

**CENTRAL VERMONT REGIONAL PLANNING COMMISSION  
MINUTES  
May 8, 2018**

Commissioners:

- |   |                          |  |                                |
|---|--------------------------|--|--------------------------------|
| <input type="checkbox"/> Barre City               | Janet Shatney            | <input type="checkbox"/> Montpelier            | Kirby Keeton                   |
| <input type="checkbox"/>                          | Heather Grandfield, Alt. | <input type="checkbox"/>                       | Mike Miller, Alt.              |
| <input checked="" type="checkbox"/> Barre Town    | Byron Atwood             | <input type="checkbox"/> Moretown              | Dara Torre, Secretary          |
| <input type="checkbox"/>                          | Mark Nicholson, Alt.     | <input checked="" type="checkbox"/>            | Joyce Manchester, Alt          |
| <input checked="" type="checkbox"/> Berlin        | Robert Wernecke          | <input checked="" type="checkbox"/> Northfield | Laura Hill-Eubanks, Vice-Chair |
| <input type="checkbox"/>                          | Karla Nuissl, Alt.       | <input checked="" type="checkbox"/> Orange     | Lee Cattaneo                   |
| <input checked="" type="checkbox"/> Cabot         | Amy Hornblas             | <input checked="" type="checkbox"/> Plainfield | Bram Towbin                    |
| <input checked="" type="checkbox"/> Calais        | John Brabant             | <input type="checkbox"/>                       | Robert Atchinson, Alt.         |
| <input type="checkbox"/>                          | Jan Ohlsson, Alt.        | <input checked="" type="checkbox"/> Roxbury    | Jerry D’Amico                  |
| <input checked="" type="checkbox"/> Duxbury       | Brian Fitzgerald         | <input checked="" type="checkbox"/> Waitsfield | Don La Haye                    |
| <input checked="" type="checkbox"/>               | Alan Quackenbush, Alt.   | <input type="checkbox"/>                       | Harrison Snapp, Alt.           |
| <input checked="" type="checkbox"/> E. Montpelier | Julie Potter, Chair      | <input type="checkbox"/> Warren                | Camilla Behn                   |
| <input checked="" type="checkbox"/>               | Jack Pauly, Alt.         | <input type="checkbox"/> Washington            | Gary Winders                   |
| <input type="checkbox"/> Fayston                  | Carol Chamberlin         | <input checked="" type="checkbox"/> Waterbury  | Steve Lotspeich                |
| <input checked="" type="checkbox"/> Marshfield    | Melissa Seifert          | <input type="checkbox"/> Williamstown          | Rodney Graham                  |
| <input checked="" type="checkbox"/> Middlesex     | Ron Krauth               | <input checked="" type="checkbox"/> Woodbury   | Michael Gray, Treasurer        |
|   |                          | <input type="checkbox"/> Worcester             | Bill Arrand                    |

Staff: Bonnie Waninger, Nancy Chartrand, Pam DeAndrea, Eric Vorwald, Clare Rock, and Laura Ranker  
Guests: Karen Bates (DEC)

**CALL TO ORDER**

Chair J. Potter called the meeting to order at 7:06 pm. The meeting began with introductions.

J. Potter acknowledged the 50<sup>th</sup> Anniversary celebration. She thanked Commissioners for their service. She reviewed Board and staff transitions. Brian Fitzgerald (Duxbury), Ivan Shaddis (Marshfield), and Daniel Raddock (Warren) are leaving the Board. Commissioners joining the Board include: Melissa Seifert (Marshfield), Camilla Behn (Warren), and Alan Quackenbush (Duxbury). Staff transitions include hiring Nancy Chartrand as Office Manager, and the departure of Matt Germaine, Planning Technician, who has accepted a new job in Pittsburgh. Potter acknowledged Ashley Andrews’ 10 years of service.

**ADJUSTMENTS TO THE AGENDA**

B. Waninger noted the discussion of the Regional Energy Plan and Regional Plan update included discussion of compatibility of the plans and hub height.

**PUBLIC COMMENTS**

None.

1 **ELECTION OF MEMBERS OF THE EXECUTIVE COMMITTEE**

2 M. Gray, Treasurer, read the election results. The results are as follows:

- 3
- 4 • Chair, Julie Potter
  - 5 • Vice Chair, Laura Hill-Eubanks
  - 6 • Treasurer, Michael Gray
  - 7 • Secretary, Dara Torre
  - 8 • At Large – Byron Atwood, Steve Lotspeich, Janet Shatney
- 9

10 Gray thanked Don La Haye for his service on the Executive Committee.

11

12 **WINOOSKI TACTICAL BASIN PLAN**

13 Karen Bates, VT DEC, and Pam DeAndrea, CVRPC, provided an overview of the draft Winooski Tactical  
14 Basin Plan. P. DeAndrea advised that the link provided in the Board Packet is the first working draft has  
15 not been published yet. She reviewed CVRPC’s review process:

- 16
- 17 • DeAndrea will work with the Clean Water Advisory Committee to discuss project priorities and  
18 action items.
  - 19 • Dan Currier will work with the Transportation Advisory Committee.
  - 20 • Clare Rock will work with the Regional Planning Committee regarding Regional Plan  
21 conformance and to frame comments and recommendations for the Board of Commissioners.
- 22

23 DeAndrea noted the plan must be finalized by 12/31/18; comments and recommendations will be  
24 provided to the Board in the fall. By statute, the Regional Commission sends a formal letter to the ANR  
25 Secretary regarding the basin plan’s conformance with the Regional Plan.

26

27 Karen Bates advised that Water Resource plans are essentially game plans for protecting water  
28 resources as requested by EPA and must involve working partners. It is important to know what the  
29 affected municipalities’ goals are to incorporate in the plan/regulatory process. Protecting and restoring  
30 is the basis of the plan. Bates outlined top objectives and strategies. EPA dictates that for each basin  
31 the percentage of phosphorus in each sector be determined to meet the TMDL.

32

33 A copy of the full draft plan is available on CVRPC’s website. A sign-up sheet was shared for those  
34 wanting a hard copy of the plan.

35

36 L. Hill-Eubanks advised some info on bylaws regarding Northfield in the plan was outdated. Bates  
37 advised to let Pam know specifically what this information was and it would be updated; as would any  
38 other information provided for update by the Board upon draft review.

39

40 B. Towbin indicated disappointment with the State acting across surfaces. He is Plainfield’s Road  
41 Commissioner and feels such a plan may precipitate busy work vs. addressing real problems. He offered  
42 to show Bates several issues in Plainfield.

43

1 B. Waninger asked if DEC had a method for showing municipalities what percentage of phosphorus is  
2 from areas within their borders and the proportion attributable to each sector. This would assist with  
3 focusing municipal efforts. Bates advised the mapping would be best to help towns focus on certain  
4 areas. The Clean Water Tool Mapping Program could assist as well. Bates said WikiWatersheds is  
5 another great tool/group that helps the layperson understand phosphorus loading.  
6

7 J. Potter confirmed with Bates that the Plan is currently in the input/feedback stage and by late summer  
8 will be prioritizing to get ready for public distribution. Recommendations will be brought to the Board at  
9 a future meeting. The Board will see the plan again with proposed draft comments by October.  
10

11 DeAndrea said that if any communities would like presentations at Planning or Conservation  
12 Commission meetings, that she and Karen would be able to provide.  
13

#### 14 **CVRPC COMMITTEES**

15 Appointments: Laura Hill-Eubanks provided an overview of the appointments needed for CVRPC  
16 Committees. She will send members an email inquiring about interest in serving on a committee.

- 17 • Project Review: at least 1 Commissioner needed
  - 18 • Regional Plan: at least 1 Commissioner needed
  - 19 • Town Plan Review: at least 1 Commissioner needed
  - 20 • Brownfields Advisory: likely to be 1 Commissioner and 1 Alternate needed
- 21

22 Regional Plan Committee: J. Potter gave an overview of this committee and its original charge. Because  
23 it has become somewhat inactive it has had issues obtaining quorum. The Committee needs to be  
24 re-established and Executive Committee is recommending a redefinition of the Committee in terms  
25 of membership be adapted to five Commissioners and a term length of two years and that the  
26 Committee use outreach to special interest groups vs. membership on the Committee. J. Potter  
27 advised that the Board needs to take action if this recommendation is to be facilitated.  
28

29 *B. Atwood moved that Regional Plan Committee membership be adapted to five Commissioners with*  
30 *a term length of two years; S. Lotspeich seconded. Motion carried.*  
31

#### 32 **REGIONAL ENERGY PLAN & 2016 REGIONAL PLAN UPDATE**

33 J. Potter advised it is necessary to act on Regional Plan Committee recommendation regarding maximum  
34 allowable height for development and consistency between the Regional Plan and the Energy Plan.  
35

36 E. Vorwald presented additional information obtained since the last meeting. Language had been  
37 approved for Energy Plan, which was provided to Dept. of Public Service. Feedback received from the  
38 Public Service Department concluded a potential conflict existed between proposed language in Energy  
39 Plan and existing language in the Regional Plan related to prohibition versus discouragement of  
40 development above 2500 feet. He reviewed the Department's comments and recommendations and  
41 the Regional Plan Committee's recommendation to the Board.  
42

1 J. Brabant requested definition of the difference between restricted and prohibited. Prohibited means  
2 not allowed at all. Restricted may be allowed in some circumstances (which would be outlined in plan).

3  
4 B. Towbin questioned whether the specificity of hub height is a requirement that helps or hurts us as a  
5 region? E. Vorwald stated it would help us because it would provide justification for decisions to restrict  
6 different types of development.

7  
8 At Brabant's request, staff confirmed the location of language being cross-referenced.

9  
10 Brabant noted the importance of maintaining reference to protecting agricultural lands in the Energy  
11 Plan as they are a critical resource. Vorwald clarified that reference is provided in the Regional Plan.

12  
13 S. Lotspeich noted he is clear about the request to change from prohibited to restricted and feels it is a  
14 wise change and that it helps with ski area development. However, he noted he was unclear on the hub  
15 height issue and requested an explanation of the three different categories. His interpretation is that  
16 the stated 116' hub height has to do with wind towers that are more typical on farms and inquired if we  
17 were wise to have separate height that is not consistent with the state categories. Vorwald provided a  
18 presentation on this issue, reviewing the State standards for hub height, which does not include blades  
19 length. He described a second key component, wind generation, stating that the blade length affects  
20 generation.

21  
22 B. Atwood noted that if we stay at 116' for both residential and commercial, it only allows for the lower  
23 end of commercial development using State's definition.

24  
25 Towbin asked if banning utility type turbines is a problem for Waterbury. Lotspeich advised there was  
26 concern about hub height and that the height chosen should be practical with regard to what  
27 communities' future needs may be.

28  
29 A. Hornblas inquired if agricultural purposes (i.e. silos) and municipal buildings would be exempt.

30  
31 R. Krauth complimented Vorwald on the visual representation. He asked if the 116-foot height applies a  
32 limit to all future development, such as silos, church steeples, cell towers, etc. Vorwald advised that the  
33 RPC doesn't have zoning authority. The height restriction would come into play when reviewing  
34 municipal plans for conformance with the Regional Plan. There is a venue for accommodating  
35 exceptions, but it would be a potential issue to go through that process.

36  
37 J. Potter advised most municipal plans do not address height limitations. Zoning would need to be  
38 consistent with municipal plan, and the municipal plan needs to be consistent with Regional Plan.

39  
40 R. Wernecke questioned why 116-feet was chosen. Vorwald said it was a public comment last meeting.  
41 J. Potter advised the comment stated it was a height that allowed for on-farm wind turbines.

1 S. Lotspeich commented it would make sense to have a limit restricting turbines in the region, indicating  
2 that limit should allow existing turbines to conform. He advocated for 125 feet as a reasonable height  
3 based on what is currently in the region and what manufacturers are making.  
4

5 *B. Atwood moved to approve height of 165 feet for hub height and amend the Regional Energy Plan*  
6 *development language from “prohibited” to “restricted”.* S. Lotspeich commented he supported a 125-  
7 foot limit. J. Potter requested clarification of the suggested motion. She asked if the motion was to  
8 approve language presented on pages 15, 16, 17 & 18 of the Board Packet, but that 116 feet is replaced  
9 by 125 feet. B. Atwood clarified that was the intent of his motion. *B. Towbin seconded the motion.*  
10

11 In discussion:

- 12 • D. La Haye asked what dictated restrictions on development. B. Waninger said the Regional  
13 Plan uses critical resources in the area of development to address this.
- 14 • J. Brabant requested clarification regarding whether towns could be more or less stringent with  
15 regard to a turbine height. Vorwald said towns could be more restrictive as long as they did not  
16 restrict the ability to meet their proportional share of energy.
- 17 • B. Towbin questioned whether the motion as presented prohibited utility grade turbines.  
18 Vorwald confirmed it would.
- 19 • J. D’Amico commented that 125 feet is as arbitrary a choice as 116 feet. He questioned why  
20 this limit was being used. B. Atwood said the 125-foot height was due to data regarding  
21 existing turbines in region and what manufacturers are currently making. J. D’Amico suggests  
22 tabling the motion to complete additional research.
- 23 • J. Potter noted she had word edits for page 15, last paragraph: CVRPC does not have a ‘future  
24 land use **plan**’; this should be “future land use **map**”? Also “categories” should be replaced  
25 with “planning areas”. A brief discussion of language ensued.  
26

27 R. Wernecke called a point of order. He noted editing changes were out of order related to current  
28 motion. He suggested the Board vote on the motion and then make editorial changes. The Board  
29 continued with discussion on motion.  
30

- 31 • R. Krauth inquired whether the State-defined heights were arbitrary and asked why the State  
32 picked those numbers.  
33

34 S. Lotspeich called a point of order. He noted requested edits should be part of the previous motion  
35 because they affected adoption of the language presented for adoption.  
36

37 *B. Fitzgerald moved to amend Atwood’s motion to incorporate J. Potter’s text edits including the 125’*  
38 *hub height. B. Towbin seconded. Motion carried.*  
39

40 The amendment to the motion included the following:  
41

42 “...To further support this limitation on industrial-scale wind generation, the 2016 Central  
43 Vermont Regional Plan identifies two distinct planning areas that encompass a significant

1 portion of the region and includes almost all of the resource areas identified for industrial-  
2 scale wind generation. These planning areas are Rural and Resource and are delineated on  
3 the Future Land Use Map in Appendix A of the 2016 Central Vermont Regional Plan. These  
4 planning areas are described as:..."

5  
6 *The original motion as amended carried 15 yes and 1 no.*

7  
8 Commissioner discussed the second public hearing for the 2016 Regional Plan Update. Upon inquiry,  
9 Vorwald said that the second hearing is required under statute regardless of changes.

10  
11 M. Gray asked if having a public hearing outside the Commissioner's meeting may be more beneficial to  
12 obtaining comments. J. Potter advised the advantage of having the hearing at the Board meeting was  
13 that Commissioners get to hear the comments. B. Waninger said the Commission will widely publicize  
14 the hearing and that comments can also be submitted in writing. B. Towbin suggested that individual  
15 Commission members promote it on their town's social media with further explanation.

16  
17 A. Hornblas asked for clarification about changes related to forest integrity. Vorwald said they were  
18 incorporated into the Regional Plan at the April Board meeting.

19  
20 *B. Fitzgerald moved to schedule the second public hearing on June 12, 2018 as part of the Board of*  
21 *Commissioner's meeting; J. Brabant seconded. Motion carried.*

22  
23 **MINUTES**

24 *R. Wernecke moved to approve the April 10, 2018 minutes; R. Krauth seconded. Motion carried with M.*  
25 *Siefert abstaining.*

26  
27 **REPORTS**

28 No questions or comments were raised.

29  
30 **ADJOURNMENT**

31 *D. La Haye moved to adjourn at 9:03 pm; seconded by R. Wernecke. Motion carried.*

32  
33 Respectfully submitted,

34  
35 Nancy Chartrand

36 Office Manager