

1 CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION  
2 REGULAR MEETING MINUTES  
3 DRAFT  
4

5 DATE: Wednesday, January 15, 2020  
6 TIME: 6:00 p.m.  
7 PLACE: CCRPC offices; 110 W. Canal Street, Suite 202; Winooski, VT 05404  
8 PRESENT: Bolton: Sharon Murray Buel's Gore: Garret Mott  
9 Burlington: Jenna Pugliese (Alt) Charlotte: Absent  
10 Colchester: Jacki Murphy (6:04pm) Essex: Elaine Haney (Alt)  
11 Essex: Jeff Carr Essex Junction: Jeff Carr (2<sup>nd</sup> Alt)  
12 Hinesburg: Absent Huntington: Absent  
13 Jericho: Catherine McMains Milton: Tony Micklus  
14 Richmond: Bard Hill St. George: Absent  
15 Shelburne: John Zicconi So. Burlington: Chris Shaw  
16 Underhill: Brian Bigelow Westford: Absent  
17 Williston: Chris Roy Winooski: Michael O'Brien  
18 Cons/Env.: Don Meals VTrans: Amy Bell  
19 Bus/Ind: Tim Baechle (6:05pm) GMT : Absent  
20 Agriculture: Absent Socio/Econ/Housing: Absent  
21 Others: Matthew Langham, VTrans Scott Moody, CCTV  
22 Staff: Regina Mahony, Planning Prgm Mgr. Eleni Churchill, Trans. Prgm Mgr.  
23 Forest Cohen, Senior Business Mgr. Christine Forde, Senior Planner  
24 Dan Albrecht, Senior Planner  
25 Amy Irvin Witham, Business Office Associate  
26

- 27 1. Call to order; changes to the agenda. The meeting was called to order at 6:01 p.m. by the Chair,  
28 Michael O'Brien. Regina Mahony suggested to move item 5b down the agenda in order to hold  
29 space for anyone who comes to the public hearing for the Major TIP Amendments.  
30  
31 2. Public Comment Period on Items NOT on the Agenda. There were none.  
32  
33 3. Action on Consent Agenda. There were none.  
34  
35 4. Approve Minutes of November 20, 2019 board meeting. JEFF CARR MADE A MOTION, SECONDED  
36 BY SHARON MURRAY TO APPROVE THE NOVEMBER 20, 2019 MINUTES WITH EDITS. MOTION  
37 CARRIED WITH JOHN ZICCONI ABSTAINING.  
38 • Edit: Change page 2, lines 34-36. Strike the repeated sentence.  
39  
40 Jeff Carr noted he is representing both Essex and Essex Junction.  
41  
42 5. Major TIP Amendments  
43 Regina reminded Board members that in November they received a presentation on the Exit 12 Park  
44 & Ride project, which is a part of the major Transportation Improvement Program (TIP) Amendment  
45 and involves two projects, the Williston Park and Ride and the Champlain Parkway. These changes  
46 are detailed in the Board Memo. Christine Forde provided an overview of the TIP amendments:  
47 • For the Williston Park and Ride project, advance \$2,300,000 in federal funds from FY19 to  
48 FY20 and add \$175,000 for preliminary engineering, \$372,000 for right of way and

1 \$1,675,000 for construction. The TIP changes are needed to accommodate the relocation of  
 2 the access drive to the Park & Ride lot to consolidate the driveways with the Vermont State  
 3 Police building that is to be constructed south of the Park and Ride location.

- 4 • For the Champlain Parkway Project, move \$3,000,000 in federal funds from FY20 to FY23.  
 5 The project has over \$13,000,000 in federal funds in FY20 and the current spending profile  
 6 indicates that the project will not need that much. \$10,222,501 remains in FY20 and will be  
 7 adequate to cover project expenses.

8 a. Public Hearing JEFF CARR MADE A MOTION, SECONDED BY CHRIS SHAW, TO OPEN THE PUBLIC  
 9 HEARING AT 6:05 P.M. MOTION CARRIED UNANIMOUSLY.

10

11 6. FY20 UPWP & Budget Mid-Year Adjustment

12 Eleni Churchill referred members to the memo and Mid-year UPWP document that was distributed with  
 13 the Board Packet. She reviewed the changes in the Draft UPWP, discussed the new projects and  
 14 changes to deliverables and funding. Eleni pointed out one project was eliminated, Task # 2.3.9.2  
 15 Chittenden County Freight Plan and the following projects were added:

16

17 Land Use & Planning projects

- 18 • 2.1.3.23 Charlotte Zoning Assistance
- 19 • 2.1.3.24 Essex Infographic
- 20 • 2.2.6 Energy Plan Implementation
- 21 • 5.2.4.1 Local Emergency Response Plans

22

23 Transportation Projects

- 24 • 2.3.4.34 Intermodal Facilities and Official Map (Williston)
- 25 • 2.3.4.35 Elderly and Disabled Transit Service Review (phase II)
- 26 • 2.3.13.3 Winooski Avenue Corridor study (Major changes were made)
- 27 • 3.2.3.29 Jericho Bolger Hill Drainage Improvements
- 28 • 3.2.3.30 Westford Town Green Stormwater Assessment
- 29 • 3.2.3.31 Jericho Road conceptual Plans (Richmond)

30

31 Forest Cohen referred members to the budget document that was distributed. He explained the total  
 32 revenue change from the adopted budget was \$45,106. There was a modest reduction in staff time,  
 33 \$50,422 more in contracted funds, and \$36,559 more expenses. Based on this, the overall result is  
 34 positive, with a budget surplus of \$8,548.

35

36 JEFF CARR MADE A MOTION, SECONDED BY CHRIS SHAW TO APPROVE THE TRANSPORTATION PORTION  
 37 OF THE FY20 UPWP MID-YEAR ADJUSTMENT. (MPO BUSINESS) VOTE:

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

45

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

47

1 JEFF CARR MADE A MOTION, SECONDED BY CHRIS SHAW TO APPROVE THE ENTIRE FY20 UPWP AND  
 2 BUDGET MID-YEAR ADJUSTMENT. MOTION CARRIED UNANIMOUSLY.

3  
 4 7. Town of Charlotte Determination of Energy Compliance

5 Regina Mahony explained the amendments to the Charlotte Town Plan are only for a determination of  
 6 energy compliance. The plan was adopted by the Planning Advisory Committee in November 2019.  
 7 Both the Planning Advisory Committee and the CCRPC Staff recommends the Board grant an affirmative  
 8 determination of energy compliance to the amended 2016 Jericho Town Plan.

9 CATHERINE MCMAINS, MADE A MOTION, SECONDED BY GARRET MOTT, THAT THE CCRPC BOARD  
 10 APPROVE THE TOWN OF CHARLOTTE DETERMINATION OF ENERGY COMPLIANCE. MOTION CARRIED  
 11 UNANIMOUSLY.

12  
 13 **[Returned to Agenda item 5]**

14 5. Major TIP Amendments

15 a. Public Hearing

16 JEFF CARR MADE A MOTION, SECONDED BY CHRIS SHAW TO CLOSE THE PUBLIC HEARING AT  
 17 6:29 P.M. MOTION CARRIED UNANIMOUSLY

18  
 19 b. Approve Major TIP Amendments for the Williston Park & Ride and Champlain Parkway

20 JEFF CARR MADE A MOTION, SECONDED BY CATHERINE MCMAINS TO APPROVE THE TIP  
 21 AMENDMENTS AS PRESENTED. MPO VOTE:

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

29  
 30 MOTION CARRIED WITH 19 OF 24 VOTES; AND 13 OF 18 MUNICIPALITIES VOTING IN THE  
 31 AFFIRMATIVE.

32  
 33 8. Clean Water Service Provider RFP Comments

34 Regina explained that this program was on the Board agenda as draft legislation last April. The State of  
 35 Vermont, Department of Environmental Conservation (DEC) is now working to implement this legislation.  
 36 This is intended to fund and manage non-regulatory water quality programs, because there is a concern  
 37 that the state will not meet the TMDL phosphorus programs through the non-regulatory programs alone.  
 38 Municipal funding for regulatory water quality projects will be held back if these reductions are not  
 39 successfully met. Documents included with the agenda include a cover memo, a copy of DEC's Draft Clean  
 40 Water Service Provider (CWSP) RFP, a draft of CCRPC's proposed comment letter on the draft RFP for  
 41 review and action and an additional memo that outlines anticipated roles and responsibilities of Clean  
 42 Water Service Providers. The memo also provides a map that highlights, geographically, the area (Basin  
 43 5, Northern Lake Champlain Direct Drainages) that may make the most sense for the CCRPC to potentially  
 44 be involved.

45  
 46 Regina stated there are two important items up for discussion. First, the DEC Draft RFP for selection of  
 47 Clean Water Service Providers (CWSP). The Board is being asked to review the Draft RFP and approve  
 48 submission of the attached comment letter. The comment letter was drafted by staff and includes input

1 from the Clean Water Advisory Committee as well as the Executive Committee. Second, staff would like  
2 an opportunity to discuss the pros and cons of whether the CCRPC should apply to be designated as the  
3 CWSP. The final RFP is expected to be out by the end of January, and the anticipated deadline for  
4 submission of a proposal is likely in early April 2020. We will have another conversation at the February  
5 Board meeting and will likely need a final decision at the March Board Meeting on whether to move  
6 forward with submission of a proposal.

7  
8 Regina stated Charlie Baker and Dan Albrecht have been working together to determine the best course  
9 of action by the CCRPC. Dan stated he and Charlie have participated in multiple meetings and  
10 discussions as part of DEC's Act 76 Advisory Group. Even though there are currently many unknown  
11 factors that need to be considered, he feels it is a worthwhile endeavor to thoroughly explore and  
12 within the CCRPC wheelhouse. Members questioned how manageable this would be, including the fact  
13 that there are 15 total basins. Dan explained in the first couple of years the DEC is interested in getting  
14 the CWSP up and running for 6 basins; 5 that drain to Lake Champlain, plus Lake Memphremagog. He  
15 said this is a process that will take time. Dan referred members to the Memo that describes the planned  
16 roles and responsibilities of a CWSP. Members reviewed the memo with Dan and expressed great  
17 concern regarding the potential for penalties and liabilities and even if tasks such as verification and  
18 inspection are delegated to another party, the CCRPC could still be considered liable. Dan referred to  
19 #13 in the Draft comments, "the CCRPC has expressed applicants for CWSP appointments do so  
20 voluntarily and that even if an applicant is selected, they may not agree to that commitment until they  
21 have seen the final rules and guidance." There was further discussion about the potential Basin that  
22 CCRPC may consider as a CWSP; potentially Basin 5, Northern Lake Champlain Direct Drainages. This  
23 area covers several of our MS4 towns, several towns in Grand Isle and Franklin County, and a small  
24 portion of Ferrisburgh in Addison county. There was mention of municipalities outside of this Basin, but  
25 within Chittenden County having to go to another CWSP (potentially another RPC) for funding for this  
26 work. Members agreed, despite the current unknowns and challenges, this is very important work.

27  
28 JEFF CARR MADE A MOTION, SECONDED BY DON MEALS, TO ACCEPT THE STAFF RECOMMENDATION TO  
29 APPROVE THE DRAFT CWSP RFP COMMENT LETTER, WITH STAFF GRANTED THE DISCRETION TO ADD  
30 ADDITIONAL LANGUAGE IN REGARD TO RESPONSIBILITIES AND LIABILITIES. MOTION CARRIED  
31 UNANIMOUSLY.

32  
33 JEFF CARR MADE A MOTION, SECONDED BY JOHN ZICCONI, FOR THE CCRPC STAFF TO IDENTIFY AND  
34 HIGHLIGHT AREAS OF CONCERN, IDENTIFY SENSIBLE SOLUTIONS AND CONTINUE TO PURSUE A POSSIBLE  
35 APPLICATION TO BECOME A CLEAN WATER SERVICE PROVIDER. MOTION CARRIED UNANIMOUSLY.

36  
37 9. Chair/Executive Director Report.

- 38 • Planner Recruitment Regina stated Taylor Newton accepted our offer and will begin work on  
39 February 18. Taylor currently works for the Northwest RPC and his transition to CCRPC should  
40 be seamless, as his position there covers much of what Emily was doing.
- 41 • FY21 UPWP Development Regina said applications are due Friday, January 17 and the first  
42 meeting is scheduled to be held on Jan 23, with subsequent meetings in February and March.  
43 The information will be presented to the board in April and a Board decision will be asked for in  
44 May.
- 45 • Senate Economic Development, Housing & General Affairs Committee, Chittenden County  
46 Housing Meeting 1/9/20 Regina explained this committee has done a tour around the state to  
47 get a sense of housing issues. The last meeting was held in Chittenden County last week. It was  
48 well attended and many on the panel expressed support for another housing bond. Per Senator

- 1 Sirotkin, this message needs to be taken to the Treasurer. This Committee is very committed to  
2 doing something with housing.
- 3 • Act 250 Recommendations (Act 250 and Housing Bills) Regina stated that there is likely  
4 movement on a bill this year and CCRPC's ad hoc Act 250 Committee will meet and present  
5 position statements to the Exec. Comm., PAC, and the Board in February. Chris Roy provided an  
6 update on the proposed legislation. Chris said VNRC and the Administration worked on a  
7 proposal and presented it to the House Natural Resources and Fish and Wildlife Committee.  
8 Overall, the proposal is more concrete and practical than what was discussed last year. The  
9 proposal includes Designated Downtowns and Neighborhood Development Area exemptions;  
10 jurisdiction at 1,500' and within 2,000' of interstate interchanges; reinstating the old road rule;  
11 and river corridor, habitat and forest fragmentation, and climate change criteria changes. The  
12 testimony they provided includes an alternative to the current review and appeals process that  
13 includes a 3 person board, with 2 additional members participating on hearings in their districts;  
14 while the 3 person board handles all legal issues. This addresses the time issues because you  
15 eliminate a level of review. Chris explained there is still a lot of detail, but at least an effort is  
16 being made to streamline the process, moving from broad concepts to specific amendments  
17 that can be reviewed in a practical way.  
18
- 19 10. Committee/Liaison Activities & Reports. Minutes for various meeting were included in the packet  
20 (Executive Committee, TAC, PAC, Brownfields, and CWAC). Jeff stated Dennis Lutz was not present  
21 at the TAC meeting in January.  
22
- 23 11. Members' Items, Other business. There was no other business.  
24
- 25 12. Adjournment. JOHN ZICCONI MADE A MOTION SECONDED BY GARRET MOTT TO ADJOURN THE  
26 MEETING AT 7:35 P.M.  
27
- 28 Respectfully submitted,  
29 Amy Irvin Witham