

**CENTRAL VERMONT REGIONAL PLANNING COMMISSION  
BOARD OF COMMISSIONERS  
DRAFT MINUTES  
March 10, 2026**

**Commissioners:**

<input checked="" type="checkbox"/> Barre City	Janet Shatney, Sec/Treas	<input checked="" type="checkbox"/> Moretown	David Stapleton
<input type="checkbox"/>	Vacant	<input type="checkbox"/>	Joyce Manchester, Alt
<input type="checkbox"/> Barre Town	Alice Farrell	<input checked="" type="checkbox"/> Northfield	Royal DeLegge
<input type="checkbox"/>	Phil Cecchini, Alt.	<input type="checkbox"/>	Vacant
<input checked="" type="checkbox"/> Berlin	Robert Wernecke	<input checked="" type="checkbox"/> Orange	Lee Cattaneo, Vice Chair
<input type="checkbox"/>	Karla Nuisssl, Alt.	<input checked="" type="checkbox"/> Plainfield	Paula Emery
<input type="checkbox"/> Cabot	Brittany Butler	<input type="checkbox"/>	Bob Atchinson, Alt.
<input checked="" type="checkbox"/> Calais	John Brabant	<input checked="" type="checkbox"/> Roxbury	Jerry D'Amico
<input type="checkbox"/>	Melanie Kehne, Alt.	<input type="checkbox"/> Waitsfield	Alice Peal
<input checked="" type="checkbox"/> Duxbury	David Wendt	<input type="checkbox"/>	Don La Haye, Alt.
<input type="checkbox"/>	Vacant	<input checked="" type="checkbox"/> Warren	Jim Crafts
<input checked="" type="checkbox"/> E. Montpelier	Alexander Rob	<input type="checkbox"/>	Adam Zawistowski, Alt.
<input type="checkbox"/>	Clarice Cutler, Alt.	<input checked="" type="checkbox"/> Washington	Peter Carbee, Chair
<input type="checkbox"/> Fayston	Andrew McNealus	<input checked="" type="checkbox"/> Waterbury	Doug Greason
<input type="checkbox"/> Marshfield	Amy Monahan	<input checked="" type="checkbox"/> Williamstown	Richard Turner
<input checked="" type="checkbox"/> Middlesex	Ron Krauth	<input checked="" type="checkbox"/> Woodbury	Michael Gray
<input checked="" type="checkbox"/>	Mitch Osiecki, Alt.	<input checked="" type="checkbox"/> Worcester	Bill Arrand
<input checked="" type="checkbox"/> Montpelier	Mike Miller		

Staff: Christian Meyer, Barbara Petrie, Niki Sabado

Guests: Stephen Whitaker – Resident of Montpelier, Karen Horn – Chair, Moretown Planning Commission, Bob Blodgett – Moretown Planning Commission, Attorney Suzanne Armor.

**Call to Order:** Chair Carbee called the meeting to order at 6:30 pm, roll call was taken, and a quorum was established.

**Adjustments to the Agenda:** None.

**Public Comments:** None.

**Accept Meeting Minutes – (2/10/2026):**

*Commissioner Wernecke moved to accept the minutes of February 10, 2026, seconded by Commissioner Cattaneo. Commissioner Emery notes on page 5 of minutes that housing losses in Plainfield resulting from 2023 flooding should be changed to reference the 2024 flooding. The motion to accept the minutes passed unanimously.*

**Approval of Moretown town plan and confirmation of planning process:**

Niki Sabado gave an in-depth update of her collaboration and her work with the town on their plan update. Niki continued that in staff review, she found the plan to meet state planning requirements and to be compatible with the regional plan and neighboring municipalities, especially around watershed boundaries and historic development in Moretown Village.

It was clarified that three separate actions are being requested:

*Chair Carbee requested a motion for the approval of the Moretown Town plan, moved by Commission Arrand and seconded by Commissioner Wernecke, no abstentions. Unanimously approved.*

Karen Horn (Chair of Moretown Planning Commission) was present for the meeting and thanked CVRPC for its consideration. Middlesex Alternate Commissioner Osiecki, also Zoning Administrator of Northfield, asked about how the plan was distributed to neighboring municipalities for review.

*Chair Carbee called for a motion of the confirmation of the planning process of the Moretown town plan, moved by Commissioner Cattaneo and seconded by Commissioner Arrand. No abstentions. Unanimously approved.*

*Chair Carbee called for a motion to adopt Resolution 2026-02, moved by Commissioner Cattaneo and seconded by Commissioner Arrand. Commissioner Emery requested the document be read into the record. Chair Carbee read Resolution 2026-02 into the record (attached herein). No abstentions. Unanimously approved,*

Staff (Niki Sabado) was recognized for her work on this presentation.

### **Review Allegation of Open Meeting Law violation and document rationale for de facto Denial on the Record**

Christian provided a summary of the allegation and a staff memo outlining both requirements under state open meeting law and the consequences of not meeting as a public body to respond. Christian continued that 1VSA, Section 312H states that at an open meeting the public shall be given an opportunity to express its opinion on matters considered by the public body during the meeting, as long as order is maintained. Christian reminded the group that the item under consideration was removed from the agenda through tabling and the individual was not barred from offering general comments regarding the rest of the agenda. Stephen Whitaker shared his concerns with the findings expressed under this agenda item. Several commissioners present addressed Mr. Whitaker's concern to provide clarification. Commissioner D'Amico reminded the group that Mr. Whitaker should be recognized by the Chair before he speaks as are all others present.

*Chair Carbee called for a motion to confirm the de facto denial of the open meeting law violation allegations received from Stephen Whitaker of Montpelier, dated February 10th, 2026. Moved by Commissioner Greason and seconded by Commissioner DeLegge. No abstentions. Unanimously approved.*

### **Review Legal Opinion - When is Defamation Actionable?**

This agenda item was for discussion only. A legal memorandum was provided in the meeting packet from Attorney Armor outlining the questions and providing responses. Christian read the two short questions presented and their answers:

#### **Question 1. Under what circumstances, if any, can CVRPC bring a defamation claim or otherwise seek relief from statements made by members of the public alleging misconduct by CVRPC as a government entity?**

Answer: CVRPC cannot bring defamation claims against individuals criticizing it. Criticism of government entities is fully protected by the First Amendment.

#### **Question 2. Under what circumstances, if any, can an individual public official, bring a defamation claim?**

Answer: An individual public official can bring a defamation claim if they can show, by clear and convincing evidence, actual malice. That is, the citizen made a statement with knowledge of its falsity or with reckless disregard to the truest truth or falsity and that the evidence of that malice shows the fact to be highly probable.

The attorney's legal recommendation is to follow previous course of action, which has been to be forthright and preemptive in rebuttals as accusations are made.

Commissioner Brabant offered he feels having hired an attorney has been instructive and a good use of organizational resources. He suggested this information be posted and/or memorialized in staff onboarding information. Chair Carbee recommended it be put into new board member orientation packets.

### **Review of Project Review Committee Roles and How they Align with Other Committees**

This agenda item was for discussion only. Christian included the purpose of Project Review Committee as stated in the CVRPC bylaws and read a portion to the group:

“Purpose of the project review committee is to support the board by fulfilling CVRPC's statutory role as specified within 24 VSA Section 4345A, 13, and 14, and to aid other parties to make conformance determinations when directed by the Board. These items are commonly referred to as Act 250 and Section 248. Further enumerated, the duties of the Project Review Committee shall be to evaluate Act 250, Section 248 development projects relative to conformance with the regional plan, evaluate federal Energy Regulatory Commission, FERC license applications and renewals relative to conformance with Regional Plan, offer advice, input, and opinions to applicants, the District Environmental Commission, that needs to be updated, the Vermont Public Utility Commission, and other organizations and individuals as appropriate, consistent with plans, policies, positions, or resolutions adopted by the Board, provide recommendations to the Regional Plan Committee, or amendments, or changes to substantial regional impact criteria, provide the board copies of all written decisions and recommendations regarding Act 250 and Section 248 projects.”

The question that has come up is should this committee be reviewing broader projects. Commissioner Brabant said that perhaps improving the interplay between the Project Review Committee and CVRPC's other committees would be beneficial. Commissioner Miller offered information regarding Dillon's Rule and how the legislature in Vermont dictates what regional planning commissions have the authority to review. Commissioner Wernecke agreed with the information presented. We have no statutory authority, just advisory to the municipality. Commissioner Brabant agreed that our role would be advisory, but that this advisory role could be important to all our partners.

### **Accept Committee and Staff Reports**

Christian reviewed Committee and Staff Reports included in the packet. *Chair Carbee called for a motion to accept the committee and staff reports. Moved by Chair Carbee and seconded by Commissioner Brabant. No abstentions. Unanimously approved.*

### **Executive Session**

*Chair Carbee called for a motion to accept the finding of premature general public knowledge would clearly place the public body or person involve in substantial disadvantage, namely under Section E, pending or probable civil litigation or prosecution, which the public body may be a party as described in the agenda. Moved by Commissioner D'Amico and seconded by Commissioner Brabant. No abstentions. Unanimously approved.*

*Chair Carbee Called for a motion to enter Executive Session under 1VSA, Section 313A1, inviting Executive Director Meyer, and Attorney Armor. Commissioner Brabant moved and was seconded by Commissioner Greason. No abstentions. Unanimously approved. The CVRPC Board of Commissioners entered executive session at 7:32 PM.*

*Chair Carbee Called for a motion to exit Executive Session. Commissioner Turner moved and was seconded by Commissioner Brabant. No abstentions. Unanimously approved. CVRPC Board of Commissioner exited Executive Session at 7:52 with not action taken.*

**Commissioner Round Table:**

Commissioner Greason shared that Waterbury had voted to bond up to \$4 million for flood resilience work at Randall Meadow adjacent to their downtown.

Commissioner D'Amico again expressed concern with Mr. Whitaker speaking out in meetings without recognition from the chair.

**Adjournment:**

*Commissioner Cattaneo moved to adjourn, seconded by Commissioner Wernecke. By acclamation, Chair Carbee adjourned the meeting at 8:00 pm.*

Respectfully submitted,  
Barbara Petrie, Office Manager



## RESOLUTION 2026-02

### Confirmation of the Planning Process of the Town of Moretown and Approval of the Moretown Town Plan 2025

**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 Moretown prepared a municipal plan in accordance with 24 V.S.A Chapter 117;

**Whereas** the Central Vermont Regional Planning Commission concluded that the *Moretown Town Plan 2025* meets the requirements for approval; now, therefore, be it

**Resolved**, that the Central Vermont Regional Planning Commission:

1. approves the *Moretown Town Plan 2025*, adopted December 15, 2025; and
2. consulted with and confirms the planning process of the Town of Moretown.

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 March 10, 2026

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Peter Carbee, Chair