

CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
PLANNING ADVISORY COMMITTEE - MINUTES

DATE: Wednesday, June 8, 2022
TIME: 2:30 p.m. to 4:00 p.m.
PLACE: Virtual Meeting via Zoom with link as published on the agenda

Members Present:

Eric Vorwald, Winooski
Larry Lewack, Charlotte
Adele Gravitz, Shelburne
Darren Schibler, Essex
Cymone Haiju, Milton
Meagan Tuttle, Burlington
Paul Conner, South Burlington
Alex Weinhausen, Hinesburg

Staff:

Regina Mahony, Planning Program Manager
Taylor Newton, Senior Planner
Melanie Needle, Senior Planner
Charlie Baker, Executive Director
Dan Albrecht, Senior Planner

Other:

Laura Lapierre, VT DEC
Amanda Froeschle, Burlington District Office,
VT Dept of Health

1. Welcome and Introductions

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

2. Approval of May 11, 2022 Minutes

Eric Vorwald made a motion, seconded by Paul Conner to approve the May 11, 2022 minutes. No further discussion.
MOTION PASSED.

3. Vermont Significant Wetlands Inventory (VSWI) Update

Laura Lapierre provided an overview of DEC's proposal to update the Vermont Significant Wetlands Inventory (VSWI), generally determine wetland types as Class II, and revise the Vermont Wetland Rules to clarify map update and determination procedures. Ultimately, the intent is to update the wetlands inventory to clarify the location of existing significant wetlands and provide better predictability for landowners. A public comment period is open until July 1, 2022. See [this website](#) for more information, including an [interactive draft VSWI map](#).

As the wetlands office has received more accurate wetlands information from project applications this information has been added to an "advisory" wetlands data layer. This information will now be used to clarify the location of existing wetlands on the VSWI. The wetlands office is also proposing to incorporate unique wetlands like bogs (see slide to the right for more information). The wetlands office has been evaluating them for about 10 years to understand their function. Now they can define them as Class II in the VT Significant Wetlands Inventory, and now add them to the inventory. Also, a consultant has been hired to update the map by watershed based on aerial photos, LIDAR data, machine learning and spot checking. The Winooski Basin will be finished by Dec. 2022, and

Wetland Determination for Addition to VSWI Map

- a. The wetland is of the same type and threshold size as those mapped on the VSWI maps: i.e.; open water (pond); emergent marsh; shrub swamp; forested swamp; wet meadow; beaver pond or beaver meadow; bog or fen; and greater than 0.5 acres.
- b. The wetland contains dense, persistent non-woody vegetation or woody vegetation, and in either instance is adjacent to a stream, river or open body of water, and is over 2,500 square feet in size.
- c. The wetland is a vernal pool that provides amphibian breeding habitat. Vernal pool is defined in §2.39 of the VWR as: a small wetland in a shallow natural depression that typically fills with water during the spring and/or fall and may dry during the summer. Vernal pools have no permanent inlet stream and no viable populations of fish. Vernal pools are typically sparsely vegetated with herbaceous plants and are shaded by trees from the surrounding upland forest. Many vernal pools provide critical breeding habitat for amphibians.
- d. The wetland is a headwater wetland. Headwater wetland means a naturally occurring wetland that is above 2,500 feet in elevation and contributes to a stream (VWR §2.18).
- e. The wetland contains a species that appears in the Vermont Natural Heritage Inventory (VNHI) database as rare, threatened, endangered or uncommon; or is an exemplary natural community as mapped by VNHI.

Lamoille set for 2023; and Direct to Lake by 2026. Once this information is available they should be able to officially incorporate this data more quickly (within 30 days).

Laura highlighted the municipalities with the most changes. These included the following Chittenden County towns: Charlotte, Essex, Richmond, Shelburne, and Williston. See more in Chittenden County because we see more permit projects here.

Process:



PAC member comment/questions:

1. How does this process match up with the watershed map where some watersheds aren't getting updated until future years? Is this just updating the wetlands you know of now, and the watersheds that have been updated by the contractor? Laura: Yes, then they will update the maps with for the other watersheds when the contractors get those done; but they won't need to do a rule change for those.
2. So in Chittenden County our changes are largely due to the incorporation of the advisory layer, since contractors haven't updated our area yet? Laura: Correct.
3. Alex Weinhagen noted that four wastewater lagoons are on the map as wetlands. Are these the kinds of comments that you are looking for? Laura: For now the focus should be on what's outside of the red outline. For other obvious errors, go ahead and point them out; they may make those edits now or they may wait until the contractors complete the watershed edits.
4. Darren Schibler asked what feedback are you looking for exactly? Laura: Wherever we've added or subtracted from the red polygon – please point out if wrong at a broader scale (not if it is just 10' off). Also, functionally the wetlands are protected already in the rules. So even if landowners want to take a wetland off the map, it doesn't necessarily mean it won't be subject to the rules. Citizen scientist – i-naturalist program is a good idea for engaging the public.
5. Taylor Newton – question about the rule itself: the City of So. Burlington adopted local wetland rules that are sensitive to local context: areas planned for growth v. rural areas. Has the state considered a similar concept? Or at least reduced fees in areas planned for growth? Laura: The buffer zones within the VT state wetland rules are based off various wetland functions and values. So there are limits on adjusting those buffers based on areas planned for growth v. rural without a rule change. Laura added that she understands the Act 20 reform and growth center discussions. They look at projects and project purpose and opportunities for mitigation; and an understanding that there may be less opportunity for mitigation. However, they wouldn't be able to lower buffers without legislative change.
6. Melanie Needle – Which version of the wetlands advisory layer is being incorporated? Laura: The advisory layer dated March 19, 2022 is the version that will be incorporated. They will then sunset the advisory layer so there is only one layer to look at.
7. Once the next watershed gets done they will to get the edits incorporated quickly – 30 day update.

4. CCRPC ECOS Plan Draft Section – Energy & Climate Change

Melanie Needle provided an overview of the draft Energy & Climate Change section for the draft 2023 ECOS Plan. Melanie briefly pointed out the impacts of climate change; and explained that the climate mitigation strategies are in the energy section; and the climate adaptation strategies are in the ecological section and public safety section. Darren Schibler suggested that we also talk about this in the economic section as well. Alex Weinhagen suggested that we better connect to the strategies within this section so what talk about what are going to do about it, rather than just doom and gloom. Adele Gravitz added that it is important to make this more optimistic. What does that look like? Paul Conner stated that there are opportunities (i.e. economic opportunity), and the strategies are the same planning strategies we've been promoting all along (i.e. Strategy 2: smartgrowth). Darren Schibler also stated, channeling Robin, that while we may not have the ability to influence air fuel use, we can encourage more and better rail opportunities. Melanie Needle asked folks to let her know if there are any other suggestions or comments. Regina Mahony stated that there will be new LEAP data as a result of the new state Comprehensive Energy Plan; however, that data isn't available yet and it's too soon to know how that will influence this Plan update.

5. Burlington District Office of the Vermont Department of Health

Amanda Froeschle introduced herself and explained how she can help towns with public health work:

- provide health data to help inform healthy community design
- think about conducting an assessment
- provide health supporting language in plans or policies
- conduct Health Impact Assessments
- figure out if there are any populations that would be more or less impacted by a potential project
- Health lens to committees
- identify health priorities
- connect you with resources

Paul Conner thanked Amanda for introducing herself and suggested she'd likely get a lot of asks for data analysis. Alex Weinhausen asked who has incorporated public health in their Comprehensive Plans? Amanda and Melanie stated that the following municipalities have: Jericho, Essex Junction, Jericho, Williston and Winooski.

Charlie asked if the VT Department of Health has been incorporating equity into this work? Amanda: Yes, it's foundational to a lot of the work we do now, including from bike lanes, food access, translation services, etc. to ensure everyone has access to the tools for healthy behaviors. For Town Plans they have been integrating a health equity lens and disaggregated data.

6. Members Items Open Forum

Dan Albrecht stated that 14 out of 18 All Hazard Mitigation Plan draft annexes have been submitted to the VT Emergency Management for review.

7. Regional Act 250/Section 248 Projects on the Horizon.

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

8. Other Business

- a. Legislative Summaries:
 - i. Attached is the Agency of Commerce & Community Development Preliminary Legislative Summary*. H.606 got vetoed.
 - ii. The [Lake Champlain Chamber wrap-up](#)
 - iii. Coming soon: VPA and VLCT
- b. Significant amount of hazard mitigation funding currently available. See attached email.
- c. Vermont Department of Environmental Conservation has developed a new **Permit Navigator** tool (dec.vermont.gov/permitnavigator) that will replace the old Permit Review Sheets. The Permit Navigator tool assists individuals, businesses, and municipalities in determining what state environmental permits they may need for a given project. The Permit Navigator provides a section to learn about various Agency of Natural Resources permits, including a brief explanation, time to issue the permit, application fee amount, link to the application, program resources, and more. The Permit Navigator produces a downloadable/printable document (Permit Navigator Result) to help anyone through the permitting and planning process and learn about what may be required. The PAC had a discussion about how this means there will no longer be a project review sheet prepared by the state Permit Specialists.
- d. Champlain Housing Trust's CEO Michael Monte and Director of Home Ownership Julie Curtin will be presenting the details of the brand new [Homeownership Equity Program](#) initiative on Zoom at noon on Thursday, June 23rd. Register [here](#).
- e. ESRI ArcGIS Urban – Regina Mahony stated that we've previously talked about cost sharing for the match, but CCRPC will be able to cover the match amount.
- f. RPCs are going to start thinking about resources that should be updated on the www.vpic.info. Regina Mahony asked the PAC members to let her know if there are any thoughts about what needs updating.

9. Adjourn

Meeting adjourned at 3:55pm.

Respectfully submitted, Regina Mahony