

CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION
EXECUTIVE COMMITTEE MEETING MINUTES
DRAFT

DATE: Wednesday, February 1, 2023

TIME: 5:45 PM

PLACE: Remote Attendance via ZOOM

PRESENT:	Catherine McMains, Chair	Chris Shaw, Vice-Chair
	Bard Hill, Secretary/Treasurer (5:55 PM)	Michael Bissonette, at large <5000
	Mike O'Brien, Past Chair	Jacki Murphy, at large >5000
	Amy Bell, VTrans	Matthew Arancio, VTrans
	Carolyn Cota, VTrans	Matthew Langham, VTrans
STAFF:	Charlie Baker, Executive Director	Eleni Churchill, Transp. Prog. Mgr.
	Taylor Newton, Planning Prog. Mgr.	Forest Cohen, Senior Business Mgr.
	Amy Irvin Witham, Business Office Mgr.	Mckenzie Spear, Business Office Assoc.
	Anne Nelson Stoner, Equity Mgr.	Bryan Davis, Senior Planner
	Emma Vaughn, Communications Mgr.	

1. Call to Order, Attendance. The Executive Committee meeting was called to order by Catherine McMains at 5:45 PM.
2. Changes to the Agenda, Members items. There were none.
3. Approval of the January 4, 2023, Joint Finance and Executive Committee Meeting Minutes
MIKE O'BRIEN MADE A MOTION, SECONDED BY MICHAEL BISSONETTE TO APPROVE THE JANUARY 4, 2023, JOINT EXECUTIVE AND FINANCE COMMITTEE MINUTES WITH EDITS. MOTION CARRIED UNANIMOUSLY.

- Edit: Pg 1, Line 33: Update Mercer to Mercier regarding the Colchester Solar Siting address.
- Edit: Pg 2, Line 30: Delete duplicated word 'this'.

4. Act 250 & Section 248 Applications.

a. O'Brien Eastview, LLC; South Burlington; #4C1106-5

Taylor Newton referred members to the application and supporting documents included with the packet. He noted the project was seen previously. Taylor shared his screen with members to review the map and explained the CCRPC has no issues in terms of land use perspectives or criterion 5 as we found no issues with the project in terms of impact on safety or capacity.

This project is described as the development of approximately 102 acres of land including subdivision of 42 new lots, construction of 155 dwelling units and construction of infrastructure improvements consisting of 7608 feet of roadways, recreation paths and sidewalks. The project location is South Burlington, Vermont adjacent to Old Farm Road, Kimball Avenue, Kennedy Drive and Eldredge Street. The City of South Burlington Planning Commission has approved the project. CCRPC found the proposed project in conformance with the Planning Areas as defined in the 2018 Chittenden County ECOS Plan.

CHRIS SHAW MADE A MOTION, SECONDED BY BARD HILL, TO APPROVE THE ACT 250 APPLICATION LETTER, AS PRESENTED. MOTION CARRIED UNANIMOUSLY.

Charlie asked to move item 6. TIP Amendments in front of item 5. Admin/Personnel Policy updates. He felt this would better accommodate VTrans staff attending the meeting, Catherine and members agreed.

5. Admin/Personnel Policy updates

Forest Cohen referred members to the selection of pages from the CCRPC's Administrative Policy document. He said a grant compliance audit with the Department of Environmental Conservation (DEC) for the Clean Water Service Provider (CWSP) start-up grant prompted changes to our policy. The DEC recommended all-staff training for Fraud Protection and the Business Office formalizing a monthly review of accounts receivable. Forest said a review of the policies took place and resulted in several additional minor updates. Chris Shaw asked if the DEC defined aging receivables; did they have a set number of days? Forest explained no, they simply recommended a monthly scheduled review of aging accounts. Amy Bell stated that she liked Forest's practice of reaching out via e-mail if a receivable is delayed. His approach and demeanor are appreciated when the CCRPC is waiting on payments due from VTrans. Forest thanked Amy for her comment and added that the Business Office does review aging accounts, but we need to formalize the process and add it to our policies. Forest reviewed each of the proposed changes with members. Members discussed. Bard requested a person/position be named responsible within the accounts receivable policy for acting on the monthly overdue account collection. Members agreed. Forest said he would make the update.

MIKE O'BRIEN MADE A MOTION, SECONDED BY BARD HILL, TO RECOMMEND APPROVAL OF THE PROPOSED UPDATES TO THE ADMIN/PERSONNEL POLICY DOCUMENT WITH EDITS. MOTION CARRIED UNANIMOUSLY.

6. Tip Amendment:

Christine Forde referred members to the TIP Amendments memo distributed via email and posted to the CCRPC website prior to this meeting. She explained these would normally have been added to the TAC agenda and the CCRPC Board agenda as a minor amendment on the consent agenda in February. VTrans plans to advertise the Richmond project soon. Since the next TAC and Board meetings will not be held until March, waiting will delay the project. We are asking the Executive Committee review and discuss the TIP amendment requests and request approvals from the TAC and Board via e-mail, if there are no objections. The three projects are as follows:

- **BR29 on US2 over I-89, Richmond, Project BP059, Amendment FY23-12.** Increase construction funding for this project from \$8,697,759 (federal) to \$18,264,708 (federal). As an interstate project this cost increase is defined as a Minor Amendment according to CCRPC's TIP Amendment Policy. Minor Amendments require approval by the TAC and Board. Add \$4,566,949 in FY23 and \$5,000,000 in FY24. VTrans has developed a more refined design and cost estimate that includes significant inflation factors to reflect projected current and future inflation.
- **US7 Middle Road/Railroad Street Intersection, Milton, Project HP007, Amendment FY23-13.** Reduce federal funds in FY23 by \$3,866,949 (\$193,051 remains) and reduce federal funds in FY24 by \$1,500,000 (\$149,756 remains). The current schedule for this project shows bid advertisement in the fall of 2024 which is State FY25. Construction funds are not needed in SFY23 or SFY24.

- **VT2A/Industrial Avenue/Mountain View Road Intersection, Williston, Project HP123, Amendment FY23-14.** Reduce federal funds in FY23 by \$700,000 (\$61,250 remains) and reduce federal funds in FY24 by \$3,500,000 (\$105,788 remains). The project is currently in the right-of-way phase and there are a significant number of property owners to negotiate with. The current schedule shows bid advertisement in the summer of 2024 which is State FY25. Construction funds are not needed in SFY23 or SFY24.

Charlie acknowledged this was challenging because we were not planning to hold February TAC or Board meetings. He asked VTrans staff what the communication had been with the towns involved with these projects. Matthew Langham, VTrans, said there was communication with both Williston and Milton. The reason for the delay was due to right-of-way issues. He explained there are 50 parcels in the Williston project and although they are not large pieces, they are significant to the owners, and in lieu of this, VTRANS is taking time. There is no financial reason for the delay, it is purely due to right-of-way in both cases. Charlie thanked Matthew. Mike O'Brien asked if the money being reduced from the Milton and Williston projects would be used for the Interstate project. Christine said yes, since those two projects do not need the funds, VTrans is moving funds from one project to another. Matthew agreed and said VTrans is asking the MPO to release funds allocated to other projects and reallocate to the bridge project. Mike asked if the fiscally constrained funds are reduced. Matthew explained projects with constrained funds decreases and projects with unconstrained funds will increase. Mike asked if when the projects are reinstated, will the funds be replaced? Matthew explained yes, funds will be replaced when the projects are ready for construction. Charlie requested clarification as to whether the fiscal constraint is year by year or over the 4-year program? Matthew said it is a 4-year constraint because the TIP is four years. When a new TIP is adopted, there will be a new constraint.

Carolyn Cota said VTrans plans to advertise the Richmond Bridge project publicly on February 15, 2023. Charlie asked VTrans if they could notify us of these types of changes earlier in the process. He explained last minute changes and requests for amendments are a challenge. It is easier for us to bring information out to the members with more forewarning. VTrans members agreed and said they understood the concerns of such a quick turnaround. Bard said he appreciated the significant cost increases involved with such large-scale projects. He wondered if we needed to have a conversation about the inflationary pressures. Matthew Langham said, these types of increases are across the board. Carolyn Cota explained projects that take 2 to 3 construction seasons present significant challenges with budget forecasts. Currently, there is a long wait for structural steel. Additionally, there is inflation and a labor shortage which add multiple layers of complication. She said some of the smaller projects are coming in under budget, but the large projects have very few contractors who can even bid on them. Jacki asked Matthew if Willison is also in the loop on these changes. Matthew said yes, all affected municipalities were made aware.

CHRIS SHAW MADE A MOTION, SECONDED BY JACKI MURPHY, TO RECOMMEND THE TRANSPORTATION ADVISORY COMMITTEE (TAC) AND CCRPC BOARD, RECEIVE THE PROPOSED TIP AMENDMENTS FOR APPROVALS VIA E-MAIL. MOTION CARRIED UNANIMOUSLY.

7. Equity Update: Anne Nelson Stoner greeted members. She said she continued meeting with community partners, working to build relationships, join trainings and team with local equity groups. The CCRPC hired two interns from UVM. They will work on creating a resident's guide for the CCRPC and a guide for community engagement for our municipalities. The next Equity Advisory Committee meeting will be scheduled soon. Anne Nelson is strategizing how members can be involved in the

equity work. She is also developing the Equity Action Plan, updating the Mission Statement and Code of Conduct. She is researching how Federal Highway Administration funds can be used to support the work of the Equity Advisory Committee.

8. Chair/Director Report

a. Chittenden County Communications Union District.

Charlie said the CUD recently held its first of twice monthly board meetings. They submitted a \$300K grant application to the Vermont Community Broadband Board. If approved, which is likely, it will provide start-up funding. He said there are two additional towns, Underhill, and Westford, interested in joining the CUD.

b. Legislative Update

Charlie said there is a lot going on in the Vermont Legislature currently and he shared a broad overview with members. He said Representative Bongartz took the lead on the housing bill in the fall. The bill serves to lessen restrictions within zoning laws in Vermont. Charlie is not sure how far this will go in terms of making changes. Charlie explained Regina Mahony had started work with the advisory committee working on the bill last year and Taylor Newton has picked up where she left off. Charlie said we are looking at this but not taking any strong position. There is a lot in it, everything from emergency shelters to duplexes by-right, to parking requirement reductions. There is a long list of items that could reduce barriers to housing development caused by zoning. Charlie wants members to be aware the Vermont Planners Association and Regional Planning Commissions statewide are providing input on the bill.

Mike O'Brien asked if the RPC's have taken a position regarding the state dictating zoning for municipalities. Charlie said no, not at this point.

Taylor said when he testified, he made the point that the bill supports gentle density and improvements that will take place over time. He does not feel the bill supports fast, massive changes. The bill is about a long-term change. Taylor encouraged members to reach out to him directly if they had more questions.

Charlie said another item to discuss is the Vermont Rural Caucus. Made up of over 50 members of the Vermont House of Representatives to support Vermont's rural communities and economies. Charlie said he has some concerns the focus could impact areas of funding being taken away from Chittenden County. There was a proposal that the Regional Planning Commission funding provided by the Agency of Commerce be reduced. This proposed reduction would decrease our ACCD funding by 40% and would have a huge impact on how we help our towns with planning. The proposal would shift funds to the Northeast Kingdom, where leaders have stated the increased funding is not needed. Charlie said he may ask members for support on this to discuss the great value of these funds in their communities. There is a misconception that our larger towns do not need these funds. Charlie said it is concerning. Regional Planning Commissions across the state are trying to figure out how to engage in and address this issue. Catherine said this is reminiscent of Jeff Carr's sentiments that the investment of funds in Chittenden County helps serve the entire state. Members agreed.

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Charlie said the Budget Adjustment Act has a million dollars for brownfields assessment to be passed to the regional planning commissions, which is great, because we are currently out of brownfield assessment dollars.

Charlie said there is also a bill that is looking to have river corridor protection permitting authority be passed from the municipalities to the Department of Environmental Conservation (DEC). This came about after the disasters caused by Irene. There is also a larger habitat bill being presented to have 30% of the state land in preservations by 2030 and 50% by 2050.

Charlie reminded members his annual evaluation is coming up. He said he is thinking about some changes in the annual review process and ways to develop an employee satisfaction survey. He asked members to let him know if they have ideas of how other places provide feedback and evaluations.

9. February Board Meeting Charlie said there were no agenda items, aside from the TIP Amendments, for the February Board meeting. He asked if members objected to canceling the meeting. There were no objections.

10. Other Business: Mike O'Brien thanked Taylor and other CCRPC staff for running the recent Chittenden County Housing Convening meeting. Meeting notes, presentation(s) and the recording are available online at: <https://www.ccrpcvt.org/our-work/economic-development/housing/#convenings>

11. Executive Session: None needed.

12. Adjournment: MIKE O'BRIEN MADE A MOTION, SECONDED BY MIKE BISSONETTE, TO ADJOURN THE MEETING AT 7:09 PM. MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,
Amy Irvin Witham