



**Central Vermont Regional Planning Commission**

## ***BOARD OF COMMISSIONERS***

### ***Annual Meeting***

***Tuesday, May 10, 2016***

***6:00 Social Time & Casual Dinner***

***7:00 Business Meeting***

***Central VT Chamber of Commerce***

***Paine Turnpike South, Berlin***

(Coming off the interstate at exit 7, turn left at the first light.

At the next crossroads, the Chamber is on your left. It is the light yellow building.)

⇒ ⇒ 6pm – Social and Casual Dinner, includes displays highlighting CVRPC projects. ⇐ ⇐

### **AGENDA**

<u>Page</u>	<u>Time</u>	<u>Description</u>
	7:00	<b>Public Hearing - Calais Town Plan Approval</b>
	7:05	<b>Adjustments to the Agenda</b>
		<b>Public Comments</b>
2	7:10	<b>Regional Approval of Town Plan and Confirmation of Planning Process – Calais (attached)*, Eric Vorwald</b>
4	7:15	<b>April 12, 2016 Meeting Minutes (attached)*</b>
8	7:20	<b>Staff Reports (attached) and any updates</b>
13	7:25	<b>Legislative Update (attached) and any updates</b>
15	7:35	<b>Executive Director's Report (attached) and any updates</b>
	7:45	<b>Central VT Economic Development Corporation Report</b>
	7:50	<b>Announcement of Officers Elections, Bill Arrand, Nominating Committee Chair</b>
16	7:55	<b>Vermont Clean Water Act, Dan Currier and Sarah McShane</b>
		Municipal implications of the Clean Water Act and CVRPC assistance.
	9:00	<b>Adjournment</b>

\* denotes anticipated action item



## MEMORANDUM

**TO:** Central Vermont Regional Planning Commission

**FROM:** Eric Vorwald, AICP  
Senior Planner

**RE:** Town Plan Review Committee Comments on Calais Town Plan Update

**DATE:** May 10, 2016

On April 25, 2016 the Central Vermont Regional Planning Commission's Town Plan Review Committee met to discuss the town plan update and planning process as requested by the Town of Calais. Representatives from the Town of Calais were in attendance and provided an overview of the plan and the planning process. Specific items noted in the plan update were:

- Detailed information related to energy and siting issues to strengthen "substantial deference" in the Public Service Board review
- A stronger focus on agriculture, sustainability, and economic growth
- More actionable items with specific metrics for measuring success

The Town Plan Review Committee discussed multiple aspects of the plan update including future land use, overall organization of the plan, and collaborative efforts that occurred within the community. Specifically, it was noted that a substantial amount of time was spent working with the Calais Conservation Commission to work through specific issues related to protection and conservation of the natural environment. Resolving these concerns took longer than expected but led to more concise plan.

Following discussion by the Town Plan Review Committee a motion was made to recommend approval of the Calais Town Plan and confirm their planning process. Specifically the motion made stated:

**Recommend that the Central Vermont Regional Planning Commission approve the Calais Town Plan update and planning process.**

This motion was carried by a vote of 3 in favor and 0 against.



## Central Vermont Regional Planning Commission

### RESOLUTION

**WHEREAS**, the Town of Calais, Vermont prepared a municipal plan in accordance with Chapter 117 of Title 24 of the Vermont Statutes, and the Regional Planning Commission found that the Municipal Plan meets all the requirements for approval under both the Commission's review process and Section §4350 of Chapter 117;

**AND WHEREAS**, Title 24, VSA, Section §4350 requires that CVRPC consult with member municipalities with respect to their planning efforts, requires that a municipality have a plan approved by its regional planning commission in order to have its planning process confirmed, and requires that a municipality maintains the use of local funds for local and regional planning;

### **THEREFORE, BE IT RESOLVED THAT**

The Regional Planning Commission concludes that the Municipal Plan:

1. is consistent with the goals established in Section §4302 of the Act;
2. is compatible with the Central Vermont Regional Plan;
3. is compatible with the approved plans of other municipalities in the region; and
4. contains all the elements as required in Section §4382 of the Act;

**AND** does hereby **APPROVE** the 2016 Town of Calais Municipal Plan, dated February 1, 2016.

**FURTHERMORE**, in compliance with Title 24 VSA Section §4350, the CVRPC has consulted with and confirms the planning process of the Town of Calais. It is noted that when an adopted municipal plan expires, its approval also expires. Recommendations made by the Regional Planning Commission's Review Committee are attached and should be considered when developing the next edition of the Municipal Plan. If the municipality has zoning or other regulatory bylaws or is considering adopting bylaws, it is important that the bylaws are in compliance with the current Municipal Plan.

ADOPTED by the Central Vermont Regional Planning Commission at its May 10, 2016 meeting.

\_\_\_\_\_  
Byron Atwood, Chair  
Central Vermont  
Regional Planning Commission

**CENTRAL VERMONT REGIONAL PLANNING COMMISSION**  
**APRIL 12, 2016**  
**MINUTES**

The regular meeting of the Central Vermont Regional Planning Commission was held on Tuesday, April 12, 2016 at the Central Vermont Chamber of Commerce (Lower Level), 33 Stewart Road, Berlin, Vermont 05602.

**Commission Member Attendance:**

Barre City – Janet Shatney	Montpelier – Tina Ruth
Barre Town – Byron Atwood, Chair	Kim Cheney – <i>absent</i>
Mark Nicholson – <i>absent</i>	Orange – George Malek – <i>absent</i>
Berlin – Bob Wernecke	Plainfield – David Strong – <i>absent</i>
Calais – Paul Rose	Robert Atchinson – <i>absent</i>
John Brabant – <i>absent</i>	Roxbury – Gerry D’Amico
Duxbury – Brian Fitzgerald – <i>absent</i>	Waitsfield – Don La Haye
Alan Quackenbush	Harrison Snapp – <i>absent</i>
East	Warren – Camila Behn – <i>absent</i>
Montpelier – Julie Potter, Vice Chair	Washington – Gary Winders – <i>absent</i>
Jack Pauly	Waterbury – Steve Lotspeich
Fayston – Carol Chamberlin – <i>absent</i>	Williamstown – Larry Hebert
Marshfield – <i>No representative or alternate</i>	Woodbury – Michael Gray
Moretown – Dara Torre	Worcester – Bill Arrand
Middlesex – Ron Krauth	
Northfield – Laura Hill-Eubanks – <i>absent</i>	

Staff: Bonnie Waninger, Gail Aloisio, Marianne Wolz, Eric Vorwald

Guests: None

**CALL TO ORDER**

Chair B. Atwood called the meeting to order at 7:00pm. The meeting began with introductions of those present.

**ADJUSTMENTS TO THE AGENDA**

No adjustments to the agenda were recommended.

**PUBLIC HEARING – MORETOWN TOWN PLAN APPROVAL**

*J. Shatney moved to open the public hearing; D. La Haye seconded. Motion carried 16 – 0 with no additional discussion.* B. Atwood asked if anyone was present to provide comments on the Moretown Town Plan. No comments were offered. *S. Lotspeich moved to close the public hearing; R. Krauth seconded. Motion carried 16 – 0 with no additional discussion.*

## **PUBLIC COMMENTS**

No members of the public were present for comments.

## **TOWN PLAN APPROVAL AND CONFIRMATION - MORETOWN**

E. Vorwald provided an overview of the Town of Moretown's Town Plan, noting it was approved by the Moretown Planning Commission and Selectboard and forwarded to the CVRPC for regional review and approval. He noted the Town Plan Review Committee recommended the plan be approved and the Town's planning process be confirmed by a vote of 4 -1.

B. Atwood asked for clarification of the dissenting vote by the Town Plan Review Committee. Vorwald stated that a committee member was not satisfied that Moretown's Town Plan was consistent with the Regional Plan because it did not include a specific map referenced in the Regional Plan. Vorwald noted he reviewed past regional approvals, and the Commission has accepted a variety of approaches related to the map in question. *T. Ruth moved to approve the Town of Moretown's 2016 Town Plan and confirm their planning process; B. Wernecke seconded. Motion carried 16 - 0 with no additional discussion.*

## **MARCH 8, 2016 MEETING MINUTES**

*B. Wernecke moved to approve the March 8, 2016 minutes as presented; T. Ruth seconded. Motion carried 16 - 0 with no additional discussion.*

## **STAFF REPORTS**

G. Aloisio stated that information on the brownfields program was available for municipalities, and requested that the municipal representatives take the information to their respective zoning administrators. M. Wolz reported on activities related to the LEAP Energy Fair on April 9, 2016.

## **EXECUTIVE DIRECTOR'S REPORT**

B. Waninger reported on progress with hiring a new finance officer noting that interviews were occurring this week with the intent to make an offer to the top candidate by the end of the month. Waninger also reported on action by the Executive Committee to transition the Emergency Management Planner position to a full-time position beginning July 1, 2016.

Waninger reported on legislation in progress. Senate Bill 230 related to energy and siting was being discussed by the House. Waninger stated that in its current form, the legislation would include certification by the Public Services Department regarding "substantial deference" in municipal and regional plans. *After a brief discussion, B. Wernecke moved CVRPC send a resolution to the House Energy Committee expressing disappointment with the lack of authority given to local municipalities regarding the siting of energy generation facilities and allow the Executive Director to sign on behalf of the Commission; P. Rose seconded. Following significant discussion, motion carried 16 - 0.*

Waninger reported on House Bill 789, the forest integrity bill. She has been asked to testify before the Senate committee discussing the proposed legislation. Waninger provided an overview of the bill noting that the current draft would require municipalities to identify blocks, corridors, or other

resources that were state, regionally, or locally important in their town plans. Multiple Commission members expressed concerns over the proposed legislation noting it could adversely impact municipal land use regulations and add an undue burden to the municipalities and their citizens.

## **CENTRAL VERMONT ECONOMIC DEVELOPMENT CORPORATION REPORT**

Sam Anderson was not in attendance; therefore no report was given.

## **NOMINATING COMMITTEE REPORT**

B. Arrand reported the Nominating Committee met and prepared a slate of nominations for the Executive Committee. The slate of nominees provided by the Nominating Committee included: B. Atwood – Chair; J. Potter – Vice-Chair; D. Strong – Treasurer; T. Ruth – Secretary; D. La Haye – At-Large; L. Hill-Eubanks – At-Large; and L. Hebert – At-Large. B. Atwood asked for any nominations from the floor. None were received. B. Waninger said voting forms would be mailed, and the Committee Chair would report results at the May meeting.

## **BROWNFIELDS ADVISORY COMMITTEE RULES AND PROCEDURES**

G. Aloisio noted that the draft rules and procedures from the Brownfield's Advisory Committee were included with the agenda and were interim. She indicated that additional members were being proposed therefore the interim status would afford new members a chance to review the rules and procedures. She specifically noted which additional groups would be represented. Additionally, G. Aloisio stated that this committee would be advisory only with the Executive Committee authorizing the expenditure of funds and the full Commission having ultimate authority over the program.

B. Wernecke expressed concern with having a quorum for this committee being established at five people, thus a voting majority of three people when the membership was thirteen representatives. It was noted that it may be difficult to convene a meeting on short notice therefore establishing a smaller quorum would allow the committee to take actions even if limited members could attend. B. Wernecke requested that the minutes from the meeting reflect specific information regarding the number of members in attendance, who they represented, and how they voted to ensure the Executive Committee had adequate information to make determinations related to the expenditure of funds.

G. Aloisio noted that as interim rules and procedures they were scheduled to expire in six months therefore the issue could be revisited after several meetings had occurred and more information related to attendance could be gathered. *B. Wernecke moved to accept the rules and procedures on an interim basis with detailed information in the minutes regarding actions taken at the meeting including the number of members in attendance, who they represented, and how they voted; R. Krauth seconded. Motion carried 16 – 0 with no additional discussion.*

## **CENTRAL VERMONT CLEAN WATER ADVISORY COMMITTEE**

B. Waninger noted that there was an indication that money would be available in the future from the Agency of Natural Resources to assist municipalities with the requirements of the Clean Water Act. As such, it was being recommended that the Commission establish a committee to guide the work plan of the region related to programs and projects that would be impacted by the Clean Water Act. She also noted that updates to the Winooski River Basin Plan could impact the municipalities and

1 this committee could help prioritize work on that effort. Additionally, Waninger asked for any  
 2 volunteers from the Commission to participate on the committee. M. Gray and R. Krauth both  
 3 indicated interest and agreed to volunteer. *B. Wernecke moved to establish the committee but*  
 4 *requested additional detail regarding the authority of the committee; J. Potter seconded. Motion*  
 5 *carried 16 – 0 with no additional discussion.*

## 6 7 REGIONAL PLAN

8  
 9 G. Aloisio introduced the housing element of the regional plan, noting part two was the primary  
 10 focus tonight as part one had already been discussed and accepted by the Commission with specific  
 11 revisions noted. She indicated that part two would focus on a new approach to the housing  
 12 distribution plan which the Regional Plan Review Committee recommended be discontinued.  
 13 Aloisio presented alternative options to the housing distribution plan noting that the proposed options  
 14 would better suit the needs of the municipalities. These options included sub-regional consultations  
 15 based on specific factors to be identified that would characterize the sub-regions such as commuting  
 16 patterns, school districts, or watershed boundaries.

17  
 18 G. D'Amico stated that the Roxbury data appeared to be off significantly, and expressed concern  
 19 about the quality of the data. Aloisio and M. Wolz indicated specific issues and discussed an  
 20 alternative approach to reporting the data that included showing individual margins of error for each  
 21 municipality. The Commission discussed the quality of the American Community Survey data  
 22 included in this element and confidence regarding the accuracy of the data was low. Discussion  
 23 related to specific expectations and outcomes from the consultations also occurred.

24  
 25 Following discussion of the alternative to the housing distribution plan, it was noted that the  
 26 Commission should take action to approve the housing element of the regional plan with the  
 27 alternative approach to the housing distribution plan included. D. La Haye departed the meeting at 9  
 28 pm. *L. Hebert moved to approve the housing element of the regional plan with the sub-regional*  
 29 *consultations for housing included as an alternative to the housing distribution plan; B. Wernecke*  
 30 *seconded. Motion carried 14 – 1.*

31  
 32 Finally, E. Vorwald provided an informational item to the Commission regarding the schedule for  
 33 updating the regional plan. He noted that the Executive Committee supported re-adoption of the  
 34 2008 Central Vermont Regional Plan as Amended (thru October 13, 2015) to allow time for staff to  
 35 complete other work tasks that would support remaining updates to Plan Central Vermont. No  
 36 members of the Commission voiced objection to this proposal.

## 37 38 ADJOURNMENT

39  
 40 *L. Hebert moved to adjourn the meeting at 9:05 pm; P. Rose seconded. Motion carried 15 – 0 with*  
 41 *no additional discussion.*

42  
 43 Respectfully submitted,

44  
 45  
 46 Eric Vorwald, AICP

## LAND USE PLANNING

**Regional Plan:** The 2008 Regional Plan will expire in September 2016. The Executive Committee set direction to readopt the 2008 Regional Plan as amended this summer. This will provide additional time to perform a consistency review on the plan sections that have been developed for Plan Central Vermont and complete regional energy planning work, which will feed into the energy element of Plan Central Vermont. Contact Eric Vorwald, [vorwald@cvregion.com](mailto:vorwald@cvregion.com).

**Regional Energy Planning:** CVRPC will begin a regional energy planning project on July 1. The effort will explore Central Vermont's current and future anticipated energy use across all sectors (thermal, transportation, efficiency/conservation), use modeling to determine how Central Vermont might meet its future energy needs, develop strategies and actions for meeting those needs, and identify the regional "fair share" of specific renewable energy sources and types that could be expected in Central Vermont and the desired locations for siting these energy sources. CVRPC expects this work can then be used by municipalities to develop comprehensive local energy plans that carry greater weight in the Certificate of Public Good process. Contact Eric Vorwald, [vorwald@cvregion.com](mailto:vorwald@cvregion.com).

**Town Plan Approvals/Planning Process Confirmations:** The Town Plan Review Committee recommended regional approval for the Calais Town Plan. Regional approval is a statutory process verifying a municipal plan contains all required statutory planning elements, is consistent with all statutory planning goals, and is compatible with the regional plan and approved plans of other municipalities in the region. Confirmation is a statutory process that confirms a municipality is engaged in a continuing planning process that will result in a plan consistent with statutory planning goals, and is maintaining its efforts to provide local funds for municipal and regional planning purposes. The full Commission will review the recommendation at its May 10<sup>th</sup> meeting.

## MUNICIPAL PLANNING & TECHNICAL ASSISTANCE

**East Montpelier Village Master Plan:** The Planning Commission and CVRPC are working to gather historic data and providing background information on what studies or projects exist. Presentations from experts on relevant topics such as water, wastewater, fire protection, transportation, and similar topics will also occur. A public information session is anticipated in June or July.

**Marshfield Bylaw Update:** Marshfield updated its Plan in 2012. CVRPC is working with the Marshfield Planning Commission on public forums to solicit input into how existing bylaws are working and to what extent they continue to support the Town Plan. The first forum is scheduled for May 19<sup>th</sup>.

**Enhanced Consultations:** Consultations are a required statutory process where a regional planning commission consult with its municipalities with respect to the municipalities' planning efforts, ascertaining the municipalities' needs as individual municipalities and as neighbors in a region, and identifying the assistance that ought to be provided by the regional planning commission. While regional commissions continuously communicate with communities, consultants offer both parties a more formal opportunity to discuss planning and training needs and services.



Staff meet with the Waitsfield Planning Commission on May 3<sup>rd</sup>. Waitsfield has developed a creative local investment program to enable decentralized wastewater. Its plan includes strong recognition and acknowledgement that seasonal uses result in specific land use needs, such as housing, transportation, and other infrastructure to support the on-going success of these uses.

## **EMERGENCY PLANNING & HAZARD MITIGATION**

**Technical Assistance:** Staff provided technical support to Plainfield as it explored safety concerns for the Marshfield Dam. The Executive Director attended an on-site meeting at the dam with town officials, state agency personnel, Green Mountain Power representatives and their engineers and the local news media. Green Mountain Power representatives discussed dam safety protocols with Plainfield and Cabot officials. Cabot is updating its Local Hazard Mitigation Plan now. Plainfield is implementing a community resilience and awareness project in advance of its hazard mitigation plan update. GMP has held previous meetings with Marshfield officials.

**Training:** CVRPC held two ICS 402 trainings for local officials. The ICS 402 course introduces the Incident Command System (ICS) for Executives and Senior Officials. Discussion of the role of the Selectboard in an emergency response versus the role of first responders is covered. Thirteen course participants from Worcester, East Montpelier, Northfield, Calais, Cabot, Orange, and Roxbury are now qualified to certify Local Emergency Operations Plan (LEOP) adoption by their municipalities, a requirement for DEMHS acceptance.

Several municipalities have expressed a concern regarding the potential for rail car incidents. CVRPC staff participated in specialized training for Rail Car Incident Response with fire fighters from Barre Town and Warren. This 8-hour, awareness-level training program educates rural responders, managers, and administrators on freight rail car incidents involving hazardous materials. It will be offered again in June and September 2016. Contact Laura Ranker, [ranker@cvregion.com](mailto:ranker@cvregion.com) for information.

Staff participated in training for the statewide Vigilant Guard exercise, scheduled for late July. During the exercise, CVRPC and staff from other regional commissions will practice the role of local municipal liaisons to strengthen outcomes. CVRPC will also staff several planning roles in the State Emergency Operations Center to ensure Vermont has trained and available personnel to support disaster events.

Go to <http://demhs.vermont.gov/> for training opportunities and programs. Contact Laura Ranker, [ranker@cvregion.com](mailto:ranker@cvregion.com), for assistance in scheduling training.

**LEOPs (Local Emergency Operations Plans):** Staff worked with all 23 municipalities on LEOP updates. Information pertaining to day cares, mobile home parks, Red Cross shelters, and tier II facilities was provided to towns. Staff met with officials in Barre Town, Orange, Barre City, Montpelier, Calais, Northfield, and East Montpelier. LEOPs were due May 1, 2016. Towns without updated LEOPs have a basis ERAF reimbursement rate of 7.5% for federally-declared disasters. Contact Laura Ranker, [ranker@cvregion.com](mailto:ranker@cvregion.com), for assistance.

**Local Hazard Mitigation Plans (LHMP):** Middlesex, Northfield, and Roxbury will kick off their LHMP process in May. Staff has updated a significant portion of the Cabot LHMP; a first draft will be available by late

May. Staff assisted Barre Town with its first public informational meeting. Its planning team is identifying priorities and mitigation strategies. Worcester is reviewing staff comments on the existing plan. Staff gathered information on dams for Orange. Dams were raised as a potential hazard concern during the kick off meeting. Contact the staff member assigned to your town or project manager Laura Ranker, [ranker@cvregion.com](mailto:ranker@cvregion.com) with questions or for assistance

**Local Emergency Planning Committee (LEPC) #5:** With the assistance of the LEPC 5 Chair, staff transitioned Tier II files from the Barre City location to the CVRPC office and created a filing system for the receipt of the Tier II data. Tier II facility data by municipality is now available through CVRPC.

## TRANSPORTATION

**Outreach:** Staff participated in the East Montpelier VT 14/US 2 Bridge/Intersection public meeting. The major project construction will happen in FY 2018 as a "Ride and Slide" project. This Accelerated Bridge Construction technology reduces the time and cost required to replace an existing bridge. A bridge superstructure is built on temporary supports parallel to the existing bridge structure. This enables the old bridge to remain open during construction. Once the new bridge superstructure is complete, the old bridge is closed and demolished. The new bridge superstructure is then pushed or pulled into place on the substructure. Once the bridge approaches are complete, the road is reopened to traffic. Learn more about the project at <http://www.vt14emontpelier.vttransprojects.vermont.gov/>.

Staff organized a Region Road Foreman's meeting on the Municipal Road General Permit. Towns expressed concerns about the cost and time to do inventories, creating a 20-year Improvement Plan; towns currently plan 3-5 years out, and working on Class 4 Roads that aren't maintained currently. Towns also expressed concerns about paying annual fees and then having to apply for grants. Staff prepared a Regional Erosion Hazard and Culvert Inventory Map and distributed town-specific maps.

**Municipal Technical Assistance:** Staff provided information on the National Highway System to Montpelier, Berlin, and Barre City to explain why the State wants to remove US 302 and VT 62 from the system. Staff provided Moretown with installation plans for Mad River Byway Interpretive Panels. Staff provided Electric Vehicle Charging Station information to Waitsfield. Staff trained Warren staff on the use of VT Culverts, enabling town staff to update the town's on-line data. Staff prepared for High Risk Rural Road Reviews through interactions with Fayston and Barre Town. Staff completed park-and-ride counts and installed a traffic counter in East Montpelier to measure farm traffic at the town's request.

Staff met with members of the Montpelier Energy Committee, and provided commuter travel data. The Committee is interested in passenger rail service between Barre City and Montpelier, and beyond. They would like an on-demand jitney service for the Capital Area. Their goal is to provide transportation options that would reduce the need for driving single occupant vehicles.

Staff attended the Mad River Watershed Stormwater Planning Group, called Ridge to River. The group has completed Phase 1 of its High Meadows Grant, which looked at current activities, regulations, and available

environmental data. In Phase 2, it wants to market the importance of stormwater issues to the public and private contractors. The project, facilitated by the Friends of the Mad River, includes, Duxbury, Moretown, Fayston, Waitsfield, and Warren.

Staff and CVRPC's AmeriCorps VISTA member continued outreach on CVRPC's Housing + Transportation Analysis. CVRPC anticipates setting up a meeting with regional partners to further housing plus transportation concept understanding in the region.

CVRPC received notice it has been awarded an Excellence in Regional Transportation Award from the National Association of Development Organization (NADO) Research Foundation for its Vermont Road Erosion Risk Analysis project.

## **NATURAL RESOURCES**

**GIS/Fluvial Erosion Hazard:** Staff completed the Worcester parcel mapping project. Staff provided a final version of the parcel maps and trained town Listers on the Q GIS software so they could start maintaining the parcel data on their own.

**Water Quality:** Staff presented at three clean water act workshop in support of VT ANR DEC's outreach on ACT 64 the Municipal Roads General Permit, Three Acre Existing Impervious Surface Permit, Stormwater Master Planning, and River Corridor Planning.

**Landslide Analysis:** Staff continues work to analyze mass failure, landslide, and gullies data from Stream Geomorphic assessments to determine if any of these sites pose risks to transportation infrastructure or residential or commercial development.

**Northfield Village Green Stormwater:** Final design plans for the bio retention area were presented to the Northfield Selectboard and public. The Selectboard authorized proceeding with construction.

## **COMMUNITY DEVELOPMENT**

**Brownfields:** The Brownfields Committee welcomed Anita Kelman of Capstone Community Action, Brad Denny of the Town of Northfield, Alison Friedkin of Downstreet Housing & Community Development, and Sasha Bianci of the VT Dept. of Health Barre District to the Committee. Congratulations to Janet Shatney and Julie Potter on their election as Chair and Vice-Chair of the committee. Contact Gail Aloisio, [Aloisio@cvregion.com](mailto:Aloisio@cvregion.com).

**Washington Library Access Modification:** Washington requested CVRPC assistance for general administration services on a Community Development Block Grant-funded project for access modifications to its local library. Staff made initial contact with the local project coordinator and the project consultant. The town is completing final award conditions.

**NEWS & ANNOUNCEMENTS**

**20<sup>th</sup> Annual Women's Economic Opportunity Conference:** Registration is now open. The conference will be held Saturday, June 4, 2016, at Vermont Technical College in Randolph. The registration deadline is May 27<sup>th</sup>. As always, the conference, lunch and child care are free with pre-registration.  
<https://www.leahy.senate.gov/issues/womens-economic-opportunity-conference>.

**2016 Resilient Vermont Conference:** Vermonters continue to face climate-related challenges like powerful storms and warming temperatures, all while navigating shifting economies and new policies. This interactive event will bring together community leaders, municipal officials, organizations, and agencies working to strengthen Vermont's resilience to climate change and other challenges. Gain the skills, ideas, inspiration, connections and resources for on-the-ground action to make us all stronger, more vibrant, and better prepared.  
<https://resilientvt.org/action/conference/>.

**Vermont Planners Association 2016 Awards:** Congratulations to the Mad River Valley for its sweep of this year's VPA awards! Bob Vasseur, longtime member of the Fayston Select Board, won the *Citizen Planner of the Year* award. The Mad River Valley Economic Vision and Vitality Series received the *Project of the Year* award.

*Remember to visit CVRPC's web site at [www.centralvtplanning.org](http://www.centralvtplanning.org) to view our blog and for the latest planning publications and news.*

# Legislative Report

May 6, 2016

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## **CVRPC Legislative Activity**

The Legislature wrapped up many bills this month. I provided testimony on H.789, Forest Integrity, for Senate Natural Resources and Energy Committee at their request. The Vermont Planners Association requested CVRPC testimony on H.367, the 10-year municipal planning cycle. The Committee adjusted the bill to an 8-year cycle and removed several reporting requirements. A Chittenden County Representative on the House Government Operations Committee requested CVRPC testimony on H. 871, the Montpelier charter change, as it related to Berlin Pond. While CVRPC has not been involved in the Berlin Pond discussion, I offered ways we could assist the municipalities and other parties regardless of the bill's outcome. A Legislator request I follow up with the Friends of Berlin Pond to discuss how CVRPC might assist them with accessing funds for a boater education program, similar to what is done at Lake Eden and other locations in the state. Montpelier's Charter changes as it related to Berlin Pond was not recommended for approval by the House Committee on Government Operations.

## **H.249, Intermunicipal Services (former COG bill)**

Enables Regional Planning Commission to "promote cooperative agreements and coordinate, implement and administer service agreements among municipalities..." and to "exercise any power, privilege or authority as defined in an agreement..." Prior to doing this, RPCs must draft bylaws about how it would enter into, withdraw from, and terminate services agreements with municipalities; hold at least one public hearing; and send the bylaws to its municipalities and interested parties. A supermajority (67%) of Commissioners must vote in favor of the bylaws. Municipalities may vote to veto the bylaws. Municipal participation in any service agreement developed after the bylaws are approved is voluntary and must be approved by the municipality's legislative body. The CCRPC Executive Committee voted to begin drafting bylaws earlier this week.

## **S.230, Energy Siting**

Was rejected by the House on May 5 after the Governor threatened to veto it. The publically-expressed sticking point is whether required sound standards for wind turbines (to be developed) will retroactively apply to existing installations. There may be other differences needing negotiation, including a provision to provide \$300,000 for local and regional comprehensive energy planning. Portions of the bill which seem to be remaining intact include those:

- 1) providing substantial deferred to local and regional plans that include enhanced energy planning and certified as following guidance developed by the Public Service Department (due by November 2016); and
- 2) requiring the State Comprehensive Energy Plan to be consistent with the relevant goals of 24 V.S.A. § 4302 [statewide planning goals];.

### **H.857, Forest Integrity**

Passed, and is on its way to the Governor for signing. The final bill includes Chapter 117 planning language and a “Study Committee on Land Use Regulation and Forest Integrity” provisions to look at regulatory options under Ch.117 and Act 250. New definitions included in the bill will be reviewed by the study committee before they go into effect on January 1, 2018. Plan element language also goes into effect January 1, 2018.

Regional Plan land use elements, including maps, *shall* identify areas reserved for flood plains and areas for the maintenance of forest blocks, wildlife habitat, and habitat connectors (corridors). Municipal land use plans shall indicate areas identified by the State, the RPC or the municipality that require special consideration for aquifer protection and the maintenance of forest blocks, wildlife habitat, and habitat connectors. Both local and regional plans *shall* identify areas important as forest blocks and habitat connectors and include plans for land development in those areas to minimize forest fragmentation and promote the health and ecologic function of forests.

A local or regional plan *may* include specific policies to encourage the active management of those areas for wildlife habitat, water quality, timber production, recreation or other values/functions identified by the RPC. “Forestry operations,” including processing of wood harvested on site, has been added to the list of activities that are exempt from local regulation, effective July 1, 2016.

### **H.367, Municipal Plan Adoption (8-year municipal plans)**

Passed, and is on its way to the Governor for signing. The law goes into effect on July 1<sup>st</sup>.

- The law will extend the current municipal plan expiration/readoption requirement from 5 to 8 years (corresponding with that for regional plans). This is a retroactive law, applying to all plans adopted or readopted on or after July 1, 2015.
- Requirements for comprehensive plan updates, in advance of readoption, are spelled out. They include community outreach, considering consistency with state planning goals, addressing required plan elements, evaluating the plan for internal consistency, and its compatibility with approved municipal and regional plans.
- Plan amendments do not extend the plan expiration date.
- As part of the statutory confirmation process, a municipality shall document that it has reviewed and is actively engaged in a process to implement its plan.

In the CVRPC region, municipal plans adopted by *Calais, Montpelier, Moretown, and Williamstown* are affected positively by the retroactivity. Best practice advice for these municipalities is to pass a resolution noting that in accordance with the law (cite the law), the plan expiration date is now XXX, and to attach that resolution to the hard copy and digital plan files.

### **S.114, Open Meeting Law**

The requirement for posting meeting minutes remains at 5 calendar days, where minutes shall remain (except in draft form) for at least one year from the meeting date.

# Executive Director's Report

May 6, 2016

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## **Celebrations: USDA Rural Development Earth Day in Williamstown**

USDA celebrated Earth Day in Williamstown with an announcement that the Town was awarded received \$2,161,000 in grant and loan funds from USDA Rural Development to improve their wastewater infrastructure and reduce the phosphorus flowing from the plant into the Winooski River and on to Lake Champlain. The funding for Williamstown was only possible thanks to a provision of the 2014 Farm Bill setting aside funds for projects of regional significance. The Williamstown project tied into a state-wide Comprehensive Economic Development Strategy established by the Vermont Agency of Commerce and Community Development following Tropical Storm Irene. Projects can also qualify for set-aside funding if tied to a regional-level plan. CVRPC recently provided Regional Plan information to Capstone Community Action, which is working to qualify a project for set-aside funds.

## **Projects/Programs: Clean Water Act Workshops**

Staff has been completing outreach to municipalities on requirements of the Clean Water Act. 34 Road Foreman, Selectboard members, and Town Administrators participated in the session on the Municipal Roads Permit. The roundtable focused on the need for inventories and highlighted the Road Erosion Risk Analysis completed by the State using CVRPC's award-winning methodology. Approximately 15 town officials participated in workshops to discuss the Act's full requirements more generally.

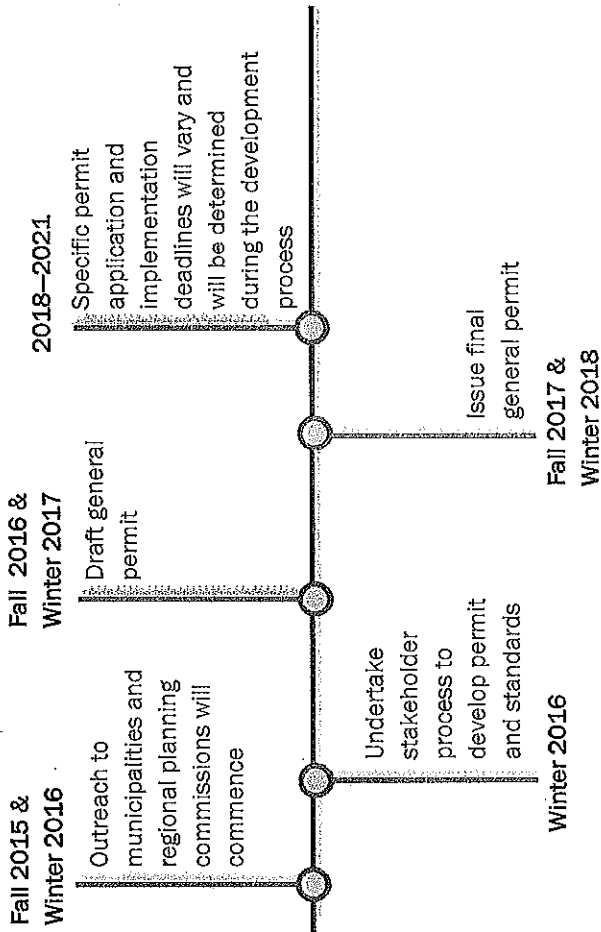
## **Partnerships: Washington County Vermont Futures Project Forum**

The Vermont Futures Project is a data-driven initiative to secure Vermont's economic future and to provide opportunity for Vermonters. CVRPC, CVECD, Central VT Chamber of Commerce, and Vermont College of Fine Arts sponsored a Washington County Vermont Futures Forum on May 4, 2016. The forum focused on defining a vision for the future. CVRPC staff facilitated a session on quality of life; CVECD on workforce; and the Chamber on the economy. Future forums will outline strategies and actions for achieving that future.

## **Municipal Focus: Ridge to River, Resilience & Clean Water in the Mad River Valley**

How can five towns work together as a watershed to increase flood resilience by tackling the challenges associated with stormwater runoff? Ridge to River, a community resilience and clean water project facilitated by the Friends of the Mad River and funded by the High Meadows Fund, aims to answer that question through community engagement and education, research, and working cooperatively to frame actions. The group has been working since last fall to frame the effort. It hired Stone Environmental to assist with research and local interviews, and moved to set priorities for next steps based on the research and interviews last night. While the group expected it would develop and technical stormwater manual communities could use to implement programs, it determined that general community education and awareness building should be the top priority and it moves other activities forward. CVRPC participates in the group, and will provide technical assistance related to land use and transportation actions.

## DEC Municipal Roadway General Permit Timeline



## Contact Information

### DEC Municipal Roads General Permit

#### Regulatory process and requirement questions

Jim Ryan, DEC, [jim.ryan@vermont.gov](mailto:jim.ryan@vermont.gov), 802-490-6140

### Vermont Back Roads

#### General information and application instructions

Alan May, VTtrans Municipal Assistance Bureau, [alan.may@vermont.gov](mailto:alan.may@vermont.gov), 802-828-4585

### Transportation Alternatives Program

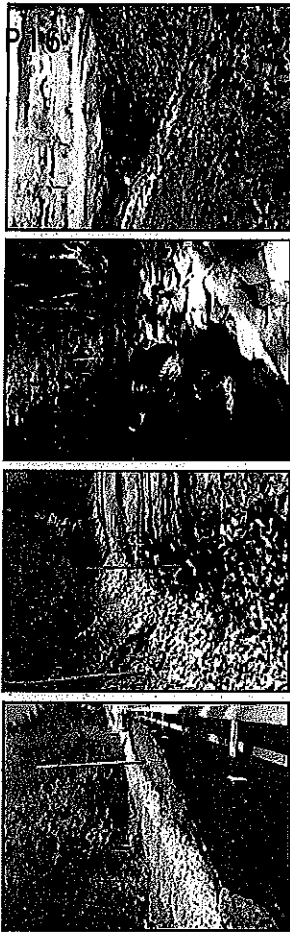
Scott Robertson, VTtrans Municipal Assistance Bureau, [scott.robertson@vermont.gov](mailto:scott.robertson@vermont.gov), 802-828-5799

### VTtrans District Offices

[transoperations.vermont.gov/maintenance/districts](http://transoperations.vermont.gov/maintenance/districts)

### Regional Planning Commissions

<http://www.vapda.org/>



# Vermont's Clean Water Act and Municipal Transportation



How Act 64, the 2015 law to improve water quality, will affect municipal roadways





## ACT 64 AND TRANSPORTATION

### Cap on phosphorus levels in Lake Champlain

The Environmental Protection Agency has developed a Total Maximum Daily Load (TMDL) that sets a cap on the amount of phosphorus that is allowed to enter Lake Champlain. Excess phosphorus is a main contributor to blue-green algae blooms that impair the lake's water quality.

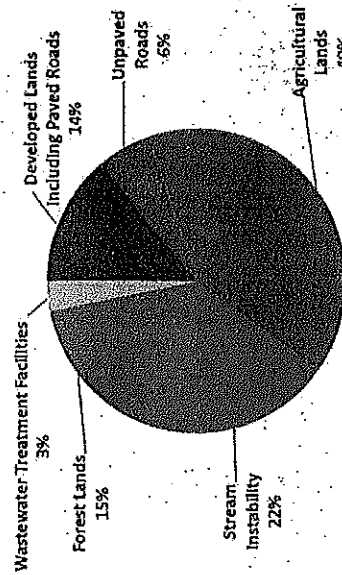
*Pictured: Blue-green algae bloom in Lake Champlain.*



### Transportation infrastructure and phosphorus

Developed lands, wastewater treatment facilities, agriculture, unstable stream banks, and forestland all contribute to phosphorus loading. State and municipal roadways and other transportation infrastructure constitute a considerable portion of pollution from developed lands.

Sources of phosphorus in the Vermont portion of the Lake Champlain Basin (Preliminary estimates from Tetra Tech, 2013)



### Act 64 and municipal roads

In response to the TMDL phosphorus loading allocations, the Vermont legislature passed Act 64, the Vermont Clean Water Initiative, which creates a new permit process for municipalities aimed at addressing stormwater run-off from roadways, both paved and unpaved. The Vermont Department of Conservation (DEC) and VTTrans are developing new financial and technical assistance programs to aid municipalities in their efforts to comply with this new mandate.

## VTTRANS: LENDING A HAND TO MUNICIPALITIES

### DEC Municipal Roads General Permit

Under the DEC Municipal Roads General Permit (DEC MRGP), municipalities must implement a customized, multi-year municipal stormwater management plan. Strategies may include:

- ▲ inventorying roadways and identifying connections to surface waters;
- ▲ implementing solutions such as stone-lined and U-shaped ditches, turnouts, check dams, road crowning, and grass-lined drainage ditches;
- ▲ upgrading drainage culverts and stabilizing culvert outlets where erosion is present.



*Pictured: Stone-lined ditch*

### Technical and financial assistance from VTTrans and DEC

VTTrans, DEC scientists and regulators, and regional planning commissions will be available to help municipalities understand the requirements and implement their stormwater management plans.

VTTrans will continue to provide funding and technical assistance through the Municipal Mitigation Grant Program, which includes the Vermont Better Roads Program (formerly Vermont Better Back Roads), and the Transportation Alternatives Program—all growing sources of funding for developing and implementing municipal stormwater plans. Managing stormwater protects roadways from deterioration and makes our natural and built environment more resilient to future flood events, thus saving taxpayer dollars.

Once the permit is in effect, municipalities will be given a 20-year implementation schedule that is prioritized based on the greatest water quality benefit and the road stormwater management plan. VTTrans Regional Maintenance Districts will be available to help provide direct technical assistance to municipalities. The VT Local Roads Program will provide training and other resources starting in 2016.



## Central Vermont Regional Planning Commission

INFORMATIONAL  
ONLY

# MEMORANDUM

**TO:** Faith Ingulsrud, Planning Coordinator  
Vermont Agency of Commerce & Community Development;  
Department of Housing & Community Development

**FROM:** Eric Vorwald, AICP  
Senior Planner

**RE:** **Municipal Infrastructure Needs Assessment Priority List**

**DATE:** May 1, 2016

As per the contract between the Central Vermont Regional Planning Commission (CVRPC) and the State of Vermont Agency of Commerce & Community Development, Department of Housing & Community Development (DHCD), the following information is intended to fulfill the requirements of Contract #29360 relative to a task under item 5 – Regional and State Issues. Specifically, the following information is an assessment of the municipal infrastructure needs for the 23 municipalities that are members of the Central Vermont Regional Planning Commission. This area includes all the municipalities in Washington County and three (Orange, Washington, and Williamstown) in Orange County.

The information included in the memorandum identifies the municipality, any state designations that may exist, any existing infrastructure, and what needs might exist for the future. In several cases, parts of a municipality are serviced by private water or wastewater. An example of this would be the Crystal Springs system in East Montpelier, or the Village of Sugarbush in Warren. In both cases, the infrastructure is privately owned and maintained without any assistance from the municipality. In these cases, the discussion may need to determine if there is interest in the municipality acquiring the private system (or systems) to have more control over their future needs.

It should be noted that the focus of this information is on water and wastewater infrastructure. While several municipalities within the Central Vermont Region have issues related to stormwater, those infrastructure needs are not addressed herein. It should be noted, however, that instances where a municipality has a combined wastewater and stormwater system, deficiencies are addressed if applicable.

Table One provides an inventory of existing water and wastewater for the municipalities of the Central Vermont Regional Planning Commission. This table also lists any state designations that are currently in place. A prioritized list of the municipalities with the greatest needs is included after Table One.

**TABLE ONE**  
**2016 CENTRAL VERMONT REGIONAL PLANNING COMMISSION**  
**EXISTING MUNICIPAL INFRASTRUCTURE**

MUNICIPALITY	STATE DESIGNATION	WATER SERVICE	WASTEWATER SERVICE
Barre City	Downtown	Yes	Yes*
Barre Town	None	Yes	Yes (Served by Barre City)
Berlin	None	Yes	Yes (Served by Montpelier)
Cabot	Village Center	Yes	Yes
Calais	Village Center (3)	Yes	No
Duxbury	None	Private	Private
East Montpelier	Village Center	Private	Private
Fayston	None	Private	Private
Marshfield	None	Yes	Yes
Middlesex	None	Private	Yes (Served by Montpelier)
Montpelier	Downtown	Yes	Yes*
Moretown	None	Private	No
Northfield	Village Center	Yes	Yes*
Orange	None	No	No
Plainfield	Village Center	Yes	Yes
Roxbury	None	No	No
Waitsfield	Village Center	Yes	Private
Warren	Village Center	Private	Private
Washington	None	Yes	No
Waterbury	Downtown	Yes	Yes
Williamstown	Village Center	Yes	Yes
Woodbury	None	Private	No
Worcester	Village Center	Yes	No

Notes:

\* Denotes combined wastewater and storm water infrastructure with reported combined system overflows

## Priorities and Municipal Needs

Based on the information included in Table One, the following is list of municipalities with the greatest need for improvements to their existing infrastructure or who currently do not have infrastructure but conditions are such that the need exists. The list is arranged in order of priority from highest to lowest.

### 1. Town of Plainfield

The Town of Plainfield has public water and public wastewater that primarily serves their village area. The wastewater treatment facility discharges treated effluent into the Winooski River, which ultimately flows to Lake Champlain. With issues related to nitrogen and phosphorus loading in Lake Champlain, communities that discharge to the lake and its tributary rivers have been under greater pressure to reduce the amount of nitrogen and phosphorus they discharge.

Based on the Total Maximum Daily Load (TMDL) from the U.S. Environmental Protection Agency, the Town of Plainfield is exceeding their phosphorus discharge limits to Lake Champlain. As such, the town has been exploring conventional and non-conventional ways to remove excess phosphorus from their effluent.

Another issue that has been noted related to wastewater issues in the Town of Plainfield is inflow and infiltration (I & I) from groundwater and stormwater. While the I & I issues have generally been noted in isolated areas, it is contributing to their overall phosphorus discharge limits. Reducing the I & I can help satisfy a part of the TMDL violations limits that have been identified for the Town of Plainfield.

### 2. Combined Wastewater & Stormwater

There are three municipalities in the Central Vermont Region that have documented issues with combined system overflows resulting from a combined wastewater and stormwater collection system. These overflows generally occur during heavy rain events, but can occur during any rain or runoff event depending on the condition of the infrastructure. Combined system overflows are a public health hazard as untreated sewage surcharges from the system directly to water bodies or onto the land. The three communities that have experienced combined system overflows include:

- The City of Barre
- The City of Montpelier
- The Town of Northfield

### 3. Town of East Montpelier

All the properties in the Town of East Montpelier are on individual wastewater systems or small cluster systems. There are several private water systems serving approximately 700 customers. The primary system serving the majority of the businesses and residents in East Montpelier has been cited for multiple deficiencies and currently is not permitted to add any new connections. Recognizing the need to improve the water system, a fire district was formed with the intent to

purchase the system and, over time, make the needed upgrades and repairs to ensure a safe and reliable system to provide drinking water and fire protection.

The Town of East Montpelier was awarded a municipal planning grant in 2015 to create a master plan for their village area. One of the key concerns that has been noted in the Town of East Montpelier is the lack of infrastructure to establish adequate densities that are critical for a true village to be created. A primary limiting factor is the lack of adequate wastewater for either a community-wide centralized system or decentralized wastewater systems that can serve multiple properties and incorporate increased densities. Studies of the wastewater needs for the Town of East Montpelier were done in 2007 and 2008 to address the needs for future failures of on-lot wastewater systems, however all the identified options at that time were too costly for the town to move forward.

The primary needs going forward for the Town of East Montpelier is an engineering analysis or feasibility study of advanced wastewater treatment options (including advanced treatment and centralized or decentralized systems) to address failing systems and also provide development density needed for the village area. Additionally, the town would benefit from the identification of additional water sources and infrastructure improvements to provide drinking water and fire protection to the community.

#### 4. Town of Woodbury

The Town of Woodbury has one private water system that serves approximately 70 users which are primarily camps. Additionally, there is no organized wastewater in the Town of Woodbury as all the properties are served by individual on-site wastewater systems. These two factors have impacted the town's ability to plan for any type of redevelopment activities that would be beneficial to the community.

In general, development in the Town of Woodbury has historically occurred around and near the multiple lakes and bodies of water that are found throughout the town. Due to their location and general geology, the soils are not very well suited for on-site wastewater infrastructure therefore the existing development pattern has been maintained with little new development or redevelopment. Additionally, the Town of Woodbury has an historic core which includes the town hall, a branch of the U.S. Postal Service, a general store, a school, and the volunteer fire department. The town has been encouraged to seek Village Center designation which will help them leverage available funding that can help revitalize the community.

#### **Future Considerations**

As communities look to create more livable, walkable, and vibrant downtowns or activity centers, infrastructure becomes an important component to achieving the needed density and mix of uses necessary to achieve this vision. As more communities receive Village Center designation, additional support will be required to ensure the designation can be used to its fullest extent. It is anticipated that future infrastructure needs will be identified to accommodate development and redevelopment in a compact and sustainable manner.

