

1 CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
2 PLANNING ADVISORY COMMITTEE - MINUTES
3

4 DATE: Wednesday, April 8, 2020
5 TIME: 2:30 p.m. to 4:30 p.m.
6 PLACE: Virtual Meeting via GoToMeeting with link as published on the agenda
7

Members Present:

Joss Besse & Larry Lewack, Bolton
Eric Vorwald, Winooski
Matt Boulanger & Emily Heymann, Williston
Andrew Strniste, Underhill
Larry Lewack, Bolton
Cathynn LaRose, South Burlington
Darren Schibler & Owiso Makuku, Essex
Sarah Hadd, Colchester
Ravi Venkataraman, Richmond
Alex Weinhagen, Hinesburg
Dean Pierce, Shelburne
Katherine Sonnick, Jericho

Staff:

Regina Mahony, Planning Program Manager
Melanie Needle, Senior Planner
Taylor Newton, Senior Planner

Other:

John Drew, Underhill Planning Commission
Gary Miller, Williston Planning Commission
Chapin Kaynor, Williston Planning Commission

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10 **1. Welcome and Introductions**

11 Joss Besse called the meeting to order at 2:34 p.m. Regina Mahony identified attendees in the virtual meeting and
12 asked non-PAC members to introduce themselves.
13

14 **2. Approval of February 12, 2020 Minutes**

15
16 Alex Weinhagen made a motion, seconded by Ravi Venkataraman, to approve the February 12, 2020 minutes. No
17 further discussion. MOTION PASSED.
18

19 **3. FY21 UPWP Review and Recommendation**

20 Regina Mahony briefly reviewed the land use projects included in the draft FY21 UPWP. This will be voted on by
21 the Board in May. Regina Mahony asked the PAC to let her know if there are any comments on the document. Dean
22 Pierce stated that he is listed as the PAC Rep on the UPWP Committee in the front of the document; that should be
23 corrected as Eric Vorwald was the PAC Rep this year.
24

25 **4. 2019 Housing Construction**

26 Melanie Needle provided a presentation on the draft 2019 housing construction data. Melanie Needle stated that the
27 data is not yet finalized as there are still questions that need to be worked out with municipal staff. The preliminary
28 results show approximately 779 net new housing units built, 107 of those units are affordable, and 90% of this
29 construction took place in the areas planned for growth (with 735 of the units mapped so far). The types of housing
30 units constructed include: Accessory Dwelling Units (18); Multi-Family (575); Mobile Homes (3); and Single Family
31 (164). These numbers will be further refined as the mapping is finalized. There was some discussion that South
32 Burlington may have some affordable units that are not yet included.
33

34 **5. COVID-19 Legislation**

35 The state legislature passed [H.681](#) which amends the open meeting law and adjusts some expiration dates during the
36 COVID pandemic. Taylor Newton has had some conversations with Joe McLean from Stitzel, Page and Fletcher
37 regarding this legislation, and presented the following guidance:
38

39 **Open Meeting Law**

- 40 - removal of physical location requirement
41 - public shall have access through electronic or telephone (whenever feasible)

- 1 - Legislative body and school boards are required to record the meeting
- 2 - If there is a staffing shortage – minutes may be posted 10 days from the date of the meeting

3
4 **Extension of deadlines**

- 5 - State agencies may extend deadline applicable to municipal corporations or RPCs (TIP? Other plans??)
- 6 - Deadlines in statute shall extend more than 90 days after the declared state of emergency (expiration of
7 Municipal and Regional Plans). CCRPC finds that the RPC approval would just get extended along with the
8 municipal plan extension. Also, this shall apply to any permit, program, or plan issues to municipality or
9 RPC that is due to State agency (MRGP? Others?)
- 10 - First two sentences of 8(b) - Municipality shall be permitted to extend any deadlines “applicable to municipal
11 corporation” separate from State license/permits/program/plan. The right is established/enabled but requires
12 legislative body action to extend or waive deadlines applicable to licenses, permits, programs, plans (DRB,
13 zoning, filing plat, etc).
- 14 - Third sentence of 8(b) - Any expiring license/permit/program/plan due to municipality for renewal shall
15 remain valid for 90 days after the emergency (temp permits? Plats? Others?) Does not require legislative
16 body action because it is self-executing, however it may not hurt.

17
18 There was some discussion about how this impacts Zoning Administration actions and determinations that are not
19 zoning permits.

20
21 **6. Town of Underhill Plan Review**

22 This draft 2020 Underhill Town Plan is a full re-write of the town plan, and the town is seeking a Determination of
23 Energy Compliance as well. Joss Besse opened the public hearing at 3:09pm. No public provided any comments, so
24 Joss Besse closed the public hearing.

25
26 Taylor Newton provided an overview of the review of the draft Underhill Town Plan. Taylor Newton indicated that
27 the plan meets the requirements with the exception of two minor edits for Plan approval and confirmation: addressing
28 future land uses in the compatibility with surrounding municipalities section, and addressing the state goal of
29 “broadening access to educational and vocational training opportunities”. Taylor Newton explained that the staff
30 report also includes a few recommendations to help strengthen the plan. Regarding the determination of energy
31 compliance, Taylor Newton stated that there is one requirement for determination: a strategy that more clearly
32 promotes energy efficient buildings.

33
34 Andrew Strniste and Underhill Planning Commission member, John Drew, indicated that they did not anticipate any
35 difficulty in making these edits. Andrew Strniste added that the comments will be brought to the Planning
36 Commission when they have their public hearings. They were scheduled but the Town is going to postpone them
37 until they can have in person hearings. Taylor Newton indicated that the current plan will not expire in accordance
38 with the H. 681 COVID legislation, so Underhill has time.

39
40 **Dean Pierce made a motion, seconded by Cathyann LaRose**, that the PAC finds that the draft 2020 Underhill
41 Town Plan, will meet all statutory requirements for CCRPC approval with Confirming and Approving the Municipal
42 Plan edit #'s 1 and 2 described in this staff report, and that the municipality's planning process meets all statutory
43 requirements for CCRPC confirmation.

44
45 Upon notification that the Plan has been adopted by the municipality, CCRPC staff will review the plan, and
46 any information relevant to the confirmation process. If staff determines that the required data and reference
47 have not been added, or that substantive changes have been made, the materials will be forwarded to the PAC
48 for review. Otherwise the PAC recommends that the Plan, and the municipal planning process, should be
49 forwarded to the CCRPC Board for approval, confirmation, and an affirmative determination of energy
50 compliance.

51
52 Further discussion: Dean Pierce gave Underhill kudos on a well-done implementation table. No further discussion.

53 **MOTION PASSED.**

1
2 **Dean Pierce made a motion, seconded by Ravi Venkataraman**, that the PAC also finds that the draft 2020
3 Underhill Town Plan will meet the requirements of the enhanced energy planning standards (“determination”) set
4 forth in 24 V.S.A. §4352 with Enhanced Energy Plan Review edit #1 described in this staff report.

5
6 Upon notification that the municipality has adopted the amendments, CCRPC staff will review the plan, and any
7 information relevant to the confirmation process. If staff determines that that substantive changes have been made,
8 the materials will be forwarded to the PAC for review. Otherwise the PAC recommends that the draft Energy Plan,
9 should be forwarded to the CCRPC Board for an affirmative determination of energy compliance.

10
11 Further discussion: Ravi Venkataraman stated that he appreciated the clarity of the plan including the tables and map
12 layout within the energy section of the Plan. No further discussion. **MOTION PASSED.**

13 14 **7. Williston Energy Plan Review**

15 This is a plan amendment to include a new enhanced energy plan, and the town is seeking a Determination of Energy
16 Compliance. Joss Besse opened the public hearing at 3:21pm. Chapin Kaynor, Williston Planning Commission
17 member stated that he wanted to thank Melanie Needle for her assistance on this plan for 18 months. Chapin Kaynor
18 also indicated that he wanted to highlight two areas of interest. Joss Besse stated that he can do this as part of the
19 municipal input, so this does not need to be done under the public hearing. Joss Besse closed the public hearing at
20 3:23pm.

21
22 Taylor Newton provided an overview of the review of the draft Williston Enhanced Energy Plan. Taylor Newton
23 indicated that the plan is very thorough, well thought out and it was refreshing to read. Taylor Newton stated that
24 there is one required change for enhanced energy determination: CCRPC finds that Williston’s Siting Policies #3 and
25 #4 do not meet the Department of Public Service’s Energy Planning Standards for Municipal Plans. Specifically, the
26 siting policies do not meet Standards #13(A) and (B). Taylor Newton explained that the staff report also includes
27 several recommendations to help strengthen the plan.

28
29 Williston Planner Emily Heymann explained that they’ve talked with Taylor and have included these edits in a
30 version for the PC public hearing. Emily Heymann and Matt Boulanger indicated that they appreciated the other
31 clarification comments. Chapin Kaynor stated that he also appreciates Emily and Eric Wells effort on this Energy
32 Plan. Chapin Kaynor highlighted a challenge they had in drafting in the Plan: Regarding solar projects in a field -
33 they thought there were ways to make this happen but realized that most of the south facing slopes were forested and
34 they didn’t want to see the loss of all those trees when typically a house would only clear about a 1/3 of an acre. That
35 is the reason for the inclusion of the 1 acre of forest clearing. Chapin Kaynor added that he thinks the Planning
36 Commission will move forward with an amendment as required because everyone wants to see the energy plan move
37 forward.

38
39 PAC questions/comments: Darren Schibler applauded Williston’s Siting Standards #3 & 4 and finds the policies to
40 be very forward thinking about land use. He added that unfortunately the PUC limits what municipalities can do in
41 these enhanced energy plans, and it may be useful to talk about the framework of these plans to see if it can be
42 changed at the state level. There was quite a bit of discussion regarding why the siting policies are not okay
43 considering the amount of conservation of forested areas and conservation areas that Williston does for all
44 development. Taylor Newton explained that it is the mechanics of how these policies would work, as an example the
45 conservation area siting policy would essentially prohibit smaller solar projects from being viable. Regina Mahony
46 added that the suggested text edits are just one possible way that these issues can be resolved; Williston does not
47 need to follow these exact suggestions.

48
49 **Alex Weinhagen made a motion, seconded by Dean Pierce**, that the PAC finds that the draft Williston Enhanced
50 Energy Plan will meet the requirements of the enhanced energy planning standards (“determination”) set forth in 24
51 V.S.A. §4352 with Enhanced Energy Plan Review edit #1 described in this staff report.

52

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

5
6 No further discussion. **MOTION PASSED.**

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8 **8. Regional Act 250/Section 248 Projects on the Horizon**

9 Due to the challenges with this format Alex Weinhagen suggested that if there are any upcoming Act 250/Section
10 248 projects that members email Regina Mahony so CCRPC is aware of them.

11
12 **9. Other Business**

- 13 a. VHFA was contracted by the State of Vermont to prepare its 2020 Housing Needs Assessment. DHCD
14 recently made the full report and its 10 fact sheets available on their website:
15 <https://accd.vermont.gov/housing/plans-data-rules/needs-assessment>.

16
17 **10. Adjourn**

18 Dean Pierce made a motion, seconded by Ravi Venkataraman, to adjourn at 4:00p.m. **MOTION PASSED**

19
20 Respectfully submitted, Regina Mahony