



Planning Advisory Committee Agenda

Wednesday, October 21, 2020

2:30pm to 4:00pm

Remote Access Meeting Only via Zoom

Please join the meeting by clicking:

<https://us02web.zoom.us/j/84418133727?pwd=aHNTdUFDV2lCeHBjMXQ3cngxK3JpQT09>

For those who would prefer to join by phone or those without a microphone on your computer, please dial in using your phone. (For supported devices, tap a one-touch number below to join instantly.)

Dial: 1-646-876-9923

Meeting ID: 844 1813 3727; Passcode: 218440

One tap mobile: +13017158592,,84418133727#,,,,,0#,,218440# US

Agenda

2:30 Welcome and Introductions, Joss Besse

2:35 Approval of September 9, 2020 Minutes*

2:40 Legislative Wrap-up*, Regina Mahony

Attached for your convenience is the excerpts from VLCT's 2020 Supplemental Legislative Wrap-up for: Housing (S.237), Act 250 (H.926), and marijuana commercialization (S.54). We'll review where these landed.

3:10 Hinesburg Energy Plan Review*, Taylor Newton

This is a plan amendment to include a new enhanced energy plan, and the town is seeking a Determination of Energy Compliance.

- a. *Open the Hearing*
- b. *Accept Public Comment*
- c. *Close the Hearing*
- d. *Review Staff Summary*
- e. *Questions and Comments*
- f. *Recommendation to the CCRPC Board*

3:30 Future PAC Meeting Topics, Regina Mahony

Please fill this out in advance so we can discuss these at the meeting.

3:45 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. Charlotte Town Plan Amendment*

4:00 Adjourn

* = Attachment

NEXT MEETING: November 18, 2020 – please note this is the THIRD Wednesday of the month

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.

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

4 DATE: Wednesday, September 9, 2020
5 TIME: 2:30 p.m. to 4:00 p.m.
6 PLACE: Virtual Meeting via Zoom with link as published on the agenda
7

Members Present:

Eric Vorwald, Winooski
Larry Lewack, Charlotte
Paul Conner, South Burlington
Darren Schibler, Essex
Owiso Makuku, Essex
Ravi Venkataraman, Richmond
Dean Pierce, Shelburne
David White, Burlington
Sarah Hadd, Colchester
Wayne Howe, Jericho

Staff:

Regina Mahony, Planning Program Manager
Melanie Needle, Senior Planner
Taylor Newton, Senior Planner
Pam Brangan, GIS Data & IT Manager

Other:

Kyle Fecik, ESRI
Sydney Rich, ESRI
Timothie Biggs, ESRI (our region's account manager)

8
9
10 **1. Welcome and Introductions**

11 Paul Conner called the meeting to order at 2:34 p.m.

12
13 **2. Approval of June 10, 2020 Minutes**

14
15 Eric Vorwald made a motion, seconded by Dean Pierce, to approve the June 10, 2020 minutes. No further discussion.
16 MOTION PASSED.
17

18 **3. ArcGIS Urban Demo**

19 Melanie Needle explained that CCRPC has investigated this tool for 3D visualization of conceptual future
20 development scenarios. The purpose of the demo is to show the PAC what this tool is capable of and to gauge
21 interest. Melanie Needle shared her reasons why CCRPC decided to ask ESRI to conduct an ArcGIS Urban demo for
22 the PAC: may be a helpful tool to help understand buildout of Form Based Codes, Community Viz has not yet
23 updated their platform and so currently that buildout tool is out of date, and the 3D aspect could be very helpful.
24

25 Kyle Fecik from ESRI provided an introduction of the variety of things that can be done in Urban – from sea level
26 rise indicators at a parcel level (Boston example) to public comment tool for various land use scenarios and
27 proposals. When asked about form based codes Kyle indicated that there is a way to account for it, but it isn't fully
28 worked in to the program yet. The tool is best used for traditional zoning – and traditional zoning parameters is how
29 you'd define each zoning district even if it is a form based code district.
30

31 Sydney Rich from ESRI provided a demonstration. Sydney explained that it can be used for plans (comparing and
32 analyzing various land use plan and/or zoning change scenarios), projects (visualize development proposals in front
33 of the DRB), and indicators (metrics to help compare scenarios). The 3D base layer itself can come from a variety of
34 methods: they have partners that develop these layers; from lidar; from sketch up 3D data coming from lidar; etc.
35 Melanie Needle mentioned that we do have lidar data here; and 3D buildings in some areas.
36

37 A few of the interesting features of the tool include: line of sight (can show you views and obstructions), building
38 shadows, use of the tool for public comments, can sketch in buildings (textured or un-textured) and features (like
39 trees).
40

41 **Questions:**

- 42 1. *Can land use types be configured at the parcel level as opposed to the grid square?* Sydney stated that yes,
43 you can.

2. *Is FAR the only input for estimating commercial development? Many of our towns do not use FAR in their zoning regulations.* Sydney showed the parameters that they typically use for zoning: they do use lot coverage and maximum height, setbacks (fixed distance, proportion of building is not currently supported).
3. *Can you set setbacks for both primary and accessory buildings?* Sydney explained that currently the setbacks are based on parcel edges and 1 building per lot; so could only show what an accessory structure would look like by splitting the lot and setting the accessory setback parameters.
4. *How much control is there to set elements such as AADT, water use, or wastewater needs? Can it be adjusted on a per building or development basis? Can you go in and adjust assumptions; and edit the out of the box space use type assumptions?* Sydney showed how you can change the parameters for zoning districts; and assumptions for the indicators.
5. *How much time commitment is there to get this set up and maintain?* Sydney stated that it varies; and she explained what you need for deployment: Filling out the zoning types table per zone takes some time depending on how many zones you want to start with (you can also add sub-zones if there are conditions that change). 3D base map can also take some time to get started. You also need a parcel layer, and boundaries of overlay districts if you have them. If you are talking about using the tool for proposed DRB projects, those take time to get each one set up.
6. *What does the public view look like?* Sydney stated that you can set what is viewable for the public in each plan and project. But the appearance is very similar to the admin/back end.
7. *Do you have any real examples of anyone who has used this and put it into a public plan?* Kyle stated that Boston is starting to get to this point, but not sure if they've used it for public input yet. Ann Arundel and Montgomery County in MD are thinking about it also. The product is only about a year old, so all of the implementation efforts are relatively new.
8. There was a discussion about ESRI's HUB tool for publicly facing websites. A HUB page might be more helpful for public engagement.

Regina Mahony asked the PAC to send any thoughts/feedback via email to CCRPC staff.

4. 2019 Housing Data

Melanie Needle presented the final 2019 housing data by type, municipality, and planning area:

2019 Year Built, 2019 Demo Built											
TOWN	AU	CS	GQ	MF	MH	SF	Demolitions	Total			
Bolton	0	0	0	0	0	2	1	-1	2	Areas Planned for Growth	89%
Burlington	6	0	0	218	0	2	-4	222		Rural Planning Area	11%
Charlotte	1	0	0	0	0	9		10			
Colchester	5	0	0	40	7	41	-11	82			
Essex	1	0	0	4	0	11		16	Planning	2019	
Essex Junction	2	0	0	47	0	5	-7	47	Center	35%	
Hinesburg	0	0	0	9	0	7		16	Metro	38%	
Huntington	0	0	0	0	0	1		1	Suburban	9%	
Jericho	1	0	0	7	0	4	-1	11	Village	7%	
Milton	3	0	0	6	0	5	-2	12	Rural	11%	
Richmond	0	0	0	10	0	7		17	Enterprise	0%	
Shelburne	0	0	0	3	6	10	-10	9	Total	100%	
South Burlington	3	0	0	78	0	30	-1	110			
St. George	0	0	0	0	0	2		2			
Underhill	3	0	0	2	0	8		13			
Westford	0	0	0	0	1	3	-2	2			
Williston	1	0	0	132	1	30	-2	162			
Winooski	0	0	0	45	0	0	-2	43			
Grand Total	26	0	0	601	17	176	-43	777			

Melanie Needle also described the affordable housing production numbers. There were 169 perpetually affordable homes added in 2019; this is above the 140/year goal. However, when looking at all four years of the Building Homes Together campaign the affordable goal has not been met. Regina Mahony also added that the results of the housing bond showed up a little bit in 2018, but mostly in 2019. The bond was essentially used up on projects in 2019 so we don't anticipate that we'll meet the goal in 2020.

Melanie Needle also presented the data in a map: <https://arcg.is/zuCii>

1
2 There was a question about a greater percentage being in the Metro Planning than the Center Planning Area – do we
3 have a more specific goal than “within areas planned for growth” v. “rural”. Regina Mahony stated that the MTP
4 scenario did have a tighter land use scenario – potentially within the Center and Village Areas. Also, starting next
5 fiscal year we will likely take a look at the areas planned for growth for the next ECOS Plan update because currently
6 the areas are not necessarily well connected to transit corridors.
7

8 **5. Future PAC Meeting Topics**

9 Regina Mahony showed the PAC a list of topics for future meetings. She stated that she will send the list out to the
10 PAC and would appreciate if each member could get back to her with feedback. Regina also asked the PAC to add
11 topics to the list that they may like to share/present to each other. Regarding municipal plans: there won't be too
12 many coming up for review, so we'll have time to discuss other topics.
13

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

15 Regina asked the PAC to email Regina and Taylor any Act 250/Section 248 updates.
16

17 **7. Other Business**

- 18 a. a. The Department of Housing and Community Development (DHCD) and the [Congress of the New](#)
19 [Urbanism](#) (CNU) is pleased announce the completion of [Enabling Better Places: A Zoning Guide for](#)
20 [Vermont Neighborhoods](#). This how-to manual promotes practical, small steps that Vermont's cities, towns
21 and villages can take to address widespread regulatory barriers that limit the choice of conveniently located
22 homes available at prices Vermont's people can afford.
- 23 b. CCRPC Funding Directory – now live and searchable on the website: <https://www.ccrpcvt.org/funding->
24 [opportunities/](#).
- 25 c. New building energy codes are in effect as of 9/1/2020. Here is the webpage with more details:
26 <https://publicservice.vermont.gov/content/building-energy-standards-update>
- 27 d. The VT DEC issued General Permit 3-9050 (The “3-acre General Permit”). The new general permit will go
28 into effect on December 1, 2020. The Final GP 3-9050 is available here:
29 <https://dec.vermont.gov/watershed/stormwater/9050>.
- 30 e. [NNECAPA and STAR Initiative Lessons in New Ruralism](#): Read [Lessons in New Ruralism - Fall 2020](#) to
31 learn about some of the key ingredients of successful grassroots initiatives and lessons shared.
- 32 f. [NNECAPA 20/20 Vision Check: Lessons in Hindsight, Planning with Foresight](#). September 30th & October
33 1st.
- 34 g. The November PAC meeting should be moved to avoid Veteran's Day.
35

36 **9. Adjourn**

37 Meeting adjourned at 4:00pm.
38

39 Respectfully submitted, Regina Mahony

Excerpts from [VLCT's 2020 Supplemental Legislative Wrap-up](#):

Zoning and Housing (S.237)

(amends 10 V.S.A. § 10; 24 V.S.A. §§ 2291, 4412, 4414; 27 V.S.A. § 545)

[S.237](#), the zoning and housing bill, passed on September 24, the day before the legislature adjourned. The version that passed did not contain language dictating inclusive zoning regulations to municipal governments because many local officials contacted their representatives to explain the detrimental impact the Senate-passed bill would have had on local planning and zoning efforts, and that the bill would not necessarily have increased the availability of affordable housing.

According to the legislation:

- An accessory dwelling unit located in or near a single-family dwelling on an owner-occupied lot is classified as a permitted use. It must have sufficient wastewater capacity and may not exceed 30 percent of the total habitable floor area of the single-family dwelling or 900 square feet – whichever is greater – unless a municipal bylaw is more permissive. A bylaw may require the accessory dwelling to be subject to the same review, dimensional or other controls that are required for a single family dwelling without an accessory dwelling unit.
- A municipality may prohibit development of lots not served by or able to connect to municipal sewer and water service if the lot is less than one-eighth acre in area or the width or depth is less than 40 feet.
- A municipal bylaw may not deny a multiunit dwelling of four or fewer units in a district allowing multiunit dwellings solely because it has an undue adverse effect on the character of the area.
- A municipality may regulate short-term rentals distinctly from residential rental units. A municipality may also regulate the operation of short-term rentals (such as Airbnb and VRBO) provided that the ordinance or bylaw does not adversely affect the availability of long-term rental housing. A short-term rental is defined as a furnished house, condominium, or dwelling rented for 14 to 30 consecutive days.
- Deed restrictions or covenants added after January 1, 2021, prohibiting land development allowed under municipal bylaws would not be allowed unless the covenants relate to historic or conservation easements held by a qualified organization.

The Department of Environmental Conservation (DEC) is directed to help the Town of Brattleboro and the Tri-Park Cooperative mobile home park secure improvements to the park's drinking water, wastewater, and stormwater infrastructure. DEC must help other mobile home parks by identifying needed improvements to water infrastructure programs so as to improve access by mobile home parks.

The legislation took effect upon passage.

Updates to Act 250 (H.926 – Vetoed by Governor)

On the last day of the session, the legislature passed H.926, a truncated Act 250 bill. This was the result of three years of efforts to update Vermont's fifty-year-old land use and development law and to both simplify the byzantine law and target it to the areas and natural resources that Vermonters want to protect. The bill was marked by controversy throughout the legislative process. In late February, an already shortened version of the bill (61 pages, down from the 91-page version that the House Natural Resources, Fish and Wildlife Committee introduced in early February before COVID-19 descended) passed the House on a vote of 88 to 52. A subsequent version pared down to nine pages that came back from the Senate on September 17 eventually passed the House on a vote of 93 to 56.

As passed, the bill defined recreational trails, and exempts any trail in existence before October 1, 2020, from Act 250 until January 1, 2022. It defined connecting habitat as “land or water, or both, that links patches of habitat within a landscape, allowing the movement, migration, and dispersal of wildlife and plants and the functioning of ecological processes.” It further defined forest blocks as a “contiguous area of forest in any stage of succession and not currently developed for non-forest use.”

Projects subject to Act 250 would need to demonstrate that they would not have an undue adverse impact on forest blocks and connecting habitat. The bill did not include language long supported by local governments that would exempt projects in designated downtowns.

On October 5, Governor Scott vetoed H.926 and signed [Executive Order 04-20](#) that would provide regulatory certainty for recreational trails. In his veto letter to the legislature he wrote, “H.926 ignores all the work and collaboration put into Act 250 reform and is counter to the important outcomes we collectively sought. ... The forest fragmentation regulation also adds a new, complex criteria to Act 250 and offers no other process improvements. **Nothing** [his emphasis] in this bill modernizes or improves the Act 250 process – something that is widely agreed to be necessary after fifty years of existence.

The complaints about Act 250 have not changed. Getting through the complex process with sizable projects when economic recovery and affordable housing continue to be paramount issues to Vermonters was not made any simpler with H. 926. The veto guarantees that some form of the legislation will be back on the table next session. Local officials may want to ask their candidates for the legislature how they plan to update Act 250 or make it more user friendly.

Retail Cannabis (S.54, Act 164)

(Adds 7 V.S.A. chapters 31, 33, 35, 37, 207; repeals 7 V.S.A. §§ 841 – 843; amends 32 V.S.A. § 3102(d)(3); amends 32 V.S.A. § 9701(31); adds 32 V.S.A. § 9741(53); adds 32 V.S.A. § 9706(mm); amends 32 V.S.A. § 9202(10); adds 32 V.S.A. § 9201(n); amends 32 V.S.A. § 5811; adds 20 V.S.A. § 2358(f); amends 23 V.S.A. § 2100; amends 23 V.S.A. §§ 1201 – 1204; amends 6 V.S.A. §567; amends 18 V.S.A. §§ 43030, 4230a; creates session law)

With the passage of S.54, Vermont became the eleventh state in the United States to permit the retail sale of cannabis. The bill, which was allowed to become law on October 7 without the governor’s signature, is a 108-page piece of legislation that outlines how Vermont will implement a retail cannabis marketplace. Following are those aspects of the legislation that impact our towns, cities and villages.

Consumption of cannabis in public places. The current prohibition against consuming cannabis in public places remains.

Cannabis Control Board. The new Cannabis Control Board consists of seven members: three from the Executive Branch, two members from the House of Representatives and two members from the Senate, meaning there is no municipal representation. The board is responsible for safely and equitably implementing and administering the laws enabling access to cannabis by adults in Vermont. The board will promulgate rules to implement S.54; administer the state licensure programs for cannabis establishments, including compliance and enforcement; administer the state medical cannabis program; and submit an annual budget to the governor. It will also appoint a full-time executive director who must be an attorney with experience in legislative or regulatory matters. The executive director will assist the board and supervise and administer the operation and implementation of S.54.

Cannabis Control Board Advisory Committee. S.54 creates an advisory board that has no set job description but appears to be a resource for the Cannabis Control Board. The advisory board comprises a

wide variety of members from various backgrounds and interest groups. The state treasurer is responsible for appointing “one member with an expertise in municipal issues.” This individual is the only voice for municipal government within the Cannabis Control Board structure and his or her role is purely advisory, which provides no guarantee that the concerns of municipalities will be adequately addressed.

State administration of local fees. The State Cannabis Control Board will set state and local license fees, which will be adopted by the legislature. Municipalities that host a cannabis establishment will receive a fee paid to the state by applicants when an applicant applies for a yearly license. When the Cannabis Control Board establishes local fees, its recommendations “shall be accompanied by information justifying the recommended rate.” Local fees are designed “to help defray the costs incurred by municipalities in which cannabis establishments are located.” Given the disparate municipal needs across the state, it is unclear how the board will quantify costs incurred by municipalities to determine local license fees.

As far as VLCT can ascertain, S.54 is the first time the state has assumed the responsibility of collecting local license fees, distributing those fees back to municipalities, and then charging municipalities for this “service.” Municipalities generally set, collect, and administer their own license fees, and when the state *does* administer a local license fee – such as a local liquor license – it does not bill the municipalities. Municipalities will not know what the local license fees will be or what the state will charge for its “service” until the board presents the fees to the legislature by, no fooling, April 1, 2021.

Local licensing and regulatory authority. Municipalities that host cannabis establishments may create a local cannabis control commission. This commission (for example, a selectboard or city council) must administer the rules furnished to them by the Cannabis Control Board. No additional local standards will be allowed beyond signage and nuisance ordinances and very specific zoning provisions of 24 V.S.A. § 4414. It should be noted that local governments may already regulate signage, nuisances, and 24 V.S.A. § 4414. Therefore this provision is meaningless and adds no new authority to towns. Rather, it restricts the local regulatory authority a town may use that currently exists under state and local laws. Local governments are forbidden from adopting local ordinances to regulate the time, place, and manner of cannabis operations as part of local licenses and permits. These licenses will be perfunctory, and cannabis control commissions are designed to be the “rubber-stamping” approval entity of local licenses from municipalities.

Prohibiting municipalities from regulating cannabis establishments via municipal ordinance is a departure from the authority municipalities were given to regulate medical cannabis dispensaries pursuant to 18 V.S.A. § 4471I. Municipalities will have to wait for the Cannabis Control Board to present the rules for cannabis establishments to the legislature by next April. These rules – which would address licensing criteria, land use and environmental laws and advertising regulations at the state and local level – will affect current zoning bylaws. How will those locally adopted bylaws be affected by state regulations? What adjustments to zoning bylaws will municipalities need to consider to align with state cannabis regulations and community needs, adherence to the town plans, and local economic development goals?

Voter approval of cannabis operations. Local voters will only have a little say about whether to allow a retail establishment in their communities. To allow retail sales in their community, they must opt in, however they have no voice in whether growers, manufacturers, laboratories, or processors are allowed. Some communities that currently have medical cannabis dispensaries will also be able to vote on integrated licenses in addition to retail establishments. An integrated license allows a licensee to engage in cultivation, wholesale, manufacturing, retail, and testing and are only available to applicants that hold a dispensary registration. Only five integrated licenses are permitted in the state and each one is for a registered dispensary already established here.

Local voters must vote by Australian ballot at an annual or special meeting to permit the operation of a

retail establishment. This provision of S.54 took effect upon passage, and municipalities may now hold local votes if they wish. Municipalities that vote to allow retail operations or permit integrated licenses may rescind that vote at a subsequent annual or special meeting, but all licensed cannabis retailers or integrated licenses that are operating at the time of the subsequent vote will be grandfathered in.

Taxing authority. S.54 does not provide any cannabis-specific taxing authority to municipalities. The state will keep and control all tax revenue which includes a stand-alone 14-percent cannabis excise tax and the six-percent sales and use tax. No tax revenue will go to municipalities except for the 16 towns and cities that have a one-percent local sales tax. Those municipalities will receive tax revenue if they host retail establishments and the customary 70/30 split of local option tax revenues applies. A municipality may vote to enact a local option sales tax on all sales in the municipality – and may want to if it is hosting retail cannabis establishments and has constituents who shop online. Online shopping local option sales tax is applied in the community in which the item is delivered. Of course, once the voters adopt a local option sales tax, that option needs to be approved first by the House Ways and Means Committee, followed by then the entire legislature.

The timeline for fully implementing the retail market is ambitious, as shown in the [Government Operations Committee Conference Report from September 15](#).

Staff Review of the Town of Hinesburg Enhanced Energy Plan
Taylor Newton, Senior Planner
Reviewed by the CCRPC Planning Advisory Committee on October 21, 2020

The Town of Hinesburg has requested that the Chittenden County Regional Planning Commission (CCRPC) issue a determination of compliance with the enhanced energy planning standards set forth in 24 V.S.A. §4352 for the Town of Hinesburg Town Plan’s energy element.

Hinesburg is amending their Town Plan to incorporate enhanced energy element (see attached). This enhanced energy element replaces the existing energy chapter in the Hinesburg Town Plan. In accordance with statute, an amendment is not a full rewrite of the Town Plan and the Town Plan expiration date will remain in 2025. Therefore, CCRPC’s previous Town Plan approval and confirmation of Hinesburg’s planning process remains in effect.

Enhanced Energy Plan Review

Following the statutory requirements of 24 V.S.A. §4352 and Vermont Department of Public Service’s Energy Planning Standards for Municipal Plans, CCRPC reviewed the draft Hinesburg Town Plan enhanced energy element to determine whether:

1. The Town Plan includes an energy element that has the same components as described in 24 V.S.A. §4348a(a)(3) for a regional plan and is confirmed under the requirements of 24 V.S.A. §4350.
2. The Town Plan is consistent with following State goals:
 - a. Vermont's greenhouse gas reduction goals under 10 V.S.A. § 578(a);
 - b. Vermont's 25 by 25 goal for renewable energy under 10 V.S.A. § 580;
 - c. Vermont's building efficiency goals under 10 V.S.A. § 581;
 - d. State energy policy under 30 V.S.A. § 202a and the recommendations for regional and municipal energy planning pertaining to the efficient use of energy and the siting and development of renewable energy resources contained in the State energy plans adopted pursuant to 30 V.S.A. §§ 202 and 202b (State energy plans); and
 - e. The distributed renewable generation and energy transformation categories of resources to meet the requirements of the Renewable Energy Standard under 30 V.S.A. §§ 8004 and 8005.
3. The Town Plan meets the standards for issuing a determination of energy compliance included in the State energy plans as developed by the Vermont Department of Public Service.

Staff Review Findings and Comments

Consistency with the requirements above is evaluated through the Vermont Department of Public Service’s Energy Planning Standards for Municipal Plans, which is attached to this document and briefly summarized below.

Standard	Met	Not Met	N/A
1. Plan duly adopted and approved		Necessary for final determination	

CCRPC Staff & PAC Review – Town of Hinesburg Enhanced Energy Plan
 October 21, 2020

		Necessary for final determination	
2. Submit a copy of the adopted plan			
3. Plan contains an energy element	X		
4. Analysis of resources, needs, scarcities, costs and problems in the municipality across all energy sectors	X		
5.a. Report Current energy use for heating, electricity, and transportation	X		
5.b. Report 2025, 2035 and 2050 targets for energy use	X		
5.c. Evaluation of thermal-sector energy use changes	X		
5.d. Evaluation of transportation-sector energy use changes	X		
5.e. Evaluation of electric-sector energy use changes	X		
6.a. Encourage conservation by individuals and organizations	X		
6.b. Promote efficient buildings	X		
6.c. Promote decreased use of fossil fuels for heat	X		
6.d. Demonstrate municipal leadership re: efficiency of municipal buildings?	X		
7.a. Encourage increased public transit use	X		
7.b. Promote shift away from single-occupancy vehicle trips	X		
7.d. Promote shift from gas/diesel to non-fossil fuel vehicles?	X		
7.e. Demonstrate municipal leadership re: efficiency of municipal transportation?	X		
8.a. Promote Smart growth land use policies	X		
8.b. Strongly prioritize development in compact, mixed use centers	X		
9.a. Report existing renewable energy generation	X		
9.b. Analyze generation potential	X		
9.c. Identify sufficient land to meet the 2050 generation targets	X		
9.d. Ensure that local constraints do not prevent the generation targets from being met	X		
9.e. Include policy statements on siting energy generation	X		
9.f. Maximize potential for generation on preferred sites	X		
9.g. Demonstrate municipal leadership re: deploying renewable energy	X		
10. Include maps provided by CCRPC	X		
11. Does the plan identify and map existing electric generating resources?	X		
12a-e. Does the plan identify area for the development and siting of renewable energy resources?	X		
13a-b. Does the plan identify areas that are unsuitable for siting renewable energy resources or particular categories or sizes of those resources?	X		
14. DPS Review			X

The proposed enhanced energy element demonstrates a strong commitment to implementing best practices for advancing the State energy goals at the municipal level and for planning additional renewable energy generation which are balanced with local land use policies. CCRPC staff finds that the draft Hinesburg Town Plan meets the requirements of the enhanced energy planning standards (“determination”) set forth in 24 V.S.A. §4352.

CCRPC staff makes the following recommendations to the Town of Hinesburg regarding the proposed siting policies to improve the effectiveness of the Plan in the Section 248 process. These changes are not required:

1. Under the “Energy Siting and Screening Policies,” some constraints are listed as both local constraints and state constraints. The state constraints are set by the Department of Public Service; there is no need to list the same constraints as local constraints too. This is confusing. All constraints (known and possible; state and local) guide where proposed renewable generation facilities may be located in Hinesburg.
2. Examples of “preferred sites” are listed. Staff recommends that specific properties, or class of properties (e.g. brownfields, reclaimed sand pits/quarries), be specifically listed as preferred sites and references to “examples” be removed. This will remove any potential confusion about the Town’s preferred sites policy for the Public Utility Commission and property owners.
3. Hinesburg includes siting policies for both the rural parts of town (e.g. AG and RR2 zoning districts) and for the Village Growth Area. The policies are vague and will potentially be difficult for property owners, and the Public Utility Commission, to fully understand.

Staff recommends editing these siting policies to be more specific. The policies can be made more specific by specifically identifying the size and scope of renewable facilities that should or should not be allowed in these specific areas. Limiting the size and scope of renewable facilities is permitted by the Department of Public Service standards provided that the Town’s limits are “consistent with resource availability and/or land use policies in the regional or municipal plan applicable to other types of land development.”

The following comments are related to typos:

4. References in the document to the “Public Utilities Commission” should be changed to “Public Utility Commission.”

Proposed Motion & Next Steps:

The PAC finds that the proposed Town of Hinesburg Town Plan Energy Elements (draft 9/25/2020) meets the requirements of the enhanced energy planning standards (“determination”) set forth in 24 V.S.A. §4352.

Upon notification that the municipality has adopted the amendments, CCRPC staff will review the plan and any information relevant to the adoption 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.



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www.ccrpcvt.org

October 1, 2020

Mr. Larry Lewack
Planner
Town of Charlotte
P.O. Box 119
Charlotte, Vermont 05445

Dear Mr. Lewack,

The Chittenden County Regional Planning Commission (CCRPC) approved the 2018 Charlotte Town Plan and confirmed Charlotte's planning process on March 6, 2018. In September 2020, the Town of Charlotte proposed amendments to their 2018 Town Plan.

The amendment includes a change to the Future Land Use Map to expand the East Charlotte Village Commercial District to advance the goals and objectives of the 2010 East Charlotte Village Master Plan.

CCRPC staff have reviewed the amendments and determined that the affected sections continue to meet the relevant required elements and goals and are consistent with the ECOS Regional Plan. **Therefore, CCRPC's approval of the 2018 Charlotte Town Plan and confirmation of Charlotte's planning process are not affected by the 2020 Amendment.**

Please let me know if you need any other information or have any questions.

Sincerely,

Charlie Baker
Executive Director

CC (via email): CCRPC Planning Advisory Committee
Mary Mead, Charlotte Town Clerk