



BOARD OF COMMISSIONERS

March 9, 2021 at 6:30 pm

Remote Participation via GoToMeetings¹

Join via computer, tablet or smartphone: <https://global.gotomeeting.com/join/552444045>

Dial in via phone²: (872) 240-3212; Access Code: 552-444-045

Download the app at least 5 minutes before the meeting starts:

<https://global.gotomeeting.com/install/552444045>

Page **AGENDA**

- | | | |
|---|-------------------------|---|
| | 6:30³ | Adjustments to the Agenda |
| | | Public Comments |
| 2 | 6:35 | Town Forest Recreation Planning Toolkit , <i>Kate Forrer, Vermont Urban and Community Forestry Council</i> (enclosed) A “how to” guide for developing a town forest recreation plan. https://vtcommunityforestry.org/places/town-forests/recreation-planning-initiative/recreation-planning-toolkit |
| 3 | 7:35 | Regional Economic Project Priority List |
| 4 | 7:45 | Meeting Minutes – February 9, 2021 (enclosed) ⁴ |
| 8 | 7:50 | Reports (enclosed) Update/questions on Staff and Committee Reports |
| | 8:00 | Municipal Updates An opportunity for Board members to share news from their communities. |
| | 8:30 | Adjournment |

Next Meeting: April 13, 2021

¹ Persons with disabilities who require assistance or special arrangements to participate in programs or activities are encouraged to contact Nancy Chartrand at 802-229-0389 or chartrand@cvregion.com at least 3 business days prior to the meeting for which services are requested.

² Dial-in numbers are toll numbers. Fees may be charged dependent on your phone service.

³ Times are approximate unless otherwise advertised.

⁴ Action item.

**VERMONT URBAN &
COMMUNITY FORESTRY**

Cultivating connections to grow trees in our communities

66 DAYS
UNTIL ARBOR DAY**Town Forest Recreation Planning**

In 2018, VT Urban & Community Forestry Program (VT UCF) worked with, [SE Group \(http://segroup.com/\)](http://segroup.com/), a consulting firm that specializes in community planning, to engage ten selected communities in a robust planning process to develop action-based town forest recreation plans. The planning model included public visioning sessions, needs assessments, facilitated walks in the forests, and a final plan that provides actionable strategies to assist communities in taking the next steps.

We are pleased to offer the [Town Forest Recreation Planning Toolkit \(/places/town-forests/recreation-planning-initiative/recreation-planning-toolkit\)](/places/town-forests/recreation-planning-initiative/recreation-planning-toolkit), which provides all the resources needed to replicate this planning process in other communities. With the help of this toolkit, our goal is to support sustainable, forest-based recreation in town forests statewide.

Interested in learning more about recreation planning in town forests? Check out the many [Upcoming Workshops \(/places/town-forests/recreation-planning-initiative/upcoming-workshops\)](/places/town-forests/recreation-planning-initiative/upcoming-workshops) we are hosting in Vermont town forests in 2020!

If you have questions about the program, please contact Kate Forrer at katherine.forrer@uvm.edu (<mailto:katherine.forrer@uvm.edu>), 802-476-2003 ext 210.

This initiative is funded in part by a grant from the [USDA Forest Service \(https://www.fs.fed.us/\)](https://www.fs.fed.us/) and is a partnership with [FPR Recreation Program \(http://fpr.vermont.gov/recreation\)](http://fpr.vermont.gov/recreation); the [Vermont Agency of](#)



MEMO

Date: March 2, 2021
 To: Board of Commissioners
 From: Bonnie Waninger, Executive Director
 Re: Regional Economic Project Priority List

✉ ACTION REQUESTED: Appoint 2-3 Board members as representatives to CVEDC's economic develop project prioritization effort for FY21

The State will be requesting that Economic Development Corporations prioritize economic development and infrastructure projects for inclusion in the Vermont Comprehensive Economic Development Strategy. CVEDC requested a joint project review committee composed of CVEDC and CVRPC Board members and Executive Directors. Review Committee members would commit 1-2 hours to review project applications and participate in one committee meeting. The timing of this work is uncertain as the State has not released its formal request.

Background

In 2020, staff participated in the prioritization effort on behalf of CVRPC due to a quick turnaround. Similar to 2020, CVRPC will assist CVEDC to solicit projects for the prioritization process. Project sponsors complete a brief 2-page application. Projects must facilitate economic development. CVEDC then consolidates applications into a single list. The Review Committee prioritizes the projects based on guidance provided by the State and regionally-defined criteria. In 2020, shovel-ready projects were ranked highest. All projects are provided to the State with their regional priority level.

Five projects were submitted in 2020:

| <i>Project</i> | <i>Sponsor</i> |
|--|---|
| Plan and construction infrastructure for the Wilson Industrial Park | Town of Barre |
| Engineering and construction of a fiber-to-the-premises broadband project (Phase 1) | CVFiber |
| Construction of a multi-use path connecting the Central Vermont Path with the Montpelier and Wells River Rail Trail in East Montpelier | Cross Vermont Trails Association |
| Economic Feasibility Study to determine costs and priorities for build out of Central Vermont's recreation economy | Central Vermont Regional Planning Commission |
| Plan and construct a regional Household Hazardous Waste facility | Central Vermont Solid Waste Management District |

CENTRAL VERMONT REGIONAL PLANNING COMMISSION
BOARD OF COMMISSIONERS
Draft MINUTES
February 9, 2021

Commissioners:

| | | | | | |
|-------------------------------------|---------------|--------------------------|-------------------------------------|--------------|---------------------------------|
| <input checked="" type="checkbox"/> | Barre City | Janet Shatney | <input checked="" type="checkbox"/> | Moretown | Dara Torre, Secretary/Treasurer |
| <input type="checkbox"/> | | Heather Grandfield, Alt. | <input type="checkbox"/> | | Joyce Manchester, Alt |
| <input type="checkbox"/> | Barre Town | Byron Atwood | <input checked="" type="checkbox"/> | Northfield | Laura Hill-Eubanks, Chair |
| <input checked="" type="checkbox"/> | | George Clain, Alt | <input checked="" type="checkbox"/> | Orange | Lee Cattaneo |
| <input type="checkbox"/> | Berlin | Robert Wernecke | <input checked="" type="checkbox"/> | Plainfield | Paula Emery |
| <input type="checkbox"/> | | Karla Nuissl, Alt. | <input type="checkbox"/> | | Bob Atchinson, Alt. |
| <input checked="" type="checkbox"/> | Cabot | Amy Hornblas | <input checked="" type="checkbox"/> | Roxbury | Gerry D'Amico |
| <input type="checkbox"/> | Calais | John Brabant | <input checked="" type="checkbox"/> | Waitsfield | 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"/> | | J. Michael Bridgewater, Alt. |
| <input checked="" type="checkbox"/> | E. Montpelier | Julie Potter | <input type="checkbox"/> | | Peter Carbee |
| <input type="checkbox"/> | | Clarice Cutler, Alt. | <input checked="" type="checkbox"/> | Washington | Steve Lotspeich, Vice-Chair |
| <input type="checkbox"/> | Fayston | Russ Bowen | <input checked="" type="checkbox"/> | Waterbury | Richard Turner |
| <input checked="" type="checkbox"/> | Marshfield | Robin Schunk | <input checked="" type="checkbox"/> | Williamstown | Jacqueline Higgins, Alt. |
| <input type="checkbox"/> | Middlesex | Ron Krauth | <input type="checkbox"/> | | Michael Gray |
| <input type="checkbox"/> | Montpelier | Marcella Dent | <input type="checkbox"/> | Woodbury | Bill Arrand |
| <input checked="" type="checkbox"/> | | Mike Miller, Alt. | <input checked="" type="checkbox"/> | Worcester | |

Staff: Bonnie Waninger, Nancy Chartrand, Grace Vinson, Zach Maia, Clare Rock

Guests: Penny Chamberlain, Director/Principal, Central Vermont Career Center; Clifton Long, Plumbing Instructor, Central Vermont Career Center

Call to Order

Chair L. Hill-Eubanks called the meeting to order at 6:30 pm and conducted a roll call. Quorum was present.

Adjustments to the Agenda

None

Public Comments

None

21st Century Learning and Workforce Development

Hill-Eubanks introduced Penny Chamberlain, Director of Central Vermont Career Center. Chamberlain introduced Clifton Long, Plumbing & Heating Instructor for the Learning Center. They presented information about the Center's programs as well as its workforce development focus. They currently

1 offer 14 programs and serve students grades 9-12. Annually 180 to 190 students attend the Center,
2 drawing from six high schools in the Central Vermont area. They are working to meet industry needs
3 and are currently short on space due to growing enrollment numbers. Vermont has lots of high skilled
4 jobs coming in the future which is what the Center tries to train for – jobs that will pay the employees a
5 living wage and have benefits. Three years ago they started a phased process of how to best serve
6 industry in the Central Vermont area. Phase I – what they offer and what needs to be offered, surveying
7 students, business partners and community; envisioned with architect what an ideal center would be to
8 teach state of the art methods. Phase II – designed labs to better serve needs of students. Phase III -
9 meeting with industry leaders, legislature, and the community to explain what has been done so far to
10 get input and endorsement for them to move forward to try and secure funding.

11
12 Chamberlin further advised they have advisory boards for each program. She invited the Board to refer
13 anyone interested in participating in advisory capacity. She noted that the Career Center is the core of
14 the workforce development cycle. They welcome ideas for improving service and serving Vermonters.

15
16 The floor was open to questions which included how does the Center's program offerings line up with
17 what employers are looking for. It was confirmed that their programs align with what Vermont
18 industries need for new hires; however, some areas may need expansion.

19
20 There also was question as to whether there are issues with students being able to access the Center
21 from their sending school. It was noted that this is a competitive process, and the Legislature is looking
22 at changing this structure so there is not competitiveness between the sending schools and the Center.
23 Currently 87% of base education rate will follow a student to a technical center, 13% stays with the
24 sending school, and there may be additional tuition charged to a high school. There is also
25 reimbursement to a sending high school for transportation, if provided. There are sometimes limited
26 seats to go to centers when students should have options of where to go rather than have money
27 driving that.

28
29 There was an inquiry into how the Center follows students post-graduation. Chamberlain said 90% of
30 graduates go on to something post-secondary - apprenticeship programs, credentialing, licensing, 2-4-
31 year college programs, certificate programs. They have relationships with over 150 businesses in the
32 region. Sometimes employers show up the last weeks /months of school and hire on the spot.

33
34 It was noted with regard to adults in the program, that there have been adults in the past, but
35 regulations dictate eligible high school student slots have been filled first before opening up daytime
36 slots to adults. Once COVID is past, they hope to get back into offering evening adult technical
37 education retraining programs. Hill-Eubanks thanked Chamberlin and Long for their presentation.

38 39 **USDA Grant Application**

40 B. Waninger explained the Plainfield Cooperative is interested in applying for a USDA grant to help
41 conduct a financial feasibility study due to planned transportation project (Route 2/Main St.
42 intersection) which would cut off direct transportation to the Coop. The Coop is the recipient of the
43 study, and it cannot be the applicant for the grant. The Coop has requested CVRPC be the applicant and
44 help manage the project for them. The Town of Plainfield supported this request. USDA requires that

1 the Board pass a resolution authorizing CVRPC to make the application and appoint someone to sign
2 documents related to the grant. A draft resolution was included in the packet.

3
4 In response to questions, Waninger said CVPRC will be the grant applicant, not the Coop's fiscal agent.
5 The Coop committed to provide match for the project to help raise its project evaluation score.
6 Waninger did not know whether other coops in Vermont have used the USDA grant.

7
8 *P. Emery moved to adopt the resolution for Plainfield Coop; B. Arrand seconded. Motion carried*
9

10 **Draft Clean Water Service Provider Rules**

11 G. Vinson shared a presentation and provided context on Act 76. It was passed in 2019 to establish a
12 long term and stable funding source for the Clean Water Fund and direct those funds to non-regulatory
13 projects that are important to achieve clean water goals, but not required by EPA. Act 76 sets up the
14 funding source and establishes a Clean Water Service Provider (CWSP) network to prioritize, select and
15 implement projects. There will be one CWSP for each basin; CVRPC is the proposed CWSP for the
16 Winooski River Basin.

17
18 Vinson provided information on the Basin Water Quality Council (BWQC), which is the policy arm and
19 decision making for the CWSP network. Most members on BWQC will have water quality knowledge
20 and expertise to establish good policy and make decisions on which projects should be funded. CWSP
21 and BWQC will work together. BWQC is decision maker on project prioritization.

22
23 The Agency of Natural Resources (ANR) will establish phosphorus reduction targets to meet clean water
24 goals and establish a funding formula to be administered by the CWSPs. Projects will be identified and
25 prioritized. CWSPs will oversee projects and maintenance.

26
27 Vinson discussed the rule making process. Staff requested approval to submit comments provided in
28 the Board packet to ANR.

29
30 In response to questions, Vinson and Waninger said:

- 31 • Non non-profits are various "Friends of" groups that are not non-profits.
- 32 • The reference to state statute about membership and structure of the BWQC is recommended
33 to be stricken because the rule says the proportion of members must be kept. This means if one
34 new member is added, 8 new members would need to be added to keep the ratio.
- 35 • There was clarification of RPC participation on the BWQC. Nothing prohibits CVRPC from sitting
36 on the BWQC; however, there are three other RPCs represented in the Winooski River Basin and
37 it is likely they will be the two representatives on the BWQC as CVRPC will be the CWSP.
- 38 • The CWSP will be overseen by ANR via the contractual relationship. Every five years ANR
39 evaluates the CWSP formally. The BWQC can provide comments. ANR has the ability to end a
40 CWSP's contract and seek another CWSP for the basin.

41
42 Significant discussion ensued regarding conflict of interest language. Vinson noted there is no way to
43 fully remove the conflict of interest because the legislature set BWQCs up to include those who know
44 most about water quality, and those representatives are likely to be project sponsors. The language

1 outlined is intended to minimize conflicts.

2
3 Board members shared how Development Review and other municipal boards handle conflicts of
4 interest that impact quorum and shared recommendations for resolving conflicts.

5
6 *P. Carbee moved to submit CVRPC comments on the proposed Clean Water Service Provider Rule and*
7 *submit to ANR; M. Miller seconded. Motion carried.*

8
9 *B. Arrand moved to authorize the Chair to review and approve new or revised comments that may*
10 *emerge from continued review of the proposed; P. Carbee seconded. Motion carried.*

11
12 **Meeting Minutes – January 11, 2021**

13 *D. Torre moved to approve the minutes; D. La Haye seconded. Motion carried.*
14

15 **Reports**

16 Z. Maia stated several municipal plans are going through local adoptions. We expect approval requests
17 this year. The February Project Review Committee meeting will focus on solar facilities proposed in
18 Barre Town. Washington has a FEMA-approved Local Hazard Mitigation Plan (LHMP), which is integral
19 for its FEMA grant application. We are working on the Comprehensive Economic Development Strategy
20 (CEDS) for the region. CVRPC has a role in providing regional data for this process and will be working
21 with partners (CVEDC specifically) to conduct a SOAR (strengths, opportunities, aspirations, results)
22 analysis soon. Hill-Eubanks thanked Maia for the Energy Summaries provided to Northfield and advised
23 it was published on Front Porch Forum.

24
25 C. Rock noted that the Regional Plan Committee will be meeting Thursday to continue its review of the
26 Berlin New Town Center application (submitted formally to ACCD on February 1st). She noted the
27 Downtown Board will likely review this application on 3/22.

28
29 Waninger shared that CVRPC hired a Transportation Planner who will start March 1st. Christian Meyer, a
30 native of Calais, has been worked for the past 6 years as a Transportation Planner in Connecticut with a
31 Council of Government (similar to an RPC). He has been working remotely in Vermont since COVID. We
32 are very excited to have him start with CVRPC.

33
34 **Adjournment**

35 *D. LaHaye moved to adjourn at 7:54 pm; B. Arrand seconded. Motion carried.*
36

37 Respectfully submitted,

38
39 Nancy Chartrand, Office Manager

Central Vermont Regional Planning Commission

P: 802-229-0389

Staff Report, February 2021

F: 802-223-1977

All CVRPC staff continue to work remotely per the Governor's order to support remote work for employees to the extent possible. (Addendum 12 to Executive Order 01-20)

COMMUNITY DEVELOPMENT

Contact Clare Rock, rock@cvregion.com, or Zach Maia, maia@cvregion.com, unless otherwise noted.

Municipal Planning & Plan Implementation:

- Discussed Town Plan progress and provided feedback to Worcester Planning Commission Chair.
- Prepared Capital Improvement Plan presentation for Middlesex and shared with the steering committee.
- Developed flood hazard regulation presentation and shared with the Middlesex Planning Commission.
- Participated in Fish and Wildlife Community Values Mapping planning exercise with Woodbury.
- Began drafting Woodbury Town Plan vision and preliminary goals.
- Drafted zoning project timeline and participated in kick off meeting with Moretown Planning Commission.
- Provided Orange Planning Commission with information on Town Forest management plan development.
- Nominated entities for the Vermont Planners Association's annual awards.
- Assisted Orange Selectboard with understanding the telecommunications public involvement processes.
- Provided information and advice to Efficiency Vermont regarding its 2021 Targeted Community work in the Barre City, Duxbury, Fayston, Moretown, Waitsfield, and Warren.
- Consulted with Berlin Asst. Town Administrator regarding potential next steps for the Planning Commission. IT has been focused on obtaining New Town Center Designation for several years. For FY22, CVRPC will work with Berlin on Town Plan updates to address State goals related to child care and education.
- Provided the Weston's Mobile Home Cooperative with information on completing income surveys to meet USDA, ACCD and ANR grant requirements.
- Updated parcel maps for Duxbury.
- Finalized adopted Natural Resources and Zoning District maps for Montpelier.
- Updated web map for East Montpelier.
- Completed Town Plan maps for Worcester.

Training & Education:

- Consulted with Central VT New Directions Coalition Executive Director regarding upcoming Town Meeting votes on Vermont's cannabis legislation. Agreed to incorporate the topic into CVRPC's March 30 Planning and Zoning Roundtable to highlight where Towns can exercise local control via zoning and provide a platform for town-to-town discussion about planning.

Regional Planning and Implementation:

- Comprehensive Economic Development Strategy (CEDS): Participated in partners meeting, including discussing the Stakeholder Engagement Plan and reviewing ACCD's initial analysis on COVID-19 impacts. Provided Central VT stakeholder contact list. Downloaded and analyzed data points to create a draft 4-Region Economic Profile.

- Reviewed two 500 kW Solar Facilities in Barre Town; coordinated with applicant in regards to a preferred sites request and review by the Project Review Committee.
- Reviewed Berlin New Town Center application in advance of Regional Plan Committee meeting.
- Participated in the Urban and Community Forestry Council Leadership Committee meeting.
- Participated in UVM community economic development survey in advance of upcoming roundtable.

Partnerships for Progress:

Central Vermont Economic Development Corporation (CVEDC): Participated in Board meeting, which included discussion of current legislation affecting businesses.

THRIVE: Participated in Design Team meeting, weekly Leadership Partners check ins, and monthly Community and Leadership Partners meetings. Developed a proposal for Leadership Partners regarding what part-time and full-time VISTA service would mean for THRIVE. Agreed to host and share a VISTA volunteer in FY22.

Washington County Hunger Council: Chaired Council meetings and several meetings discussing the Food Access Map/ Tool update for use by other organizations. Participated in a Hunger Council Chairs meeting with Rep. Welch.

Working Communities – Participated in a team meeting. The team is building a highlights/program map of programs that can assist employers with work force development, initiating an employer collaborative exchange, and defining potential participants for a phase 1 employee support effort.

EMERGENCY MANAGEMENT & HAZARD MITIGATION

Contact Grace Vinson, vinson@cvregion.com, unless otherwise noted.

Local/Regional Planning:

- Attended monthly VEM/RPC meeting.
- Attended State Emergency Response Commission (SERC) meeting and LEPC/SERC Liaison subcommittee meeting on Local Emergency Planning Committee (LEPC) consolidation and realignment.
- Distributed 2019 Tier 2 maps to EMDs for inclusion in 2021 LEMP.
- Researched State Homeland Security Grant Program on behalf of Berlin.
- Distributed information on Emergency Management Director (EMD) requirements to Waterbury EMD.
- Distributed information on upcoming trainings in the Learning Management System (LMS) to EMDs/EMCs.
- Provided a grant letter of support to UVM for the Vermont Extreme Heat Research project.
- Distributed 2021 Local Emergency Management Plan (LEMP) template including updates to NIMS Typing Table.
- Attended 2021 Spring Flood seminar.
- Reviewed the status of Local Hazard Mitigation Plans for FY22 funding opportunities.
- Provided Berlin with information regarding flood insurance policy holder benefits if the Town increased its Community Rating System level.

Local Hazard Mitigation Plans (LHMP): Staff supported communities in the development, review, and adoption of local hazard mitigation plans.

Calais – Distributed survey electronically and printed paper copies for distribution. Updated plan text.

Marshfield – CVRPC was awarded the contract to assist the Town with its update. Prepared a draft contract.

Montpelier – Hosted meeting on survey results, hazard identification and analysis, planned next meeting, and distributed questions to LHMP Committee members to supply plan text.

COVID-19 Response & Recovery:

- Participated in State Emergency Operation Center and Health Operation Center meetings to maintain situational awareness regarding response and recovery needs/actions.
- Prepared and submitted final report for Local Government Expense Reimbursement (LGER) program.
- Continued COVID-19 interviews with municipal officials and staff to gather best practices and lessons learned in COVID response and recovery.
- Scheduled EMD roundtable for April 21 and started to summarize best practices and information gathered from COVID-19 interviews.
- Updated status of municipal offices with regard to closures and updated COVID webpage for easier access of information.

TRANSPORTATION

Contact Christian Meyer, meyer@cvregion.com, unless otherwise noted.

Field Services: Contact Ashley Andrews, Andrews@cvregion.com, for 2021 counts and inventories.

- Completed the VTrans February Park and Ride Survey
- Assisted Towns with Road Erosion Inventory, MRGP Grants In Aid. Equipment questions

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 – Reviewed a potential policy related to converting the Justice, Equity, Diversity & Inclusion Committee into a Standing Committee. Discussed a paid day off policy for employees related to COVID-19 vaccinations. The policy would encourage employees to be vaccinated by providing a day off should the employee experience adverse symptoms from the vaccine. Recommended the Board conduct an annual review its 2020 decision to grant the General Manager full authority to make COVID-related changes to examine whether a “new normal” has been established that requires less flexibility. Held executive session to discuss a vendor’s potential breach of contract. No action taken.

Operations Committee – Reviewed updates to the Performance Dashboard; new metrics being added related to safety, elders and persons with disability service, and MyRide/microtransit services. Discussed the Federal facemask order and resulting GMT policy updates. Reviewed the latest draft of a revised Paid Time Off Policy and recommended it for Board approval.

GMT Board of Commissioners Chair Role Activities:

- Consulted with GMT General Manager on Leadership Committee and Board agendas, upcoming Collective Bargaining Agreement negotiations, and a potential legal issue. Consulted with GMT’s attorney regarding the potential legal issue.
- Initiated stakeholder interviews for the General Manager’s annual evaluation.
- Reviewed a draft Strategic Plan prepared by GMT’s Strategy Committee.

Municipal Assistance:

- Finalized Complete Streets Compliance Tally for municipalities and provided to VTrans for inclusion in the 2020 Implementation Inventory.

- Prepared letter of support for Montpelier's Recreation Trails Program grant application.
- Consulted with VTrans regarding assistance to towns on road safety.
- Worked on service area road maps to East Montpelier fire and EMS.
- Contacted municipalities not in compliance with the State road erosion inventory requirements.
- Sent questions from VTrans to the municipalities about a RRFB (rectangular rapid flashing beacon) inventory.
- Assisting Cabot with development of an ash tree management plan

Regional Activities:

- Participated in the Mad River Transportation Advisory Committee meeting.
- Participate in Microtransit/MyRide Advisory Committee meeting. Discussed additional outreach to certain rider types.
- Drafted contracts for RPC's for Phase 3 Transportation Resiliency Planning Tool (TRPT) project. CVRPC is serving as the RPC lead for this statewide project.
- Participated in the monthly TPI meeting. Energy Action Network (EAN) and VTrans are beginning work on a pilot project to expand transportation option for rural communities by offering combined bus services to schools and community members using electric buses. The project is funded by EAN's Summit Pitch and a VTrans Mobility and Transportation Innovations Grant. Also discussed capital budgeting and other post-inventory assistance to municipalities.
- Released a Request for Projects to solicit ideas for a transportation study. Discussed potential projects with Orange, Plainfield, Berlin, Northfield, GMT, and Calais. The Transportation Advisory Committee selected implementation of Northfield's Ridge + River Routes Master Plan. The effort will include analyzing three potential crosswalks in Northfield and Northfield Falls and developing an alternatives analysis for trailhead parking for the Town Forest.
- Developed draft work plan for Regional Elderly and Persons with Disabilities Transportation Committee. Wrote ride guide for Elderly and Disabled Persons Transportation. Interviewed stakeholders for mobility access in region, and initiated analysis of transportation service availability, gaps and opportunities. Developed draft document of available transportation options.
- Hosted meeting with Cabot Trails, Cross Vermont Trail and NE Rails to Trails Conservancy to discuss partnerships.
- Participated in the Autonomous Vehicles Exchange Roundtable to learn more about autonomous vehicle testing opportunities and requirements.
- Began reviewing Green Mountain Power's Workplace Charging program to lower the barrier to entry for the installation of Electric Vehicle Charging Stations.
- Reviewed VTrans' helipad guidance for municipalities. To participate in siting requests for helipads, municipalities must have addressed helipads in the municipal plan and/or developed regulatory guidance. Courts have determined that a lack of guidance is deemed approval of all helipads by a municipality.

NATURAL RESOURCES

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

Tactical Basin Planning Assistance:

- Clean Water Service Provider Rule: Developed comments for review by the CWAC and Board. Participated in the Clean Water Service Provider Rule public hearing. Filed CVRPC's comments.
- Coordinated with DEC Lamoille Basin Planner on outreach on the Lamoille Basin Plan.

Clean Water Service Provider (CWSP): ANR has issued a Request for Information to determine estimated costs and work plan for CWSP start up. Participated in a two CWSP start-up grant check in meetings with ANR and one with proposed CWSPs. Presented information on CWSP Draft Rule, including overview of CVRPC comments, to CVRPC Board. Submitted CVRPC comments on draft rule to DEC.

Design Implementation Block Grant Program (DIBG, formerly Clean Water Block Grant Program):

Woodbury Stormwater Mitigation Final Designs – Project on hold pending decision on site design modification.

Calais Stormwater Mitigation Final Designs –Milone and MacBroom (now SLR) has completed the 60% designs.

Berlin Town Office Stormwater Implementation – The Town is prepared for construction this spring/summer.

Moretown Elementary School Stormwater Final Design: Watershed Consulting Associates, LLC (WCA) completed the 60% design report. CVRPC and DEC have provided comments.

Woodbury Elementary School/Fire Department Annex Final Design: Dubois & King completed the 60% design report, presented the designs, and solicited comments from stakeholders.

Forest Integrity: Coordinated a meeting focusing on municipal strategies to promote the forest economy; ranking survey results and are planning next steps to identify most effective strategies.

OFFICE & ANNOUNCEMENTS

Office:

- Hired a new transportation planner, Christian Meyer, who begins work March 1. A Calais, VT native, Christian was the Supervising Transportation Planner at the Naugatuck Valley Council of Governments in Waterbury, CT and a land use planner prior to that. He and his family used the pandemic's remote work opportunity to return to Vermont last spring.
- Spoke with Representative Kitzmiller and emailed other legislators regarding RPC funding.
- Reviewed 2021 Report of the Executive Director of Racial Equity in Vermont.
- Consulted with CVRPC's contract attorney regarding a contract reassignment issue. The issue pertains to the merger of two firms and whether the merged firm can retain the original firm's contract with CVRPC.

Professional Development/Leadership:

- Clare participated in Small Developers Seminar to increase knowledge of how to make small incremental housing development work in local communities.
- Bonnie and Zach participated in an Unconscious Bias training hosted by Vermont Businesses for Social Responsibility (VBSR) to understand and identify sources of bias.
- Elena participated in the National Center for Applied Transit Technologies webinar on "Virtual Public Engagement Strategies and Trends" to improve understanding of developing best practices for transit providers and planners.
- Through the Vermont Changemakers program, Zach engaged with the Vermont Council on Rural Development in reviewing their [Vermont Proposition](#) and providing comments on their vision.

Upcoming Meetings:

All CVRPC meetings currently are being held as virtual meetings. Meeting access information is provided on

agendas at www.centralvtplanning.org.

March

| | | |
|--------|---------|-----------------------------------|
| Mar 9 | 11 am | Bylaw Review Work Group |
| Mar 9 | 6:30 pm | Board of Commissioners |
| Mar 10 | 4 pm | Nominating Committee |
| Mar 11 | 4 pm | Clean Water Advisory Committee |
| Mar 23 | 6:30 pm | Transportation Advisory Committee |
| Mar 25 | 4 pm | Project Review Committee |
| Mar 30 | 11 am | Bylaw Review Work Group |

April

| | | |
|--------|---------|---|
| Apr 5 | 4 pm | Executive Committee |
| Apr 13 | 6:30 pm | Board of Commissioners |
| Apr 14 | 2 pm | Regional Elders and Persons with Disabilities Committee |
| Apr 22 | 4 pm | Project Review Committee |
| Apr 27 | 6:30 pm | Transportation Advisory Committee |

WEEKLY NEWS HEADLINES

Click on a specific week to read more about the headlines listed. *To receive Weekly News via email, sign up on our [website](#).*

February 5th

- CWSRF and DWSRF Plist Applications Due by 2/25/21
- Everyone Eats- New Dates Added
- Reminder: Tier II Reports Due March 1st
- Farm to School Grants
- PPP Webinars Continue
- A Guide to Renewable Heating for Vermonters
- Vermont Children's Trust Foundation Grants: Applications Due March 17
- Community Leadership In Action: A Vermont Guide to Community Engagement, Project Development, & Resources

February 12th

- Community Heart & Soul Seed Grant Program
- Vaccination Appointments to Open for Those 70 and Older
- Central Vermont Pop-Up Testing Update
- Shuttered Venues Operators Grant (SVOG) Program

- SBA Targeted Economic Injury Disaster Loan (EIDL) Advance Program
- COVID-19 Stimulus Equity Fund: Open through March 1st
- Everyone Eats- New Dates Added
- [Report of The Vermont Racial Equity Task Force](#)
- CDBG-CV Public Facility and Public Service Program
- Vermont Coronavirus Economic Stimulus Equity Program

February 26th

- Prepare for your COVID-19 vaccine – create your online account now!
- Plainfield Gully Stabilization & Stormwater Mitigation Project
- Green Stormwater Infrastructure Design and Permitting for Three-Acre Public Schools in Vermont's Lake Champlain Basin
- Tiny Grant Program
- Updates to Travel Quarantine Policy for Fully Vaccinated

- Vermont will follow new CDC guidance for vaccinated people exposed to someone with COVID-19
- Reminder: Tier II Reports Are Due March 1st
- Vaccination Appointments Open March 1st for Those 65 and Older
- Walgreens Offers Vaccine to Vermonters 65 and Older Starting February 26
- 2021 LEMPs are due by May 1st, 2021

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

Central Vermont Regional Planning Commission

Committee & Appointed Representative Reports, February 2021

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

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

- Approves submission of the FY21 indirect rate charge request to VTrans. The request would decrease CVRPC's indirect rate to avoid recovering more funds than costs incurred.
- Authorized signature of an agreement with the Northwest Regional Planning Commission for Municipal Grants in Aid FY21 and with Southern Windsor County Regional Planning Commission (d.b.a. Mt. Ascutney Regional Commission) for the Woodbury Stormwater Mitigation Final Designs.
- Authorized signature of a third contract amendment with Dubois & King for the Woodbury Stormwater Mitigation Final Designs project. The agreement adds funds to permit exploration of an alternate site for the stormwater project. The initial site was challenged by ledge and could not be used for stormwater infiltration.
- Recommended a process for the Board to appoint representatives to CVEDC's economic development project prioritization effort. The State requested CVEDC submit projects for inclusion in the State Comprehensive Economic Development Strategy.
- Received updates from the Nominating Committee and Bylaw Work Group.

PERSONNEL POLICY COMMITTEE (A sub-committee of the Executive Committee)

Did not meet.

NOMINATING COMMITTEE (February and March; scheduled by Committee)

- Approved a draft slate for the FY22 Executive Committee.
- Discussed how to approach nominations for other committees and how to balance interest and tenure if all current members of a committee want to continue.
- Reviewed current membership of each committee, which members remain interested and provide continuity and leadership/experience, and which Commissioners and Alternates might be interested and/or provide balance.

PROJECT REVIEW COMMITTEE (4th Thursday, 4pm)

Reviewed two 500 kW solar projects proposed in Barre Town for preferred site designation. Both sites received local support for preferred site status. The Project Review Committee issued determinations of preferred site status for both sites. The Project Review Committee also reviewed these projects and determined there was no Significant Regional Impact.

REGIONAL PLAN COMMITTEE (as needed; scheduled by Committee)

Met to review the Berlin New Town Center (NTC) application. Committee determined the proposal to be in conformance with the Regional Plan and agreed to support the project. The Committee directed staff to draft a letter which will include additional comments.

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

Did not meet.

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

TAC reviewed five potential study projects for funding through CVRPC's transportation program. It prioritized the Northfield Ridge and River Routes Implementation Study, which will examine alternatives to improve pedestrian safety at three road crossings and to create trail head parking serving the Town Forest.

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

Did not meet.

VERMONT ASSOCIATION OF PLANNING & DEVELOPMENT AGENCIES (VAPDA)

VAPDA has been working with legislators in regards to an RPC funding increase for FY22. The demands being placed on RPCs are greater than ever. Municipalities have expressed additional needs as they try to address the economic and social uncertainty associated with the pandemic. While the demands on RPC services have increased dramatically, the funding for RPCs has declined in real terms. RPCs have not seen an increase in base funding since 2014. That increase restored partial funding from a 2009 funding cut in response to the housing market crash. Essentially, RPCs are operating with the same amount of State funding as they did in 2006, 15 years ago. Regional Planning Commissions are seeking a \$700,000 increase in funding statewide for FY 22.

The House Commerce and Economic Development and House General and Housing and Military Affairs Committee, two Committees that have jurisdiction over key RPC programs, supported the request for addition funding. This funding would assist RPCs to be strong partners in providing statewide, comprehensive, efficient program delivery for rural economic development and COVID-19 recovery.

VERMONT ECONOMIC PROGRESS COUNCIL

No activities from Central Vermont.

GREEN MOUNTAIN TRANSIT

- The GMT Board held a Retreat focused on developing a Strategic Plan. It reviewed the schedule for developing a Transit Strategic Plan (formerly called a Transit Development Plan), reviewed draft FY22 strategic goals, and developed draft strategies, tactics, and key performance indicators.
- Approved the Standing Committee Policy for the Justice, Equity, Diversity & Inclusion (JEDI) Committee. The policy transitions the Committee to a permanent committee of the GMT Board.
- Accepted the FY20 audit.
- Approved an update to the Purchasing Policy.
- Reviewed a draft of the Paid Time Off Policy. The Board requested additional research regarding the financial implications of the policy.
- Held Executive Sessions related to labor relation agreements and pending and potential litigation. No action was taken as a result of the sessions.
- Under the federal CRRSA bill, GMT will receive \$2.48 million for its urban service area. Unfortunately, this will be coupled with a \$1.6 million reduction in state operating funds. The end result of this is a projected shortage of local funds to match the federal grants because the state operating funds are used as part of GMT's required federal match. GMT staff are working with VTrans to determine whether/how this issue might be resolved without implementing substantial service reductions (which was not VTrans' intent).

- GMT has incurred over \$20,000 in costs from unauthorized, on-peak bus charging for its electric buses. The charges could have been avoided if Proterra had met its contractual requirement for programmable charging stations. GMT staff have worked with Proterra on this issue since January 2020 without success. The unauthorized charging was done by both GMT employees and Proterra maintenance staff. GMT has issued a damage demand letter requesting Proterra reimburse the utility costs.

MAD RIVER VALLEY PLANNING DISTRICT

- Met with Efficiency Vermont to discuss its 2021 Targeted Community work in Duxbury, Fayston, Moretown, Waitsfield, and Warren. The project's goal is to provide education and support for a wide range of solutions and resources for wide range of sectors.
- Heard an overview of steps taken by MRVPD, MRV TAC. and Town of Waitsfield to address pedestrian safety. Discussed how to manage misinformation and whether MRVPD should develop a general policy for how to respond to misinformation related to the Planning District's work.



INFORMATIONAL ITEMS

- A. Berlin New Town Center Support Letter - Regional Plan Committee
- B. CVRPC Final Comments on Clean Water Service Provider Rule
- C. Segregation Through Housing Policies – VHFA News
- D. Preferred Sites Letter, NOVUS, Allen Street, Barre Town – Project Review Committee
- E. Preferred Sites Letter, NOVUS, Bridge Street, Barre Town – Project Review Committee



MEMO

Date: March 3, 2021
To: Board of Commissioners
From: Clare Rock, Senior Planner
Re: Berlin New Town Center Support Letter

✉ ACTION REQUESTED: No action is requested. This memo provides additional information that has emerged since the Regional Plan Committee voted to support New Town Center designation in Berlin.

The Regional Plan Committee meet twice last month to review the Berlin New Town Center (NTC) Application. The Committee was charged with:

- a. Determining whether the NTC proposal is in conformance with the Regional Plan;
- b. Identifying comments and input for the Downtown Board deliberations;
- c. Addressing Berlin's request for a Letter of Support; and
- d. Directing staff to document its findings for the Town and the Downtown Board.

At their second meeting held on February 11, 2021 the Committee agreed to provide support to the application and found the application to be substantially in conformance with the Regional Plan. The Committee also noted that as the NTC is implemented opportunities exist to strengthening alignment with the Regional Plan's policies. Staff was directed to finalize the letter of support in accordance with the Committee's discussion.

The Committee agreed the letter would be signed by the Executive Director on behalf of the Committee, and the letter would be provided to the Board. The letter would then be submitted to the Town ahead of the Downtown Board hearing on the NTC Application scheduled on March 22, 2021. The letter is included with the Board meeting packet.

At its February 26 meeting, the Barre City Council chose not to entertain a motion to provide a letter of support to the Berlin project. Staff contacted Barre City to explore whether the City had concerns with the designation. City staff shared that prior to the City Council meeting, a comment was posted to the City's Facebook page regarding the Berlin New Town Center letter of support agenda item. That comment is included below, along with the individual's additional comments to the Mayor and two Councilors. My understanding is that the comment reminded the Council that some City residents were not supportive of

the mall development or the CVMC expansion when they were first proposed. The main concern was that significant development outside the City would injure the City's economy, hindering its ability to redevelop.

If a Board member felt CVRPC's letter should be adjusted, the member could request an adjustment to the Board agenda at the March 9th meeting.

----- Forwarded message -----

From: **Ed Stanak** <stanakvt@gmail.com>

Date: Tue, Feb 23, 2021 at 12:53 PM

Subject: City Support of Berlin Mall ?

To: Lucas Herring <L.Herring@barrecity.org>, Teddy Waszazak <T.Waszazak@barrecity.org>, Michael Boutin <M.Boutin@barrecity.org>

In the interest of full disclosure here is what I just posted on Facebook :

" I see that this evening's Barre City Council meeting agenda includes consideration of a letter from the City Planning Commission in support of the "new town center" in Berlin. The "new town center" is a wrongheaded proposal by town planners and strongly supported by the NJ owners of the Berlin Mall to wrap residential units filled with customers around the mall. This is the same mall that opponents fought against in the late 1980s because it would decimate Barre City's downtown stores. And it did . So why is the City Planning Commission in effect supporting the commercial vampire that sucked the blood out of our downtown ? "

As you may know, I staffed the District 5 Environmental Commission during its review of the Berlin Mall Act 250 application and recall vividly the evidence of the likely adverse impacts on the City's downtown. The City's leadership at the time did nothing to oppose the mall application or to seek mitigation of impacts (such as Burlington did concerning the Tafts Corner "big box" stores). Instead, the City remained silent and went along with the absurd advice of the Central VT Chamber of Commerce and others that Barre City would somehow be able to withstand the competition from the mall and would somehow benefit from increased commercial sales in another town (sounding like the failed national "trickle down" economic theories of the early 1980s) . I could say much, much more (such as how much of the area within the "new town center" are undevelopable wetlands and how other lands are owned by individuals salivating over potential profits) but will end by asking why in the world is the City supporting the Berlin "new town center" ? How is such support relevant to the City and how will the City benefit ?

Ed Stanak



February 19, 2021

Mr. Chris Rottler, Environmental Analyst VI
 Vermont Dept. of Environmental Conservation
 Water Investment Division
 1 National Life, Davis 3
 Montpelier, VT 05620-3510
 Via email to: chris.rottler@vermont.gov

Dear Chris,

Thank you for the opportunity to provide comments on the draft Clean Water Service Provider Rule. The Central Vermont Regional Planning Commission appreciates the extensive consultation and outreach DEC staff conducted during the proposed Rule's development.

The CVRPC Board of Commissioners is providing the following comments. CVRPC's Clean Water Advisory Committee was consulted during development of the comments. We suggest the following clarifying edits with additions noted in ***italics, bold and underlined*** and deletions in ~~strikethrough~~:

Comment 1: The Rule should align the Basin planning process and the CWSP project identification process.

Basin Plans should mention the pollution reduction targets allocated to each Basin. This establishes a connection between the Basin Plan and its implementation.

§ 39-401. Secretary's Allocation of Pollutant Reduction Targets to CWSP.

(a) Pollutant Reduction Determination, Allocation, and Standard Cost.

For waters described in 10 V.S.A. § 922(a) (water listed as impaired pursuant 33 U.S.C. § 1313(d) and not subject to the stated exception), the Secretary shall include the following in an implementation plan ***as part of the basin plans***:

.....

Comment 2: The standard cost per unit of pollutant reduction should include the cost of *project development and maintenance*. Project development is when landowners and stakeholders begin buying into an identified project and the needs of all parties begin to be defined. Project development helps insure project design funds are used wisely.,

§ 39-401. Secretary's Allocation of Pollutant Reduction Targets to CWSP.

(a) Pollutant Reduction Determination, Allocation, and Standard Cost.

- (3) A determination of the standard cost per unit of pollutant reduction by sector. The Secretary shall publish a methodology for determining standard cost for pollutant reductions. The standard cost shall include the costs of project identification, project development, project design, ~~and~~ project construction and maintenance.

.....

Comment 3 REVISED: Potential and actual conflicts of interest inherent to the Legislature's designation of Basin Water Quality Council (BWQC) membership should be recognized in the Rule and not paralyze the decision making process. Some of the BWQC members will represent entities that are capable of effectively proposing, construction and operating clean water projects. The proposed Rule may negate the BWQC's designated role and participation in project prioritization. If BWQC members must recuse themselves from voting on projects they sponsor, the BWQC regularly may not have sufficient voting members to make decisions about project priorities.

The Legislature codified membership requirements for BWQCs to foster Councils knowledgeable about water quality. The majority of BWQC members are project implementers who will be proposing projects. Recognizing inherent and actual conflicts of interest and minimizing them to the extent possible can be reconciled by permitting BWQC members to vote on a slate of projects, only recusing themselves from voting if projects they sponsor are presented individually for a vote.

Subchapter 6: Conflicts of Interest

Each CWSP shall adopt a conflicts of interest policy that includes, in part, the following:

- (a) All persons engaged in the decision making of the respective CWSP or BWQC or both, shall conduct themselves according to high ethical standards.
- (b) Conflict of interest means an financial interest, direct or indirect, ~~financial or otherwise~~, of a person with a CWSP or BWQC decision making role, or such an interest, known to that person, of a member of that person's immediate family or household, or of a business associate, in the outcome of a particular matter pending before the CWSP or BWQC or which is in conflict with the proper discharge of the person's duties under this Rule.
- (c) A BWQC member that proposes to implement a clean water project must disclose any potential conflict of interest and shall recuse itself from any BWQC decision making subject to that conflict if any of the following conditions are present:
 - 1. If a project is being considered by itself per §39-403(e)(5), or the project's score or ranking is being considered by itself, the project sponsor shall recuse itself from the BWQC decision making related to that individual project.
 - 2. If a BWQC-member's project is being considered as part of a list or package of projects being voted on and the funding passed through to its subcontractors (engineers, construction firms, etc.) and/or for materials and supplies constitutes in total less than 50% of the overall cost of the project.

3. *The project involves payments for fee simple for land or for purchase of an easement to the member, the member's immediate family or household, or to a business associate.*

(d) In the case where recusal results in inability of the BWQC to take action due to loss of quorum, the rule of necessity shall apply.

Notwithstanding these limitations, the conflicted BWQC member may answer questions on the subject project in an open meeting of the BWQC.

Note that our preferred language for #2 above is as follows: *If the project is one of many on a list or package considered by the BWQC as they determine the ranking and priorities for funding, the sponsorship of the project is the only potential conflict of interest, and recusal by conflicted BWQC members would result in loss of quorum to make decisions; all members of the BWQC may vote on the list or package. If there are other potential conflicts of interest, each member shall disclose the potential conflict and the BWQC shall determine if the member may vote upon the list or package.* However, the proposed 50% threshold language is offered as a potential compromise.

The rule of necessity has been incorporated into Conflict of Interest policies by many Vermont legislative and quasi-judicial public bodies after legal consultation. It is also included in the Vermont Code of Judicial Conduct Rule 2.11- Disqualification, Comment [3].¹

.....

Comment 4: The Rule should permit Basin Water Quality Councils and CWSPs to define which co-benefits are most beneficial in a basin. Co-benefits can vary among projects and basins and reflect the value of the project to other goals in a basin.

§ 39-201. Definitions.

.....

- (8) "Co-benefit" means the additional benefit to local governments and the public provided by or associated with a clean water project, including *but not limited to* flood resilience, *hazard mitigation, educational,* ecosystem improvement, and local pollution prevention.

.....

Comment 5: Clarity is needed regarding use of funds provided to CWSPs. Before implementation can occur, clean water projects must be developed and designed. As these activities are eligible costs, the Rule would benefit from incorporating these activities by name. Additionally modifying the procurement language clarifies that a CWSP must solicit three quotes, not obtain three quotes. Regarding insurance, because coverage is specific to CWSP activities, it is helpful to clarify that any additional cost can be paid from CWSP funds.

¹ Rule 2.11, Vt. Admin. Ord. of Sup. Ct. 2.11, Amended August 6, 2019, eff. October 7, 2019, <https://casetext.com/rule/vermont-court-rules.vermont-administrative-orders-of-the-supreme-court.vermont-code-of-judicial-conduct.canon-2-a-judge-shall-perform-the-duties-of-judicial-office-impartially-competently-and-diligently.rule-211-disqualification>.

§ 39-306. Fiscal Management.

- (i) Procurement, Goods and Services. Procurement by the CWSP or its subgrantees, for anything except for pre-qualified entities selected by the BWQC to develop, design, or implement a clean water project, shall be by a competitive process for services, with a solicitation for quotes sent to ~~of~~ at least three quotations from qualified entities. Purchasing of goods shall require the solicitation of at least two different quotations, except when purchasing items valued at \$1,000.00 or less. Records related to the procurement of services shall be retained for the term of the contract plus three years. Records related to the procurement of goods shall be retained for one year after the audit covering the period of purchase of those goods. Procurement of a good or category of goods totaling \$15,000.00 or greater from one vendor in one year shall be by written contract. Equipment and other durable assets purchased by a CWSP shall be maintained.
- (j) Insurance. The entity serving as CWSP shall comply with the insurance requirements of Water Quality Restoration Formula Grants. Professional liability insurance shall be required for any engineers or architects that are subgrantees or subcontractors, with the CWSP listed as additional insured. The CWSP shall obtain Errors and Omissions insurance for BWQC members. Funds provided by the Agency of Natural Resources to a CWSP may be used to pay the premiums for this insurance.

.....

Comment 6: The DEC Basin Planner should be consulted as part of the project selection process in the event that the BWQC does not achieve quorum and the CWSP must make a decision. This provides a conflict of interest solution should a CWSP have a project in the slate.

§ 39-403. Clean Water Projects.

.....

- (e) Clean Water Project Selection. Based upon project priorities identified under § 39-403(d), the BWQC shall consider the preliminary scoring and ranking of all proposed clean water projects drafted by the CWSP for both project development or implementation categories and make any adjustments to the co-benefits scoring as needed. The BWQC shall vote on a prioritized slate of clean water projects for both development and construction to fulfill pollution reduction goals. In the event the BWQC is unable to obtain a quorum to vote on a slate of clean water projects as a result of conflicts of interest among its members pursuant to Subchapter 6 of this Rule, the CWSP, in consultation with the applicable DEC Basin Planner, shall be empowered to make a final decision on projects selected for funding. In the event an individual clean water project is brought up for consideration outside of the normal cycle of consideration, the BWQC will consider and decide upon the selection of the individual project consistent with the ranking process and priorities.

.....

Comment 7: The CWSP should be permitted to assign site control to a third party. The entity that develops and implements a project will have the strongest relationship with the property owner. Also, a CWSP may

contract with a third party for maintenance activities, and that party may be best positioned to hold site control.

§ 39-403. Clean Water Projects.

- (j) Quality Control and Site Control. The CWSP shall ensure site control to access property where clean water projects are installed, which may include acquisition of a fee simple interest, a maintenance and access easement, or a maintenance and access agreement. Such site control in fee simple, easement, or agreement shall be documented on a form provided by the Secretary. **Such fee simple interest, maintenance and access easement, or maintenance and access agreement may be assigned to a third party such as a municipality, non-profit watershed association, conservation district or non-profit conservation organization subject to the approval of the Secretary.**

.....

Comment 8: The proposed language regarding proportionality should be struck. Proportionality means if one additional member is authorized eight additional members would have to be added to maintain proportionality. The requirement of BWQCC unanimity and Secretary approval provide sufficient safeguards.

§ 39-501. Membership and Structure.

- (a) Each CWSP shall establish a basin water quality council (BWQC) for each assigned basin. BWQC membership shall comprise the minimum statutory members identified in 10 V.S.A. § 924(g)(2). Additional BWQC membership is only allowed if unanimously approved by the BWQC and approved by the Secretary. When considering the addition of BWQC members, the CWSP shall evaluate the costs of adding to the BWQC membership. ~~Should additional BWQC membership be authorized, the proportionality of representation established by 10 V.S.A. § 924(g)(2) shall be maintained.~~ The CWSP will coordinate assignment or replacement of BWQC members for those entities named in 10 V.S.A. §§ 924(g)(2)(D-E).

.....

Comment 9: Organized watershed groups that are not nonprofit organizations may be present in a basin and should have a right to participate in the BWQC. These groups may meet the legislative intent of being knowledgeable about water quality. Affiliation with a 501(c)3 organization via fiscal sponsorship provides a legitimacy litmus test.

- (b) For the purposes of selecting members pursuant to 10 V.S.A. § 924(g)(2), the following definitions apply:

.....

- (3) “Local watershed protection organization” means a community-based, nonprofit organization working with individuals and communities in their local watersheds to protect and improve water quality, habitat, and flood resilience and to connect citizens with Vermont’s waters. Watershed protection organizations work with all watershed constituents and do not represent a specific constituency or interest group. **Organizations that are not a 501(c)3 may serve on a BWQC provided they have a fiscal sponsor that is a 501(c)3.**

If you have any questions or would like to discuss these comments, I hope you will contact me at (802) 229-0389 or waninger@cvregion.com. Thank you for consideration of our comments, and for the inclusiveness DEC demonstrated during development of the proposed Rule.

Sincerely,



Bonnie Waninger
Executive Director

cc: Adam Lougee, ACRPC
Charlie Baker, CCPRC
Catherine Dimitruk, NRPC
Ed Bove, RRPC
Peter Gregory, TRORC
Karen Freeman, VHCB

Bonnie Waninger

From: VHFA News <home@vhfa.org>
Sent: Friday, February 19, 2021 11:02 AM
To: Bonnie Waninger
Subject: Segregation in Vermont continues through restrictive housing policies

Housing news from VHFA

[View this email in your browser](#)

VHFA News

Housing news from Vermont Housing Finance Agency (VHFA)

[Segregation in Vermont continues through restrictive housing policies](#)

By Mia Watson on Feb 19, 2021 09:10 am

February is Black History Month. Our nation has a [long history of racist housing practices](#) which prevented many Black Americans and other minorities from becoming homeowners and effectively restricted them to living in certain neighborhoods. The impact of these practices is felt to this day, with many cities still largely segregated along the lines [originally drawn by redlining](#). Vermont can sometimes feel exempt from this history, given our [small number of non-white households](#) and still-rural landscape. However, our land use and zoning policies have had the effect of keeping Black and other minority Vermonters out of many communities.

Redlining practices started during the mid-1930s through New Deal era housing programs. Federal agencies refused to insure home mortgages in

‘redlined’ or primarily Black neighborhoods while simultaneously subsidizing builders of whites-only suburban developments. Throughout this most of this period, Vermont saw limited development, with its [population remaining mostly flat](#) until after 1960.

Although Vermont was not formally redlined, there are still examples of racial segregation in the form of exclusionary housing covenants. These were written into property titles to prevent them from being sold to or occupied by members of a given race, ethnic origin or religion. Until they were outlawed in 1968 by the Fair Housing Act, they were often used by real estate developers to keep new subdivisions entirely white. [At least two neighborhoods in South Burlington](#) had housing covenants that forbade non-white residents. A [slavery reparations initiative](#) currently underway will include searching deeds to determine the prevalence of racially restrictive covenants among Burlington homes. It is possible that deeds to other [Vermont homes across the state](#) still retain the now-unenforceable provisions.

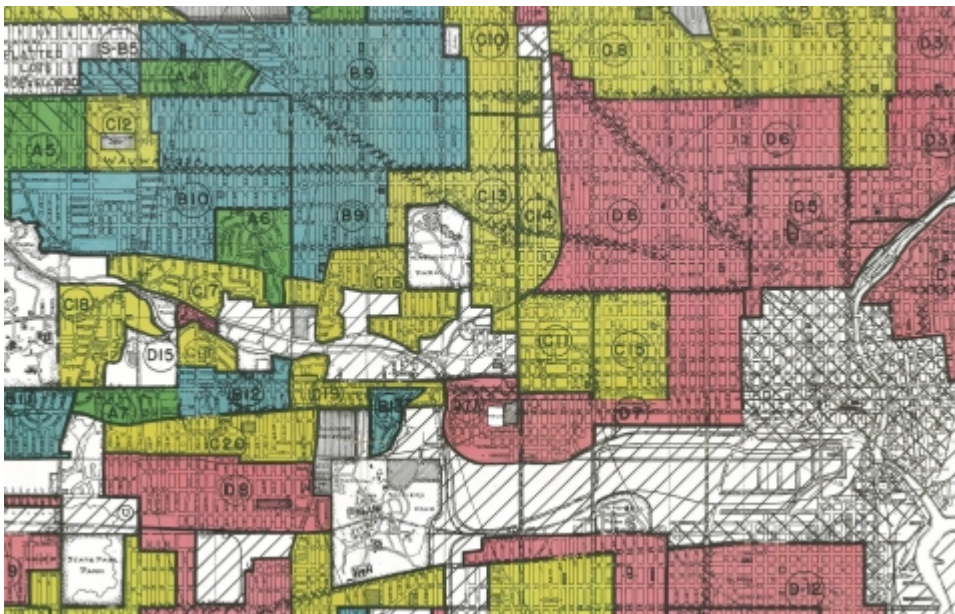
Despite our comparatively limited history of systemic racist housing practices, Vermont does still have a history of decisions around zoning and land use, which have had the effect of determining who lives in a community. Many Vermont communities, particularly more suburban communities, have largely retained mid-century zoning practices that discourage multifamily housing or more dense development. These types of zoning codes were often [consciously designed](#) to exclude renters and lower income homebuyers, with the full knowledge that Black and other minority households were more likely to fall into those groups.

Although we often think of our state as simply rural, [economist Art Woolf](#) has noted that Vermont’s wealthiest communities surround cities and employment centers that have much lower household incomes. This is very similar to patterns in other states, albeit on a much smaller scale. Vermont’s Black households are more likely to have low incomes and are [far more likely to be renters than white households](#). Burlington alone is home to 30% of Vermont’s

Black households, despite the city accounting for just [6% of Vermont's households](#).

Whether intentionally planned or not, we have built many communities that almost exclusively serve white households. As Vermont slowly grows more diverse over time, we run the risk of perpetuating and deepening racial divides in our state if we do not change our zoning practices to allow for a wider range of home types and income levels.

Pictured: A mortgage lending map used by the Federal Home Owner's Loan Corporation (HOLC) showing redlined neighborhoods in Milwaukee



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February 26, 2021

Ms. Holly R. Anderson, Clerk
Vermont Public Utility Commission
112 State Street
Montpelier, VT 05620-2701

Re: 20-3749-AN: Allen Street, Barre Town, VT - Designation as "Preferred Site" under Rule 5.103

Dear Ms. Anderson:

NOVUS Allen Solar, LLC is proposing a 500 kW ground-mounted net-metered solar array to be sited on 3.5 acres of the property, located at off Allen Street in Barre Town, Vermont ("the Project"). The applicant has requested that the Central Vermont Regional Planning Commission (CVRPC) provide a letter identifying the Project site as a Preferred Site in accordance with the Vermont Public Utility Commission's Net Metering Rule 5.103.

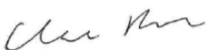
The definition of a "Preferred Site" under PUC Rule 5.103 (7) includes "a specific location that is identified in a joint letter of support from the municipal legislative body and municipal and regional planning commissions in the community where the net-metering system will be located."

The Central Vermont Regional Planning Commission's Project Review Committee has considered the request and reviewed the information provided by the applicant dated December 11, 2020 and revised site plan dated February 15, 2021 during their meeting on February 25, 2021. Based on this review, the CVRPC provides an affirmative designation identifying the Project site as a "Preferred Site" under Net Metering Rule 5.103.

In making this determination the CVRPC does not take a position certifying or approving the Project's compliance with any other applicable provisions of the Central Vermont Regional Plan and reserves the right to review and comment on this project's conformance with the Central Vermont Regional Plan and policies that have been adopted by the CVRPC Board of Commissioners when the full petition is submitted.

Please feel free to contact the CVRPC if you need additional information or clarification on any of the above information.

Sincerely,



Clare Rock
Senior Planner

Cc: Mr. Alex Bravakis, NOVUS Energy Development LLC



February 26, 2021

Ms. Holly R. Anderson, Clerk
Vermont Public Utility Commission
112 State Street
Montpelier, VT 05620-2701

Re: 20-3748-AN: Bridge Street, Barre Town, VT - Designation as "Preferred Site" under Rule 5.103

Dear Ms. Anderson:

NOVUS Bridge Solar, LLC is proposing a 500 kW ground-mounted net-metered solar array to be sited on 2.6 acres of the property, located at off Bridge Street in Barre Town, Vermont ("the Project"). The applicant has requested that the Central Vermont Regional Planning Commission (CVRPC) provide a letter identifying the Project site as a Preferred Site in accordance with the Vermont Public Utility Commission's Net Metering Rule 5.103.

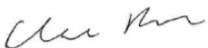
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The Central Vermont Regional Planning Commission's Project Review Committee has considered the request and reviewed the information provided by the applicant dated December 11, 2020 during their meeting on February 25, 2021. Based on this review, the CVRPC provides an affirmative designation identifying the Project site as a "Preferred Site" under Net Metering Rule 5.103.

In making this determination the CVRPC does not take a position certifying or approving the Project's compliance with any other applicable provisions of the Central Vermont Regional Plan and reserves the right to review and comment on this project's conformance with the Central Vermont Regional Plan and policies that have been adopted by the CVRPC Board of Commissioners when the full petition is submitted.

Please feel free to contact the CVRPC if you need additional information or clarification on any of the above information.

Sincerely,



Clare Rock
Senior Planner

Cc: Mr. Alex Bravakis, NOVUS Energy Development LLC