

CENTRAL VERMONT REGIONAL PLANNING COMMISSION
DRAFT MINUTES
June 12, 2018

Commissioners:

<input checked="" type="checkbox"/> Barre City	Janet Shatney	<input type="checkbox"/> Montpelier	Kirby Keeton
<input type="checkbox"/>	Heather Grandfield, Alt.	<input checked="" type="checkbox"/>	Mike Miller, Alt.
<input checked="" type="checkbox"/> Barre Town	Byron Atwood	<input checked="" type="checkbox"/> Moretown	Dara Torre, Secretary
<input type="checkbox"/>	Mark Nicholson, Alt.	<input 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 type="checkbox"/> Cabot	Amy Hornblas	<input checked="" type="checkbox"/> Plainfield	Bram Towbin
<input checked="" type="checkbox"/> Calais	John Brabant	<input checked="" type="checkbox"/>	Paula Emery, Alt.
<input type="checkbox"/>	Jan Ohlsson, Alt.	<input checked="" type="checkbox"/> Roxbury	Jerry D'Amico
<input checked="" type="checkbox"/> Duxbury	Alan Quackenbush	<input checked="" type="checkbox"/> Waitsfield	Don La Haye
<input checked="" type="checkbox"/> E. Montpelier	Julie Potter, Chair	<input type="checkbox"/>	Harrison Snapp, Alt.
<input checked="" type="checkbox"/>	Jack Pauly, Alt.	<input checked="" type="checkbox"/> Warren	Camilla Behn
<input type="checkbox"/> Fayston	Carol Chamberlin	<input type="checkbox"/> Washington	VACANT
<input checked="" type="checkbox"/> Marshfield	Melissa Seifert	<input checked="" type="checkbox"/> Waterbury	Steve Lotspeich
<input type="checkbox"/> Middlesex	Ron Krauth	<input type="checkbox"/> Williamstown	Rodney Graham
		<input checked="" type="checkbox"/> Woodbury	Michael Gray, Treasurer
		<input checked="" type="checkbox"/> Worcester	Bill Arrand

Staff: Bonnie Waninger, Nancy Chartrand, Eric Vorwald, and Clare Rock

Guests: Stewart Clark, Worcester Planning Commission; Troy McBride, Norwich Solar Technologies, Michael Curtis, Washington County Mental Health (WCMH)

CALL TO ORDER

Chair J. Potter called the meeting to order at 7:01 pm. Quorum was present. Introductions were made.

ADJUSTMENTS TO THE AGENDA

A clipboard was passed among members asking how members preferred to receive meeting packets. No changes were made to the agenda.

PUBLIC COMMENTS

M. Curtis said he hoped to participate in the renewable energy preferred sites agenda item.

RENEWABLE ENERGY PREFERRED SITES

J. Potter said discussion would break at 7:30pm for the warned public hearing on Regional Plan.

1 E. Vorwald provided an overview of preferred siting and how CVRPC is addressing it. He reviewed State-
2 defined sites and discussed joint letters by the municipality and regional planning commission.

3
4 The Regional Plan and Regional Energy Plan do not have a process or policy to review preferred sites.
5 Project review is completed by the Project Review Committee using substantial regional impact criteria.
6 Board policy states projects shall only be reviewed for consistency with the Regional Plan, so the
7 Committee cannot evaluate preferred site requests. The Executive Committee recommended the
8 Regional Plan Committee be directed to develop updates to the Commission's policies and procedures.

9
10 S. Clark said he understood the need for consistent policy and, as a municipality, understands the
11 criteria for a preferred site. He asked whether the Regional Planning Commission is withdrawing from
12 the process? E. Vorwald said it was not; the discussion would determine how CVRPC would engage.

13
14 Clark asked if it was possible to have a vote to move forward. Vorwald confirmed the Commission could
15 vote; however, committees could not complete a review until the Commission designated policy.

16
17 L. Cattaneo proposed to direct the Regional Plan Committee to develop criteria for approval. He also
18 proposed to allow the Commission to approve any site until July 1, 2018 provided that the site meets
19 the standards of a town, as approved by Town Planning Commission, and that the site is not inconsistent
20 with the Regional Plan in effect.

21
22 S. Lotspeich noted Waterbury did not feel prepared to evaluate preferred sites designations with its
23 draft energy plan. He understood projects want the financial incentives and understood the municipal
24 and development motivation. As a Commissioner, he was hesitant to set precedent for site approvals
25 without criteria for basing decisions. Staff had provided criteria ideas for the Executive Committee.
26 They were discussed at length, and Executive Committee was not prepared to recommend criteria.

27
28 J. Brabant stated it was his understanding from statehouse participation that State category #7 was
29 designed to empower towns to designate sites beyond the state-designated sites.

30
31 At 7:30 pm, Chair Potter postponed the discussion for the Regional Plan amendment public hearing.

32 33 **2016 REGIONAL PLAN UPDATE**

34 Public Hearing

35 *B. Atwood moved to open the public hearing on the 2016 Regional Plan Amendment; D. LaHaye*
36 *seconded. Motion carried.*

37
38 E. Vorwald reviewed the purpose of the amendments. Potter noted that Commissioners had received
39 an email from Cabot Commissioner Amy Hornblas with comments on the forest integrity component.

40
41 S. Clark said the natural resources map coverage for Worcester and Middlesex needed updating. All
42 lands west of Route 12 extending to Rumney School in Middlesex should be green as forest blocks. He

1 stated connections between Class III and IV roads and private roads were not correct. He requested the
2 Commission consider reevaluating the area west of Route 12 and east of Rumney Hill. Large blocks of
3 uninterrupted forest have scattered housing along their perimeter. He noted that when Worcester's
4 Town Plan is updated, Worcester will be showing areas in white on the regional map as forest blocks.

5
6 Potter requested that Commissioners and staff hold responses to comments for the Commissioner
7 discussion. There were no additional public comments.

8
9 *L. Hill-Eubanks moved to close the public hearing; M. Miller seconded. Motion carried.*

10 11 Regional Plan Adoption

12 C. Rock said roads were based on a GIS layer. She will confirm the most current data was used.

13
14 Rock explained that data used for forest blocks was the "highest priority" blocks and "highest priority"
15 connectivity blocks as depicted on BioFinder. The high priority forest blocks would address more locally
16 significant forest blocks. Towns can identify more forest blocks than exist in the Regional Plan. This
17 would not create a local-regional plan conflict. Municipalities can choose to use more detailed data.
18 Clark said he understood the best available data was used. He requested it be updated.

19
20 J. Brabant recommended the amended plan be adopted without changes. Commissioners can decide
21 whether to task staff with amending the plan further with greater detail and protection.

22
23 *B. Atwood moved to adopt the Regional Plan amendment to incorporate the Regional Energy Plan and*
24 *forest integrity language. J. Potter noted the resolution in the Board packet should state Regional Plan*
25 *"amendment" rather than "update". Atwood amended his motion to adopt the Resolution as revised; L.*
26 *Cattaneo seconded. In discussion:*

- 27
28
 - C. Behn said the Warren Planning Commission was uncomfortable with restricting wind tower
 - 29 height to rule out industrial across the entire region. They believe this policy would not help the
 - 30 region meet State energy goals.
 - 31 • J. Brabant said developing projects in core habitat and splitting up habitat undermined the
 - 32 function of that habitat. Wind development on mountaintops is in core habitat.
 - 33 • C. Behn said all habitats are threatened by energy production all over the world. She
 - 34 questioned whether smaller or commercial scale wind could be used as solutions.

35
36 Potter confirmed a headcount was required for the vote due to the 60% adoption requirement.

37
38 *Motion carried with 16 yes, 1 no (C. Behn), and 1 abstention (A. Quackenbush).*
39
40

1 **RENEWABLE ENERGY PREFERRED SITES CONTINUED**

2 B. Atwood requested clarification about the Public Utility Commission process and preferred site letters.
3 Vorwald said developers seek preferred site designation during the 45-day advanced notice period when
4 statutory parties complete a preliminary review of proposed projects. Statutory parties can review the
5 full project when full applications are submitted. Atwood said a full review could be completed then.
6

7 R. Wernecke noted the Commission could develop criteria/guidance for preferred siting and refer
8 preferred site designation requests to the Project Review Committee to use available data for a review.
9

10 B. Towbin asked towns with proposed projects if projects would proceed without the preferred site
11 incentive. J. Potter said projects above a certain size cannot be built without the designation regardless
12 of the financial incentives. E. Vorwald stated projects above 150 kW cannot move forward under net
13 metering rules but can move outside net metering rules. J. Brabant reiterated the relationship to net
14 metering rules; there is a financial incentive with net metered projects. Net metering was originally
15 meant for putting panels on residential rooftops and has morphed into very large scale projects.
16

17 B. Towbin said he was in favor of a deliberative process, and wants to hear from towns if that is
18 appropriate. B. Atwood advised he could not answer that because he did not ask principals behind the
19 project. He sees a project that town governance wants to have happen, but CVRPC doesn't have a
20 mechanism to review it. He agreed with R. Wernecke that in the interim, CVRPC should allow projects
21 to be reviewed by the Project Review Committee while the Commission develops a review process.
22

23 *B. Atwood moved to allow the Project Review Committee to consider information in the 2016 Regional*
24 *Plan, as amended, in its deliberations of preferred sites until the Regional Plan Amendment becomes*
25 *effective; M. Miller seconded. In discussion:*
26

- 27 • B. Waninger clarified the Commission can delegate authority to the Project Review Committee.
- 28 • L. Cattaneo requested the Commission act only after a Town Planning Commission acted.
- 29 • E. Vorwald clarified that the Public Service Department stated a municipality would receive
30 project credit regardless of how renewable energy credits were used, but Vermont would not.
- 31 • T. McBride, Norwich Solar Technologies, clarified the 2017 net metering rules assigns all
32 renewable credits to Green Mountain Power unless they take the six cent lower rate.
- 33 • S. Clark said Worcester is discussing a project; three towns will be affected by the vote.
- 34 • M. Miller supported review by the Project Review Committee as the projects are small.
- 35 • J. Potter clarified a timeframe for Regional Plan Committee work on criteria had not been set.
36

37 *J. Brabant offered a friendly amendment to include clear directive that the plan amendment process*
38 *continue with due haste so the Commission can finalize the additional criteria. B. Atwood accepted the*
39 *amendment; M. Miller seconded.*
40

1 For clarity, Potter restated the motion as amended: *To allow the Project Review Committee, on an*
2 *interim basis, to consider information in the 2016 Regional Plan as amended tonight in its deliberations*
3 *of preferred sites until the Plan Amendment becomes effective, and to direct the Regional Plan*
4 *Committee to develop and recommend updates to the Commission's policies and procedures regarding*
5 *preferred site designation. Motion carried.*

6 7 **COMMISSION APPOINTMENTS**

8 Potter recognized L. Hill-Eubanks' work in encouraging Commissioners to participate on committees,
9 matching interests, and recruiting members to participate. Potter reviewed the Committee slate.

10
11 *J. Brabant moved to appoint Robert Wernecke (2021), John Brabant (2020), Gerry D'Amico (Alternate*
12 *Seat 2021) to the Project Review Committee; J. Shatney seconded. Motion carried.*

13
14 *B. Arrand moved to appoint Laura Hill-Eubanks, Dara Torre, Ron Krauth, Kirby Keeton, Julie Potter to two*
15 *year terms to the Regional Plan Committee; C. Behn seconded. Motion carried.*

16
17 Potter noted the proposal to add an alternate seat to the Town Plan Review Committee for quorum.

18
19 *D. Torre moved to appoint Lee Cattaneo, Bill Arrand, Jan Ohlsson, Ron Krauth, Joyce Manchester, and*
20 *Karla NuiSSL (Alternate Seat) to the Town Plan Review Committee; A. Quackenbush seconded. Motion*
21 *carried.*

22
23 *R. Wernecke moved to appoint Janet Shatney, Amy Hornblas, Ron Krauth, and Don LaHaye to the*
24 *Brownfields Advisory Committee; J. Shatney seconded. Motion carried.*

25
26 Potter stated that the Clean Water Advisory Committee was new, and the Commission had not
27 approved Rules of Procedure. The Committee recommended having 13 members – 3 Commissioners
28 with an Alternate, 5 municipal representatives, 3 watershed organizations, and 1 interested stakeholder
29 (citizen, business, etc). Committee members self-selected alternating terms.

30
31 *S. Lotspeich moved to appoint Ron Krauth (2020), Amy Hornblas (2019), John Brabant (2020), and*
32 *Michael Gray (Alternate Seat, 2019) to the Clean Water Advisory Committee; B. Towbin seconded.*
33 *Motion carried.*

34
35 Potter noted the Regional Energy Committee has finished its charge.

36
37 *B. Atwood moved to appoint Julie Potter as the Commissioner representative to the Vermont Association*
38 *of Planning & Development Agencies; R. Wernecke seconded. Motion carried.*

39
40 *D. La Haye moved to appoint Bonnie Waninger to the Vermont Economic Progress Council; C. Behn*
41 *seconded. Motion carried.*

1 C. Behn moved to appoint Bonnie Waninger as Commissioner and Dan Currier as Alternate Commission
2 to Green Mountain Transit; M. Miller seconded. Motion carried.

3
4 J. Brabant moved to authorize the Executive Director to appoint the Representative and Alternate to the
5 Mad River Valley Planning District; D. Torre seconded. Motion carried.

6 7 **MINUTES**

8 S. Lotspeich asked to provide minor non-substantive edits directly to staff for inclusion in the minutes.

9
10 S. Lotspeich moved to approve the May 8, 2018 minutes with edits; B. Arrand seconded. Motion carried.

11 12 **FUTURE OF ACT 250: FRAMING CVRPC COMMENTS**

13 C. Rock stated the Legislature created the Commission on Act 250 Next 50 Years in 2017. It was tasked
14 with a broad range of issues as it pertains to Vermont's Land Use Permitting. The Commission's report is
15 due to the Legislature in December 2018. The Commission has published its outreach schedule.

16
17 To prepare comments, staff generated a survey and conducted interviews. The Project Review
18 Committee will draft comments for the Commission's review. Survey results were reviewed.

19
20 The final public outreach meeting is September 10. It would be helpful to have CVRPC comments by
21 then. Commissioners can provide comments beyond the survey to C. Rock.

22 23 **REPORTS**

24 Potter congratulated Vorwald on his new position; the Commission will miss his energy and enthusiasm.

25
26 B. Waninger shared an idea from the VPA Act 250 Conference. Mark Delaney from Smuggler's Notch
27 Resort suggested Act 250 should be a gathering of statutory parties to vet the development concept
28 before a developer creates detailed plans. This would allow statutory parties to work out differences on
29 a conceptual level before the developer invests in detailed studies. Delaney suggested state permits
30 comprise a technical review of development plans. Waninger said this idea might make the process
31 work better for statutory parties and reduce the developer's upfront costs. It is unclear how other
32 interested parties might participate in this process.

33 34 **ADJOURNMENT**

35 D. La Haye moved to adjourn at 8:50 pm; B. Atwood seconded. Motion carried.

36
37 Respectfully submitted,

38
39 Nancy Chartrand

40 Office Manager