



BOARD OF COMMISSIONERS

May 14, 2019 at 6:30 pm

Central VT Chamber of Commerce Conference Room, 963 Paine Turnpike North, Berlin

6:15 pm – Social and pizza

<u>Page</u>	<u>Time</u>	<u>AGENDA</u>
	6:30 ¹	Adjustments to the Agenda Public Comments
2	6:35	Municipal Plan Approval & Confirmation of Planning Process, Bill Arrand, Town Plan Review Committee Chair (enclosed) ² Report and recommended from Town Plan Review Committee regarding Town of Waterbury. Potential actions include: <ul style="list-style-type: none"> – Approve the municipal plan per 24 V.S.A. § 4350(b), – Confirm the municipality's planning process per 24 V.S.A. § 4350(a), – Approve a determination of energy compliance per 24 V.S.A. §4352, and – Approve signature of CVRPC resolution and energy certificate by the Chair.
14		
15	7:05	CVRPC Bylaws, Julie Potter (enclosed) Discussion amendments recommended by the Executive Committee.
35	7:20	Proposed Legislative Changes to Act 250 (enclosed) ² Continued focus on providing CVRPC input into Legislative discussions.
	8:05	Nominating Committee Report, Byron Atwood, Committee Chair Final slate of candidates for Executive Committee; additional nominations.
60	8:15	Meeting Minutes – April 9, 2019 (enclosed) ²
64	8:20	Reports (enclosed) Updates and questions on Staff and Committee Reports.
	8:30	Adjournment

Next Meeting: Annual Meeting, June 11, 2019

¹ Times are approximate unless otherwise advertised.

² Anticipated action item.



MEMO

Date: May 8, 2019
To: CVRPC Board of Commissioners
From: Bill Arrand, Chair Town Plan Review Committee
Re: Waterbury Municipal Plan Approval

✉ ACTION REQUESTED: Act upon the recommendations of the Town Plan Review Committee.

The Town Plan Review Committee convened a hearing on April 25, 2019 in the Steele Community Room at the Waterbury Municipal Center, 28 North Main Street, Waterbury, to hear public input on the Waterbury Town Plan. Fifteen people were in attendance, including Steve Lotspeich, Waterbury Community Planner, 2 members of the Planning Commission, 2 members of the Conservation Commission, 9 local residents and 1 resident of Worcester.

Two participants requested the plan not be approved due to the following reasons:

- Flawed application of the wind mapping methodology as contained within the Regional Plan and within the Waterbury Energy Plan; and that the identification of potential wind development locations is not needed in Waterbury;
- Potential wind development in Waterbury would threaten habitat (bear) in the Worcester Range; and further development in the Shutesville Hill wildlife corridor should be limited; and
- More information about planning and managing the municipal water source should be included in the plan.

Municipal planning staff, representatives from the Planning and Conservation Commissions, and a member of the public spoke in favor of the plan as presented and indicated planning for wildlife would be an on-going task for the municipality.

The Committee determined the methodology as written in the Waterbury Energy Plan was correct, and it was depicted correctly. The Shutesville Hill wildlife corridor and planning and development considerations were identified in the plan in various sections (natural resources, energy plan and land use) even though it was not mapped. Additional public comments about wildlife protections and water supply were considered to be local planning matters. They did not affect whether the plan addressed the statutory requirements or was in conformance with the Regional Plan.

Recommendations: At the close of the public hearing, the Committee approved the following:

- Recommend to the CVRPC Board confirmation of the local planning process as per under 24 VSA §4350(a).
- Recommend to the CVRPC Board approval of the municipal plan per 24 V.S.A. § 4350(b), with the recommendation that the plan text on page 72 be corrected to reference the correct map.
- Recommend to the CVRPC Board the issuance of energy determination compliance as per 24 V.S.A. §4352.

Staff provided the following recommendations for Waterbury to consider in its next plan update:

1. Regarding the State Planning Goals:

- *State Goal 1: to plan development so as to maintain the historic settlement pattern of compact village and urban centers separated by rural countryside.* Staff recommends in the next rendition of the plan demonstrate how the Town is working to address the increasing development pressures along Route 100 and specifically identify of any policy change that would help curb the low-density growth in the rural areas.
- *State Goal 4: To provide for safe, convenient, economic and energy efficient transportation systems that respect the integrity of the natural environment, including public transit options and paths for pedestrians and bicyclers...* Staff recommends the plan would benefit from increased integration of specific actions/projects as outlined in the referenced studies:
 - 2006 Bike and Ped Master Plan for Colbyville and 2017 Colbyville Pedestrian/Bicycle Scoping Study – to address safety and ped amenities
 - Vermont Agency of Transportation 2018 VT-100 / VT-108 Corridor Management Plan – for congestion of route 100
 - 2014 – 2015 Planning Study for Bike Trails – to promote economic activity and integration into a regional trail system
- *State Goal 5: To protect and preserve important natural and historic features of the Vermont landscape including: (C) significant scenic roads, waterways and views.* The identification of scenic views and vistas along RT 100 will be integral to their preservation. This was noted in the 2014 CVRPC staff review of the Waterbury Municipal Plan.
- *State Goal 6: To maintain and improve the quality of air, water, wildlife and land resources. (C) Vermont's forestlands should be managed so as to maintain and improve forest blocks and habitat connectors.* Staff recommends the plan presents some specific policies for limiting development in these areas. Implementing regulatory strategies for the Shutesville Hill area will be beneficial for maintenance of the important regional wildlife crossing. Documenting what actions have been undertaken in the next update is recommended.
- *State Goal 11: To ensure the availability of safe and affordable housing for all Vermonters. (D) Accessory apartments within or attached to single family residences which provide affordable housing...* Staff recommends recognition of accessory apartments in this context should be strengthened. This was also noted in the CVRPC consultation.

2. Regarding compatibility with approved plans of other municipalities in the region: Staff finds the plan to be compatible with approved plans of other municipalities and recommends documenting how Waterbury has been working with Stowe with the Rt 100 and Shutesville Hill area as this appears to

be a priority in the near future, plus working collaboratively with Moretown regarding the Rt 2 gateway.

3 Regarding the required elements:

- Municipal plan requirement (a) *7) A recommended program for the implementation of the objectives of the development plan.* Staff recommends inclusion of a more detailed implementation plan/program (such as the example presented in the State municipal planning manual) in the next rendition of the plan to help guide priorities and to demonstrate progress toward attainment of the plan goals. This recommendation was noted in the 2014 CVRPC review and within the consultation.
- Municipal plan requirement (c) *Where appropriate,..., a municipal plan shall be based upon inventories, studies, and analyses of current trends...* Staff recommends that since the plan is an update of the 2013 plan, much of the data relies on the 2010 census. Some sections have included updated data such as the Economic Development Chapter. Other have not. For example, the wastewater capacity figures are from 2012. The next rendition should ensure all data is updated.

From: [s.clark](#)
To: [Clare Rock](#)
Subject: Fw: text of my message in WBURY
Date: Thursday, May 2, 2019 3:05:29 PM
Attachments: [WBURY WIND MTG.docx](#)

Hello Clare,

I do realize that my comments on the Waterbury plans came at the wrong point in the process. Sadly, although Waterbury shared their preliminary meeting information with Worcester, that information did not reach me.

I am forwarding a copy of my notes and the Schutesville "map" which I previously (4/25) sent to Bill Arrand.

FYI A few days after the meeting I did call the Stowe Land Trust and questioned the nature of the map shown on their web site. Recent news reports had noted the preservation of critical elements of the Schutesville corridor. I asked them specifically if the area noted on their corridor map represented conserved, protected land. They answered "no"; the area outlined on their map is the area of high interest in need of protection, but not actually protected yet.

I still believe the "method" described (page 31 of appendix B the energy plan) was not followed. I correctly quoted the method from the report:

With all the known and possible constraints identified, this information was overlaid on the resources maps for solar and wind resources. Where known constraints existed the resource areas were deleted."

This action (deletion of known constraints) should have eliminated some of the area shown as having possible wind development.

I believe there is an order of operation error here. If areas of known constraint were also areas of possible constraint and if areas of known constraints were deleted first; then areas of possible constraint shaded as a second operation, then the shading of areas of possible constraint would restore the blue color on the map showing wind resources to areas of know constraint. I hope you follow this logic because clearly areas of know constraint listed on page 31 (namely "regionally and locally identified resources" ie.: the Schutesville corridor) are shown as possible locations for wind development.

Please don't hesitate to ask for clarification.

Stewart Clark
288 West Hill Road
Worcester, Vermont 05682

home 802-223-2570

sfclark@yahoo.com

----- Forwarded Message -----

From: s.clark <sflclark@yahoo.com>

To: William Arrand <arrand@myfairpoint.net>; Suzanne Arrand (via Google Docs) <arrand238@gmail.com>

Sent: Thursday, April 25, 2019, 11:04:49 PM EDT

Subject: text of my message in WBURY

Bill,

I understand the CVRPC had other criteria for their approval process but I am frustrated by the Wbury P Commission as unreceptive. I didn't mis-quote the "methodology"; there is already a map for the Schutesville corridor so why do they "need" to map it before protecting it ???

Strange. Well, Here's my text and the Schutesville Map.

Thanks!

Stew

OVERVIEW

I am Stewart Clark, a member of the Worcester Planning Commission. I speak tonight with their permission although they have not reviewed my specific statements. I am not opposed to renewable energy nor to development of wind resources as such. I have written the energy section of the current draft of the Worcester Town Plan. I am familiar with the energy related terms and concepts presented in the Waterbury Plans. Sadly I was not informed of earlier opportunities to comment on draft versions of Waterbury's Plans.

Tonight I am going to address the topic of renewable energy planning; specifically the approach to wind development in Waterbury as presented in the Town Plan and in Appendix B – the Energy Plan for Waterbury adopted 12/3/18. I will identify clear, intuitively-obvious errors in methodology of the “Wind Resources Map”. I will suggest a change of approach to renewable energy location based on information in both Plans. Based on these two factors I will request that the CVRPC review board table approval of these Plans until amendments (REF 1) (revision) takes place.

MY THREE POINTS IN OPPOSITION TO WIND DEVELOPMENT ON THE WORCESTER RANGE**POINT 1:****IDENTIFICATION OF POTENTIAL WIND DEVELOPMENT LOCATIONS IS NOT NEEDED**

CVRPC assigned about 33,000 megawatt-hours to Waterbury as their share of the 90 by 50 plan. ONLY 33,000 are needed. (REF 2) Then, later in the document, the plan shows 889,210 megawatt hours available for potential solar location. (REF 3). There is no need to designate any land for wind development.

POINT 2:**DEVELOPMENT THREATENS LONG TERM WILDLIFE SURVIVAL FOR THE
NORTHEASTERN US AND CANADA**

Critical wildlife habitat connections and movement routes across New England (described by “Staying Connected”) link the Adirondack and Green Mountains to Maine and Quebec. The Worcester Range is a keystone in this linkage. Development on and near the Worcester Range will have negative impact on wildlife gene pools throughout Northern New England and Quebec. Both the approved Waterbury Town Plan and Appendix B site protection for the Schutesville Hill Wildlife Corridor several times. (REF 4).

The Schutesville Corridor is just that. A region for passage across Route 100 between Waterbury and Stowe. Once the crossing is complete where do will wildlife go? Surely a direct route eastward from the corridor, then over the crest of the Worcester Range is not advantageous. Wildlife will follow contour elevations around the southern end of the Range so areas south of the corridor need protection too. For this reason wind development (as shown on the Waterbury Wind Resources Map: Appendix B) beyond the Schutesville Corridor on the Worcester Range must not be permitted.

POINT 3:

ERROR IN APPLYING THE PLAN'S METHODOLOGY
(FOR IDENTIFYING APPROPRIATE LOCATIONS FOR WIND DEVELOPMENT)
RESULTS IN
MIS-IDENTIFICATION OF SITES FOR POTENTIAL WIND DEVELOPMENT.

It appears the approved Plans (Municipal Plan and Energy Plan) respect excluding the Schutesville Hill Wildlife Corridor as a potential location for wind development. However, although the methodology for drawing the Waterbury Wind Resources Map seems appropriate, the GIS application of this methodology is in error.

FROM APPENDIX B; PAGE 31:

“Methodology

With all the known and possible constraints identified, this information was overlaid on the resources maps for solar and wind resources. Where known constraints existed the resource areas were deleted.”

Clearly this is not the case. You can readily see this by inspection of maps in the Municipal Plan and in Appendix B the Energy Plan. Secondary Wind potential is shown along most of the Waterbury-Middlesex border. (REF: Waterbury Wind Resources Map (Appendix B; page B-5)

Compare the Waterbury Wind Resources Map (Appendix B; page B-5) with maps showing constraints.

- Potential Wind Location blankets land identified as the Schutesville Hill Wildlife Corridor (REF 5).
- Potential Wind Location blankets land identified as having Slopes greater than 25% which are specifically listed as “constraints” to renewable energy development (REF 6) SEE ALSO Waterbury Natural Features Map; Map 2-1 in Municipal Maps section showing slopes greater than 25%
- Potential Wind Location blankets land identified as bear habitat SEE Waterbury Wildlife Resources Map 2-2 in Municipal Maps section.
- Potential Wind Location blankets land identified as “Highest Priority Interior Forest Blocks” (Clark comment: not to be fragmented per Act 171). on the “Forest Resources and Connectivity Map 2-5 in Municipal Maps section.

The “Waterbury Known Constraints Map” REF Appendix B; Page B-2) fails to identify any constraints along the border with Middlesex

This misleading information on the Waterbury Wind Resources Map justifies the request that approval of Appendix B: Waterbury Energy Plan be delayed until revision / amendment / correction of this information is made.

SUMMARY

Because the area identified on the Wind Resource Map as having potential for wind resources clearly conflicts with several stated constraints identified in the Plan and

Because there are sufficient solar location resources to meet Waterbury's required renewable allocation of 33,000 MWH

I request that the map showing locations for potential wind development be updated to show no potential wind development in the area of the Worcester Range, along the border with Middlesex. Thus withholding approval of Appendix B – Waterbury Energy Plan until such time as amendments / revisions / corrections can be made.

Furthermore I suggest that consideration for development of potential wind resources be cut from the document as not needed.

REFERENCES CITED FOR S. CLARK'S COMMENTS REGARDING WIND
DEVELOPMENT

AS PRESENTED IN WATERBURY'S TOWN PLAN AND APPENDIX B OF 12/3/2018.

OVERVIEW REFERENCE

1. page 2 of Waterbury selectboard minutes of meeting dated 12/3/2018: "W.Shepeluk stated that if the plan is approved, it can then be amended in the future.

POINT 1:

WIND DEVELOPMENT IS NOT NEEDED TO MEET THE 90 BY 50 RENEWABLE
ENERGY GOALS

2. page ii; appendix B "By comparison, Waterbury's share of new renewable energy generation needed to meet the state's goal is approximately 33,000 megawatt hours."

**3. page 15; appendix B; TABLE 12 – POTENTIAL RENEWABLE ENERGY
GENERATION** Shows 889,210 megawatt hours identified for possible ground mounted solar location.

POINT 2:

DEVELOPMENT THREATENS LONG TERM WILDLIFE SURVIVAL FOR THE
NORTHEASTERN US AND CANADA

4. page 72; Municipal Plan: "One area was specifically recognized where development of any kind, including renewable energy development, should be restricted. The Schutesville Hill Wildlife Corridor is identified....."

page 32: Appendix B – Waterbury Energy Plan: "There are several locations throughout the Town of Waterbury that have been identified as being unsuitable for development. These include the Schutesville Hill Wildlife Corridor.

POINT 3:

ERROR IN APPLYING THE PLAN'S METHODOLOGY
(FOR IDENTIFYING APPROPRIATE LOCATIONS FOR WIND DEVELOPMENT)
RESULTS IN
MIS-IDENTIFICATION OF SITES FOR POTENTIAL WIND DEVELOPMENT.

5. Map of Schutesville Hill Wildlife Corridor on Stowe Land Trust web site

<https://www.stowelandtrust.org/projects/shutesville/>

https://www.stowelandtrust.org/fileadmin/slt/maps/Shutesville_Hill_Wildlife_Corridor_Inset_Map.jpg

6. Identified constraints to development of solar and wind renewable energy locations: page 31;
Appendix B: listed are:

elevations greater than 2500 feet

slopes greater than 25%

State significant natural communities (SFC addition: which include unbroken forest
blocks by Act 171; bear habitat)

Shutesville Hill Wildlife Corridor





Central Vermont Regional Planning Commission

RESOLUTION

Whereas Title 24, VSA, Section §4350 requires that regional planning commissions, after public notice, shall review the planning process of member municipalities and shall so confirm when a municipality:

1. is engaged in a continuing planning process that, within a reasonable time, will result in a plan that is consistent with the goals contained in 24 V.S.A. § 4302;
2. is engaged in a process to implement its municipal plan, consistent with the program for implementation required under 24 V.S.A. § 4382; and
3. is maintaining its efforts to provide local funds for municipal and regional planning purposes;

Whereas as part of the consultation process, a regional planning commission shall consider whether a municipality has adopted a plan;

Whereas a regional planning commission shall review and approve plans of its member municipalities, when approval is requested and warranted, and a commission shall approve a plan if it finds that the plan:

1. is consistent with the goals established in 24 V.S.A. § 4302;
2. is compatible with its regional plan;
3. is compatible with approved plans of other municipalities in the region; and
4. contains all the elements included in 24 V.S.A. § 4382(a)(1)-(12);

Whereas the Town of Waterbury prepared a municipal plan in accordance with 24 V.S.A Chapter 117;

Whereas the Central Vermont Regional Planning Commission concluded that the 2018 Waterbury Town Plan meets the requirements for approval; now, therefore, be it

Resolved, that the Central Vermont Regional Planning Commission:

1. approves the 2018 Waterbury Town Plan, adopted June 4, 2018; and
2. consulted with and confirms the planning process of the Town of Waterbury.

Under 24 V.S.A. § 4350, when an adopted municipal plan expires, its approval and confirmation of the municipality's planning process also expire. Recommendations made by the Central Vermont Regional Planning Commission are attached and should be considered when developing the next municipal plan.

A municipality that has adopted a plan may define and regulate land development in any manner that the municipality establishes in its bylaws, provided those bylaws are in conformance with the plan and are adopted for the purposes set forth in 24 V.S.A. § 4302.

ADOPTED by the Central Vermont Regional Planning Commission on May 14, 2019.

Juliana Potter, Chair



MEMO

Date: May 7, 2019
To: Board of Commissioners
From: Julie Potter, Chair
Re: Proposed CVRPC Bylaws Amendments

No Action Required

Why are these amendments being proposed?

The current bylaws provide insufficient guidance for current governance needs, particularly maximizing member involvement and assigning Commissioners and Alternates to committees. Although clearly written, the current bylaws are not well organized, and it is often difficult to find where the bylaws address certain topics.

How were the proposed amendments developed?

In July 2018, the Executive Committee established a working group to prepare a bylaws update. Working group members were Julie Potter, Steve Lotspeich and, initially, Rich Turner. Executive Director Bonnie Waninger participated in each of the meetings, and Nancy Chartrand provided staff support. The working group met monthly from November 2018 to February 2019.

The working group reviewed the strengths and weaknesses of the current bylaws and noted best practices from other RPC bylaws documents. The working group prepared draft amendments that reorganized and restated the bylaws, expanding some topics and adding some new sections. Annotations provide information to assist with review and comparisons to the current bylaws; the annotations are intended to be removed upon adoption.

Executive Committee reviewed the proposed amendments in March, April, and May 2019 and recommended advancing them for Board consideration and approval.

What significant changes are being proposed to the bylaws?

- The proposed bylaws have been reorganized and include a table of contents to facilitate document navigation.

- The purposes section in Article 2 has been expanded to better reflect the full scope of CVRPC's programs and functions.
- The Board of Commissioners is specifically recognized. (Section 401)
- Because of the limited responsibilities of the offices of Secretary and Treasurer, they have been combined to be Secretary/Treasurer. This results in the addition of another at-large position on Executive Committee. (Section 402)
- Committees with long-term roles in CVRPC's operations and core programs are recognized as standing committees, with membership, and purpose and duties identified for each standing committee. (Section 403)
- The section on Special Committees has been expanded to address formation, membership, roles, and procedural responsibilities. (Section 404)
- The section on nominations is expanded to provide more process detail. (Section 501) The Nominating Committee's role is expanded to include nominating members to serve on committees.
- Terms of office are changed to coincide with CVRPC's July 1 fiscal year start date. (Section 503)
- The Annual Meeting is changed from May to June, to better align with the fiscal year.
- Quorum for meeting is changed to comply with statute. (Section 606)
- Language is added to clarify that the Board and all committee meetings are subject to the state's Open Meeting Law. (Section 607)
- Responsibility for establishing the membership assessment (aka municipal dues) is given to the Executive Committee, reflecting actual practice and the Executive Committee's role in overseeing CVRPC's financial affairs. (Section 802)
- New sections added to identify that CVRPC will prepare a Work Program and Budget (Section 902), Annual Report (Section 903), and obtain an annual audit (Section 904).

What is the process to amend the bylaws?

Under the current bylaws (Article X), there is a 3-step process to amend the bylaws:

- A. Place the proposed amendment on the agenda for a regularly scheduled meeting of the Board. This can be done by the Board or by the Executive Committee.
- B. Discuss the proposed amendment at the next regularly scheduled Board meeting. The proposed amendment can be amended at this meeting. An affirmative vote of the Board is required for the proposed amendments to proceed to a final vote at the next regular Board meeting.
- C. The proposed bylaws amendment (with any amendments) is voted on at the next regular Board meeting. No additional amendments may be made. 60% of Commissioners must vote to approve the bylaws amendments for the amendments to pass and take effect.



CENTRAL VERMONT REGIONAL PLANNING COMMISSION BYLAWS

Annotated Version – notes will be removed upon adoption

Adopted by the Commissioners on Month ##, 201X

May 7, 2019 DRAFT

**ARTICLES OF CONSTITUTION AND BYLAWS OF
THE CENTRAL VERMONT REGIONAL PLANNING COMMISSION
Table of Contents**

6	ARTICLE 1:	NAME AND ADDRESS	1
7	ARTICLE 2:	POWERS AND PURPOSES	1
8	Section 201:	Legal Basis	1
9	Section 202:	General Purpose	1
10	Section 203:	Regional Planning.....	1
11	Section 204:	Municipal Planning.....	1
12	Section 205:	Studies, Plans and Implementation	1
13	Section 206:	Municipal Service Agreements	2
14	Section 207:	Other Duties and Responsibilities.....	2
15	ARTICLE 3:	MEMBERSHIP AND REPRESENTATION	2
16	Section 301:	Member Municipalities.....	2
17	Section 302:	Appointment of Commissioners and Alternates	2
18	Section 303:	Voting.....	3
19	Section 303:	Resignation.....	3
20	Section 304:	Attendance.....	3
21	ARTICLE 4:	ORGANIZATION	3
22	Section 401:	Board of Commissioners.....	3
23	Section 402:	Officers.....	3
24	Section 403:	Standing Committees.....	4
25		A. General.....	4
26		B. Executive Committee	4
27		C. Nominating Committee	5
28		D. Regional Plan Committee	6
29		E. Project Review Committee	6
30		F. Town Plan Review Committee	7
31		G. Transportation Advisory Committee	7
32	Section 404:	Special Committees	8
33	Section 405:	Appointed Representatives	9
34	ARTICLE 5:	NOMINATIONS, ELECTIONS, APPOINTMENTS AND TERMS.....	9
35	Section 501:	Nominations.....	9
36	Section 502:	Elections.....	9
37	Section 503:	Terms of Office.....	10
38	Section 504:	Vacancies	10
39	Section 505:	Removal from Office	10

1	ARTICLE 6	MEETINGS.....	10
2	Article 601:	Regular Board of Commissioners Meetings.....	10
3	Article 602:	Annual Meeting.....	10
4	Article 603:	Additional Board of Commissioners Meetings	11
5	Article 604:	Committee Meetings	11
6	Article 605:	Notice of Meetings.....	11
7	Article 606:	Quorum	11
8	Article 607:	Open Meeting Law.....	11
9	Article 608:	Parliamentary Authority	11
10	Article 609:	Minutes	12
11	ARTICLE 7:	STAFF.....	12
12	ARTICLE 8:	FUNDING	12
13	Section 801:	Fiscal and Operational Year	12
14	Section 802:	Membership Assessment.....	12
15	Section 803:	Grants, Contracts and Contributions.....	13
16	Section 804:	Borrowing Authority	13
17	Section 805:	Signatory	13
18	ARTICLE 9:	SUPPLEMENTARY PROVISIONS.....	13
19	Section 901:	Conflict of Interest	13
20	Section 902:	Work Plan and Budget	13
21	Section 903:	Annual Report	13
22	Section 904:	Audit.....	14
23	Section 905:	Dissolution	14
24	Section 906:	Amendments to Bylaws	14
25	Section 907:	Severability.....	14
26	Central Vermont Regional Planning Commission Bylaws History		14
27			

May 7, 2019 DRAFT

**ARTICLES OF CONSTITUTION AND BYLAWS OF
THE CENTRAL VERMONT REGIONAL PLANNING COMMISSION**

ARTICLE 1: NAME AND ADDRESS

Note: Compare to Article I in the current bylaws. No substantial changes.

The name of this organization shall be the Central Vermont Regional Planning Commission, hereinafter referred to as CVRPC. The principal address of CVRPC shall be the address of its offices.

ARTICLE 2: POWERS AND PURPOSES

Note: Compare to Article II in the current bylaws. Expanded discussion of powers includes Municipal Service Agreements, which must be explicitly identified in the bylaws for CVRPC to do.

Section 201: Legal Basis

The legal basis of CVRPC is established in the Vermont Municipal and Regional Planning and Development Act, 24 V.S.A. Chapter 117, hereinafter referred to as the Act, and other such laws as may be enacted by the General Assembly of the State of Vermont.

Section 202: General Purpose

The purpose of CVRPC is to assist Central Vermont municipalities in providing effective local government and to work cooperatively with them to address regional issues. CVRPC shall coordinate and assist in efforts to promote the present and future health, safety and general welfare of the people of Central Vermont through planning and development activities.

Section 203: Regional Planning

CVRPC shall prepare and adopt a Regional Plan in accordance with the provisions of 24 V.S.A., Section 4348 and 4348(a) and consistent with the goals of 24 V.S.A., Section 4302.

CVRPC shall undertake other activities or duties as required by state or federal law including, but not limited to, those outlined in 24 V.S.A, Section 4345, Section 4345(a) and Section 4350.

Section 204: Municipal Planning

CVRPC shall assist municipalities and their respective local boards, commissions and committees in developing and implementing municipal plans to promote the health, safety and welfare of residents and the local and regional areas with which CVRPC is concerned.

CVRPC may advise municipal governing bodies in all aspects of municipal governance.

Section 205: Studies, Plans, and Implementation

In accordance with the provisions of 24 V.S.A. Section 4345, CVRPC may undertake comprehensive planning and studies, and make recommendations on land development; urban renewal; transportation; economic, industrial, commercial and social development; urban

May 7, 2019 DRAFT

1 beautification and design improvements; historic and scenic preservation; capital investment
2 plans, and natural resource protection. CVRPC may also implement, with the cooperation of
3 municipalities within the region, programs for the appropriate development, improvement,
4 protection and preservation of the region's physical and human resources.

5 **Section 206: Municipal Service Agreements**

6 CVRPC may enter into municipal service agreements to promote cooperative arrangements and
7 coordinate, implement, and administer service agreements among municipalities, including
8 arrangements and actions with respect to planning, community development, joint purchasing,
9 inter-municipal services, infrastructure, and related activities. CVRPC can exercise any power,
10 privilege, or authority, as defined within the municipal service agreement, capable of exercise
11 by a municipality (subject to applicable state or federal law) as necessary or desirable for
12 dealing with problems of local or regional concern.

13 **Section 207: Other Duties and Responsibilities**

14 CVRPC may perform other acts or functions as it may deem necessary or appropriate to fulfill
15 the intent and purposes of the Act; to meet the obligations imposed by federal, state and local
16 law or regulations; and other duties and responsibilities that the Board deems appropriate.

17 **ARTICLE 3: MEMBERSHIP AND REPRESENTATION**

18 **Section 301: Member Municipalities**

19 *Note: Compare to Section 3.1 in current bylaws. No substantial changes.*

20 CVRPC serves the Central Vermont Region, consisting of the following municipalities in
21 Washington and Orange Counties: Barre Town, City of Barre, Berlin, Cabot, Calais, Duxbury,
22 East Montpelier, Fayston, Marshfield, Middlesex, City of Montpelier, Moretown, Northfield,
23 Orange, Plainfield, Roxbury, Waitsfield, Warren, Washington, Waterbury, Williamstown,
24 Woodbury and Worcester. All municipalities within the Central Vermont Region are members
25 of CVRPC.

26 **Section 302: Appointment of Commissioners and Alternates**

27 *Note: Compare to Section 3.2 in current bylaws. No substantial changes.*

- 28 A. Representation on the CVRPC shall be by Commissioners. The legislative body of each
29 member municipality may appoint one Commissioner and one Alternate to the CVRPC
30 Board of Commissioners. No Commissioner or Alternate may vote or otherwise formally
31 serve until such appointment has been certified in writing by the appointing legislative
32 body.
- 33 B. Commissioners and Alternates shall serve for a term of one year or until a successor is
34 appointed. Commissioners and Alternates may be appointed to succeed themselves.
- 35 C. In the absence of the Commissioner at any meeting of the Board of Commissioners, the
36 Alternate shall sit as the Commissioner and exercise all of the authority of the
37 Commissioner at that meeting.

May 7, 2019 DRAFT

D. Alternates shall not participate in place of Commissioners on committees or in any office.

E. In the event of the death, resignation, disqualification or removal of a Commissioner or Alternate, a successor shall be appointed promptly, as provided in subsection 302.A.

Section 303: Voting

Note: Compare to Section 3.4 in current bylaws. Provision for vote by mail removed.

A. Each Commissioner shall have one vote in all actions taken by the CVRPC Board of Commissioners.

B. Prior to any vote on any matter before the CVRPC Board of Commissioners, a Commissioner may request time and opportunity to consult with the Commissioner's municipal legislative body before casting a vote on such matter. When so requested, the vote shall be postponed, unless such postponement results in violation of State statute requirements.

Section 304: Resignation

Note: New section.

Any resignation of a Commissioner or Alternate shall be submitted to CVRPC in writing.

Section 305: Attendance

Note: New section.

If a Commissioner has an unexplained absence for three Board meetings in a row, the Commissioner will be contacted by the Chair to determine whether the Commissioner has a continued interest in serving on the Board.

ARTICLE 4: ORGANIZATION

Section 401: Board of Commissioners

Note: New section.

The Board of Commissioners, hereinafter called the Board, shall consist of the Commissioners. It shall be the duty of each Commissioner to regularly report on the activities of CVRPC to the legislative body and the local planning commission of the municipality of the Commissioner's appointment.

Section 402: Officers

Note: Compare to Section 6.1 in current bylaws. Language combines Secretary and Treasurer into one position. Parliamentary advice is moved from Secretary to Vice Chair. See also the Duties of Officers policy, adopted 2/13/96.

A. CVRPC's officers shall consist of a Chair, Vice Chair, and Secretary/Treasurer, each of whom shall be duly appointed Commissioners of member municipalities.

B. Duties of officers shall be as follows:

May 7, 2019 DRAFT

- 1 1. The Chair shall call meetings of the Board and the Executive Committee and shall
2 preside at these meetings. The Chair shall prepare and cause to be distributed
3 to members, an agenda for all Board and Executive Committee meetings. The
4 Chair shall perform such other duties as are normal or customary to the office, or
5 which may be assigned by the Board. The Chair shall cast a vote on all issues
6 voted on at a Board or Executive Committee meeting, unless the Chair wishes to
7 abstain.
- 8 2. The Vice Chair shall act as Chair in the absence or incapacity of the Chair and
9 shall perform such other duties as may be assigned by the Board. The Vice Chair
10 may also advise the Chair on parliamentary issues. The Vice Chair shall act as
11 Secretary/Treasurer in the absence or incapacity of the Secretary/Treasurer.
- 12 3. The Secretary/Treasurer is CVRPC's recording officer and the custodian of its
13 records, except as those duties are delegated to CVRPC staff. The
14 Secretary/Treasurer shall perform all duties customary to that office, including
15 overseeing all CVRPC financial records and overseeing minutes of Board
16 meetings and such Committee meetings as the Chair may designate.
- 17 C. Additional officer duties may be assigned by a policy adopted by the Board.

18 **Section 403: Standing Committees**

19 ***Note: New section.***

20 A. General

- 21 1. Standing Committees have a long-term role in CVRPC's operations and core
22 programs.
- 23 2. Each Standing Committee shall have Rules of Procedure approved by the Board.
24 The Rules of Procedure shall specify the committee's purpose, general activities,
25 role, membership, voting procedures, officers, elections, attendance and
26 quorums, communication and coordination, conflict of interest policy, and
27 adoption of organizational procedures.
- 28 3. Standing Committees may establish Subcommittees and Workgroups as needed
29 to accomplish committee business.
- 30 4. Unless otherwise specified in the Rules of Procedure, all Standing Committee
31 members are eligible to vote on committee business.
- 32 5. All Standing Committees shall maintain meeting minutes. Standing Committees
33 shall report to the Board as it directs.

34 B. Executive Committee

35 ***Note: Compare to section 6.7 of current bylaws. Expanded to better reflect actual responsibilities of***
36 ***the Executive Committee. See also Duties of Executive Committee Policy, adopted 2/13/96 and***
37 ***Executive Committee Rules of Procedure, adopted 7/2/18.***

May 7, 2019 DRAFT

1. The Executive Committee shall consist of seven Commissioners, including the three (3) officers and four (4) at-large members, who shall be elected at the Annual Meeting. Duly-appointed Commissioners are eligible for Executive Committee membership. The officers of the Board shall be the officers of the Executive Committee.
2. The purpose and duties of the Executive Committee shall be to:
 - a. Oversee and approve an annual work plan and budget for CVRPC, including budget adjustments.
 - b. Set municipal dues.
 - b. Oversee and approve an organizational plan for CVRPC.
 - c. Authorize and accept grants, agreements and contracts with outside organizations and agencies.
 - d. Review and accept the annual audit.
 - e. Approve the addition and elimination of staff positions as recommended by the Executive Director. Adopt job descriptions and wage ranges for staff positions.
 - f. Adopt and oversee personnel, financial, procurement, operational and administrative policies and procedures.
 - e. Monitor emerging issues affecting CVRPC.
 - f. Approve agendas for Board of Commissioner meetings.
 - g. Recommend to the Board or, if timing requires, take appropriate action on policy issues, including legislative issues, state or federal plans and policy, regional planning commission allocation formulas or other issues affecting the Central Vermont region and its municipalities.
 - h. Act on behalf of the Board in the absence of a quorum of the Board when time precludes the delay of decision or action until the next regular meeting of the Board.
 - i. Carry out other actions as directed by a policy adopted by the Board.

C. Nominating Committee

Note: Compare to Section 6.3 in current bylaws. This language increases the role of Nominating Committee. See also Nominating Committee Guidelines adopted 3/9/99. Rules of Procedure still need to be developed.

1. The Nominating Committee shall consist of three (3) Commissioners or Alternate Commissioners. The Executive Committee shall nominate candidates for the Nominating Committee, taking demonstrated commitment to CVRPC into account. Nominees shall be submitted at the January Board meeting, and

May 7, 2019 DRAFT

additional nominations may be made from the floor. The Board shall elect the Nominating Committee annually at its January meeting.

2. The purpose and duties of the Nominating Committee shall be to:

- a. Identify and recommend to the Board a slate of candidates for the positions of Chair, Vice Chair, Secretary/Treasurer and at-large members of the Executive Committee.
- b. Identify and recommend to the Board candidates for Standing and Special Committees and CVRPC representatives appointed to other organizations.

D. Regional Plan Committee

Note: Rules of Procedure still need to be completed.

1. The Regional Plan Committee shall consist of five (5) Commissioners or Alternate Commissioners who shall be elected at the Board's Annual Meeting.
2. The purpose and duties of the Regional Plan Committee shall be to:
 - a. Oversee development and maintenance of the Regional Plan, pursuant to 24 VSA 4347 to 4348(b), and make recommendations for approval by the Board.
 - b. Oversee other tasks related to the Regional Plan, as assigned by the Board.

F. Project Review Committee

Note: Compare to Project Review Committee Rules of Procedure adopted 9/12/17.

1. The Project Review Committee shall consist of five (5) members plus one (1) Committee Alternate, each of whom may be a Commissioner or an Alternate Commissioner. Committee members and the committee alternate shall be elected at the Board's Annual Meeting. Members and the Alternate shall have staggered three-year terms.
2. The Project Review Committee shall offer advice, input, and opinions on proposed Act 250 and Section 248 projects, compatible with the plans, policies, positions or resolutions adopted by the Board of Commissioners. Project Review Committee advice, input, and opinions may be reviewed, confirmed or reversed by the CVRPC Board at the Board's discretion.
3. The purpose and duties of the Project Review Committee shall be to:
 - a. Evaluate Act 250 and Section 248 development projects relative to conformance with the Regional Plan.
 - b. Provide input and recommendations to the State, on behalf of the Board, regarding Act 250 and Section 248 projects.

May 7, 2019 DRAFT

- c. Provide guidance to the staff and the Regional Plan Committee on amendments or changes to the Substantial Regional Impact criteria.
- d. Provide the Board copies of all written decisions and recommendations regarding Act 250 and Section 248 projects.

F. Town Plan Review Committee

Note: Rules of Procedure still need to be completed. Includes review of municipal plans and municipal enhanced energy plans.

1. The Town Plan Review Committee shall consist of five (5) members who shall be elected at the Board's Annual Meeting. At least two (2) members shall be Commissioners and no more than (3) members shall be Alternates.
2. The purpose and duties of the Town Plan Review Committee shall be to:
 - a. Review municipal plans for conformance to statutory requirements, in accordance with 24 V.S.A 4350(b), and make recommendations for approval to the Board.
 - b. Review municipal enhanced energy plans for determination of energy compliance, in accordance with 24 V.S.A. 4352(b).
 - c. Review municipal planning processes, in accordance with 24 V.S.A. 4350(a), and make recommendations for confirmation to the Board.
 - d. Provide guidance to municipalities about future plan updates and ways to strengthen planning efforts.

G. Transportation Advisory Committee

Note: Compare to Transportation Advisory Committee Rules of Procedure adopted 10/11/17.

1. The Transportation Advisory Committee shall consist of municipal representatives and representatives from transportation-related groups. Each of the member municipalities in the Central Vermont region is eligible to appoint one voting member and one alternate representative to the Transportation Advisory Committee. Municipal participation is discretionary and determined by appointment by the municipality's legislative body. Upon the approval of 51% of the Transportation Advisory Committee, other transportation-related groups will be invited to appoint one voting member and one alternate representative to the Transportation Advisory Committee. The committee membership term is one year, appointed in March.
2. The Transportation Advisory Committee shall be advisory to the Board. The Transportation Advisory Committee will offer advice, input, and opinions to the Vermont Agency of Transportation and other organizations and individuals as appropriate, provided that they are compatible with plans, policies, positions or resolutions adopted by the Board. Transportation Advisory Committee advice, input, and opinions may be reviewed, confirmed or reversed by the CVRPC Board at the Board's discretion. New or amended plans, policies, positions or

May 7, 2019 DRAFT

1 resolutions by the Transportation Advisory Committee shall be approved by the
2 CVRPC Board.

3 3. The purpose and duties of the Transportation Advisory Committee shall be to:

4 a. Oversee the CVRPC transportation planning program in accordance with
5 CVRPC plans, policies and procedures. This includes assisting with the
6 development of CVRPC's annual transportation work program and
7 budget.

8 b. Develop and update a regional transportation element as part of the
9 Regional Plan.

10 c. Provide recommendations on funding and prioritization for the Agency of
11 Transportation's Capital Budget and State Transportation Improvement
12 Program.

13 d. Act as a liaison between local communities and the Vermont Agency of
14 Transportation.

15 e. Provide local and regional input regarding transportation issues
16 important to the region.

17 **Section 405: Special Committees**

18 ***Note: Compare to section 6.8 in current bylaws. Language expanded to address formation,***
19 ***membership, role, rules of procedure, minutes, etc.***

20 A. The Board may create Special Committees as needed to address specific tasks or to
21 oversee or advise CVRPC projects or programs.

22 B. Special Committees may include Commissioners, Alternates, topic experts, interest
23 group representatives or other public representatives as appropriate to accomplish the
24 purpose of the Special Committee. The Board shall appoint Commissioners or
25 Alternates to serve as members of Special Committees. Special Committee members
26 who are not Commissioners or Alternates shall be appointed as specified in the
27 committee's Rules of Procedure.

28 C. Special Committees shall be advisory to the Board. Special Committees may offer
29 advice, input, and opinions to agencies, other organizations and individuals as
30 appropriate, provided that they are compatible with plans, policies, positions or
31 resolutions adopted by the Board.

32 D. Each Special Committee shall have Rules of Procedure approved by the Board. The
33 Rules of Procedure shall specify the committee's purpose, general activities, role,
34 membership, voting procedures, officers, elections, attendance and quorums,
35 communication and coordination, conflict of interest policy, and adoption of
36 organizational procedures

37 D. Special Committees may establish Subcommittees and Workgroups as needed to
38 accomplish committee business.

May 7, 2019 DRAFT

E. Unless otherwise specified in the Rules of Procedure, all committee members are eligible to vote on committee business.

F. Special Committees shall maintain meeting minutes and report to the Board as it directs.

Section 406: Appointed Representatives

Note: Compare to Section 6.2 in current bylaws. Language modified to more generally apply to appointments. Examples might be Council of Regional Commissions, VAPDA, GMTA, VEPC, Mad River Planning District.

The Board may appoint Commissioners, Alternates or staff to represent CVRPC on state councils or the governing bodies of other organizations. Appointments shall be made at the Annual Meeting, or when representation is requested.

ARTICLE 5: NOMINATIONS, ELECTIONS, APPOINTMENTS AND TERMS

Section 501: Nominations

Note: See Section 6.3 in current bylaws. Expanded language on process.

A. The Nominating Committee will be appointed in accordance with Section 403.C.

B. The Nominating Committee shall seek to balance the interests of CVRPC in order to have the Executive Committee and Standing Committees be as reflective of the Board as possible.

C. The Nominating Committee shall follow its adopted Rules of Procedure and the adopted Nominating Committee Guidelines.

D. The Nominating Committee shall present an initial slate of Officers and at-large Executive Committee members at the Board's April meeting, with a final slate of candidates at the May meeting. Additional candidates may be nominated from the floor at the May meeting, at which time nominations will be closed.

E. The Nominating Committee shall present a slate of other Standing and Special Committee members and other appointed representatives at the Board's May meeting. Additional candidates may be nominated from the floor at the May meeting, at which time nominations will be closed.

Section 502: Elections

Note: See Section 6.3 in current bylaws. Slightly expanded language.

A ballot, containing the final slate of Officers, Executive Committee and other committee candidates, shall be sent not more than five (5) days after the May meeting to all members of the Board. The Secretary shall oversee vote counting and shall announce the results at the Annual Meeting. The candidates receiving the most votes shall be elected. In the event of a tie, the Board shall vote at the Annual Meeting.

May 7, 2019 DRAFT

Section 503: Terms of Office

Note: See Section 6.4 of current bylaws. Changes terms to coincide with fiscal year.

A. The terms of office for Officers and the Executive Committee are one year, from July 1 to June 30.

B. The terms of office for other Committees and appointments shall be from July 1 (or the date of appointment) to June 30, unless otherwise specified in the Committee Rules of Procedure.

Section 504: Vacancies

Note: See Section 6.4 in current bylaws. No substantial changes.

A. In the event that any Officer or Executive Committee position is vacated, such vacancy shall be filled at the next regular Board meeting. Members so elected shall hold office only for the balance of the current year or until their successors are elected and installed.

B. Committee Rules of Procedure shall address vacancies on other committees.

Section 505: Removal from Office

Note: See Section 6.4 in current bylaws. Clarifies that "cause" is violation of Code of Conduct and Conflict of Interest Policy.

A. Any Officer or member of any committee may be removed from a committee for violations of CVRPC's adopted Code of Conduct and Conflict of Interest Policy. Removal requires a 60% vote of all members of the Board. Any action for removal must be warned one month in advance of the Board meeting at which such a vote will be taken.

B. Commissioners and Alternates can only be removed from the Board through action by their municipal governing body.

ARTICLE 6: MEETINGS**Section 601: Regular Board of Commissioners Meetings**

Note: See Section 4.1 in current bylaws. No substantial changes.

Regular meetings of the Board shall be held on the second Tuesday of the month, or as otherwise determined by either the Executive Committee or the Board. The time and place of the meetings shall serve the convenience of the greatest number of Commissioners, as determined by the Board.

Section 602: Annual Meeting

Note: See Section 4.1 in current bylaws. Annual meeting moved from May to June to have new positions start with fiscal year and enable newly-appointed Commissioners and Alternates a chance to participate on committees their first year.

The Annual Meeting shall be the monthly meeting that occurs in June.

May 7, 2019 DRAFT

Section 603: Additional Board of Commissioners Meetings*Note: See Section 4.2 in current bylaws. No substantial changes.*

Additional meetings may be called by the Chair, the Executive Committee, or by a majority vote of the Board.

Section 604: Committee Meetings*Note: New section.*

Committees shall meet at a day and time determined by the Committee.

Section 605: Notice of Meetings*Note: See Section 4.3 in current bylaws. Slightly expanded discussion.*

A. Notice of regular meetings of the Board shall be distributed by mail or email to Commissioners and Alternates not less than five (5) days prior to such meetings. Notice shall also be sent to other parties requesting notice.

B. Notice of regular meetings of committees shall be distributed by mail or email to committee members not less than five (5) days prior to such meetings. Notice of committee meetings shall also be made to Commissioners and Alternates.

C. Notice of Special or Emergency meetings shall be in accordance with the Vermont Open Meeting Law (1 V.S.A. Sections 310-314).

Section 606: Quorum*Note: See Section 3.4 in current bylaws. Language changed from majority of Commissioners to majority of seats in order to comply with statute.*

A. A majority of Commission seats shall comprise a quorum for Board meetings and transacting business. In the event of a tie vote on any matter before the Board, including the vote of the Chair, such motion, resolution or action shall be considered as defeated.

B. A majority of voting committee seats shall comprise a quorum for committee meetings. In the event of a tie vote on any matter before the committee, including the vote of the Chair, such motion, resolution or action shall be considered as defeated.

Section 607: Open Meeting Law*Note: New section.*

All meetings of the Board and committees established by the Board are subject to the Vermont Open Meeting Law (1 V.S.A. Sections 310-314).

Article 608: Parliamentary Authority*Note: See Section 4.5 in current bylaws. No substantial changes.*

Roberts Rules of Order, Revised shall generally govern the proceedings of the Board and all CVRPC committees, unless otherwise specifically covered within these Bylaws or by any other special rules the Board may adopt.

May 7, 2019 DRAFT

Section 609: Minutes*Note: See Section 4.4 in current bylaws. Language slightly expanded.*

Minutes of all meetings of the Board and all committees established by the Board shall be kept and copies shall be available to all Commissioners, member towns and the general public in accordance with the Vermont Open Meeting Law (1 V.S.A. Sections 310-314).

ARTICLE 7: STAFF*Note: See Section 6.6 in the current bylaws. Minor changes to address work plan.*

- A. CVRPC staff shall consist of an Executive Director and any other administrative or technical staff as approved by the Executive Committee.
- B. The Executive Director and staff shall implement the work plan approved by the Executive Committee and undertake other duties as the Board or Executive Committee assign.
- C. All personnel matters shall be managed in accordance with the adopted Personnel Policies. Job descriptions for all staff shall be kept on file.
- D. No person seeking employment or having business with CVRPC shall be discriminated against for reasons of race, color, national origin, ancestry, place of birth, religion, gender identity, sexual orientation, pregnancy, age, marital status, military/veteran status, genetic information, physical or mental disability, HIV status or any other characteristic protected by state or federal law.

ARTICLE 8: FUNDING**Section 801: Fiscal and Operational Year***Note: See Article V in current bylaws. No substantial changes.*

CVRPC's fiscal and operational year shall be from July 1 to June 30.

Section 802: Membership Assessment*Note: See Article VIII in current bylaws. Changes dues establishment from Board to Executive Committee, as has been previously delegated. Modifies policy on services to municipalities not paying dues.*

- A. CVRPC shall annually establish dues in accordance with a schedule and rate established by the Executive Committee. CVRPC shall notify in writing all municipalities within the region on or before November 15th of the sums it deems necessary to be received from said municipalities for the ensuing fiscal year.
- B. CVRPC shall prioritize services to dues paying municipalities.

May 7, 2019 DRAFT

Section 803: Grants, Contracts and Contributions*Note: See Article VIIIc in current bylaws. Slightly expanded language.*

CVRPC may receive and expend monies from any source, without limitation, including funds made available from individuals, municipalities, the State of Vermont, the federal government, private foundations, corporate partners or trusts.

Section 804: Borrowing Authority*Note: See Article VIIIId in current bylaws. No substantial changes. This language is not grammatically correct, but is taken verbatim from statute.*

CVRPC may borrow money and incur indebtedness for the purposes of purchasing or leasing property for office space, establish and administer a revolving loan fund, or establish a line of credit.

Section 805: Signatory*Note: See Article VII in current bylaws. Language is expanded to more clearly define signatory roles.*

- A. The Executive Committee is responsible for approving contracts and agreements, and shall authorize an Officer or the Executive Director to sign approved contracts and agreements on behalf of CVRPC.
- B. The Chair, Treasurer and Executive Director are authorized to sign checks, notes, drafts and orders related to an approved Work Plan, contract or agreement. All other payments must be approved and authorized by the Executive Committee.

ARTICLE 9: SUPPLEMENTARY PROVISIONS**Section 901: Conflict of Interest***Note: See Section 3.5 in current bylaws. No substantial changes.*

Commissioners have an obligation to conduct the affairs of their office in such a manner as to instill public trust and confidence. CVRPC shall maintain a written policy on code of conduct and conflict of interest. A copy of this policy shall be provided to all Commissioners and Alternates at the time of their appointment.

Section 902: Work Plan and Budget*Note: New section. Adapted from SWCRPC VI.9*

The Executive Director shall prepare an annual written work plan and budget that shall be presented to the Executive Committee for approval. The approved work plan and budget shall be presented to the Board at the July meeting or as soon as possible thereafter.

Section 903: Annual Report*Note: New section. Adapted from TRORC 7.9*

The Executive Director shall prepare a written annual report to the towns in December of each year.

May 7, 2019 DRAFT

Section 904: Audit*Note: New section. Adapted from SWCRPC VI.9*

An annual audit, conducted by an independent CPA, shall be performed and a report shall be presented to the Executive Committee at a duly warned meeting.

Section 905: Dissolution*Note: See Article IX in current bylaws. No substantial changes.*

CVRPC shall be dissolved or terminated:

A. Upon the affirmative vote of all of the Board at an annual meeting, provided notice of the proposal of dissolution shall have been given in writing to each Commissioner and Alternate at least thirty days prior to such meeting;

B. When the number of participating municipalities represented by Commissioners shall be less than five.

Section 906: Amendments to Bylaws*Note: See Article X in the current bylaws. No substantial changes.*

A. A proposed amendment shall be placed on the agenda for any regularly scheduled meeting of the Board by vote of the Board or by vote of the Executive Committee.

B. The proposed amendment shall be discussed at the next regularly scheduled meeting of the Board and may be amended at that meeting. The proposed amendment shall proceed only upon vote of the Board.

C. The proposed amendment, as it may have been amended, shall be placed on the agenda for the next regular meeting of the Board for final vote. No amendment to the proposed amendment shall be allowed at the Board meeting during which the final vote is taken. The proposed amendment shall become effective upon affirmative vote of 60% of the municipal Commissioners. If a 60% affirmative vote is not attained, the proposed amendment fails.

Section 907: Severability*Note: New section. Adapted from ACRPC 1403*

If any provision of these Bylaws is held invalid, the other provisions of CVRPC's Bylaws shall not be affected thereby.

Central Vermont Regional Planning Commission Bylaws History*Note: Compare to Certificate at end of current bylaws. Language edited to retain only adoption and amendment dates.*

Bylaws first adopted April 27, 1967.

May 7, 2019 DRAFT

- 1 Amended May 27, 1980.
- 2 Amended January 10, 1989.
- 3 Amended May 10, 1994.
- 4 Amended November 11, 1997.
- 5 Amended May 8, 2001.
- 6 Amended April 13, 2010.
- 7 Amended April 11, 2017.
- 8 Amended MONTH ##, 2019

DRAFT



MEMO

Date: April 4, 2019
To: Board of Commissioners
From: Bonnie Waninger, Executive Director
Re: Act 250 Discussion

➔ ACTION REQUESTED:

- 1) **Develop Commission consensus on proposed Act 250 changes for:**
 - a. **transportation and energy criteria,**
 - b. **local and regional plan approval and use,**
 - c. **interstate interchange jurisdiction, and**
 - d. **enhanced designation jurisdiction.**
- 2) **Identify areas where Commission consensus does not exist and whether/how the proposal could be modified to achieve consensus.**

There are multiple Act 250 bills. For the Commission discussion, the bill being referenced is 19-0040, which is not actually a bill. Rather, it is an evolving draft of a potential bill to assist with developing consensus. Areas for which Legislative discussion is still occurring suggest areas where the Legislature may take action in 2019 or 2020.

The comprehensive scope of the recommended Act 250 changes precludes developing consensus on all items at one Commission meeting. Act 250 changes are not likely to move during the 2019 session. Staff is approaching the Commission discussion in consumable blocks based on available meeting time.

The items chosen for this Commission meeting are the “easier” areas of discussion. Staff recommends Commissioners review the enclosed excerpts from the Act 250 bill and H.197 (enhanced designation) and consider how proposed changes may affect development, conservation, and local and regional planning. Additional information related to the topics of discussion may be found in The Commission on Act 250 Report. The full report is available at <https://legislature.vermont.gov/assets/Legislative-Reports/Act250FinalReport-compressed.pdf>. It can be word-searched.

Act 250 Legislative Changes

Developing CVRPC's Perspective
05/14/19 Commission Meeting

Board Discussion

April:

- Reviewed findings and supporting data.
- Discussed legislation and areas of consensus.

Developed Perspectives on:

- Local and Regional Plan Approval and Use
- Transportation Criteria

Tonight's Goal

Continue the Discussion

Understand current Legislative discussions and identify CVRPC's perspectives on changes related to:

- interstate interchange jurisdiction,
- enhanced designation jurisdiction,
- energy criteria, and
- forest integrity.

Board activity is to identify areas where Commission consensus exists, where consensus does not exist, and whether/how current proposals could be modified to achieve consensus.

Summary of Recommendations

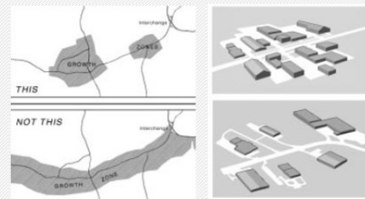
Interstate Interchange Jurisdiction

Applies to:

- commercial or industrial construction
- within a 3,000 ft. radius of an interchange, unless within an existing settlement

Must comply with:

- the *Vermont Interstate Interchange Planning and Design Guidelines*
- applicable to the category of land use identified for the area in the *regional plan*



Source: Vermont Interstate Interchange Design Guidelines

Interstate Interchange Design Guidelines

Planning and Development

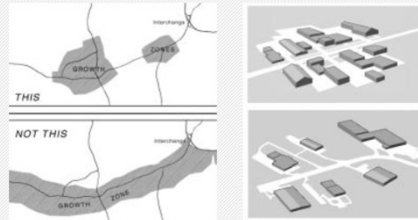
Planning

Define what you have, and where you want to go



Development

Guiding growth into patterns and appearances to reach that future



It is good to have an end to journey toward, but it is the journey that matters in the end.

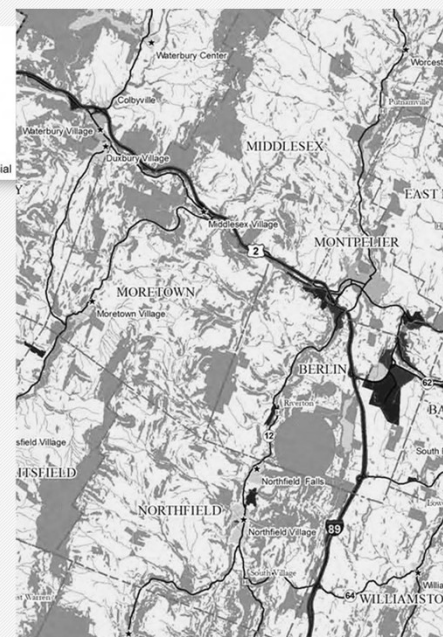
-Ursula K. LeGuin

2016 Regional Plan Land Use Planning Areas

Land Use Element General Goals, Policies & Strategies

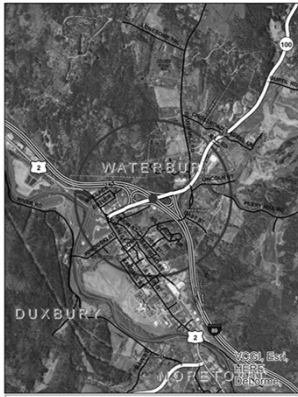
Goal 6:

To ensure that new development in the vicinity of the Region's interstate interchanges is appropriate to the setting and considers the impact of such development on adjacent village and urban centers.



Central Vermont's Interstate Interchanges Affected Lands

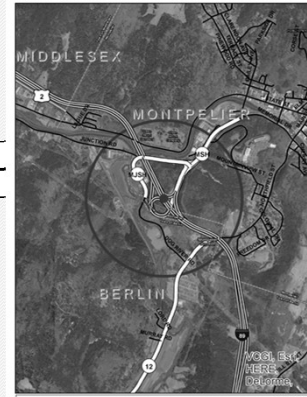
Waterbury



Middlesex



Montpelier



Central Vermont's Interstate Interchanges Affected Lands

Berlin



Barre Town



Williamstown



Summary of Recommendations

Enhanced Designation Jurisdiction

Municipality applies to take over Act 250 review

In designated downtowns, growth centers, village centers, new town centers, and/or neighborhood development areas (existing State designated areas only)

Municipality must demonstrate:

- bylaws compliant with Act 250 criteria.
- review and enforcement capacity.
- *critical resource areas* identification. (*proposed new term for Act 250*)
(river corridors, Class I or II wetlands, land at or above 2,000 feet, ridgelines, and land characterized by slopes greater than 15 percent and shallow depth to bedrock)
- satisfies other requirements. (*as adopted by the VT Downtown Board*)

“Enhancement” can be appealed.

Summary of Recommendations

Energy Criteria

Energy

- Updates statutory language to include 2015 energy efficiency *stretch code*
- Adds new requirement that applicants provide a *certification through inspection* that the proposed development complies with stretch codes
- Requires Environmental Board to *adopt rules for the inspection process*

What is a Stretch Code?

The Vermont Residential Building Energy Standards (RBES) was adopted in 1997. It applies to all residential buildings 3 stories or less above grade. Passed in 2013, the Stretch Code is defined as a *building energy code for residential buildings that achieves greater energy savings than the RBES*. The stretch code includes air leakage testing and electric vehicle charging stations for multifamily developments of 10 or more units. The Stretch Code has been applied in Act 250 since 2015. Municipalities can chose to adopt the stretch code.

For More Information

The Commission on Act 250 Report

<https://legislature.vermont.gov/committee/document/2018.1/333/Date/1-4-2019#documents-section>

Current Legislative bills to modify Act 250

<https://legislature.vermont.gov/>

The bills receiving the most attention are **S.165**, which can be found by entering the bill number in the Legislative webpage search box, and **discussion bill 19-0040**, which can be found through the "Bills" tab under the House Committee on Natural Resources, Fish & Wildlife.

Thank you for providing policy direction!

(dr req 19-0040 – draft 8.1)
4/3/2019 - EMC – 2:33 PM

Page 42 of 83

~~85 of 1973 shall not be used as criteria in the consideration of applications by a District Commission.~~

* * *

(F) Energy conservation and efficiency. A permit will be granted when it has been demonstrated by the applicant that, in addition to all other applicable criteria, the planning and design of the subdivision or development reflect the principles of energy conservation and energy efficiency, including reduction of greenhouse gas emissions from the use of energy, and incorporate the best available technology for efficient use or recovery of energy. An applicant seeking an affirmative finding under this criterion shall provide evidence, by certification, established through inspection, that the subdivision or development complies with the applicable building energy standards and stretch codes under 30 V.S.A. § 51 or 53. The Board shall adopt rules establishing an inspection process.

Interstate Interchanges

* * *

(I) Interchange areas. A permit will be granted for a development or subdivision within an interchange area when it is demonstrated that, in addition to all other applicable criteria, the development or subdivision complies with the Vermont Interstate Interchange Planning and Design Guidelines applicable to the category of land use as identified for that area in the regional plan. As used in this subdivision (I), “Vermont Interstate Interchange Planning and

(dr req 19-0040 – draft 8.1)
4/3/2019 - EMC – 2:33 PM

Page 43 of 83

1 Design Guidelines” refers to the guidelines by that name published by the
2 Agency of Commerce and Community Development in 2004 or such update to
3 those guidelines as the Commissioner of Housing and Community
4 Development may subsequently publish, provided that the update is at least as
5 protective of existing settlements, scenic beauty and aesthetics, farmland, and
6 natural resources as the 2004 guidelines.

7 * * *

8 (K) Development affecting public investments. A permit will be
9 granted for the development or subdivision of lands adjacent to governmental
10 and public utility facilities, services, and lands, including highways, airports,
11 waste disposal facilities, office and maintenance buildings, fire and police
12 stations, universities, schools, hospitals, prisons, jails, electric generating and
13 transmission facilities, oil and gas pipe lines, parks, hiking trails, ~~and~~ forest,
14 and game lands, lands conserved under chapter 155 of this title, and facilities
15 or lands receiving benefits through the Vermont Housing and Conservation
16 Board under chapter 15 of this title, the State Designation Program under 24
17 V.S.A. chapter 76A, or the Vermont Downtown and Village Center Tax Credit
18 Program under 32 V.S.A. chapter 151, subchapter 11J, when it is demonstrated
19 that, in addition to all other applicable criteria, the development or subdivision
20 will not unnecessarily or unreasonably endanger the public or quasi-public
21 investment in the facility, service, or lands, or materially jeopardize or interfere

(dr req 19-0040 – draft 8.1)
4/3/2019 - EMC – 2:33 PM

Page 48 of 83

Denial of Application

- 1 (b) A permit may not be denied solely for the reasons set forth in
2 subdivisions 6086(a)(5), (6), and (7) of this title. ~~However, reasonable~~
3 Reasonable conditions and requirements allowable in subsection 6086(c) of
4 this title may be attached to alleviate the burdens created. ~~However, a permit~~
5 may be denied under subdivision 6086(a)(5) of this title if the permit is for
6 development in an interchange area that is not within an existing settlement.

7 * * *

8 § 6088. BURDEN OF PROOF; PRODUCTION AND PERSUASION

- 9 (a) The initial burden of production, to produce sufficient evidence for a
10 District Commission to make a factual determination, shall be on the applicant
11 with respect to subdivisions 6086(a)(1) through (10) of this title.

- 12 (b) The burden of persuasion, to show that the application meets the
13 relevant standard, shall be on the applicant with respect to subdivisions
14 6086(a)(1), (2), (3), (4), (8)(A) through (C), (9), and (10) of this title.

- 15 (c) The burden shall be on any party opposing the applicant application
16 with respect to subdivisions 6086(a)(5) through (8), (6), (7), and (8), not
17 including (8)(A) through (8)(C) of this title to show an unreasonable or adverse
18 effect that the application does not meet the relevant standard.

19 § 6089. APPEALS

- 20 (a) Appeals of any act or decision of a District Commission under this
21 chapter or a district coordinator under subsection 6007(c) of this title shall be

(dr req 19-0040 – draft 8.1)
4/3/2019 - EMC – 2:33 PM

Page 55 of 83

Enhanced Designation

1 *** Enhanced Designation; Appeal ***

2 Sec. 5. 24 V.S.A. § 2793f is added to read:

3 § 2793f. ENHANCED DESIGNATION

(a) A municipality that has received or applies for designation of a downtown development district, village center, new town center, or growth center under this chapter may also apply for an enhanced designation pursuant to this section in order to allow the municipality, in lieu of the District Commissions under 10 V.S.A. chapter 151, to ensure that land development within the designated area complies with the criteria set forth in 10 V.S.A. § 6086(a). As used in this section, “land development” has the same meaning as in section 4303 of this title.

12 (b) A municipality seeking an enhanced designation shall:

(1) demonstrate that its bylaws ensure that land development in the designated area complies with the criteria set forth in 10 V.S.A. § 6086(a);

(2) demonstrate that it has the capability to review land development for compliance with those criteria and to enforce its decisions;

17 (3) identify those areas within the municipality that constitute critical
18 resource areas within the meaning of 10 V.S.A. § 6001; and

19 (4) satisfy such other requirements as the State Board shall adopt by
20 rule.

(dr req 19-0040 – draft 8.1)
4/3/2019 - EMC – 2:33 PM

Page 56 of 83

1 (c) The State Board shall adopt rules to implement this section and may
2 grant or conditionally grant an application for enhanced designation if it meets
3 the requirements of this section and the adopted rules.

4 Sec. 6. 24 V.S.A. § 2798 is amended to read:

5 § 2798. DESIGNATION DECISIONS; NONAPPEAL APPEAL

6 (a) ~~The A~~ person aggrieved by a designation ~~decisions~~ decision of the State
7 Board under this chapter are not subject to appeal one or more of sections 2793
8 through 2793f of this title may appeal to the Vermont Environmental Review
9 Board established under 10 V.S.A. chapter 151 within 30 days of the decision.
10 If the decision pertains to designation of a growth center under section 2793c
11 of this title, the period for filing an appeal shall be tolled by the filing of a
12 request for reconsideration under that section and shall commence to run in full
13 on the State Board's issuance of a decision on that request.

14 (b) The Vermont Environmental Review Board shall conduct a de novo
15 hearing on the decision under appeal and shall proceed in accordance with the
16 contested case requirements of the Vermont Administrative Procedure Act.
17 The Vermont Environmental Review Board shall issue a final decision within
18 90 days of the filing of the appeal. The provisions of 10 V.S.A. § 6024
19 regarding assistance to the Vermont Environmental Review Board from other
20 departments and agencies of the State shall apply to appeals under this section.

21 * * * Regional and Municipal Planning * * *

security of persons and property.

5. Light sources shall be shielded and not directly visible from public roads or adjacent residences.

6. Landscaping with native species is generally preferred over the use of nonnative species, particularly in non-urban environments. The use of non-native trees and plants for landscaping can lead to unintended introductions of species which out- compete native vegetation.

7. Where possible, parking lots and storage areas should be well landscaped and/or otherwise screened from view on public roads.

8. CVRPC encourages the State and municipalities to maintain existing roadside views by means of vegetation clearing, where appropriate.

9. CVRPC will attempt to inventory and map the Region's scenic resources, with assistance from municipalities.

10. The location of telecommunication towers is a significant aesthetic issue within the Region. Policies intended to minimize negative impact are presented in the wireless telecommunication facilities policies of this Plan.

11. CVRPC will track indicators that show impacts on aesthetic quality and natural beauty in Central Vermont.

12. New development should make all reasonable attempts to minimize noise pollution and shall not exceed acc

Regional Plan Land Use Element
GENERAL GOALS, POLICIES & STRATEGIES
Interstate interchanges

Goal 6:

To ensure that new development in the vicinity of the Region 's interstate interchanges is appropriate to the setting and considers the impact of such development on adjacent village and urban centers.

Policies:

1. CVRPC encourages interchange modeling and identification of preferred development scenarios.
2. CVRPC will encourage and assist municipalities in planning for land use in and around interchange areas.
3. CVRPC will continue to support the Town of Berlin 's efforts to plan for and implement the creation of a new village center in the vicinity of Exit 7.
4. CVRPC will encourage the concept of management associations (similar to transportation management associations) to promote master planning for interchange zones.
5. CVRPC will exercise its status as a statutory party in Act 250 whenever new development has the potential to impact the form and function of an interchange area or adjacent communities.
6. In support of regional land use priorities that support the development of village and urban centers, CVRPC will not encourage development at interchanges where that development will result in a demonstrable negative impact on adjacent village or urban centers. CVRPC will, however, encourage development at interchanges that complements or appropriately expands existing growth centers according to a locally developed, regionally approved plan.
7. New development should employ design guidelines that foster economic vitality in growth areas and encourage the maintenance of the rural, working landscape.

Goal 7:

To manage the quality and quantity of storm water runoff in order to avoid property damage and negative impacts on surface and groundwater.

Policies:

1. New development should, through design and maintenance, attempt to minimize changes in the volume and chemical composition of runoff. Methods recommended to achieve this

BILL AS INTRODUCED
2019

Enhanced Designation

H.197
Page 5 of 25

(7) “Floodway fringe” means an area which is outside a floodway and is flooded with an average frequency of once or more in each 100 years as determined by the Secretary of Natural Resources with full consideration given to upstream impoundments and flood control projects. “River corridor” has the same meaning as in section 752 of this title.

* * *

(30) “Designated center” means a downtown development district, village center, new town center, growth center, Vermont neighborhood, or neighborhood development area designated under 24 V.S.A. chapter 76A.

* * *

(38) “Enhanced designation” means the process by which a designated center demonstrates that the center has satisfied the requirements of 24 V.S.A. § 2799. The term shall also refer to the resulting status.

(39) “Forest-based enterprise” means an enterprise that aggregates forest products from forestry operations and adds value through processing or marketing in the forest products supply chain or directly to consumers through retail sales. “Forest-based enterprise” includes sawmills; veneer mills; pulp mills; pellet mills; producers of firewood, woodchips, mulch and fuel wood; and log and pulp concentration yards. “Forest-based enterprise” does not include facilities that purchase, market, and resell finished goods, such as wood furniture, wood pellets, and milled lumber, without first receiving forest products from forestry operations.

BILL AS INTRODUCED
2019

H.197
Page 6 of 25

(40) “Forest product” means logs, pulpwood, veneer wood, bolt wood,
wood chips, stud wood, poles, pilings, biomass, fuel wood, maple sap, and
bark.

4 (41) “Recreational trail” has the same meaning as “trails” in section 442
5 of this title.

6 (42) “Vermont Trails System trail” means a recreational trail that has
7 been recognized as a Vermont Trails System trail pursuant to section 443 of
8 this title. Vermont Trails System trails are for a State purpose because they are
9 for the benefit of all Vermonters.

10 Sec. 3. 10 V.S.A. § 6081 is amended to read:

11 § 6081. PERMITS REQUIRED; EXEMPTIONS

12 * * *

(y) No permit or permit amendment is required for any subdivision or development located in a designated center that has enhanced designation. If enhanced designation is terminated, development or subdivisions within the designated center must receive a permit, if applicable.

17 (z) No permit or permit amendment is required for the construction of
18 improvements for municipal, county, or State transportation projects that are
19 supported, in whole or in part, by federal aid.

20 Sec. 4. 10 V.S.A. § 6083a is amended to read:

21 § 6083a. ACT 250 FEES

22 * * *

BILL AS INTRODUCED
2019

H.197
Page 15 of 25

(5) Notwithstanding subdivisions (1), (2), and (3) of this subsection, the District Commission shall apply a mitigation credit for a forest-based enterprise using the following formula:

4 (A) For every 1,000 cords or equivalent tons or board feet of annual
5 product produced by a forest-based enterprise, the District Commission shall
6 apply a credit of 27 acres of conserved or mitigated land, or an equivalent
7 value of 27 acres of land if a deposit of an off-site mitigation fee into the
8 Vermont Housing and Conservation Trust Fund is required. The mitigation
9 ratio shall be 1:1.

10 (B) Applicants shall certify the annual production of the facility
11 through a certification statement included with the application.

12 * * *

13 Sec. 7. 10 V.S.A. § 8503(b) is amended to read:

14 (b) This chapter shall govern:

15 (1) all appeals from an act or decision of a District Commission under
16 chapter 151 of this title, excluding appeals of application fee refund and waiver
17 requests;

18 * * *

19 Sec. 8. 24 V.S.A. § 2799 is added to read:

20 § 2799. ENHANCED DESIGNATION

21 (a) Purposes. The purposes of this section are to:

BILL AS INTRODUCED
2019

H.197
Page 16 of 25

1 (1) encourage a municipality to plan and regulate for compact patterns

2 of development; and

3 (2) encourage development that is consistent with Vermont's land use

4 goals and smart growth principles by removing Act 250 jurisdiction from

5 enhanced designated downtowns, new town centers, growth centers,

6 neighborhood development areas, and village centers.

7 (b) Application and approval. A municipality, by resolution of its

8 legislative body, may apply to the State Board for enhanced designation for

9 any designated downtown development district, designated new town center,

10 designated growth center, designated neighborhood development area, or

11 designated village center. The State Board shall issue an affirmative

12 determination on finding that the municipality meets the requirements of

13 subsection (c) of this section.

14 (c) Enhanced designation requirements.

15 (1) To obtain an enhanced designation under this section, a municipality

16 must demonstrate that it has each of the following:

17 (A) an approved designated downtown development district,

18 designated new town center, designated growth center, designated

19 neighborhood development area, or designated village center;

20 (B) a municipal plan that is approved in accordance with section

21 4350 of this title;

BILL AS INTRODUCED
2019

H.197
Page 17 of 25

1 (C) municipal flood hazard planning, applicable to the entire
2 municipality, in accordance with section 4382(12) of this title and the
3 guidelines issued by the Department pursuant to section 2792(d) of this title;

4 (D) flood hazard and river corridor bylaws, applicable to the entire
5 municipality, that are consistent with the standards established pursuant to 10
6 V.S.A § 755(b) (flood hazard) and §1428(b) (river corridor);

7 (E) a capital budget and program pursuant to section 4430 of this title
8 that make substantial investments in the ongoing development of the
9 designated area, are consistent with the plan's implementation program, and
10 are consistent with the smart growth principles defined in section 2791(13) of
11 this title;

12 (F) municipal bylaws that do not include broad exemptions excluding
13 significant private or public land development from requiring a municipal land
14 use permit;

15 (2) Designated downtown development districts seeking enhanced
16 designation shall, in addition to the requirements of subsections (c)(1) through
17 (6) of this section, also have:

18 (A) urban form bylaws for the enhanced designated center that
19 further the smart growth principles of this chapter and adequately regulate the
20 physical form and scale of development and conform to the guidelines
21 established by the Department; and

BILL AS INTRODUCED
2019

H.197
Page 18 of 25

1 (B) historic preservation bylaws for established design review
2 districts, historic districts, or historic landmarks pursuant to 24 V.S.A.
3 § 4414(1)(E) and (F) for the enhanced designated center that meet State
4 historic preservation guidelines issued by the Department pursuant to section
5 2792(d) of this title.

6 (3) Designated new town centers, growth centers, or neighborhood
7 development areas seeking enhanced designation shall have, in addition to the
8 requirements of subdivisions (c)(1) through (6) of this section, wildlife habitat
9 planning bylaws for the enhanced designated center that comply with standards
10 established by the Department of Fish and Wildlife.

11 (4) Designated village centers seeking enhanced designation shall have,
12 in addition to the requirements of subsections (c)(1) through (6) of this section:

13 (A) Urban form bylaws for the enhanced designated center that
14 further the smart growth principles of this chapter and regulate the physical
15 form and scale of development and conform to the guidelines established by
16 the Department.

17 (B) Historic preservation bylaws for established design review
18 districts, historic districts, or historic landmarks pursuant to subdivisions
19 4414(1)(E) and (F) of this title for the enhanced designated center that meet
20 State historic preservation guidelines issued by the Department pursuant to
21 subsection 2792(d) of this title.

BILL AS INTRODUCED
2019

H.197
Page 19 of 25

1 (C) Permitted water and wastewater systems with the capacity to
2 support additional development within the enhanced designated center. The
3 municipality shall have adopted consistent policies, by municipal plan and
4 ordinance, on the allocation, connection, and extension of water and
5 wastewater lines that include a defined service area to support the enhanced
6 designated center.

7 (D) Adequate municipal staff to support coordinated comprehensive
8 and capital planning, development review, and zoning administration.

9 (5) If any party entitled to notice under subdivision (d)(4)(A) of this
10 section or any resident of the municipality raises concerns about the
11 municipality's compliance with the requirements for the underlying
12 designation, those concerns must be addressed as part of the municipality's
13 application.

14 (d) Process for issuing determinations of enhanced designation.

15 (1) A preapplication meeting shall be held with Department staff to
16 review the program requirements. The meeting shall be held in the
17 municipality unless another location is agreed to by the municipality.

18 (2) An application by the municipality must include the information and
19 analysis required by the Department's guidelines established pursuant to
20 section 2792 of this title on how to meet the requirements of subsection (c) of
21 this section.

BILL AS INTRODUCED
2019

H.197
Page 20 of 25

1 (3) The Department shall establish a procedure for submission of a draft
2 application that involves review and comment by all the parties to be noticed in
3 subdivision (4)(A) of this subsection and shall issue a preapplication memo
4 incorporating the comments to the applicant after receipt of a draft preliminary
5 application.

6 (4) After receipt of a complete final application, the State Board shall
7 convene a public hearing in the municipality to consider whether to issue a
8 determination of enhanced designation under this section.

9 (A) Notice.

10 (i) At least 35 days in advance of the Board's meeting, the
11 Department shall provide notice to the municipality and post it on the
12 Agency's website.

13 (ii) The municipality shall publish notice of the meeting at least 30
14 days in advance of the Board's meeting in a newspaper of general circulation
15 in the municipality, and deliver physically or electronically, with proof of
16 receipt or by certified mail, return receipt requested to the Agency of Natural
17 Resources, the Natural Resources Board, the Division for Historic
18 Preservation, the Agency of Agriculture, Food and Markets, the Agency of
19 Transportation, the regional planning commission, the regional development
20 corporations, and the entities providing educational, police, and fire services to
21 the municipality.

BILL AS INTRODUCED
2019

H.197
Page 21 of 25

1 (iii) The notice shall also be posted by the municipality in or near
2 the municipal clerk's office and in at least two other designated public places
3 in the municipality, and on the websites of the municipality and the Agency of
4 Commerce and Community Development.

5 (iv) The municipality shall also certify in writing that the notice
6 required by this subsection (d) has been published, delivered, and posted
7 within the specified time.

8 (B) No defect in the form or substance of any requirements of this
9 subsection (d) shall invalidate the action of the State Board where reasonable
10 efforts are made to provide adequate posting and notice. However, the action
11 shall be invalid when the defective posting or notice was materially misleading
12 in content. If an action is ruled to be invalid by the Superior Court or by the
13 State Board itself, the Department shall provide and the municipality shall
14 issue new posting and notice, and the State Board shall hold a new hearing and
15 take a new action.

16 (5) The State Board may recess the proceedings on any application
17 pending submission of additional information. The State Board shall close the
18 proceedings promptly after all parties have submitted the requested
19 information.

20 (6) The State Board shall issue its determination in writing. The
21 determination shall include explicit findings on each of the requirements in
22 subsection (c) of this section.

BILL AS INTRODUCED
2019

H.197
Page 22 of 25

1 (e) Review of enhanced designation status.

2 (1) Length of designation. Initial determination of enhanced status may
3 be made at any time. Thereafter, review of an enhanced designation shall be
4 concurrent with the next periodic review of the underlying designated
5 downtown, village center, new town center, growth center, or neighborhood
6 development area.

7 (2) The State Board, on its motion, may review compliance with the
8 enhanced designation requirements at more frequent intervals.

9 (3) If at any time the State Board determines that the enhanced
10 designated area no longer meets the standards for an enhanced designation, it
11 shall take one of the following actions:

12 (A) require corrective action within a reasonable time frame; or

13 (B) terminate the enhanced designation.

14 (4) If the underlying designation is terminated, the enhanced designation
15 also shall terminate.

16 (f) Appeal.

17 (1) An interested person may appeal any act or decision of the State
18 Board under this section to the Natural Resources Board within 30 days
19 following the act or decision.

20 (2) As used in this section, an “interested person” means any one of the
21 following:

BILL AS INTRODUCED
2019

H.197
Page 23 of 25

1 (A) A person owning title to or occupying property within or abutting
2 the designated center.

3 (B) The municipality making the application or a municipality that
4 adjoins the municipality making the application.

5 (C) The regional planning commission for the region that includes
6 the designated center or a regional planning commission whose region adjoins
7 the municipality in which the designated center is located.

(D) Any 20 persons who, by signed petition, allege that the decision is not in accord with the requirements of this chapter, and who own or occupy real property located within the municipality in which the designated center is located or an adjoining municipality. The petition must designate one person to serve as the representative of the petitioners regarding all matters related to the appeal. The designated representative must have participated in the public hearing described in subdivision (d)(4) of this section.

15 Sec. 9. 3 V.S.A. § 2825 is amended to read:

16 § 2825. DUTIES OF THE SECRETARY

17 * * *

18 (f) Designation of unique resource value areas.

(1) The Secretary may designate, by rule, a geographic area as a unique resource value area (URVA) or determine whether an existing designation should be amended or repealed. A person may file a petition to designate a
URVA and the Secretary shall make a decision on that petition consistent with

CENTRAL VERMONT REGIONAL PLANNING COMMISSION
DRAFT MINUTES
April 9, 2019

Commissioners:

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

Staff: Bonnie Waninger, Clare Rock

Call to Order

Chair J. Potter called the meeting to order at 6:30 pm. Quorum was present to conduct business.

Adjustments to the Agenda

None.

Public Comments

B. Waninger requested Commissioners comment on preferences for meeting food and sign the CVRPC Conflict of Interest Policy if they had not signed.

Essentials of Land Use Planning: A Primer on Regulating Development in Vermont

C. Rock gave a brief presentation on the Essentials of Land Use Planning. The presentation provided the history of planning in Vermont as background for the subsequent Act 250 presentation and discussion. Paula Emery requested a copy of the presentation.

Act 250 Updates

Waninger gave a presentation on updates proposed for Act 250. She noted that while the legislation as a whole was not expected to move this legislative session, some parts might move independently, such as the forest integrity piece.

During the presentation the Board had the following discussions:

Regarding the *Summery of Recommendations: Local and Regional Plan Approval and Use* topic (slide 6), Waninger asked “Should the Regional Plan be reviewed by another agency/party for consistency with state statute (similar to how the RPC reviews and approves municipal plans)?” By an informal show of hands, the majority of the Board was in agreement that the regional plan should be reviewed by another entity for statutory consistency. Board members asked about the makeup of the VT Environmental Review Board, as outlined in the presentation, and whether they would be appointed by the Governor. The answer is unknown at this time.

Waninger asked “Who is the right party to review Regional Plans?” The Board discussed whether a State agency representative and/or peer review might make more sense versus an appointed body. It suggested an entity similar to the Downtown Board versus using the same board that would review an Act 250 application. Board members were in general agreement that an alternate body should be responsible for reviewing the regional plan.

Discussion followed about the *Municipal Plan Approval and Use* recommendations. Discussion followed about whether the municipality has party status and/or whether the municipal plan has party status. The Board was generally okay with the proposed recommendations as presented in the presentation. Members had additional questions about the proposed standing of a town and its plan.

Regarding the *Summery of Recommendations: Transportation Criteria* topic (Slide 7):

- Recommendation 1 - Adds consideration of *bicycle, pedestrian, and other transit infrastructure*. Majority of the Board was in favor of this recommendation.
- Recommendation 2 - Expands consideration of safe *use*, access, and connections to adjacent lands and facilities. Some members of the Board were in favor; many wanted more information because it sounded too vague.
- Recommendation 3 - Requires District Commission state when it *declines to require* transportation demand management strategies *by issuing a finding*. No clear support by the Board. On the surface it sounds good, but it sounds like it would create more administrative work.

At the next meeting, the Commission will review the following Act 250-related topics: Energy, Interstate Interchange, and Enhanced Designation. If there are additional areas the Commission would like to discuss, Waninger requested members let her know.

1 People would like a color copy of the presentation for review. CVRPC also has put together some maps
2 regarding interstate interchanges and can distribute those.

4 **Committee Rules of Procedure**

5 C. Rock noted that the one significant change was the addition of item #2 under the Purpose statement.

7 *B. Arrand moved to approve the Town Plan Review Committee Rules of Procedure as presented; R.*
8 *Turner seconded. Motion carried.*

10 **Nominating Committee Report**

11 B. Atwood thanked Alan Quakenbush and Bob Werneke for participating on the Nominating Committee.
12 He offered special thanks to Nancy Chartrand for taking the minutes. The Committee offered the
13 following nominations were made:

14 Julie Potter, East Montpelier, at-large member (past chair)

15 Jerry D'Amico, Roxbury, at-large member

16 Janet Shatney, Barre City, at-large member

17 Darra Torre, Moretown, Secretary

18 Michael Gray, Woodbury, Treasurer

19 Steve Lotspeich, Waterbury, Vice Chair

20 Laura Hill-Eubanks, Northfield, Chair

22 Atwood noted his appreciation for the time and energy Julie Potter put into the role of Chair. She drilled
23 down into subjects and did structural worked to help the RPC have greater transparency and more
24 effective moving forward.

26 Potter reviewed the nomination process. The Nominating Committee presented the initial slate for
27 Executive Committee this month. It will present the final slate in May and nominations will be taken
28 from the floor. After that meeting, ballots will be sent to Commissioners. The results will be announced
29 at the June meeting.

31 **CVRPC Committees**

32 L. Hill-Eubanks announced the committee openings and reviewed the committee duties. She requested
33 volunteers/nominations for the following committees:

34 Project Review Committee: seeking 2 appointments

35 Town Plan Review Committee: seeking 5 appointments and an alternate member

36 Brownfields Advisory: seeking 1 alternate appointment

37 Clean Water Advisory Committee: seeking 2 appointments

39 She asked that Commissioners sign up for any committees for which they had interest.

41 **Meeting Minutes**

1 *B. Werneke moved to approve the March 12, 2019 minutes; D. La Haye seconded. Motion carried.*

2

3 **Reports**

4 Commissioners asked clarifying questions, noted typographical errors, and requested the meeting dates

5 for the Board of Commissioners and TAC meetings needed to be updated.

6

7 Waninger provided a brief update about the NADO Washington Policy conference. Research is

8 demonstrating the impact of substance use disorder on the workforce. Discussion at the conference

9 noted that overcoming substance use disorder can take repeated attempts and at least five years.

10 Currently, 30 days' treatment is provided.

11

12 **Adjournment**

13 *D. La Haye moved to adjourn at 8:10 pm; A. Quackenbush seconded. Motion carried.*

14

15 Respectfully submitted,

16 Clare Rock, Senior Planner

Central Vermont Regional Planning Commission

P: 802-229-0389

Staff Report, April 2019

F: 802-223-1977

LAND USE PLANNING**Municipal Planning:**

- Met with Berlin to define boundaries for proposed village centers in Berlin Corners and Riverton.
- Assisted Calais with stormwater regulations.
- Reviewed the Waterbury Municipal Plan in preparation for approval by the RPC.
- Provided town plan adoption information to Moretown.
- Participated on Resource Team for Marshfield/Plainfield Model Climate Community Kick-off event.

Enhanced Energy Planning:

- Reviewed Barre Town's first draft for conformance with the municipal energy planning standards, and met with the Planning Commission.
- Met with the Moretown Energy Committee to determine a schedule for drafting its Plan.
- Began drafting plan with Plainfield Energy Committee.
- Provided an updated wind resource map to Waitsfield's Planning Commission.
- Reviewed Waitsfield's 2017 Town Plan for conformance with the Municipal Energy Planning Standards Checklist and provided comments to the Planning Commission.

Act 250 & Section 248:

- Presented a brief history of planning and Act 250 in Vermont to Commissioners in advance of Act 250 legislative change discussion.

Mapping:

- Assisted Middlesex and Worcester with Town Plan mapping.
- Assisted Cross VT Trail to bring CAD data into GIS for trail map planning.
- Updated Barre Area Development Corporation's Wilson Industrial Park web map.
- Continued mapping efforts for the Hunger Council to spatially depict needed services and resources for food access in Central Vermont.
- Created maps for an upcoming meeting with the Public Service Department showing Fiber access, broadband, and cellular service for the region.
- Created a service area map for Vermont Center for Independent Living.

Training & Education:

- Met with VT Council on Rural Development and VT Natural Resources Council to discuss local energy committee regional roundtable cooperative effort. These efforts would provide energy committee members with opportunities to network, recruit, energize, and find educational resources.
- Presented the Essential of Land Use Planning to landscape design students at UVM.

EMERGENCY PLANNING & HAZARD MITIGATION**Local/Regional Planning:**

- Responded to questions from Cabot, Calais, and Waitsfield regarding Emergency Management Director position duties, NIMS type resource designations, and LEMPs.
- Participated in LEPC bi-monthly meeting. Met with LEPC Chair regarding grant status, strategy for progress, and plan for reinvigorating meeting participation.
- Drafted and submitted annual grant applications on behalf of the LEPC 5.
- Conducted a site visit with the Worcester Road Foreman to learn more about challenges at the Hampshire and Minister Brook Roads intersection for a hazard mitigation grant application.
- Reviewed Duxbury, Middlesex, Moretown, and Waterbury Local Emergency Management Plans.
- Participated as observer in a simulated mass casualty exercise at Waitsfield Telecom.

Trainings and Workshops:

Emerald Ash Borer (EAB) – Working with Calais and East Montpelier to conduct ash tree inventories, create maps from the collected data, and create draft response plans. CVRPC staff are qualified to train others on the inventory apps. Met with East Montpelier planning team to discuss the inventory process and deliverables. Organized a training with Vermont Urban & Community Forestry Program.

Road Foremen & Emergency Management Director Roundtable – Hosted a joint roundtable that included multiple presentations from various organizations including Vermont Emergency Management, Vermont Local Roads, and the Department of Environmental Conservation.

Local Hazard Mitigation Plans (LHMP):

Staff supported communities in the development, review, and adoption of local hazard mitigation plans.

East Montpelier – Met with the planning team to discuss progress on previous mitigation actions and priorities for the new plan.

Moretown – Drafted language for top five priority hazards and updated plan to include new data. Planning team is compiling the list of 2019 Mitigation Actions.

Plainfield – Plan has been submitted to VEM for review.

Williamstown – Met with Planning Commission to discuss progress on previous mitigation actions and priorities for the new plan.

CVRPC has funding available to assist towns whose plans have expired or will expire in 2019. Contact Jonathan DeLaBruere, delabruere@cvregion.com, if your town is interested in these services.

State Emergency Operation Center Support: Contacted towns to ascertain damages and relayed information to VEM and VTrans. Acted as supplemental staff to the SEOC Situational Awareness Unit.

TRANSPORTATION

Field Services: Contact Ashley Andrews, Andrews@cvregion.com, for 2019 counts and inventories.

Traffic Counts: Collected data from the permanent Mad River counter.

Ash Tree Inventories: Inventoried ash trees in Barre Town's right of way.

Culvert Inventories: Created maps for Marshfield and Northfield.

Transportation Studies:

Cabot Trail Planning (Municipal Planning Grant): Worked on guide for trail profiles and cross sections and list of trail groups in the region.

Northfield Trails (Better Connections Grant): Worked with Town to revise grant budget and project study area.

Microtransit Workgroup: Provided edits to the Microtransit fact sheet which VTrans will use to help educate the Administration and Legislature.

Rural Transit: Participated in Chittenden County discussion on rural transit roundtable aimed at identifying the services, operational skills and resources needed to address transportation needs in a coherent, coordinated and simplified manner.

Public Transit: CVRPC represents Central Vermont on the Green Mountain Transit (GMT) Board of Commissioners. Staff participated in the following GMT meetings:

Board of Commissioners – See Committee updates.

Leadership Committee – Discussed items for the Board of Commissioners meeting agenda.

Discussed proposal by Token Transit to pilot a mobile ticketing application. Held executive sessions to discuss the General Manager's contract and personnel.

Strategy Committee – Discussed Transportation Bill and the transit study request currently being considered. Discussed the switch to a new digital bus application from Swiftly and the possibility of adding mobile ticketing through Token Transit.

Employee Exit Interview – Participated in Finance Manager exit interview.

Other Transit Activities:

- Responded to rider concerns regarding changes to the Rt. 2 Commuter and public notice.
- Met with VTrans Public Transit staff to discuss Rt. 2 Commuter and VT 14.
- Discussed public transit initiatives and challenges with Senator Perchlik.

Municipal Roads General Permit (MRGP): Worked with Calais on road erosion inventory capital plans.

Municipal Assistance:

- Participated in meeting to discuss creation of training videos for VTCulverts.
- Participated in Mad River Valley Road Roundtable to discuss new draft of VTrans Road and Bridge Standards.

Regional Assistance:

- Met with Cross VT Trail to discuss next phase in trail implementation.
- Provided letter of support for a VHCB grant application.
- Assisted VTrans and ANR to organize Capitol for a Day events in the Mad River Valley focused on local roads projects and CVRPC's Class IV Road Demonstration project.
- Discussed potential regional trails group convening with local advocate.

NATURAL RESOURCES

Contact Pam DeAndrea, deandrea@cvregion.com, unless otherwise noted.

Winooski River Tactical Basin Planning Assistance: Continued to work on project development with Winooski Basin Planner, Winooski Natural Resources Conservation District, Friends of the Winooski River, and the Friends of the Mad River.

Re-classification of Surface Waters (604b): Met with the Northfield Conservation Commission to present the updated Vermont Water Quality surface water classification standards and waters identified for possible reclassification. The Commission is very interested in pursuing reclassification to better protect the fishing habitat and aquatic biota in streams.

Clean Water Block Grant Program: If your project is ready for design or implementation, please contact Pam to determine eligibility. This year, there is no match requirement of 20% as in the previous year.

CVRPC is working with two communities on Block Grant projects.

Berlin Town Office Stormwater Design: The consultant finalized design plans for a gravel wetland to treat stormwater. This project is ready to apply for construction funding.

Pouliot Avenue Stormwater Construction: Construction bids will be released in early May with construction anticipated for summer 2019.

Ecosystem Restoration Program Grants: Submitted two grant applications for stormwater project final designs for the Woodbury Elementary School and Fire Station and the Moretown Elementary School. These projects were identified and scoped in stormwater master plans. The Woodbury project was awarded funds to move the project from preliminary to final design.

Mad River and Kingsbury Branch Stormwater Master Plans: Draft Stormwater Master Plans and Story Maps for the eight towns are complete. CVRPC, Friends of the Mad River, and Watershed Consulting met with stakeholders to present the plans and designs for the top 5 projects in each town.

Northfield Water Street Stormwater Mitigation: Construction bid documents were released, and a sealed bid opening was held. Three bids were received and the project was awarded to G&N Excavation. Construction is expected to begin in June. This showcase project will treat a significant amount of stormwater and provide substantial phosphorus removal for the Dog River watershed.

Berlin Stormwater Final Designs: CVRPC was awarded ~\$50,000 from the Lake Champlain Basin Program to bring three stormwater mitigation projects to final design. The projects were identified as priorities in the Town's Stormwater Master Plan. The sites include the Fire Department, the Berlin Elementary School, and the Chimney Sweep Fireplace Shop. Work is expected to begin in May.

Water Wise Woodlands: The Steering Committee held its last meeting to wrap up grant activities. The group agreed to meet again in the fall to follow up on recent developments and continue its partnership efforts. Contact Clare Rock, rock@cvregion.com.

COMMUNITY DEVELOPMENT

Brownfields: Contact Clare Rock, rock@cvregion.com.

- Attended a RPC, DEC, ACCD Brownfields Roundtable.
- Met with the Granite Works property owner, prospective purchaser, DEC, consultant and Montpelier Planning Director to discuss sampling results (funded by Lamoille RPC) and to discuss next steps in corrective action and clean up planning.

Partnerships for Progress:

THRIVE – Participated in monthly meeting of this regional social services partnership aimed at aligning resources to improve social outcomes in Washington County. The April meeting focused on the CVMC's Health Needs Assessment, which used the THRIVE group as one of several focus groups.

Central Vermont Medical Center – Participated in a monthly Community Health Needs Assessment steering committee meeting to review data profile, focus group input, and identified health needs. Prioritized key health issues for the implementation plan.

Washington County Hunger Council – Met with Food Access workgroup to present CVRPC's mapping work and discuss how it might be used to focus the Council's next step efforts with food retailers.

Urban and Community Forestry Council – CVRPC represents RPCs on the Council. Participated in second interview for the Program Manager position.

Vermont Department of Health – CVRPC met with Joan Marie Misek, Barre District Director, to discuss ways our work intersects and opportunities for collaboration. Specifically discussed were best practices regarding regulation of marijuana dispensaries and grow centers within municipalities. Planning staff will meet with VDH staff to discuss VDH's initiative to work with towns on incorporating health and wellness into town plans.

Capitol for a Day Event: Host event with Public Service Department Deputy Commissioner Riley Allen. Highlighted broadband and cell service needs. Discussed local and regional energy plan implementation.

OFFICE & ANNOUNCEMENTS

Office:

- Distributed Conflict of Interest Policy and collected signed policy acknowledgments from staff, board and committee members.

- Initiated research related to office remodeling and office relocation costs. CVRPC must provide notice regarding renewal of its lease in September 2019.
- Initiated recruitment for a Planning Technician (intern) to support summer field work and a 12-month AmeriCorps VISTA member to support land use and transportation planning.
- Developed draft FY20 budget and work plan.
- Prequalified four firms to provide stormwater planning and design services for a 3-5-year period. The selected firms include Milone & MacBroom, Fitzgerald Environmental Associates, Watershed Consulting Associates, and Dubois & King.

Professional Development:

- Attended a Safe Route to School workshop to learn how other organizations are engaging with schools.

Upcoming Meetings:

Please verify meeting location at www.centralvtplanning.org by viewing meeting agendas.

May

May 6	4 pm	Executive Committee, CVRPC Office
May 9	4 pm	Clean Water Advisory Committee, CVRPC Office
May 9	5 pm	2-hour Emergency Management Director Seminar, UVM Extension Office, Berlin
May 14	6 pm	Executive Committee, Central VT Chamber, Berlin
May 14	6:30 pm	Board of Commissioners, Central VT Chamber, Berlin
May 16	7 pm	Mad River Valley Planning District Steering Committee, Waitsfield
May 22	10 am	Working Communities Challenge Event, Barre Opera House
May 23	4 pm	Project Review Committee, CVRPC Office
May 27		<i>Memorial Day, CVRPC Office Closed</i>
May 28	6:30 pm	Transportation Advisory Committee, Central VT Chamber, Berlin
May 29	6 pm	Planning Commissioners & Municipal Officials Roundtable, CVRPC Office

June

June 3	4 pm	Executive Committee, CVRPC Office
June 6		Vermont Downtown Conference, Montpelier
June 11	6:30 pm	Board of Commissioners, Central VT Chamber, Berlin
June 20	7 pm	Mad River Valley Planning District Steering Committee, Waitsfield
June 25	6:30 pm	Transportation Advisory Committee, Central VT Chamber, Berlin
June 27	4 pm	Project Review Committee, CVRPC Office
June 27	7 pm	Mad River Valley Planning District Steering Committee, Waitsfield

Visit CVRPC's web site at www.centralvtplanning.org to view our blog and for the latest planning publications and news.

Central Vermont Regional Planning Commission**Committee & Appointed Representative Reports**

April 2019

Meeting minutes for CVRPC Committees are available at www.centralvtplanning.org.

EXECUTIVE COMMITTEE (Monday of week prior to Commission meeting; 4pm)

- Approved NRPC Energy Year 3 contract.
- Approved request to modify FY19 and FY20 indirect rates to adjust for over recovery of costs.
- Approved Executive Director application for appointment to NADO Research Foundation Advisory Committee.
- Review proposed bylaws amendments and advanced them to the Board for discussion.
- Discussed second draft of the FY20 budget and first draft of the work plan.
- Approved the FY20 Executive Committee and Board of Commissioners meeting schedule.
- Set special meeting to approve contracts for May 14 prior to the Board meeting.

NOMINATING COMMITTEE (February and March; scheduled by Committee)

Did not meet.

PROJECT REVIEW COMMITTEE (4th Thursday, 4pm)

Did not meet.

REGIONAL PLAN COMMITTEE (as needed; scheduled by Committee)

Did not meet.

TOWN PLAN REVIEW COMMITTEE (as needed; scheduled by Committee)

Held Public Hearing for the Town of Waterbury Municipal Plan. Nine members of the public attended. Participants supported and opposed approval of the plan. The Review Committee recommended confirmation of the Town's planning process, approval of the municipal plan, and certification of energy compliance.

TRANSPORTATION ADVISORY COMMITTEE (4th Tuesday; 6:30 pm)

The TAC did not have quorum. Members present:

- Heard a presentation from VTrans on the use of Unmanned Aerial Systems at the Agency.
- Heard an update on four construction projects including the Cross VT Trail (Winooski River Bridge/US 2), Montpelier Bike Path, Waterbury Main St, and I 89 Exit 6 Ledge Removal.
- Reviewed the request by Barre Town to change the functional classification of three roadways from local roads to major collectors.

BROWNFIELDS ADVISORY COMMITTEE (4th Monday, 4pm)

This Committee will not be meeting regularly until new grant funds are secured.

CLEAN WATER ADVISORY COMMITTEE (2nd Thursday, 4pm)

- Reviewed Open Meeting Law and the CWAC's Rules of Procedure.
- Elected Amy Hornblas as Chair.
- Continued discussion on where they are going and how they can be more effective in the future. The CWAC may bring a resolution to the Board about concerns related to over use of pesticides in the watershed.

VERMONT ASSOCIATION OF PLANNING & DEVELOPMENT AGENCIES

- Net metering rates are changing. Towns and regions may see a burst of applications prior to July 1.
- Supported Consolidate Plan changes on wastewater, though not with full consensus. Concern over continuing practice of funding systems communities cannot afford to maintain. Discussed legislation. Enforcement provision for clean water service providers was removed from House version of S.96. Anticipate it may return in Senate discussions. Monitoring.
- Efficiency Vermont may support ~\$10,000 per year to support energy plan implementation with work focused on furthering weatherization and transportation goals.
- Discussed Public Utility Commission Rule 5.1 proposed revisions. Preferred site changes would mean projects in towns without current municipal plans could not qualify as preferred through municipal and regional support letters.

VERMONT ECONOMIC PROGRESS COUNCIL

No activities from Central Vermont.

GREEN MOUNTAIN TRANSIT

- Approved implementation of NextGen service changes in the urban area effective June 17 with best-effort to launch real time bus arrival and mobile ticketing apps by same date.
- Approved system wide fare increases effective June 17.
- VTrans staff presented on implementing a "continuous improvement" process for GMT's consideration. The process might be Sigma Six, LEAN or other.
- Held Executive Session related to personnel.

MAD RIVER VALLEY PLANNING DISTRICT

Did not attend meeting as Town Plan Review Committee meeting ran long.