Planning Advisory Committee Agenda

Wednesday, June 10, 2020
2:30pm to 4:00pm

Remote Access Meeting Only

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Agenda

2:30  Welcome and Introductions, Joss Besse

2:35  Approval of April 8, 2020 Minutes*

2:40  Census Website Training, Melanie Needle
Tips and tricks on how to use the Census' new data explorer tool.

3:00  I-89 Study, Eleni Churchill
Staff will provide an update on the I-89 2050 Study including input from the first round of public outreach, revised Vision and Goals, Interchange evaluation metrics and results of the first round of analyses and discuss next steps.

3:30  Funding Directory Review, Taylor Newton
Note this is posted on the website separately*
Attached is a comprehensive directory of funding opportunities. This will go up on CCRPC’s website and will be updated annually. As a potential user of this information is there anything, you’d like us to add or edit before we migrate it to the online version?

3:40  Regional Act 250/Section 248 Projects on the Horizon - Please email Regina and Taylor with any projects on the horizon.

3:50  Other Business
a.  Forest Integrity Plan Assistance* – The packet includes an opportunity for a small amount of CCRPC assistance with forest integrity planning. If any towns are interested, please tell Regina ASAP.
b.  New member Land Use Essentials Training – CCRPC can host a virtual training on this. Do you have new members that would be interested?
c.  EDA - Four Region CEDS - CCRPC is cooperating with regional partners to submit an application to EDA to develop a multi-region CEDS (Addison, Chittenden, Rutland and Central VT (Washington/part of Orange).

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

Members Present:
Joss Besse & Larry Lewack, Bolton
Eric Vorwald, Winooksi
Matt Boulanger & Emily Heymann, Williston
Andrew Strniste, Underhill
Larry Lewack, Bolton
Cathyann LaRose, South Burlington
Darren Schibler & Owisomakuku, Essex
Sarah Hadd, Colchester
Ravi Venkataraman, Richmond
Alex Weinlagen, 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

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

2. Approval of February 12, 2020 Minutes
Alex Weinlagen made a motion, seconded by Ravi Venkataraman, to approve the February 12, 2020 minutes. No further discussion. MOTION PASSED.

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

4. 2019 Housing Construction
Melanie Needle provided a presentation on the draft 2019 housing construction data. Melanie Needle stated that the data is not yet finalized as there are still questions that need to be worked out with municipal staff. The preliminary results show approximately 779 net new housing units built, 107 of those units are affordable, and 90% of this construction took place in the areas planned for growth (with 735 of the units mapped so far). The types of housing units constructed include: Accessory Dwelling Units (18); Multi-Family (575); Mobile Homes (3); and Single Family (164). These numbers will be further refined as the mapping is finalized. There was some discussion that South Burlington may have some affordable units that are not yet included.

5. COVID-19 Legislation
The state legislature passed H.681 which amends the open meeting law and adjusts some expiration dates during the COVID pandemic. Taylor Newton has had some conversations with Joe McLean from Stitzel, Page and Fletcher regarding this legislation, and presented the following guidance:

Open Meeting Law
- removal of physical location requirement
- public shall have access through electronic or telephone (whenever feasible)
- Legislative body and school boards are required to record the meeting
- If there is a staffing shortage – minutes may be posted 10 days from the date of the meeting

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

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

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

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

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

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

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 the required data and reference
have not been added, or 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.

Further discussion: Dean Pierce gave Underhill kudos on a well-done implementation table. No further discussion.
**MOTION PASSED.**
Dean Pierce made a motion, seconded by Ravi Venkataraman, that the PAC also finds that the draft 2020 Underhill Town Plan will meet the requirements of the enhanced energy planning standards (“determination”) set forth in 24 V.S.A. §4352 with Enhanced Energy Plan Review edit #1 described in this staff report.

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

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

7. Williston Energy Plan Review

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

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

Williston Planner Emily Heymann explained that they’ve talked with Taylor and have included these edits in a version for the PC public hearing. Emily Heymann and Matt Boulanger indicated that they appreciated the other clarification comments. Chapin Kaynor stated that he also appreciates Emily and Eric Wells effort on this Energy Plan. Chapin Kaynor highlighted a challenge they had in drafting in the Plan: Regarding solar projects in a field - they thought there were ways to make this happen but realized that most of the south facing slopes were forested and 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 is the reason for the inclusion of the 1 acre of forest clearing. Chapin Kaynor added that he thinks the Planning Commission will move forward with an amendment as required because everyone wants to see the energy plan move forward.

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

Alex Weinhagen made a motion, seconded by Dean Pierce, that the PAC finds that the draft Williston Enhanced Energy Plan will meet the requirements of the enhanced energy planning standards (“determination”) set forth in 24 V.S.A. §4352 with Enhanced Energy Plan Review edit #1 described in this staff report.
Upon notification that the municipality has adopted the amendments, 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 draft Energy Plan, should be forwarded to the CCRPC Board for an affirmative determination of energy compliance.

No further discussion. MOTION PASSED.

8. Regional Act 250/Section 248 Projects on the Horizon
Due to the challenges with this format Alex Weinlagen suggested that if there are any upcoming Act 250/Section 248 projects that members email Regina Mahony so CCRPC is aware of them.

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

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

Respectfully submitted, Regina Mahony
Central Vermont Regional Planning Commission
Forest Integrity Project Solicitation

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Up to Three (3) Proposed Municipalities:
1. 
2. 
3. 

Up to Two (2) Additional Potential Municipalities (as funding allows):
1. 
2. 

PROJECT DESCRIPTION

Provide technical assistance to municipalities in the implementation of Act 171 by:
   a)  working with up to three (3) participating municipalities to develop municipal plan language in accordance with State Statute, and
   b)  providing a final report indicating recommendations and resources that may assist municipalities to further forest integrity planning goals.

CVRPC will be seeking a range of urban and rural municipalities for project participation.

AVAILABLE FUNDING

A total of $2,085.00 is available to RPCs delivering three (3) draft municipal plan amendments/sections. This sub-grant is an actual cost award with a limit of $650 per municipal plan amendment/section delivered and up to $135 to meet reporting requirements. Participating RPCs must provide a 1:1 match. (Award $650; Match $650). RPCs may choose to assist less than three (3) municipalities. Based on RPC participation statewide, funding may be available for some RPCs to work with up to two (2) additional municipalities.

PERFORMANCE PERIOD

Sub-grant start date is June 19, 2020. End date no later than June 17, 2021.

TASKS + DELIVERABLES

Task 1: Technical Assistance: Provide custom technical assistance consisting of working with municipalities to draft plan amendments or new plan sections that meet the requirements 24 V.S.A. § 4302 (c)(6)(C) and 24 V.S.A. § 4382(a)(2)(D) with consideration given to ANR Act 171 Guidance. Plan adoption is not a deliverable under this sub-grant.
   •  Deliverables: Draft plan amendments/sections.

Task 2. Final Report: Provide 1- to 2-page written report outlining municipalities served and the nature and extent of technical assistance provided. Final report also shall indicate which planning guides and resources were utilized, and what types of planning guides and resources would be helpful to further assist regions and municipalities in meeting forest integrity goals.
   •  Deliverables: 1-2-page written report as described above.

➤ Submit completed form to Clare Rock at rock@cvregion.com by June 15, 2020 ➤