

REGULAR MEETING AGENDA

Wednesday, February 17, 2021 - 6:00 p.m.



Remote Access Meeting Only

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When participating remotely, please wait until you are recognized by the Chair before you speak. For each agenda item, the Chair will make sure to ask if anyone participating remotely would like to speak.

- a. Use the "chat" feature, raise your hand if on video, or ask the Chair to request to speak. To ensure everyone is heard, only one person should speak at a time.*
- b. When recognized by the Chair, introduce yourself each time.*
- c. Speak up so everyone in person and on the phone can hear clearly.*
- d. When participating remotely, take steps to avoid background noise, and make sure your microphone/phone is muted when you are not speaking.*

CONSENT AGENDA –

C.1. Accept Annual Safety Targets*

C.2. TIP Amendment*

DELIBERATIVE AGENDA

1. Call to Order; Attendance; Changes to the Agenda (Action; 1 minute)
2. Public Comment Period on Items NOT on the Agenda (Discussion; 5 minutes)
3. Consent Agenda* (MPO Action; 1 minute)
4. Minutes of January 20, 2021 Meeting* (Action; 1 minute)
5. Comments on Draft Clean Water Service Provider Rule* (Action; 15 minutes)
6. I-89 2050 Study presentation* (Discussion; 30 minutes)
7. All Hazards Mitigation Plan Update Committee appointment – Sharon Murray (Action; 1 minute)
8. Racial Equity Update (Discussion; 5 minutes)
9. Chair/Executive Director Report (Discussion; 5 minutes)
 - a. Draft State Rail Plan
 - b. Legislative Update
 - c. ECOS Annual Report
10. Committee/Liaison Activities & Reports* (Information, 2 minutes)
 - a. Executive/Finance Committee (draft minutes [February 3, 2021](#))*
 - i. Act 250 Sec 248 letters
 - b. Clean Water Advisory Committee (draft minutes [February 2, 2021](#))*
 - c. MS-4 Sub-Committee (draft minutes [February 2, 2021](#))*
 - d. Transportation Advisory Committee (draft minutes, [February 2, 2021](#))*
 - e. UPWP Committee (draft minutes [January 28, 2021](#))*
11. Future Agenda Topics (Discussion; 5 minutes)
12. Members' Items, Other Business (Information; 5 minutes)

*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.*

13. Adjourn

The February 17, 2021 Chittenden County RPC streams LIVE on YouTube at https://www.youtube.com/playlist?list=PLIjLFn4BZd2O0l4hJU_nJ9q0l3PdQR0Pp. The meeting will air Sunday, February 21, 2021 at 1 p.m. and is available on the web <https://www.cctv.org/search/node/ccrpc>

Upcoming Meetings - Unless otherwise noted, all meetings are held at our offices:

- UPWP Committee – Thursday, February 25, 2021, 5:30pm
- Transportation Advisory Committee – Tuesday, March 2, 2021, 9am
- Clean Water Advisory Committee - Tuesday, March 2, 2021, ~11am
- CWAC MS4 Subcommittee - Tuesday, March 2, 2021, ~12:30pm
- Executive Committee – Wednesday, March 3, 2021, 5:45pm
- Planning Advisory Committee – Wednesday, March 10, 2021, 2:30pm
- CCRPC Board Meeting - Wednesday, March 17, 2021 6:00pm

Tentative future Board agenda items:

March 17, 2021	Warn public hearing on FY22 UPWP and Budget for May Meeting Charge to Board Development Committee to Develop Slate of Officers for FY22 Initial Review of Potential Transportation Projects for FY23 (Action in May)
April 21, 2021	Proposed Slate of Officers for FY22 FY22 UPWP update
May 19, 2021	FY22 UPWP and Budget Hearing and Action Determine Ranking of Potential Transportation Projects for FY23



CCRPC Board
February 17, 2021
Consent Agenda Item #1

Safety Performance Targets for the Metropolitan Planning Area

Background: The Federal Transportation Acts (MAP-21 and FAST Act) placed considerable emphasis on system performance and directed State Departments of Transportation (DOTs), MPOs and Transit Providers to evaluate how well the transportation system is doing. At the national level, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have established a Transportation Performance Management (TPM) program, a strategic initiative designed to achieve national transportation performance goals. The intent is to measure progress against the national goals through a reliable data-driven process. FHWA has established measures in the following areas: Safety, Infrastructure Condition (Pavement & Bridges), Congestion, System Reliability (NHS Performance), Freight Movements (Interstate), and Environmental Sustainability. Once the *measures* were established, it was up to state DOTs and MPOs to set quantifiable *targets* to gauge progress towards national goals. The schedule to establish targets, varies by measure. Federal regulations generally have state DOTs set performance targets in various categories (safety, asset condition, system performance, etc.) and then give MPOs another 180 days to either adopt the State targets or establish their own.

Safety Measures and Targets

Targets for the Safety Measures tabulated below are established every year by VTrans, in collaboration with the CCRPC. The TAC and the Board have reviewed and accepted these targets annually, beginning with the first statewide safety targets established in the summer of 2017 and reported to FHWA in the Highway Safety Improvement Program (HSIP) report. The CCRPC is asked again to review and take action on the statewide targets set in the 2020 HSIP report.

Under federal regulations the CCRPC can either:

1. Accept the state targets for each performance measure and support them through programming; or
2. Define their own quantifiable targets for the MPO area.

The CY 2020 and 2021 statewide safety measures and targets are listed below:

VTrans Safety Performance Measures	2020 Targets (5 Year Average)	2021 Targets (5 Year Average)
Number of Fatalities	58	58
Fatality Rate (Fatalities per 100M VMT)	0.82	0.82
Number of Serious Injuries	275	275
Serious Injury Rate (Serious Injuries per 100M VMT)	3.70	3.65
Total Number of Non-motorized Fatalities and Serious Injuries	36	36

TAC and Staff Recommendation: *The TAC and CCRPC Staff recommends that the Board accepts the 2021 VTrans statewide safety targets, as reported in the 2020 HSIP Report, for the metropolitan planning area.*

The factors considered to reach this recommendation are listed below:

1. The regional level data on fatalities and injuries fluctuates (sometimes wildly) from year to year making it difficult to establish a clear, reasonable data-driven target.
2. There are no practical policy or financial consequences for the CCRPC to set regional targets.
3. Safety is important and the CCRPC is committed to incorporate the federal safety performance measures into the ECOS/MTP report (together with other transportation measures) and track and report regional safety data annually as part of the ECOS Scorecard.
4. The CCRPC will have an annual opportunity to review the statewide targets and set its own quantifiable targets for the MPO area if it chooses to do so.

Staff contact: Eleni Churchill, echurchill@ccrpcvt.org

Chittenden County Regional Planning Commission

February 17, 2021

Agenda Item 3: Consent Item

FY2021 Transportation Improvement Program (TIP) Amendments

Issues Make the following change to the FY2021 year of the TIP.

Vermont Railway Switch Replacement, Burlington (Project RR013, Amendment FY21-13)

- ▶ **Description of the TIP Change:** Add \$1,874,500 in federal FRA Tiger VII grant funds to replace three existing manual switches in Burlington with power switches and purchase of continuous welded rail. This project is not subject to CCRPC's fiscal constraint limit because it is funded with grant funds.

Amtrak Siding, Burlington (Project RR014, Amendment FY21-14)

- ▶ **Description of the TIP Change:** Add a project to the TIP to construct a rail siding in the Burlington rail yard to overnight Amtrak passenger trains. Construction amount for this project is \$1,900,000. This project is funded with 100% state funds and is being added to the TIP as a project with regional significance.

Maple Street Rail Crossing Safety Improvements (Project HP154, Amendment FY21-17)

- ▶ **Description of the TIP Change:** Increase construction cost from \$1,035,000 (federal) to \$1,866,276 (federal). TIP amounts will be \$658,750 (federal) in FY21 and \$1,207,526 (federal) in FY21. This project is due to be advertised on March 3.
- ▶ **Reasons for the TIP Change:** The reasons for the increase are as follows.
 - Contaminated soil management including disposal, dewatering, filtration and fractionation tank items to handle any contaminated ground water that may be encountered
 - Traffic control to work around trains and vehicles more closely.
 - The Rail-Highway Active Warning System item increased to program the entire system between Maple Street and College Street. The systems for Maple Street, King Street and College Street work together due to the close proximity.
 - Surfacing and Aligning of the entire track section from Maple Street to College Street
 - Full depth reconstruction of crossing including 3 sets of tracks.

TAC/Staff Recommendation: Recommend that the Board approve the proposed TIP amendments.

For more information, contact: Christine Forde
cforde@ccrpcvt.org or 846-4490 ext. *13

CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
REGULAR MEETING MINUTES
DRAFT

DATE: Wednesday, January 21, 2021

TIME: 6:00 PM

PLACE: REMOTE ATTENDANCE VIA ZOOM MEETING VIDEO

PRESENT:	Bolton:	Sharon Murray	Buel's Gore:	Garret Mott
	Burlington:	Andy Montroll	Charlotte:	Jim Donovan
	Colchester:	Jacki Murphy	Essex:	Elaine Haney
	Essex Junction:	Jeff Carr, Alt.	Hinesburg:	Michael Bissonette
	Huntington:	Barbara Elliott	Jericho:	Catherine McMains
	Milton:	Tony Micklus	Richmond:	Bard Hill
	St. George:	Absent	Shelburne:	John Zicconi
	So. Burlington:	Chris Shaw	Underhill:	Absent
	Westford:	Absent	Williston:	Erik Wells
	Winooski:	Michael O'Brien		
	Cons/Env.:	Absent	VTrans:	Amy Bell
	Bus/Ind:	Tim Baechle	GMT :	Jon Moore
	Agriculture:	Absent	Socio/Econ/Housing:	Absent

Others:	Matthew Langham, VTrans	Meghan O'Rourke, CCTV
	Karen Horn, Director, VLCT	Kelly Duggan
	Laura Jacoby	Doug Goodman
	Luc Logan	Laurie Smith
	Meredith Rathborne	Heidi Racht
Staff:	Charlie Baker, Executive Director	Regina Mahony, Planning Prgm Mgr.
	Eleni Churchill, Trans. Prgm Mgr.	Amy Irvin Witham, Business Office Mgr.
	Forest Cohen, Senior Business Mgr.	Christine Forde, Senior Trans. Planner
	Marshall Distel, Trans. Planner	Emma Vaughn, Communications Mgr.
	Bryan Davis, Senior Trans. Planner	Jason Charest, Senior Trans. Planner
	Sai Sarepalli, Senior Trans. Planner	Taylor Newton, Senior Planner
	Dan Albrecht, Senior Planner	

1. Call to order; Attendance; Changes to the Agenda.

The meeting was called to order at 6:01 PM by the Chair, Michael O'Brien.

Mike explained there were changes to the agenda; The following two items, Agenda item 5. UPWP-FY21 Mid-Year Adjustments Public Forum and Agenda item 6. Municipal Powers moved up into the second and third spots. This allowed our guest speaker, Karen Horn, to exit the meeting earlier.

2. FY21-UPWP Public Forum

Mike opened the meeting to comments from the public regarding the UPWP-FY21 Mid-Year Adjustments.

Doug Goodman stated he had questions regarding the recent ACT-250 application letter from the Burton Corporation, Burlington; #4C0174-6, 4C0368-3. Doug explained he is checking in with us

1 because he is uncomfortable with the letter. Another guest, Laurie Smith expressed that she is in
2 alignment with Doug, and concerned with the development on Queen City Park Road.

3
4 Charlie explained this public comment period is geared toward questions regarding the FY21-UPWP
5 Mid-Year Adjustment and Budget; however, he would be happy to address any questions they have
6 on the ACT-250 letter with them in an e-mail a later time, or, if they would prefer, they can revisit
7 the topic during the public comment period later in the meeting. Doug and Laurie agreed they could
8 wait and speak more about their concerns later in the meeting.

9
10 Mike noted that there were no additional speakers regarding the UPWP Public Forum at this time,
11 and he would provide an additional opportunity for any speakers later in the agenda.

12
13 3. Municipal Powers, Karen Horn, VLCT

14 Charlie introduced Karen Horn, Director, Public Policy and Advocacy, Vermont League of Cities and
15 Towns. Karen referred members to the Self Governance Initiative document they received before
16 the meeting. She stated local governments may only do those things that the legislature specifically
17 grants them permission to do. Williston and Winooski have proposals that will be forwarded as bills
18 to the legislature, where any charter change approved for another municipality may be adopted by
19 majority vote of the town voters without the need to return to the General Assembly for approval.
20 She explained there was a bill, S.106, with a different approach that would support decision making
21 at the government level closest to the people, recognizing the capacity of local officials to govern
22 themselves. Highlights of this bill include:

- 23 • Establish a 5-year pilot program allowing up to 10 cities or towns to apply for self-
24 governance authority.
- 25 • Establish a 12 member Self-Governance commission to determine subject areas appropriate
26 for municipal decision making.
- 27 • Aggregate information about successful innovations, best approaches for addressing local
28 challenges and approaches that build an effective state-local partnership for the long term.
- 29 • Provide opportunities to revisit issues, amend approaches as ordinances are enacted and
30 apply lessons learned to evolving circumstances.
- 31 • Enable responsiveness and innovation with respect to economic recovery and growth.
- 32 • Implement locally agreed upon solutions to locally identified needs with transparent results
33 that would promote greater accountability.
- 34 • Gather proven best practices to enact into general state law for all cities, towns, and the
35 state.

36
37 Karen said the Senate took a bit of time to review and she is hopeful the House Committee will take
38 this up. She explained a few examples of self-governance upon voter approval are:

- 39 • Adopt Local Option Taxes.
- 40 • Ordinances regulating installation of traffic calming studies, sidewalks, storm drains and
41 public improvements.
- 42 • On street parking, speed limits, crosswalks, and other traffic regulations.
- 43 • Implementing equity and social justice measures
- 44 • Using Cemetery funds for property improvements
- 45 • Health, safety, and rental housing codes.
- 46 • Provide broadband service for its extension to last mile.
- 47 • Conform municipal charters to current statutes upon approval of voters.

- Address drivers of climate change.

John Zicconi stated he agrees a town should have as much control as they can, but this has been debated for several sessions and has never gone anywhere. Karen explained a community would provide a list of ordinances that they would like to have approved or implemented, and the self-governance commission would have conversations to see if the request is pertinent to that community. Garret Mott said there have been issues with speed limits in Buel's Gore; he explained there can be a feeling that the State's decision-making process is capricious and does not consider town members input. Karen said one of the attributes of the self-governance commission would be to take issues out of the state house, and instead have continuous conversations on the local level. Mike asked about the municipal charters; Karen explained some of the charters are very lengthy. Jeff Carr said this has always been an issue for all 30 or so of the years he has been involved with local government. He warned if local options tax is a part of the bill, it will prove very difficult to move through the Legislature. Member discussion ensued. Charlie and Mike thanked Karen for her presentation.

4. Public Comment Period on Items NOT on the Agenda.

Mike asked if there were any comments from public on items not on the agenda. He then returned to the discussion of concerns from residents in the Queen City Parkway neighborhood regarding the ACT-250 application letter from the Burton Corporation, Burlington; #4C0174-6, 4C0368-3.

Doug Goodman stated, yes, he had additional questions on what is being addressed in the letter; he said sidewalks and wastewater were not addressed. Doug said the area does not currently have public transportation (bus) access or a safe pedestrian walking or cycling area, which should be of most importance.

Regina explained we are a statutory party for ACT 250 letters, and we look at the following two specific areas:

- Does the project fall in line with our future land use area, and is this an area planned for growth?
- What is the traffic impact aspect, is there going to be any impact beyond what the study is calling for, and is there a need for mitigation of those impacts?

Regina agreed the sidewalk and bus service are two good points and stated there is still plenty of time to investigate these, as the hearing has not yet been scheduled. She added, even if a hearing has been scheduled, there is still time to look further into the concerns. Doug Goodman said there is a group of community members actively participating in this and they would like to see further investigation that will assess the impact on the neighboring residential area. He appreciates the consideration. Laurie Smith stated she agrees with what Doug is saying. She feels if the ECOS plan is applied to this project, the whole aspect of climate change should be investigated since there is potential for hundreds of cars to come into the venue and there is currently a lack of alternative transportation infrastructure since there is no infrastructure provided for pedestrian foot traffic or bicycling traffic. Michael Turner and Luc Logan said they live in this neighborhood and share the same concerns expressed by Laurie and Doug.

5. Action on Consent Agenda, MPO Business.

There were three items on the consent agenda for the following TIP Amendments:

- Pinecrest Drive Sidewalk, Essex; Project BP091, Amendment FY21-12, add \$86,280.00 in additional federal funds for the existing sidewalk project.
- Charlotte Rail Bridge over Thorp Brook, Charlotte; Project RR008, Amendment FY21-10, add \$8000.00 in federal funds to complete the ROW documentation for the project.
- Amtrak Operating; Project RR012, Amendment FY21-11, add \$408,413 in federal Congestion Mitigation and Air Quality Improvement (CMAQ) Program funds for Amtrak service in Chittenden County.

JIM DONOVAN MADE A MOTION, SECONDED BY ANDY MONTROLL, TO APPROVE THE CONSENT AGENDA. THE MOTION CARRIED UNANIMOUSLY.

6. Approve Minutes of the November 18, 2020 Board Meeting.

JIM DONOVAN MADE A MOTION, SECONDED BY SHARON MURRAY, TO APPROVE THE NOVEMBER 18, 2020 BOARD MEETING MINUTES WITH EDITS. MOTION CARRIED WITH ONE ABSTENTION FROM GARRET MOTT.

- Edit/Clarification: Catherine McMains requested the minutes clearly list Jeff Carr was the Essex alternate since Elaine Haney was serving as the primary representative.

7. 2021 Policy Participation Review

Charlie referred members to the Policy Participation Topics document included with the packet and thanked Regina for her work on this. He reminded members this goes back many months and asked for feedback on items they would like to add or pay more attention to.

Jim suggested adding something pertaining to the opioid crisis to the list. Charlie agreed, he will add this and went on to explain there was an item under the Opioid Alliance that had moved to the Chittenden County Population Health Alliance and is still being formed.

Sharon Murray asked about the Climate Response Plan legislation. Charlie explained there is a small bill that asks about being a resource to hospitals, and there has not been any action on this lately. He is not sure this will move forward if it is not tied to COVID recovery. Sharon noted it was reintroduced this session.

Agenda Item 2 continued FY21-UPWP Public Forum

Mike asked for any comments from the public regarding the UPWP-FY21 Mid-Year Adjustments. Richard Watts introduced himself as a resident of Hinesburg and explained he had three interrelated concerns. Based on the document, he said it is his understanding that the I-89 Study was approved for approximately \$526K. He asked how much of the \$526 has been spent, to date and how much money CCRPC and VTRANS has allocated for this project. He wants to know if this is expected to cost more than was originally proposed. Charlie, explained yes, it is more. Charlie feels this will approach \$800K. He knows this is a large amount of money and explained we share this cost with VTRANS, (close to 1/3). Charlie explained, with this project, we find ourselves in a situation where there was, and continues to be, more questions and analysis needed. This includes working with the Advisory Committee, the City of South Burlington and VTRANS to ensure this is a comprehensive study that is as effective as it can be when it concludes. Eleni explained the additional \$160K we have asked for in FY21 is mainly because there was a need for more analyses and additional work for the interchange evaluation task of this study. Richard questioned this amount, as the figure seems to be an additional \$260K in funds. Eleni explained this amount is the future projection, as this

study will continue through FY22. Richard voiced concerns that the timing of the project necessitates a pause; given what is happening in the country due to COVID, we need to consider the changes that have and continue to take place in terms of commuter traffic. It seems to make sense to pause the study and look closely at what is currently happening around us and think about what types of investments we should make. The study is framed in a way that says we need to 'fix' the interstate, and the solutions are centered around vehicles. Perhaps there are solutions that will enable people to drive less. He feels the I-89 Study project is at odds with the ECOS Plan. Lastly, Richard explained, planning is the guidance of future actions. We should plan the future we want, and the future might warrant different investments. Jeff explained the costs associated with the project are what needs to be done to accomplish a comprehensive and solid plan. Richard asked if there is a cap on the I-89 Study project. Charlie deferred to Eleni. She explained that we do not yet know exactly how much it will cost. We are working to evaluate all the possible changes and we do not want to have a lot of overrun. Once we move forward from the interchange evaluation stage and into the I-89 Corridor bundles we will know more. We are hopeful the interchange evaluation is the big lift in this study, and we are very close to having this piece wrapped up. Eleni reiterated that we are currently asking for the additional \$160K because there was a lot of additional work needed on the interchanges. Jim asked for clarification on the changes within the UPWP document; Charlie explained the color-coded legend. Jim thanked him for the clarification. Jeff reminded everyone the finance committee reviewed the specifics prior to the board meeting and they found the figures were warranted. John added that one of the interchange alternatives is looking to downgrade Interstate 189, the shortest interstate in the nation, and that these evaluations are important.

8. UPWP Mid-year adjustment

Charlie referred members to the FY21 UPWP Draft Mid-year Adjustment and FY21 Mid-Year Budget documents distributed to members. He reviewed the budget changes and explained we added an EDA Planning Grant, a project called the MTI Green Ride Bike share, and COVID response items under Emergency Management. The changes in the budget included a \$300K increase on the revenue side. In terms of expenses, there was a 5% savings on the benefits due to an adjustment to the health care plan. Additionally, the indirect rate was lowered, and now shows as 81.5%. Charlie explained he and Forest decided we were slightly over collecting on the rate and proposed to bring it down from 83% to 80%, the result is an overall FY21 average of 81.5%. He said revenues are not down, and expenses are not up, we are simply adjusting the indirect rate to reduce the swing in the indirect rate. Member discussion ensued.

Charlie said Richard Watts brought up the most significant change to the work plan, which is the I-89 2050 Study project. He explained that the increase for this project was offset by several municipal projects that were deferred into the next fiscal year (which worked well for the municipalities). Additionally, we want to ensure we are doing everything we can to address racial equity, and climate change. This is a multi-modal effort that addresses the goals of our ECOS Plan, including energy and climate change.

Mike asked if there were any other questions or comments. There were none. Mike closed public comment period at 6:46 PM.

JIM DONOVAN MADE A MOTION, SECONDED BY ANDY MONTROLL TO APPROVE THE TRANSPORTATION PORTION OF THE FY21 UPWP MID-YEAR ADJUSTMENT. (MPO BUSINESS) VOTE:

Bolton:	Yes	Burlington:	Yes (4)	Charlotte:	Yes
Colchester:	Yes (2)	Essex:	Yes	Essex Jct.:	Yes

Hinesburg:	Yes	Huntington:	Yes	Jericho:	Yes
Milton:	Yes	Richmond:	Yes	St. George:	Absent
Shelburne:	Yes	So. Burlington:	Yes (2)	Underhill:	Absent
Westford:	Absent	Williston:	Yes	Winooski:	Yes
VTrans:	Yes				

MOTION CARRIED WITH 21 OF 24 VOTES: AND 15 OF 18 MUNICIPALITIES VOTING IN THE AFFIRMATIVE.

GARRET MOTT MADE A MOTION, SECONDED BY CATHERINE MCMAINS TO APPROVE THE ENTIRE FY21 UPWP AND BUDGET MID-YEAR ADJUSTMENT. MOTION CARRIED UNANIMOUSLY.

9. Racial Equity Update

Charlie provided the Board an update on the search and selection of an equity consultant. He explained we presented the Executive Committee with a Draft Scope of Work document from Creative Discourse and we will look for an approval at the February Executive Committee meeting. Charlie explained the scope of work is very focused on examining our organization as a whole and is not focused solely on training. Creative Discourse feels it is important to build relationships with diverse members within our communities to accomplish equity work in a meaningful way. The formation of an internal equity committee is very important. The group should be comprised of both staff and board members. The hope is to create and develop a shared understanding of what the work is about and what the goals are. This is about bringing staff and board members together with BIPOC community members, as well as partner organizations.

10. Chair/Executive Director Report.

- I-89 Study Update

Charlie referred members to the I-89 Study Advisory and Technical Committees Memo included in the packet. He said we will provide a presentation next month.

- All Hazards Mitigation Plan

Charlie reminded members we talked about this previously and said we did not secure the consulting contract from Vermont Emergency Management. We may have a small amount of funding in our work program to help, but it is not the significant amount we thought we might have. The State of Vermont hired the same consultant that they are using for the State Response Plan.

- Draft State Rail Plan

Charlie explained that VTrans has a draft State Rail Plan that will be rolled out and available for public review soon. The Transportation Advisory Committee will review and approve comments on this plan. Jim said he is very interested in being involved with this.

- Draft Clean Water Service Provider Rules

Charlie said these are out for public review final comments will be recommended at the February CWAC meeting, then brought before the Board. We will have a discussion with Board members regarding the role we are assuming.

Regina said we are thinking about scaling down the size of the Board Packets by not including committee meeting minutes within the packet, but just adding links to the minutes for the TAC, CWAC, and PAC. Member discussion ensued. Members expressed concern with having to click on links and worried that there could be technical issues to deal with. Although they agreed the packet can be unwieldy at times, they prefer having the minutes readily available to read as a part of the

1 packet document. Discussion ensued; a compromise was proposed. We will continue to include all
2 of the minutes while adding links in the agenda for those that do not want to scroll through a long
3 document.
4

- 5 11. Committee/Liaison Activities & Reports. Mike noted that minutes for our committees were included
6 in the packet (Executive/Finance Committee, TAC, PAC, MS4 Sub-Committee and CWAC) and asked
7 if there were any questions.
8

9 Jim asked about the 45-day notice of a Section 248 Petition to be filed for the 2.2 MW solar project
10 on Lake Road in Charlotte. He wondered in instances where the CCRPC requests more information,
11 how we proceed. Regina explained that we look for that additional information, or ways that the
12 applicant addressed the resources identified, in the next level of application.
13

- 14 12. Future Agenda Topics. Charlie said we begin looking at the FY22 work program in March and begin a
15 review of FY23 Transportation projects. This year will be a bit different as we will have multiple
16 projects to look at and prioritize. Charlie thanked Christine for partnering with VTRANS to develop
17 the new project selection and prioritization process. Jim asked if the legislative policy updates will
18 come through the Executive Director reports; Charlie said yes, but members can feel free to contact
19 him if they would like more information on anything between meetings.
20

- 21 13. Members' Items, Other business. None.
22

- 23 14. Adjournment. JIM DONOVAN MADE A MOTION, SECONDED BY JOHN ZICCONI TO ADJOURN THE
24 CCRPC BOARD MEETING AT 7:50 PM. MOTION CARRIED UNANIMOUSLY.
25

26 Respectfully submitted,
27 Amy Irvin Witham

February 18, 2021

Sent via email to: chris.rottler@vermont.gov

Mr. Chris Rottler, Environmental Analyst VI
Water Investment Division, Vermont Dept. of Environmental Conservation

Dear Chris,

Thank you for the opportunity to provide comments on the draft Clean Water Service Provider Rule. On behalf of our member municipalities and partners in water quality we would like to also thank you and the other DEC staff for the extensive consultation and outreach you conducted during the development of the draft rule.

The following comments were first developed by our Clean Water Advisory Committee at its February 2nd meeting and then reviewed and adopted by the CCRPC Board at its February 17th meeting. We suggest the following clarifying edits with additions noted in ***italics, bold and underlined*** and deletions in ***strikethrough***:

§ 39-201. Definitions.

.....

- (8) “Co-benefit” means the additional benefit to local governments and the public provided by or associated with a clean water project, including ***but not limited to*** flood resilience, ***hazard mitigation, educational,*** ecosystem improvement, and local pollution prevention.

.....

§ 39-306. Fiscal Management.

.....

- (i) Procurement, Goods and Services. Procurement by the CWSP or its subgrantees, for anything except for pre-qualified entities selected by the BWQC to ***develop, design,*** or implement a clean water project, shall be by a competitive process for services, with a solicitation ***for quotes sent to*** ~~of~~ at least three ~~quotations from~~ qualified entities. Purchasing of goods shall require the solicitation of at least two different quotations, except when purchasing items valued at \$1,000.00 or less. Records related to the procurement of services shall be retained for the term of the contract plus three years. Records related to the procurement of goods shall be retained for one year after the audit covering the period of purchase of those goods. Procurement of a good or category of goods totaling \$15,000.00 or greater from one vendor in one year shall be by written contract. Equipment and other durable assets purchased by a CWSP shall be maintained.
- (j) Insurance. The entity serving as CWSP shall comply with the insurance requirements of Water Quality Restoration Formula Grants. Professional liability insurance shall be required for any engineers or architects that are subgrantees or subcontractors, with the CWSP listed as additional insured. The CWSP shall obtain Errors and Omissions insurance

for BWQC members. **Funds provided by the Agency of Natural Resources to a CWSP may be used to pay the premiums for this insurance.**

.....
§ 39-401. Secretary's Allocation of Pollutant Reduction Targets to CWSP.

(a) Pollutant Reduction Determination, Allocation, and Standard Cost.

For waters described in 10 V.S.A. § 922(a) (water listed as impaired pursuant 33 U.S.C. § 1313(d) and not subject to the stated exception), the Secretary shall include the following in an implementation plan **as part of the basin plans:**

.....
.....

(3) A determination of the standard cost per unit of pollutant reduction by sector. The Secretary shall publish a methodology for determining standard cost for pollutant reductions. The standard cost shall include the costs of project identification, **project development,** project design, ~~and~~ project construction **and maintenance.**

.....
§ 39-403. Clean Water Projects.

.....

(e) Clean Water Project Selection. Based upon project priorities identified under § 39-403(d), the BWQC shall consider the preliminary scoring and ranking of all proposed clean water projects drafted by the CWSP for both project development or implementation categories and make any adjustments to the co-benefits scoring as needed. The BWQC shall vote on a prioritized slate of clean water projects for both development and construction to fulfill pollution reduction goals. In the event the BWQC is unable to obtain a quorum to vote on a slate of clean water projects as a result of conflicts of interest among its members pursuant to Subchapter 6 of this Rule, the CWSP, **in consultation with the applicable DEC Basin Planner,** shall be empowered to make a final decision on projects selected for funding. In the event an individual clean water project is brought up for consideration outside of the normal cycle of consideration, the BWQC will consider and decide upon the selection of the individual project consistent with the ranking process and priorities.

.....

(j) Quality Control and Site Control. The CWSP shall ensure site control to access property where clean water projects are installed, which may include acquisition of a fee simple interest, a maintenance and access easement, or a maintenance and access agreement. Such site control in fee simple, easement, or agreement shall be documented on a form provided by the Secretary. **Such fee simple interest, maintenance and access easement, or maintenance and access agreement may be assigned to a third party such as a municipality, non-profit watershed association, conservation district or non-profit conservation organization subject to the approval of the Secretary.**

.....

Our major concerns are with Subchapter 5. Basin Water Quality Councils and Subchapter 6 Conflicts of Interest. The currently proposed language will render the BWQCs inoperable.

§ 39-501. Membership and Structure.

(a) Each CWSP shall establish a basin water quality council (BWQC) for each assigned basin. BWQC membership shall comprise the minimum statutory members identified in 10 V.S.A. § 924(g)(2). Additional BWQC membership is only allowed if unanimously approved by the BWQC and approved by the Secretary. When considering the addition of BWQC members, the CWSP shall evaluate the costs of adding to the BWQC membership. ~~Should additional BWQC membership be authorized, the proportionality of representation established by 10 V.S.A. § 924(g)(2) shall be maintained.~~ The CWSP will coordinate assignment or replacement of BWQC members for those entities named in 10 V.S.A. §§ 924(g)(2)(D-E).

We are proposing the deletion above as without this it would mean that if one additional member is authorized, eight additional members would have to be added to maintain proportionality. The language earlier in the paragraph requiring BWQC unanimity and Secretary approval provides more than sufficient safeguards.

(b) For the purposes of selecting members pursuant to 10 V.S.A. § 924(g)(2), the following definitions apply:

.....

(3) “Local watershed protection organization” means a community-based, nonprofit organization working with individuals and communities in their local watersheds to protect and improve water quality, habitat, and flood resilience and to connect citizens with Vermont’s waters. Watershed protection organizations work with all watershed constituents and do not represent a specific constituency or interest group. Organizations that are not a 501(c)3 may serve on a BWQC provided they have a fiscal sponsor that is a 501(c)3.

Subchapter 6. Conflicts of Interest.

Some of the statutory BWQC members will represent entities that are capable of effectively proposing, constructing, and operating clean water projects. Because the BWQC makes decisions regarding the most important impairments, and prioritizing projects to address them, there may be concern about the potential appearance of, and actual, conflicts of interest. Therefore:

Each CWSP shall adopt a conflicts of interest policy that includes, in part, the following:

- (a) All persons engaged in the decision making of the respective CWSP or BWQC or both, shall conduct themselves according to high ethical standards.
- (b) Conflict of interest means an **financial** interest, direct or indirect, ~~financial or otherwise~~, of a person with a CWSP or BWQC decision making role, or such an interest, known to that person, of a member of that person’s immediate family or household, or of a business associate, in the outcome of a particular matter pending before the CWSP or BWQC or which is in conflict with the proper discharge of the person’s duties under this Rule.
- (c) A BWQC member that proposes to implement a clean water project must disclose any potential conflict of interest and shall recuse itself from any BWQC decision making subject to that conflict *if any of the following conditions are present:*

1. *If a project is being considered by itself per §39-403(e)(5), or the project's score or ranking is being considered by itself, the project sponsor shall recuse itself from the BWQC decision making related to that individual project.*
2. *If a BWQC-member's project is being considered as part of a list or package of projects being voted on and the funding passed through to its subcontractors (engineers, construction firms, etc.) and/or for materials and supplies constitutes in total less than 50% of the overall cost of the project.*
3. *The project involves payments for fee simple for land or for purchase of an easement to the member, the member's immediate family or household, or to a business associate.*

Notwithstanding these limitations, the conflicted BWQC member may answer questions on the subject project in an open meeting of the BWQC.

Note that our preferred language for #2 above is as follows: *If the project is one of many on a list or package considered by the BWQC as they determine the ranking and priorities for funding and the sponsorship of the project is the only potential conflict of interest; all members of the BWQC may vote on the list or package. If there are other potential conflicts of interest, each member shall disclose the potential conflict and the BWQC shall determine if the member may vote upon the list or package.* However, the proposed 50% threshold language is offered as a potential compromise.

Please feel free to call me (802-735-3500) or email me at cbaker@ccrpcvt.org if you have any questions or would like to discuss these comments. Thank you again for your consideration.

Best regards,

Charlie Baker
Executive Director

cc: Catherine Dimitruk, NRPC
Bonnie Waninger, CVRPC
Adam Lougee, ACRPC
Ed Bove, RRPC
Peter Gregory, TRORC
Karen Freeman, VHCB

CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
JOINT EXECUTIVE & FINANCE COMMITTEE MEETING MINUTES
DRAFT

DATE: Wednesday February 3, 2021

TIME: 5:45 PM

PLACE: Remote Attendance via ZOOM Meeting

PRESENT: Mike O'Brien, Chair Catherine McMains, Vice Chair

John Zicconi, Treasurer Bard Hill, At Large <5000

Andy Montroll, Immediate Past Chair Chris Shaw, At Large >5000

Jeff Carr, Finance

STAFF: Charlie Baker, Executive Director Regina Mahony, Planning Mgr.

Eleni Churchill, Transportation Program Mgr. Forest Cohen, Senior Business Mgr.

Bryan Davis, Senior Planner Amy Irvin Witham, Business Office Mgr.

Emma Vaughn, Communications Mgr.

OTHERS:

1. Call to Order, Attendance. The meeting was called to order at 5:46 PM by the Chair, Mike O'Brien.

2. Changes to the Agenda, Members' Items. Mike said we will move the financial portion, item 5, FY21 Financial Report for July 2020 to December 2020 up to item 4, in order that Jeff Carr may leave earlier. Jeff was appreciative.

3. Approval of January 6, 2021 Joint Executive & Finance Committee Meeting Minutes
JEFF CARR MADE A MOTION, SECONDED BY CATHERINE MCMAINS, TO APPROVE THE JANUARY 6, 2021 JOINT FINANCE & EXECUTIVE COMMITTEE MEETING MINUTES, AS PRESENTED. MOTION CARRIED UNANIMOUSLY.

Mike O'Brian moved from the Executive Committee meeting into the Financial Committee items.

4. FY21 Financial Report for July 2020 to December 2020

a. Journal Entries

Forest referred members to the Journal Entries dated July 2020 through December 2020. JEFF CARR MADE A MOTION, SECONDED BY JOHN ZICCONI, TO APPROVE THE QUARTERLY JOURNAL ENTRIES DATED JULY 2020 to DECEMBER 2020. MOTION CARRIED UNANIMOUSLY

b. Mid-Year Financial Review FY21 (July 2020 to December 2020)

Forest referred members to the memo distributed to members and provided a financial review covering FY21 from July 1, 2020 to December 31, 2020.

Balance Sheet, December 31, 2020.

- Cash in checking (operating), \$171,510.
- Cash in Money Market (reserve), \$253,493.
- Current assets over liabilities, \$717,399.
- Deferred Income Communities, Match, \$166,301.

Statement of Revenues & Expenses through December 2020

- FY21 Year to date surplus/deficit (unaudited), (\$9,417.00).
- Operations Revenue as a % of Budget at 50% of the Budget year: 46.4%
- Operations Expenses as a % of Budget at 50% of the Budget year: 46.8%

Forest explained we are on track to finish FY21 with a modest surplus of revenues over expenses. He feels the second half of the fiscal year should outperform the first and said a deficit of less than \$10,000 at the end of December is a relatively comfortable position to be in. Forest explained, as Charlie stated at the January Board meeting, we will request a reduced indirect rate reimbursement for January through June to reduce over-collection. Over-collecting can result in a penalty two years later, and we want to avoid any future potential penalty. Chris asked if the reduction of the indirect rate is a result of COVID. Forest explained, in part, yes; the amount of billing that occurred versus the reduced amount of in-person and in-office expenses (i.e., Conferences, Program Workshops, and Mileage) equated to our billing being more direct than previous years. Forest said, overall, we are in a healthy financial place.

Members inquired on the interest earnings and wondered if the new bank accounts were still working out. Forest said yes; moving the bank accounts over to Opportunities Credit Union is working out fine and the accounts are generating a bit more in interest. Jeff asked if it was helpful to look at the cash statements. Forest and members agreed that it is helpful.

Jeff asked if there have been billing issues due to staff working mostly from home. Forest explained, if anything, there is more billing since staff is taking less vacation time. Jeff said we should pay close attention to this, as we want to ensure our output does not dip. Charlie said there was a reduction in billing last fiscal year in March and April when we were adjusting to COVID, however that was remedied the following months of May and June. Charlie said there will likely be another adjustment period when we move past COVID and there is an increase in vacation time and conferences. Members discussed the impact of remote work.

Forest referred members to the Cash Flow target sheet. He explained the cash is like the overall financial situation; cash flow is adequate for operations. We were able to transfer \$80K from the operating account into the reserve account since the beginning of the year. December can often be a low point for cash levels, and while more is always more when it comes to cash, this year's balances are within an acceptable range and are projected to remain that way.

Mike O'Brien concluded the financial portion of the meeting at 6:06 PM and Jeff Carr excused himself.

5. Act 250 & Section 248 Applications (previously Item 4).

a. Act 250 Application, The Burton Corporation, Burlington, #4C0174-6, 4C0368-3

Regina explained we heard some public comment at the Board meeting regarding this project; and as we committed to at the Board meeting, we conducted a second review of the letter. There was nothing inaccurate found. The CCRPC finds the proposed project to be in conformance with, and consistent with, the Planning Areas of the 2018 Chittenden County ECOS Plan. At this stage we are not intending to edit the letter. However, we do want to follow-up with community members who have questions; and want to let them know that we are working on some bike and pedestrian scoping projects in the area. The first phase of the existing (FY21)

scoping project is looking at the sidewalk gap on Queen City Park Road on the South Burlington side; the second phase, a proposed project for the FY22 workplan, will evaluate bike and pedestrian connections more broadly in South Burlington and Burlington (including along Queen City Park Road and Austin Drive) – the scope of the second phase is still under development. We will reach out and acknowledge that there are some pedestrian gaps, however, our original comments on the letter in terms of specific traffic mitigation associated with this project, are valid. Eleni said another member of the public came to a recent TAC meeting. Once the scope of work is determined for the entire Queen City Park Road project, we will prepare a response to the neighbors that we have heard from. We will consult with South Burlington and Burlington before sending the letter. Members asked that we let the residents know what we do and don't do when we review Act 250 projects.

b. ACT 250 Application, Cambrian Rise, Burlington; #4C1301-3

Regina referred members to the ACT 250 amendment application letter for Cambrian Rise, located at 311-375 North Avenue in Burlington Vermont. She explained they are increasing the maximum number of housing units from 739 to 770. The City of Burlington's Development Review Board has approved the project. The CCRPC finds the project is consistent with, and in conformance with the Planning Areas of the 2018 Chittenden County ECOS Plan. In terms of the traffic assessment, the CCRPC reviewed the memo dated October 16, 2018 from RSG, and previously reviewed and commented on the Traffic Impact Assessment dated 12/21/16. The memo accounts for minor increases in trip generation from the original TIA. We agree the memo's conclusions and have no new concerns regarding traffic patterns. The project location is currently on the bike path and bus lines, which is favorable. The CCRPC comments are based on information currently available, and we may have additional comments as the process continues.

JOHN ZICCONI MADE A MOTION, SECONDED BY ANDY MONTROLL, TO APPROVE THE LETTER AS PRESENTED TO RACHEL LOMONACO, DISTRICT #4 COORDINATOR. MOTION CARRIED UNANIMOUSLY.

6. FY2021 Transportation Improvement Program (TIP) Amendments – Amtrak improvements

Charlie explained this was presented yesterday at the Transportation Advisory Committee (TAC) meeting, and it was approved. He also wants the Executive Committee to consider this on behalf of the Board since there is a time constraint deadline of February 10, 2021. The change to the FY2021-TIP is as follows:

- Rail Crossing Safety Improvements – College Street, Burlington (Project RR006, Amendment FY21-16)
- Description of TIP Change: Add \$671,479 in federal Section 130 Rail Grade Crossing funds for construction to the TIP in FY21. The approved TIP has \$900,000 in FY21 for this project. The new total would be \$1,571,479 of federal funding which is a 59.7% increase in total project cost (including design costs). Section 130 Rail Grade Crossing funds are not subject to CCRPC's fiscal constraint limit.
- Need for Expedited Change: There are TIGER IV grant funds associated with this contract and need to be expended by October 1, 2021. The TIGER IV funds are for the Burlington Train Station Platform which has been combined with this project under one contract. VTTrans is on a timeline to bid this project on February 10th. If that date is missed, there will not be another opportunity until early March. This could send project completion past the deadline for obligation of Federal Rail Administration grant funds.

John asked what is making this project so expensive. Charlie explained there are many necessary safety features needed for pedestrian cross ways, as well as full depth construction. Members asked for an explanation of full depth reconstruction. Charlie said it is not just the railroad crossing, there is also work happening on College Street. Eleni explained they will need to dig down to the sub-base to extract contaminated soils and repave; all this combined equates to a major reconstruction.

ANDY MONTROLL MADE A MOTION, SECONDED BY CHRIS SHAW TO RECOMMEND APPROVAL OF THE FY2021 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) AMENDMENTS, AS PRESENTED. MOTION CARRIED UNANIMOUSLY.

7. Racial Equity Consultant Draft Scope of Work

Charlie referred members to the updated proposal/scope of work from Creative Discourse included with the packet. Following the conversations from the last meeting, Sue and her team updated the proposal. Charlie explained there are specific changes detailed, however, the overall purpose remains the same.

Charlie said in Phase I, the goal is to establish an internal CCRPC Equity Leadership Team to lead and champion the work. This team would consist of 5-7 people, including 2 or 3 Board members, Bryan and Emma and a member of the Creative Discourse team. The second part of phase 1 calls for an Equity Assessment. Here, interviews will be conducted with staff, Board members, formal partners, and community leaders. This work serves to prepare for an Equity Summit. Additionally, there is a potential task to understand what municipal efforts for racial equity are being done to make sure we are not duplicating or conflicting their work. Charlie feels it may make sense to have Bryan and Emma conduct most of this work, rather than paying the consultant to do it. This ensures we know what is going on in in the municipalities. Members agreed and discussion ensued about participation from municipalities.

Charlie explained Phase II is where a larger Equity Work Group is established. This group will consist of the CCRPC Equity Leadership Team plus additional staff, informal leaders, partners, and organizations who work with underrepresented groups (CVOEO, AALV, CHT) and partner organizations within the community. The Equity Summit will be held in late fall or winter.

Charlie said Phase III is currently less specific and focuses on implementation. Phase III outlines a mini-summit and updates to CCRPC policies and procedures and the ECOS plan.

John asked if the staff felt comfortable with the proposed scope of work. Bryan, Emma, and Charlie stated yes, we are comfortable. Charlie explained we need Executive Committee approval to enter into the contract using the \$20,000 currently budgeted. In the future, contingent upon the UPWP FY22 approval, we can amend the contract and add additional funds to complete scope of work goals set in the next fiscal year.

ANDY MONTROLL MADE A MOTION, SECONDED BY CATHERINE MCMAINS TO APPROVE ENTERING INTO CONTRACT WITH CREATIVE DISCOURSE, BASED ON THE DRAFT SCOPE OF WORK AS PRESENTED. MOTION CARRIED UNANIMOUSLY.

8. Comments on Draft Clean Water Service Provider Rule

Charlie referred members to the draft Clean Water Service Provider Rule letter included with the packet and provided members with an overall review. He pointed out a few of the edits in the following areas:

- Section 39-403 Clean Water Projects
 - Clean Water Project Selection
 - Quality and Site Control
- Section 39-501 Membership and Structure
- Subchapter 6. Conflicts of Interest.

Regarding Section 39-501, Membership and Structure, Charlie said there has been a lot of discussion about representation from around the state and the potential need to add additional members in some areas. The Department of Environmental Conservation (DEC) is concerned that the legislature wanted equal representation. We feel the Basin Councils should be able to decide what works best for them in terms of membership.

Charlie said the biggest issue is within Subchapter 6, Conflict of Interest. The DEC is taking a stance with a very hard line in this section. We would have a lot of issues with the proposed position and have asked for more flexibility. We do acknowledge there is potential for conflict of interest, however the language at present is overly broad. Members discussed. Charlie said we will continue to work on the draft before it is presented to the Board. Andy suggested Charlie remove his signature from the letter, considering it is only in the draft version.

9. Chair/Executive Director Report

a. Legislative Update

Charlie said although it is early, he is interested to hear any member feedback on Governor Scott's budget proposals. Charlie said there are a lot of one time investments in a multitude of issues around the state. He wonders what will need RPC engagement, budget proposals include brownfields, broadband, weatherization, and downtown revitalizations. Legislatively, many items have been introduced, however, it is very early and difficult to know what is going to move. He expects Sirotikin's housing bill to gain momentum. Charlie asked members if they have suggestions for additional items to pay attention to.

- b. CATMA - Charlie said Sandy Thibault, the Executive Director of CATMA expressed interest in having CCRPC join the CATMA Board. Currently, members of the CATMA board include UVM, UVM Medical Center, and Champlain College. Charlie said he had encouraged them to broaden their board in the past, but was not necessarily thinking it would only include us. She also expressed CATMA's Board's desire to guarantee annual funding for CATMA from CCRPC. Members expressed concerns about the inability to guarantee future funding. Charlie explained we have made a commitment for several years, but he will work with Bryan on a response to present to the Executive Committee for review before it is sent out.

10. Draft CCRPC Board Meeting Agenda.

Charlie reviewed the February Board agenda with members. He said the big topic will be the I-89 Study presentation. He said Sharon Murray is on the agenda, to be appointed to the All Hazard Mitigation Plan Committee and we will also provide an update on the Racial Equity progress. Andy suggested we add Amtrak service to Burlington as a future agenda item. Charlie asked members if they had any other suggestions. He reminded everyone in March we will need to warn for the FY22

UPWP and Budget and develop the FY22 slate of officers. Bard proposed adding the Burton project as a discussion item.

11. Other Business: There was none.

12. Executive Session. None needed.

13. Adjournment: JOHN ZICCONI MADE A MOTION, SECONDED BY ANDY MONTROLL TO ADJOURN THE MEETING AT 7:06PM. MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,
Amy Irvin Witham

February 4, 2021

Rachel Lomonaco
District #4 Coordinator
111 West Street
Essex Junction, VT 05452

RE: BC Community Housing, LLC; Burlington; Application #4C1301-3

Dear Ms. Lomonaco,

The Chittenden County Regional Planning Commission's (CCRPC) Staff and Executive Committee have reviewed this Act 250 amendment application for:

- a. Increasing the maximum number of units for the Cambrian Rise Development from 739 to 770;
- b. Converting one level of understory parking in Building C to residential units for a total of 125 units;
- c. Altering Building M by adding an additional floor for a total of six floors, increasing the building footprint for a total of 117 units, adding a second level of understory parking, expanding the surface parking, revised landscaping, and façade changes;
- d. Adding an additional floor to Building P for a total of five floors, with no increase in units; and
- e. Adding an additional floor to Building Q/R for a total of six floors, with no increase in units.

The proposed project is located at 311-375 North Avenue in Burlington, Vermont. The City of Burlington's Development Review Board has approved the project.

CCRPC offers the following comments on the proposed project:

The project is located within the Metro Planning Area as defined in the Chittenden County Regional Plan, entitled the *2018 Chittenden County ECOS Plan*. We find this project to be consistent with the Planning Areas for the following reasons:

1. The Metro Planning Area is identified in the Plan as an area planned for growth, and therefore this project helps implement Strategy #2 of the Plan, which calls for 80% of new development in the areas planned for growth.
2. The project is proposed in a state-designated Neighborhood Development Area, is served by municipal water and sewer, and is served by a GMT transit route.
3. The density and uses are consistent with the local regulations.

Therefore, we find this project to be in conformance with the Planning Areas of the *2018 Chittenden County ECOS Plan*.

CCRPC staff have reviewed the memo dated October 16, 2018 from RSG. We previously reviewed and commented on the Traffic Impact Assessment (TIA) dated 12/21/2016. The memo

accounts for minor increases in trip generation from the original TIA. We concur with the memo's conclusions and have no new concerns regarding traffic impacts.

Due to the detailed level of development review in most Chittenden County municipalities, and the environmental permit reviews at the Vermont Department of Environmental Conservation, CCRPC focuses its Act 250 reviews on the type of proposed land use and the Planning Areas section of the *2018 Chittenden County ECOS Plan*. The CCRPC also focuses its review on transportation-related issues, where appropriate, in accordance with the Metropolitan Transportation Plan, which is within the *2018 Chittenden County ECOS Plan*.

These comments are based on information currently available; we may have additional comments as the process continues. Please feel free to contact me should you have any questions.

Sincerely,

Charlie Baker
Executive Director

Cc: CCRPC Board
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify on this 4th day of February, 2021, a copy of the foregoing letter concerning Act 250 Land Use Permit Application #4C1301-3 was sent by U.S. mail, postage prepaid to the following individuals without email addresses and by email to the individuals with email addresses listed:

BC Community Housing, LLC
PO Box 1335
Burlington, VT 05402
efarrell@farrellpropertiesvt.com
senright@farrellpropertiesvt.com

351-375 North Avenue
Homeowner's Association, LLC
PO Box 1335
Burlington, VT 05402
efarrell@farrellpropertiesvt.com

Alain Youkel
ayoukel@youkel.com

Amy Bovee, Ass't City Clerk
Chair, City Council/Chair, City
Planning Commission
City of Burlington
149 Church Street
Burlington, VT 05401
abovee@burlingtonvt.gov

Chittenden County Regional
Planning Commission
c/o Charlie Baker, Exec. Dir.
Regina Mahony, Planning Program
Manager
110 West Canal Street, Suite 202
Winooski, VT 05404
permitting@ccrpcvt.org

Elizabeth Lord, Land Use
Attorney/ANR
1 National Life Drive, Davis 2
Montpelier, VT 05602-3901
anr.act250@vermont.gov

Barry Murphy/Vt. Dept. of Public
Service
112 State Street, Drawer 20
Montpelier, VT 05620-2601
barry.murphy@vermont.gov;
psd.vtdps@vermont.gov

Craig Keller/Jeff
Ramsey/Christopher Clow
VTrans Policy, Planning &
Research Bureau
Barre City Place
219 N. Main Street
Barre, VT 05641
aot.act250@vermont.gov

Vt. Agency of Agriculture, Food &
Markets
116 State Street, Drawer 20
Montpelier, VT 05620-2901
AGR.Act250@vermont.gov

Division for Historic Preservation
National Life Building, Drawer 20
Montpelier, VT 05620
scott.dillon@vermont.gov;
james.duggan@vermont.gov
accd.projectreview@vermont.gov

FOR YOUR INFORMATION

District #4 Environmental
Commission
Thomas Little, Chair
Parker Riehle/Monique Gilbert
111 West Street
Essex Junction, VT 05452

Department of Libraries
109 State Street
Montpelier, VT 05609-0601
NRCS, District Conservationist
Natural Resources Conservation
Service
68 Catamount Park, Ste. B
Middlebury, VT 05753
marybeth.whitten@vt.usda.gov

Winooski NRCD Office
617 Comstock Road, Suite 1
Berlin, VT 05602

whiterivernrkd@gmail.com

Ethan Tapper, County
Forester/FPR
John Gobeille/Toni Mikula
ANR/Dept. of Fish & Wildlife
111 West Street
Essex Junction, VT 05452
ethan.tapper@vermont.gov;
john.gobeille@vermont.gov
toni.mikula@vermont.gov

Seven Days/Classified Ad Section
255 South Champlain Street, PO
Box 1164
Burlington, VT 05402
classifieds@sevendaysvt.com

Green Mountain Power Corporation
c/o Kim Jones
163 Acorn Lane
Colchester, VT 05446
kim.jones@greenmountainpower.com

Vermont Gas Systems
PO Box 467
Burlington, VT 05402
efficiency@vermontgas.com

Efficiency Vermont
128 Lakeside Ave., Suite 401
Burlington, VT 05401
pics@veic.org

Michael Barsotti, Water Quality
Director
Champlain Water District
403 Queen City Park Road
South Burlington, VT 05403
mike.barsotti@champlainwater.org

Dated at Winooski, Vermont, this 4th day of February, 2021.

LAKEVIEW CEMETARY

NORTH RD

BURLINGTON OPEN SPACE

LAKE CHAMPLAIN

BURLINGTON BIKE PATH

TEXACO BEACH

WEST RD

SOUTH RD

NORTH AVE

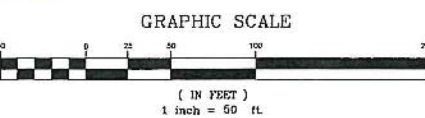
NORTH AVE

- NOTE -
ANY MODIFICATION OR DEVIATIONS FROM THESE PLANS
REQUIRE ZONING APPROVAL PRIOR TO CONSTRUCTION.
ALL ERRORS IN DIMENSIONS, PLANS, OR DETAILING ARE
FULLY THE RESPONSIBILITY OF THE APPLICANT/OWNER.
FINAL APPROVAL
SIGNED William Zuck DATE 2/24/2020
ZONING PERMIT # 20-0683CA
REVIEWED BY: [Signature]
DEPARTMENT OF PERMITTING & INSPECTIONS
BURLINGTON VERMONT


RECEIVED

FEB 05 2020

BURLINGTON
PERMITTING & INSPECTIONS



P:\Active Projects\Burlington College 1311\Draw-C\Map\plan\BURLINGTON-SITE MASTERPLAN.dwg, 1/7/2020 4:36:16 PM, DWG To PDF.plt

PERMIT UPDATE 02/08/2020				T. J. Boyle Associates, LLC										sheet no:		
11-23-2016	PERMIT SET - DRAFT	02/03/2020	RECORD SUBMISSION				Owner:	landscape architects planning consultants					MJB design by	TKD / EB / JS	01/31/2017	CAMBRIAN RISE
01-04-2017	PERMIT SET						BC Community Housing	301 college street burlington vermont 05401 802 658 3555					MJB checked by	scale	1" = 50'	SITE PLAN
01-31-2017	PERMIT SET - REVISED															L-100

VERMONT
ACT 250 District Commission # 4
Application #: 4C1301-3
Exhibit #: 008a
Date Received: 12/18/20



VERMONT
ACT 250 District Commission # 4
Application #: 4C1301-3
Exhibit #: 012a
Date Received: 12/18/20

SUBMITTED FOR
APPROVAL
8/03/2018

DATE	SUBMISSION	DATE	SUBMISSION	DATE	SUBMISSION
11-23-2016	PERMIT SET - DRAFT	08-03-2018	Building M Update		
01-04-2017	PERMIT SET				
01-31-2017	PERMIT SET - REVISED				

Owner: BC Community Housing	landscape architects planning consultants 301 college street burlington vermont 05401 802 658 3555
--------------------------------	---

	MJB design by	TKD / EB / JS drawn by	01/31/2017 date	T. J. Boyle Associates, LLC CAMBRIAN RISE Building M Site Plan Update	sheet no. L-204
	MJB checked by	scale			

January 15, 2021

Aaron Brondyke
State Coordinator
111 West Street
Essex Junction, VT 05452

RE: The Burton Corporation; Burlington; #4C0174-6,4C0368-3

Dear Mr. Brondyke:

The Chittenden County Regional Planning Commission's (CCRPC) Staff and Executive Committee have reviewed this Act 250 application for the redevelopment of an existing 83,000-square foot manufacturing building into a mixed-use facility, including a performing arts center, and associated parking improvements. The proposed project is located at 266 Queen City Park Road in Burlington, Vermont. The City of Burlington's Development Review Board has approved the project.

CCRPC offers the following comments on the proposed project:

The proposed project is located within the Enterprise Planning Area as defined in the Chittenden County Regional Plan, entitled the *2018 Chittenden County ECOS Plan*. CCRPC finds the proposed project to be consistent with the Planning Areas for the following reasons:

1. The Enterprise Planning Area is identified in the Plan as an area planned for growth, and therefore the proposed project helps implement Strategy #2 of the Plan, which calls for 80% of new development in the areas planned for growth.
2. The proposed project is served by municipal water and sewer, is located on bus lines, and is within walking distance to many services/jobs.
3. The proposed land uses are consistent with the local regulations, as evidenced by the Burlington DRB's approval of the project.

Therefore, CCRPC finds the proposed project to be in conformance with the Planning Areas of the *2018 Chittenden County ECOS Plan*,

The Traffic Impact Study dated 4/23/2020, and associated supporting documents, assembled by VHB was reviewed. In particular, we noted in Exhibit 020, and later confirmed in Exhibit 051, that the PM peak hour trips have been reduced from 222 to 74. Given this information and our review of the TIS, the CCRPC does not have any concerns regarding the proposed project's anticipated traffic impacts. CCRPC acknowledges that there will be additional traffic before and after concerts. This will be a change from the current situation. However, this additional congestion will occur during off-peak hours and no additional roadway improvements needed.

Due to the detailed level of development review in most Chittenden County municipalities, and the environmental permit reviews at the Vermont Department of Environmental Conservation, CCRPC focuses its Act 250 reviews on the type of proposed land use and the Planning Areas section of the *2018 Chittenden County ECOS Plan*. The CCRPC also focuses its review on

transportation-related issues, where appropriate, in accordance with the Metropolitan Transportation Plan, which is within the *2018 Chittenden County ECOS Plan*.

These comments are based on information currently available; we may have additional comments as the process continues. Please feel free to contact me should you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Charlie Z. Baker". The signature is written in a cursive, flowing style.

Charlie Baker
Executive Director

Cc: CCRPC Board
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify on this 15th day of January, 2021, a copy of the foregoing letter concerning Act 250 Land Use Permit Application 4C0174-6,4C0368-3, was sent by U.S. mail, postage prepaid to the following individuals without email addresses and by email to the individuals with email addresses listed

The Burton Corporation
c/o Justin Worthley, Mike Fialko-
Casey, Eric Bergstrom
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Burlington, VT 05401
justinw@burton.com;
MikeF@burton.com;
ericb@burton.com

John Caulo
LandPlan Development Services,
LLC
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Burlington, VT 05401
John.caulo@gmail.com

Tyler Barnard
Engineering Ventures
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tylerb@engineeringventures.com

Brian Dunkiel, Jonathan Rose,
Malachi Brennan
Dunkiel Saunders Elliott
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Katherine Schad, Town Clerk
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Donna Kinville, Town Clerk
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Planning Commission
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pconner@sburl.com;
memery@sburl.com

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TNewton@ccrpcvt.org

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Division for Historic Preservation
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ACCD.ProjectReview@vermont.gov

FOR YOUR INFORMATION

District 4 Environmental
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Monique Gilbert, Pam Loranger
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Harris Roen

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Mark Furnari
mark.furnari@gmail.com

Dated at Winooski, Vermont, this 15 day of January, 2021.

CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
CLEAN WATER ADVISORY COMMITTEE – **DRAFT** MINUTES

DATE: **Tuesday, February 2, 2021**
SCHEDULED TIME: 11 a.m. to 12:15 p.m.
PLACE: ONLINE
DOCUMENTS: Minutes, documents, and presentations discussed accessible at:
<http://www.ccrpcvt.org/meetings/clean-water-advisory-committee/>

Committee Members in Attendance		
Bolton: Joss Besse	Hinesburg:	St. George:
Buels Gore:	Huntington: Darlene Palola	Underhill:
Burlington: James Sherrard	Jericho:	Westford:
Charlotte:	Milton: Dave Allerton, Kirsten Jensen	Williston: Christine Dougherty
Colchester: Karen Adams	Richmond: Ravi Venkataraman	Winooski: Ryan Lambert
Essex: Annie Costandi, Co-Chair	Shelburne: Chris Robinson	VAOT: Jennifer Callahan
Essex Junction: Chelsea Mandigo	South Burlington: Tom DiPietro, Dave Wheeler	VANR: Christy Witters
Burlington Airport:	University of VT: Lani Ravin	CCRPC Board: Don Meals
Friends of the Winooski River:	Lewis Creek Assoc:	Winooski NRCD:
Other Attendees: DEC: Chris Rottler RPCs: John Van Housen – ACRPC Other: Amy Macrellis; Michele Braun		
CCRPC Staff: Dan Albrecht, Charlie Baker, Regina Mahony, Sai Sarepalli		

- 1. Call to Order.** With the consent of the co-chairs, it was agreed to have Dan Albrecht run the meeting since it was all online. The meeting was called to order by Dan Albrecht at 11:03 a.m. Introductions were made.
- 2. Changes to the Agenda and public comments on items not on the agenda** No changes.
- 3. Review and action on draft minutes of January 5, 2021** After a brief recap by Dan Albrecht, *Annie Costandi made a motion, seconded by Karen Adams to approve the minutes as drafted. MOTION PASSED with no abstentions.*
- 4. Review and comment on draft CCRPC Board comment letter on draft Clean Water Service Provider Rule**
See details at: <https://dec.vermont.gov/water-investment/statutes-rules-policies/act-76>
Dan Albrecht provided an overview of the draft Clean Water Service Provider Rule comments that were included in the packet.

Questions/Discussion:
Joss Besse stated the Rule includes several pieces the Secretary *will* provide. Are these things prepared yet or on track? Chris Rottler stated that DEC is in contract to get this work done (Floodplains/Forestry/O&M). Ultimately this information will be incorporated into the guidance that will be established in the coming year. CWSPs won't start-up not until July 2022, when the guidance is out. This timing also better aligns with the Clean Water Fund and fiscal year.

Discussion regarding the conflict of interest comments; and whether the suggested three additions help better define when a recusal is necessary. The rule as currently drafted would require members to always recuse themselves if funding for one of their projects is up for a vote. This will create quorum and decision-making issues across the board. Michele Braun is the only potential project implementor / BWQC member on the call and she thought it made sense to set the line in the sand at 50% as it is unlikely the members will retain more than 50% of project cost for themselves. Most of the money will be going to machines. Joss Besse asked if the BWQC doesn't have a quorum, who makes the decision? The CCRPC Board? Or Executive Director? Charlie

1 Baker stated that its unknown and a great question; and either way it isn't ideal because both are only in
2 Chittenden County while the geography includes Northwest and Addison service areas. Charlie Baker asked if
3 the CWAC had any further comments or ideas on this. There were no additional comments.

4
5 Joss Besse made a motion, seconded by Tom DiPietro to approve the comments as drafted with edits to
6 incorporate the original conflict of interest comments. Discussion: Charlie Baker stated that he'll be working
7 with the other potential Clean Water Service Providers at the legislative level if this is not resolved in the rule
8 making to ensure Basin Water Quality Council members can participate in the decision making more fully. No
9 further discussion. MOTION PASSED.

10
11 **5. Updates**

- 12
13 a. No updates

14
15 **6. Items for Wednesday, March 3rd meeting agenda.**

- 16 a) Potential UPWP water quality projects.
17 b) Potential CWSP rule/legislation.

18
19 **7. Adjournment.** The meeting adjourned at 11:36 p.m.

20
21 *Respectfully submitted, Regina Mahony & Dan Albrecht*
22
23

CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
MS4 SUBCOMMITTEE
OF CLEAN WATER ADVISORY COMMITTEE – **DRAFT** MINUTES

DATE: **Tuesday, February 2, 2021**
SCHEDULED TIME: 12:15 p.m. to 1:30 p.m.
PLACE: ONLINE via Zoom
DOCUMENTS: Minutes, documents, and presentations discussed accessible at:
<http://www.ccrpcvt.org/meetings/clean-water-advisory-committee/>

Committee Members in Attendance		
Burlington: James Sherrard	Burlington Airport:	Williston:
Colchester: Karen Adams	Milton: Dave Allerton, Kirsten Jensen	Winooski: Ryan Lambert
Essex: Annie Costandi, co-chair	Shelburne: Chris Robinson	VAOT: Jennifer Callahan
Essex Junction: Chelsea Mandigo, co-chair	South Burlington: Tom DiPietro, Dave Wheeler	Univ. of VT: Lani Ravin
DEC: Christy Witters		
Other Attendees: Winooski NRCD: Kristen Balschunat; DEC: Padraic Monks, Jim Pease, Emily Schelley; Stantec: Polly Harris; Watershed Consulting Associates: Kerrie Garvey, Fitzgerald Environmental Associates: Evan Fitzgerald, Evelyn Boardman; Stone Environmental: Amy Macrelis; Pluck: Dave Barron (arrived 1:15 p.m.),		
CCRPC Staff: Dan Albrecht, Sai Sarepalli, Chris Dubin (arrived 1:00 p.m.)		

1. Call to Order, Changes to the Agenda and Public Comments on Items not on the agenda:

The meeting was called to order at 12:17 p.m. With the consent of the co-chairs, it was agreed to have Dan Albrecht facilitate the meeting since it was all online. At the request of Karen Adams, a discussion of House Bill Number 108 was added to the agenda. No public comments were made.

2. Review and action on draft minutes of January 5, 2021

After a brief recap by Dan Albrecht, *Annie Costandi made a motion, seconded by Chelsea Mandigo to approve the minutes of January 5th as drafted except for a correction to line 40 on page 1 to read Chris Dubin, not Chris Robinson. No further discussion. MOTION PASSED.*

3. Rethink Runoff, Pluck

a. Review & vote on proposed \$1,500 budget increase for Drain Defenders video

Dan recapped the short proposal from Pluck. Funds would be used to film, edit and produce a live-action video for this pilot program. Chelsea noted it will be piloted in Essex Junction this summer. The idea came from a desire for additional small “pocket projects” beyond storm drain stenciling and rain barrels. Kristen Balschunat added that the program would be repeatable in other towns. She would work with Dave on the script and share it with all MS4s. A portion of the script would be adaptable to use town-specific content.

Lani Ravin made a motion, seconded by Jennifer Callahan to approve the addition of \$1,500 to the FY21 Pluck Task Order to produce a Drain Defenders video. Lani noted that she demonstrated the www.rethinkrunoff.org website to some colleagues at UVM and she felt that while the layout was okay the content was thin. After a brief discussion, it was noted that Pluck should be working on some updates to the website this spring, that her comment would be relayed to Pluck and that it might be a good idea for the committee to review the website in detail soon at one of its upcoming meetings. MOTION PASSED unanimously.

4. Stream Team: Winooski NRCD

a. Update on 2020 Stream Team Storytelling Season

Kristen Balschunat recapped the highlights of the Google Earth storymap for each of the individual stream sites which volunteers engaged with this summer. She showed photos, journal notations and other items they provided. The story will be posted to the Rethink Runoff website in the coming weeks.

Several members complimented Kristen on the project. Kristen indicated she will use the material to create some social media vignettes to promote interest in the storymap as well as add some clean water projects. Dan

suggested she reach out to local newspapers as these are great stories and they are always looking for local content.

5. Crediting for phosphorus treatment by municipality: treatment of private parcel runoff; treatment as co-permittee; sponsorship/funding of natural resources projects, WISPR; assuming private parcel baseload but not as co-permittee

Chris Robinson opened the discussion by showcasing the recently completed Town of Shelburne sponsored project to build a gravel wetland on VELCO property at an area west of US Route 7 just south of the town line with the City of South Burlington. The project treats runoff from multiple properties including VTRANS plus some 3-acre permit sites. The project was envisioned and developed before the 3-acre permit became a reality. They partnered with the Blue Linx property with an agreement that the project would treat runoff from their property in exchange for the Town getting a formal easement so they can cross Blue Link property to access the gravel wetland for maintenance.

Padraic Monks started off by saying that DEC is still trying to figure out who needs to be on the permit. If a Best Management Practice to meet a landowner's obligations is located at an off-site location then that landowner needs to be listed as a permit holder. He shared a screen as follows to illustrate the current thinking of DEC with regards to different types of projects and where the P-reduction credit is applied.

PCP credits for treatment of private lands by an MS4 municipality

3-acre sites, and other regulated sites requiring upgrades:

- PCP, in aggregate, achieves the lake segment reduction (e.g. 20%) from municipal lands and 35% P from the privately owned land
- MS4 assumes full legal responsibility for the stormwater system. (See Parts 7 and 8.2 of MS4 GP)

Permitted, but requiring no upgrade

- PCP gets full credit for treating private lands towards municipal reduction requirements
- MS4 assumes full legal responsibility for the stormwater system. (See Parts 7 and 8.2 of MS4 GP)

Not Permitted

- PCP gets full credit for treating private lands towards municipal reduction requirements
- MS4 establishes maintenance agreement to ensure maintenance of the BMP.

River/Flood Plain Projects

- Same as "Not Permitted"

In response to various questions, Padraic and others made additional points/clarifications.

Padraic: If an MS4 sponsors a WISPR project the MS4 would only get credit for the P-reduction coming from that portion of the project-treating-watershed attributed to Developed Lands.

Padraic: At this point, there is not a standard value of P-reduction for given types of projects (aka in-house estimate) so project sponsors would need to hire a consulting firm to come up with a site-specific estimate

Emily Schelley: DEC is continuing to work on standard value estimates and modeling for p-reduction as she had described when she presented to this subcommittee several months ago (Editors Note: See presentation and minutes for February 4, 2020 meeting) however for a specific project a consultant-generated estimate would be needed at this point.

Amy Macrelis: She just participated in a meeting regarding the Functional Floodplain Initiative. Big picture estimates are being generated for various projects at the stream reach scale but as of now there must be a project specific estimate generated.

If a project is sub-jurisdictional and the MS4 carries it out, then it could apply the credit towards its PCP.

Chelsea Mandigo noted that Essex's treatment exceeds the goal but since it is all going into the same lake segment that now Essex is planning to treat some of Essex Junction's phosphorus load as the Village was not meeting its assigned target. The planned PCP for Essex Junction will include some potential p-reduction projects as a backup in case the proposed load-sharing agreement is discontinued.

Christy Witters stated that the next step is for towns and consultants working on PCPs to send examples of potential projects where clarity is needed on phosphorus-reduction-crediting so DEC can provide guidance.

6. House Bill 108

1 Karen Adams noted that testimony on this bill was being taken today. The bill would add Section 401
2 review (which deals with Cumulative Impacts) to formally exempt projects. Individual MS4s may wish to
3 submit comments. From her perspective she is not sure what the sponsors are trying to achieve.
4

5 **6. Adjournment** Zoom ended the meeting transmission abruptly around 1:35 p.m. The meeting was not
6 resumed.
7
8
9

Respectfully submitted, Dan Albrecht

DRAFT

CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
TRANSPORTATION ADVISORY COMMITTEE
MINUTES

DATE: Tuesday, February 2, 2021
TIME: 9:00 a.m.
PLACE: Meeting held remotely via Zoom

Members Present

Bryan Osborne, Colchester
Justin Rabidoux, South Burlington
Nicole Losch, Burlington
Amy Bell, VTrans
Matthew Langham, VTrans
Jonathon Weber, Local Motion
Josh Arneson, Richmond
Bob Henneberger, Seniors
Chris Damiani, GMT
Jon Rauscher, Winooski
Barbara Elliott, Huntington
Robin Pierce, Essex Junction
Sandy Thibault, CATMA
Kirsten Jensen, Milton
Chris Jolly, FHWA
Seth Bowden, GBIC
Ashley Bishop, VTrans

Dave Allerton, Milton
Mary Anne Michaels, Rail
Joss Besse, Bolton
Richard Watts, Environment

Staff

Charlie Baker, Executive Director
Eleni Churchill, Transportation Program Manager
Bryan Davis, Senior Transportation Planner
Christine Forde, Senior Transportation Planner
Jason Charest, Senior Transportation Planning Engineer
Sai Sarepalli, Senior Transportation Planning Engineer
Marshall Distel, Transportation Planner

Guests

Kevin Marshia, VTrans
Susan Hurd, Burlington

1. Bryan Osborne called the meeting to order at 9:02 AM. He informed the TAC of new agenda item 4a Expedited TIP Amendment for Rail Crossing Safety Improvements at College Street in Burlington.

2. Consent Agenda

JUSTIN RABIDOUX MADE A MOTION THAT THE TAC APPROVE THE PROPOSED TIP AMENDMENTS AND SAFETY TARGETS AS PRESENTED IN THE CONSENT AGENDA MEMOS, SECONDED BY BARBARA ELLIOTT. THE MOTION PASSED UNANIMOUSLY.

3. Approval of Minutes

Bryan Osborne asked for any changes, which there were none. BARBARA ELLIOTT MADE A MOTION TO APPROVE THE MINUTES OF JANUARY 5, 2021, SECONDED BY BOB HENNEBERGER. THE MOTION PASSED UNANIMOUSLY.

4. Public Comments

Susan Hurd of Burlington provided comments regarding the CCRPC's comment letter on The Burton Corporation's Act 250 application for the Higher Ground project on Queen City Park Road. Susan noted there are lots of facilities at the site with minimal screening, there is a one lane bridge serving 500-600 vehicles, and large trucks entering and exiting. There is no sidewalk, crosswalk, bike lanes, or shoulders. There is a lot of parking but no plans for additional parking, which is likely needed. People will likely arrive early before events. She asks that the CCRPC reconsider their comment letter, visit the site in person, review the traffic analysis, and don't put profit over people. She asks what steps will CCRPC take to assure that Burton Corporation and the City of Burlington truly comply with Act 250's criterion as it relates to traffic impact, rather than allowing it to be rubber stamped through? Eleni Churchill, CCRPC staff, noted that CCRPC is preparing a response to similar comments offered at the recent Board meeting and will include Susan on the response. Susan will provide her comments by email to CCRPC staff.

4a. FY2021 Transportation Improvement Program (TIP) Amendments

As per the memo sent by email and in the online meeting packet, this is a TIP Amendment to add funds to the Rail Crossing Safety Improvements at College Street in Burlington and meet the October 1, 2021 deadline to use federal TIGER IV funds for the Burlington Train Station Platform. This is considered a minor TIP amendment and funds aren't subject to the CCRPC's fiscal constraint. Even though staff is asking the TAC to approve this amendment in the typical process, this is considered an Expedited TIP Amendment because the Board will be asked to approve this amendment virtually since VTrans wants to bid this project on February 10, which is before the February Commission Meeting. BARBARA ELLIOTT MADE A MOTION THAT THE TAC APPROVE THE PROPOSED TIP AMENDMENT, SECONDED BY JUSTIN RABIDOUX. THE MOTION PASSED UNANIMOUSLY.

5. VPSP2 Update

Kevin Marshia, VTrans, gave an [overview and update presentation](#) of the VTrans Project Selection and Project Prioritization Process (VPSP2). In the mid-2000s VTrans had more projects than they could deliver, resulting in many delayed projects while still adding more. In 2006 legislation was adopted to establish a project prioritization system to determine which projects were worked on first. This was successful as it established rules and expectations to follow and it allowed us to focus on streamlining and improving our project delivery processes which have been instrumental in establishing an effective asset management program. The current process is now about 12 years old and presents an opportunity within the next few years to accept more community driven projects into the Capital Program. VPSP2 defines a new process for an RPC/Municipality to get a project on to the Capital Program. The vision for VPSP2 is to develop a performance-based, data driven project selection & prioritization framework that maximizes the "transportation value" delivered to Vermont taxpayers. The process has three objectives:

- Identify and utilize criteria that provide "transportation value" within potential and planned VTrans projects.
- Develop a mechanism for RPC and communities to provide input in the selection and prioritization of transportation projects.
- Provide a defined, consistent, and transparent process for selecting and prioritizing the projects that ultimately make up VTrans' Capital Program.

Four workshops were attended by a diverse group of stakeholders representing the five modes (highway, rail, bike/ped/trails, transit, aviation). The 8 criteria (safety, asset condition, mobility/connectivity, community, economic access, environment, resiliency, and health access) resonated with the stakeholders who helped determine the initial weighting of the evaluation criteria. The highway mode is being used as a two-year pilot to review the nine process steps and proposed timeline for potential projects. Selected projects must stay within the fiscal constraint, and geographic equity is also examined in the process. If a project moves higher on the list, then that will bump another project down the list. Bryan Osborne commented that VPSP2 clarifies the project selection process and incorporates transparency, noted that it doesn't seem dissimilar to the previous process, and asked if it will make a difference. Kevin replied that because of the strong asset management program we won't notice a big difference for the paving program, but it does provide more opportunity for regionally driven process to add projects. Christine Forde said that CCRPC is looking at the MTP project list and previously scoped projects to decide which projects in our region to advance. Charlie Baker said we want to get a project list to the TAC by March 1.

6. TAC Agenda Topics

Bryan Davis, CCRPC staff, noted that on each agenda is a request for TAC members to provide any topics for future agenda items but wanted to set aside this dedicated time to address the request in more detail. CCRPC staff provided a list of potential future topics in the meeting packet for consideration and asked for other ideas. Nicole Losch and Jonathon Weber could present on winter maintenance and innovative facilities for active transportation. Sandy Thibault suggested that each municipality present on their community's work as it relates to TDM activities, needs, and projects. Bryan Osborne is interested in more emphasis on how TAC members can help with their community's issues by understanding the full range of opportunities and programs through the CCRPC. He suggested the UPWP selection process needs more framework to enhance or refine and make it more transparent and efficient. Richard Watts

1 noted the information and community sharing is useful, and appreciated the previous presentations about
2 CCRPC funding allocations by program.
3

4 **7. Status of Projects and Subcommittee Reports**

5 See the project list on the back of the agenda. TAC members are encouraged to contact CCRPC staff with
6 any questions.
7

8 **8. CCRPC Board Meeting Report**

9 In January the Board approved the FY21 UPWP mid-year adjustment, held a public forum for the FY22
10 UPWP, participated in a discussion of municipal powers led by VLCT, reviewed CCRPC's 2021
11 legislative policy participation, and heard an update on the hiring of a racial equity consultant.
12

13 **9. Chairman's/Members' Items:**

14 • **2021 VTrans Small-scale Bicycle and Pedestrian Grants**

15 VTrans is soliciting applications for small-scale projects through the Bicycle and Pedestrian
16 Program. Complete applications are due by 1:00 PM on Friday, February 19, 2021. The intent of
17 the Small-scale Bike/Ped grant Program is to improve access and safety for people walking
18 and/or bicycling through the construction of simple physical improvements. Grants are to
19 reimburse construction costs only and will be awarded in the range of \$5,000 to \$75,000. The
20 local share of projects is 50%. For a copy of the VTrans 2021 Small-scale Bicycle and Pedestrian
21 Grant Guide and to access the application materials, visit the VTrans Bike/Ped Program website:
22 <http://vtrans.vermont.gov/highway/local-projects/bike-ped>.

23 • **Vermont AV-Xchange Forum**

24 VTrans is hosting an online forum on February 8, 2021, 1:00-2:30 PM, to promote and discuss
25 testing of Automated Vehicles in the State.
26

27 **The next TAC meeting is scheduled for Wednesday, March 3 due to Town Meeting Day.**
28

29 ROBIN PIERCE MADE A MOTION TO ADJOURN, SECONDED BY SANDY THIBAUT,
30 APPROVED UNANIMOUSLY. The meeting adjourned at 10:05 AM.
31

32 Respectfully submitted, Bryan Davis



FY2022 UPWP Committee - Meeting 1 (Virtual Meeting via Zoom)

January 28, 2021

Members Present:

Catherine McMains, Committee Chair
John Zicconi, Board
Michael Bissonnette, Board
Jaqueline Murphy, Board
Amy Bell, VTrans
Chris Jolly, FHWA
Ravi Venkataraman, CWAC
Karen Adams, CWAC
Justin Rabidoux, TAC
Barbara Elliot, TAC
Dean Pierce, PAC

Staff:

Charlie Baker, CCRPC

Eleni Churchill, CCRPC
Amy Irvin Witham, CCRPC
Regina Mahony, CCRPC
Marshall Distel, CCRPC
Bryan Davis, CCRPC

Others:

Annie Bourdon, CarShare VT
Jonathon Weber, Local Motion
Chris Damiani, GMT
Leah Soderquist, United Way
Connie Beal, United Way
Sandy Thibault, CATMA
Jennifer Wallace-Brodeur, VEIC
Gregory Rowangould, UVM TRC

1. Welcome & Introductions

Committee Chair Catherine McMains opened the meeting at 5:30 p.m. and introductions were made.

2. Orientation to the UPWP Process & Format (based on ECOS Plan)

Marshall Distel provided an overview of the UPWP process and detailed how the UPWP Committee will be assisting with the development of the FY22 CCRPC Work Program.

3. GMT Transit Planning Tasks

Chris Damiani outlined GMT's transit planning tasks that have been underway in FY21, which include: Contingency Service Planning; a Service Equity Evaluation; Bus Stop Audits; a GMT COVID Survey; FTA Public Transit Agency Safety Plan; AVL Technology Improvements; and T-Mobile Partnership Marketing.

Chris also gave an overview of GMT ridership throughout FY21, stressing a 75% drop in April due to the pandemic. Following the April low, ridership slowly climbed through October. In November and December, ridership continued to decline.

Chris then introduced the FY22 tasks, which include: work on the Transit Strategic Plan; AVL-based Service Adjustments; Bus Stop Audits; a continuation of the Service Equity Evaluation; Rural Transit Planning; and a Call Center Feasibility Study.

4. Presentations from Partner Organizations

United Way: Leah Soderquist and Connie Beal presented on behalf of United Way. The

organization's mission revolves around building a stronger Northwest Vermont by mobilizing communities to improve people's lives. United Way brings together individuals, nonprofits, businesses, and government entities to fight for a strong, vibrant, and healthy community.

Connie provided an overview of Working Bridges, which is an employer collaborative that helps employees with low-to-moderate wages navigate life issues, increasing employee retention and productivity.

Information about shared-resource coordination was also provided. This typically involves one-on-one, confidential, on-site collaboration with employees to help with life issues and give support navigating community resources during work hours.

For FY22, United Way is proposing to take on a Transportation Landscape Project. COVID-19 has disproportionately impacted women, BIPOC community members, and low- to moderate-income essential workers. Transportation continues to be a barrier for employees getting to and keeping work, especially for employees who do not have jobs with flexibility for remote work.

The Transportation Landscape Project will survey and analyze transportation needs of essential workers, document innovative and successful workplace transportation resources, and identify existing gaps.

The project will culminate in a final report to stakeholders such as CCRPC, CATMA, and Old Spokes Home/Transportation Equity Coalition to increase representation and diversity of experience in transportation planning, with ongoing collaboration as needed.

Following the presentation, Chris Jolly asked if United Way would be able to clarify what they mean when referring to "essential workers." Connie said that an essential worker would include employees in healthcare, manufacturing, in-home care, and other people who do not have the ability to work from home during the pandemic.

CATMA: Sandy Thibault presented on behalf of CATMA. Sandy started out her presentation by highlighting the growth of CATMA as membership-based, transportation management association serving Chittenden County.

In FY21, CATMA's work has focused on four core areas.

Business Outreach:

- Membership retention & ETC recruitment
- Business inquires assistance & support
- Hosted ETC Network virtual event (November 2020)
- Participation in external groups including Transportation For Vermont Coalition and the Tri Town Study

Telework:

- Developed Telework Program Tools (Step-by-Step Guide, Assessment & Survey).
- Softly launched Telework Program & toolkit of resources

Regional Mobility Management Center:

- CATMA website facelift (refocus as a community resource, COVID 19 Commuting, Telework best practices & resources)
- Plan next phase of BikeShare to 200 E-Bikes in Spring 2021
- Communications & Social Media Marketing to commuters, employers & ETC Network

Data Collection/Reporting

- Conducted ACT COVID 19 Survey & Return to Workplace Survey
- Completed Leadership Champlain group project for Short Commute Network

More work will be conducted in these four cores areas throughout the rest of FY21.

In FY22, CATMA will focus efforts around an additional four core areas.

Advance our Regional Mobility Management Center as a Service:

- Building on CATMA's success as a "go to" TDM resource & trip planning assistance
- One stop shop for REGIONAL transportation information (individual city/town pages)
- Increase awareness of TDM, ensuring consistent resources and information
- Facilitate & plan transition of Greenride Bikeshare to 200 Electric Assist Bikes in Spring 2021
- Seek and coordinate off-site parking / shuttles

Business Outreach:

- Revitalize business outreach plan & identifying audiences who can benefit from CATMA membership
- Reconfigure CATMA membership structure via Strategic Planning Committee
- Increase participation & engagement in ETC Network
- Organize & Create Business Contact Management Database

Formalize & Implement Telework Program, including Marketing Campaign:

- Strengthen, promote and active our Telework Program support service to employers & employees

Strengthen Data Collection Portal:

- Conduct Micro Transportation Surveys & Comprehensive Travel Survey to targeted audiences
- Collect data on COVID's impact on regional transportation behavior
- Identify gaps & barriers that can assist and inform transportation planning
- Report on climate impact data (GHG, VMT, CO2 avoided) in addition to mode splits

Following the presentation, Karen Adams said that she appreciates the acknowledgement that multiple transportation surveys are being proposed by partner organizations in FY22, with the hope that there may be opportunities for collaboration and efficiency.

UVM TRC: Gregory Rowangould provided the UPWP Committee with an overview of the UVM TRC, which has been around since 2006 as a federally funded transportation research center.

In FY21, the UVM TRC has been looking at how to improve the way that bike/traffic data are used and evaluated. Greg explained that their task focuses on identifying gaps in the current count program and evaluating new methods and technologies that can help collect more data more efficiently.

Greg briefly outlined other projects that the UVM TRC is working on, related to an evaluation of travel behavior in rural Vermont.

For FY22, the UVM TRC is proposing to conduct survey-based research on transportation disruptors like COVID, climate-related policies, and technology like EVs and autonomous vehicles. The UVM TRC will evaluate how these major disruptors will impact travel demand in the future, with the results able to be incorporated within the CCRPC's next MTP. These data could also help with understanding limitations in existing travel demand modeling forecasts, while also helping to evaluate the need for additional household travel data and re-calibration of other travel forecasting models.

Greg also conveyed that the UVM TRC would be open to collaborating with other partner organizations on this survey research.

VEIC: Jennifer Wallace-Brodeur gave a presentation to the UPWP Committee about VEIC, which is a nonprofit sustainable energy company with a mission to enhance the economic, environmental, and societal benefits of clean and efficient energy use for all people. Jennifer outlined how VEIC has been assisting CCRPC's municipalities over the years. Part of the contract is related to energy planning, which was originally tied to municipal energy planning initiatives.

However, the bulk of VEIC's work is now centered around EV adoption and technical assistance related to transportation-energy planning. VEIC offers:

- Support for municipal policies for siting and simplifying EV charging installation
- EV charging support, including public, workplace and multifamily housing
- Support for EV adoption among fleets
- Consumer EV education and outreach, including demonstration events

For FY22 VEIC plans to continue working on initiatives in the following focal areas:

- EV charging and energy planning support
- Local EV education & outreach
- Technical support to expand EV charging at multifamily dwellings
- Developer survey follow up from FY20
- Focus on policies and procedures for EVSE with affordable housing developers and funders
- Provide support for EVSE installation at multifamily dwellings

John Zicconi stated that some of the auto manufacturers have been putting deadlines on when they will cease production of fossil fuel-powered vehicles. What efforts are there to help

municipalities put EV charging regulations within their municipal codes?

Jennifer: There is a requirement in our stretch code that certain buildings be EV-charging ready. We could certainly look into this further if it becomes an area of interest for municipalities in FY22.

Catherine McMains: There is an energy committee member that is questioning the need for pumping funding into charging if the technology continues to change so rapidly.

Jennifer: Residential charging is unlikely to become obsolete. However, this conversation gets more complicated with regards to fast-charging stations. The capability of fast chargers keeps getting stronger. There is debate about overbuilding these high-powered chargers within transportation corridors.

CarShareVT: Annie Bourdon provided an overview of CarShare Vermont. After record usage in early 2020, utilization/revenue dropped by 82% (at lowest) during March and April. Plans to grow the CarShareVT fleet were thwarted, instead active vehicles were reduced by 25%. Membership also dropped by 13.6%, largely among campus users. Staff was reduced from 4.25 FTE to 1.25; now back at 4 FTE.

In 2020, 44% of members reported being car-free with 86% belonging to one or zero vehicle household. 75% of members reported shedding or opting not to purchase a vehicle. Membership in the MobilityShare program nearly doubled from 2019 to 2020, demonstrating increased demand for safe and reliable transportation during the pandemic. VMT reductions doubled over 2019. Top 3 carsharing uses were found to be shopping, household errands, and social trips

Annie also provided an overview of the Park It Pledge program, as well as EV carsharing. The first EV was launched in October, after 15 months of planning. To date, there have been 349 EV trips with 112 unique users – 40% of whom have taken multiple trips

In our effort to highlight the impact of transportation and parking costs on housing affordability, CarShareVT played a key role in informing changes to Burlington's minimum parking requirements to include significant TDM measures:

- Lowered the maximum parking requirements, and removed the exemption of spaces in underground or structured
- Lowered the threshold for applicability of TDM requirements so that more residents and employees of developments may benefit from the identified TDM measures.
- Added a requirement for developments to provide a free public transit pass in the first year of a tenancy or employment, and 50% discount in each of the subsequent nine years
- Added a requirement for developments to pay for a free carshare membership in the first two years of a tenancy or employment, and 50% discount in each of the subsequent eight years.

In FY22, CarShareVT plans to move forward with support for the Park It Pledge while also initiating a carsharing project as a response to COVID. This project will build upon an MTI grant to expand electric carsharing to 5-6 affordable housing developments through a targeted outreach campaign that will increase support for the MobilityShare program at developments. This initiative is expected to add 200 members.

Local Motion: Jonathon Weber from Local Motion outlined how Local Motion has been providing their services to enhance walking and biking in Chittenden County. Local Motion supports municipalities, businesses, commuters, schools and local bike-walk advocacy groups through education and technical assistance. Their work focuses on identifying methods to encourage more people to choose walking and biking as a mode of transportation. Local Motion's work areas were outlined, and some examples of recent projects were also provided.

Local Motion highlighted some of the transportation equity issues and has been ramping up attention to diversity, equity, and inclusion, both internally and externally. The FY22 proposal includes a robust equity focus. Direct outreach and support are planned for underserved populations.

Jonathon then provided an overview of the technical assistance work. This varies based on each community's needs. Local Motion provided services in Chittenden County usually offered by paid consultants, at no cost to communities. Advisory committee participation, pop-up demonstrations, creating walk-bike safety action plans, providing support for walk-bike councils and other advocacy groups, and fiscal sponsorship for informal groups are other examples of the technical assistance work.

No public opinion surveys are planned this year.

Jonathon also gave an overview of the bike count program. Local Motion will be collaborating with UVM TRC on this work.

To wrap up the presentation, Jonathon described the FY22 proposal for Education and Outreach, E-Eike Lending, and Learning Network project areas.

5. Next Steps & Adjourn

Following the partner organization presentations, Marshall provided a brief overview of the next steps. The UPWP Committee decided that moving the next meeting to a 4:30pm start would be more convenient for most members. The date/time for the next meeting will be 2/25 from 4:30pm to 6:30pm. Marshall will mail applications materials to John, Catherine, Barbara, and Amy. Further review instructions will be provided to UPWP Committee members via email.

Catherine adjourned the meeting at 7:30 p.m.

Respectfully submitted,

Marshall Distel