Churchill, Trans. Program Mgr. Forest Cohen, Sr. Business Mgr.
Marshall Distel, Trans. Planner Chris Dubin, Trans. Planner
Bernie Ferenc, Trans. Business Mgr. Christine Forde, Sr. Trans. Planner
Amy Irvin Witham, Business office Assoc.
Regina Mahony, Planning Prog. Mgr.

1. Call to order; changes to the agenda. The meeting was called to order at 6:00 p.m. by the Vice-Chair, Mike O'Brien. It was requested that we move item 6. Champlain Parkway update before item 5. Act 250 recommendations. JEFF CARR MADE A MOTION, SECONDED BY JIM DONOVAN TO AMEND THE AGENDA AS NOTED. MOTION CARRIED UNANIMOUSLY.

2. Public Comment Period on items NOT on the agenda. There were none.

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

4. Approve Minutes of January 16, 2019 board meeting. JEFF CARR MADE A MOTION, SECONDED BY CATHERINE MCMAINS, TO APPROVE THE MINUTES WITH EDITS, IF ANY. MOTION CARRIED UNANIMOUSLY TO APPROVE THE MINUTES AS WRITTEN.

6. Champlain Parkway Update. Norm Baldwin, Burlington City Engineer, and Susan Molzon, Champlain Parkway Project Manager, attended to update us on the status of the Champlain Parkway project and other transportation projects in Burlington (presentation attached). Chapin Spencer had another meeting to attend. Susan showed a map of the route the parkway will take. Section C-1 will start at I-189 and go to Home Avenue. Segment C-2 will go from Home Avenue to Lakeside Avenue. Segment C-6 will go from Lakeside Avenue on the existing street and continue along Pine Street to Main Street. She

1 noted where bikepath and bikeshare lanes would be located and where raised intersections would be
2 installed for pedestrian safety. Segments C1 and C2 would have limited access at major intersections
3 and smaller neighborhood streets would dead end at the Parkway with only pedestrian access to
4 walk/bike lanes. Norm then reviewed the schedule: they are completing final design and will request
5 construction bids in spring 2019. They are finishing ROW acquisition with only two properties to go.
6 They expect to begin construction in fall 2019 and complete construction in two years-2021. They will
7 complete C-6 first and C-1 and 2 in the second year. Christine Forde noted that the TAC and board will
8 be asked to approve a TIP amendment in March to adjust the construction schedule. It will not affect
9 other projects in the TIP. Norm noted that there is a project website to keep up to date
10 (<http://champlainparkway.com/>).

11
12 Norm then talked about other initiatives in Burlington that include Great Streets, which will improve the
13 quality of the streets with pedestrian, bike, streetscape and landscape improvements. They have begun
14 with St. Paul Street between Main Street and Maple Street. Other locations will include Main Street
15 between Pine Street and Church Street and design around Burlington City Place. Because there are so
16 many projects going on the City has set up a Construction Portal to help get information to the public as
17 well as city departments. Members thanked them for the update.

18
19 5. Act 250 Recommendations. Regina Mahony reviewed the 8 overarching recommendations from the
20 Ad Hoc Act 250 Committee, with changes from the Planning Advisory Committee (PAC). After a very
21 lengthy discussion and some suggestions for changes, JEFF CARR MADE A MOTION, SECONDED BY JIM
22 DONOVAN, TO ACCEPT THE RECOMMENDATIONS FROM THE AD HOC ACT 250 COMMITTEE WITH STAFF
23 MAKING WORDING CHANGES IN RECOMMENDATIONS 1, 3 AND 4 WITH THE SUGGESTED CHANGES
24 CONSISTENT WITH THE BOARD'S DISCUSSION. MOTION CARRIED WITH SHARON MURRAY ABSTAINING
25 AS SHE REPRESENTS ANOTHER ORGANIZATION. (The recommendations are included below – red
26 highlights indicate changes discussed and agreed to.)

27
28 **Recommendations for**
29 **Improving Vermont's Act 250 Permitting System**
30 **February 20, 2019**

31 Act 47 (in 2017) created a commission of six legislators to “review the vision for Act 250 adopted in the
32 1970s and its implementation with the objective of ensuring that, over the next 50 years, Act 250
33 supports Vermont’s economic, environmental, and land use planning goals.” CCRPC has reviewed the
34 work of this Commission and offers the following general positions intended to make Act 250 more
35 effective and efficient.

- 36 1. CCRPC encourages the Legislature to ensure a **predictable and coordinated review process** that
37 minimizes inconsistency and duplication at all levels of review and puts those reviews in the
38 most appropriate hands so environmental protection is not compromised, and housing,
39 **transportation** and economic development is not unnecessarily time-consuming and expensive.
- 40 2. In general, the state permit process should **encourage development in appropriately planned**
41 **places** and discourage development outside of those areas. Therefore, CCRPC strongly supports
42 the concept that Act 250 should not have jurisdiction in areas planned for growth to encourage
43 affordable housing and economic investment in our smart growth areas: walkable, transit-
44 friendly, water and sewer-serviced areas. However, the **enhanced designation concept** as
45 proposed is unworkable for the following reasons:
 - 46 a. It builds on an overly complex designation system that puts existing growth into a
47 variety of unnecessary silos and does not adequately capture planned future growth

- 1 areas. The existing designation system, of which there are five designations, should be
2 overhauled into a comprehensive growth strategy rather than continue to build upon it
3 with a sixth designation. Improving and possibly expanding existing designations is
4 better than creating new designations.
- 5 b. It is not a true Act 250 release; it merely shifts the burden of all the Act 250 criteria to
6 the municipal level. Instead, we should support existing local planning and Downtown
7 Board efforts to designate these areas as places for housing and economic
8 development, acknowledge the greater environmental benefit of clustering growth into
9 areas with existing infrastructure, and *not* enforce Act 250 criteria that were originally
10 intended to minimize and mitigate indirect and cumulative impacts of major
11 development.
- 12 c. The current geographic boundaries of the designation programs are unnecessarily
13 limited. As an example, the Village and Downtown designations are narrowly focused on
14 commercial and civic uses and exclude redevelopment and infill in existing
15 neighborhoods surrounding Villages and Downtowns. The Downtown Board should
16 analyze each individual area on its merits as a smart growth area, and there should be
17 incentives to improve existing sprawl areas.
- 18 d. The Growth Center and Neighborhood Development Area designations come with an
19 affordable housing requirement, and this should not be lost under a new structure.
- 20 e. It adds an appeal process that the current designation programs don't have. If an appeal
21 process is a necessary component, add that to the current designations rather than
22 creating a new one.
- 23 f. The proposed bill will be a significant expansion of Act 250 jurisdiction, including
24 expansion into areas where development is appropriate, such as existing neighborhoods
25 surrounding centers; and the enhanced designation concept will not solve that problem.
- 26 3. CCRPC supports the ~~comprehensive nature~~ concept of **resource area protections** and the
27 acknowledgement that Act 250 jurisdiction should be triggered by location in areas of statewide
28 interest, regardless of project size (even single-family home developments); however, there
29 needs to be more work done to identify and define these resources. There may also be
30 resources that would be better regulated through a separate permit.
- 31 4. Act 250 permitting should rely more on **conceptual/sketch plans** and capacity analysis as
32 opposed to engineer-sealed plans with more detail. ~~Master Plan Permit approval~~ Land Use
33 Permits should include conditions of obtaining the other more detailed permits (stormwater,
34 wastewater, etc.). This would ensure a more resident-friendly, efficient and less costly state
35 permitting process, helping to reach affordable housing, **transportation** and economic
36 development goals. **In addition, CCRPC supports the master planning process for phased**
37 **developments.**
- 38 5. CCRPC ~~finds~~ **requests** that any mapping established to define jurisdiction, and particularly
39 growth areas, in Act 250 should be based not only on state-level maps, but also on **mapping in**
40 **local and regional plans** due to the extensive public participation involved in their development.
41 There may also be resources that should be considered by Act 250 that are not identified on
42 state-level maps.
- 43 6. CCRPC asks that the Legislature either work out **further details** before adopting new concepts or
44 hold until further details are worked out (e.g. greenhouse gas mitigation fee). The development
45 costs of some of these concepts could be substantial and would exacerbate existing inflated
46 housing costs for Vermonters. New concepts should be more thoroughly considered before
47 adoption. Further, all the fees should be comprehensively reviewed to understand the impact
48 on development costs, particularly considering the goal of smart growth development.

- 1 7. CCRPC encourages the Legislature to consider a **phased approach** to implementing the new
2 jurisdiction paradigm. If it moves forward, it will greatly expand the reach of Act 250, and could
3 greatly disrupt the market. It would be best to first allow municipalities to apply for and obtain
4 the enhanced designation before the greater rural development restrictions are implemented.
- 5 8. CCRPC supports an **appeals** process that allows coordination or consolidation of appeals of
6 various municipal and state permits to one entity to ensure consistency in decision-making and
7 prevent unaligned requirements between Environmental Court and the proposed re-invigorated
8 Environmental Resource Board decisions.
9
- 10 7. Chair/Executive Director Updates:
- 11 a. FY20 UPWP Update. The UPWP committee will hold its second meeting tomorrow to review the
12 list of projects that staff is recommending. We have aligned the budget with available PL funds.
13 b. ECOS Annual Report. Staff distributed the 2018 Annual report.
14 c. Legislative Updates. Charlie is watching another bill that would give RPCs a larger role helping
15 ANR to distribute water quality funds to municipalities by watershed. Andrea suggested that
16 the application process for state dollars needs to be consistent.
17
- 18 8. Committee/Liaison Activities and Reports. Mike noted that minutes of various committee meetings
19 were included in the meeting packet.
20
- 21 9. Members' Items, Other business. There were none.
22
- 23 10. Adjourn. JEFF CARR MADE A MOTION, SECONDED BY JOHN ZICCONI, TO ADJOURN THE MEETING AT
24 8:05 P.M. MOTION CARRIED UNANIMOUSLY.
25
- 26 Respectfully submitted,
27
28 Bernadette Ferenc