

ADDISON COUNTY REGIONAL PLANNING COMMISSION FULL COMMISSION MEETING

Wednesday, January 12, 2000

The Addison County Regional Planning Commission's January 12, 2000 meeting was held at the Vergennes Fire Station, with Fred Dunnington presiding.

ROLL CALL:

<i>Addison</i>		<i>New Haven</i>	Harvey Smith Allen Karnatz
<i>Bridport</i>	Edward Payne	<i>Orwell</i>	
<i>Bristol</i>	Peter Grant William Sayre	<i>Panton</i>	
<i>Cornwall</i>		<i>Ripton</i>	
<i>Ferrisburgh</i>		<i>Salisbury</i>	
<i>Goshen</i>		<i>Shoreham</i>	
<i>Lincoln</i>	Rick Good	<i>Starksboro</i>	
<i>Leicester</i>		<i>Vergennes</i>	Terry Faith-Weihs Randy Friday
<i>Middlebury</i>	Fred Dunnington Karl Neuse	<i>Waltham</i>	
<i>Monkton</i>	Thea Gaudette	<i>Weybridge</i>	
		<i>Whiting</i>	Ellen Kurrelmeyer

CITIZEN INTEREST REPRESENTATIVES:

Addison County Chamber of Commerce
Otter Creek Audubon Society Judy Kowalczyk
Addison County Community Action Group
Addison County Economic Development Corporation

STAFF:
Adam Lougee
Kevin Behm

PUBLIC PROGRAM: Agriculture In Addison County, Phil Benedict, Plant Industry Division of the Department of Agriculture

Harvey Smith briefly spoke on Agriculture in Addison County and noted that Addison County plays an important role in the State of Vermont. Addison County produces over 20% of the State's dairy production. The State generates just under \$500 million of raw product sales, with dairy being the largest; around 85% of the industry. The apple industry is another agricultural product of which Addison County makes up for 50% of the State's production. Paul Stone and John Palmer of Addison County are two of the main poultry producers in the State. Harvey introduced Phil Benedict to speak on issues that are related to the towns, the Agricultural Exemption from local zoning regulations (24 V.S.A. 4495) and the Large Farm Permit Process.

Phil opened by stating he has been with the Department for 28 years and has been a regulator for most of that time. He indicated he would speak about environmental regulation and what the department does and has done.

In 1991, the legislature directed the Department to draft an Agricultural Water Quality Program for farmers. The goal of the policy was to deal with water quality issues within the Department of Agriculture and not put farmers directly into a permit system in the Department of Environmental Conservation. Water quality is one of the main issue affecting Vermont's farmers. Under the program established by the Department, from December 15th – April 1st, farmers are forbidden to spread manure unless approved by the Commissioner. If a farmer is caught spreading manure, he is notified in writing stating that he is violating the Department's Water Quality Regulations. If the farmer chooses to ignore the warning, the Department holds a hearing. Eventually the Department could shut the farm operation down. It takes approximately one year to go through this process.

In 1995, a set of minimum standards called Accepted Agriculture Practices (AAP) was implemented to help with zoning and water quality in the State. If all farmers met the AAP, then all would comply with the clean water act. (Phil had a copy of the Work In Progress if anyone wanted to see it.) In 1995, roughly half the farmers in Addison County had barnyards or waste management structures. Since that time, the Vermont Legislature has appropriated \$2.8 million to help farmers with waste management practices. Addison County farmers have received roughly \$500,000. In summary, the Department of Agriculture has been administering that program with some success and has made a significant financial investment in Addison County, primarily in constructing manure holding pits.

Section 4495 of Title 24 exempts accepted farm practices from town zoning. In 1987, Act 200 was formed, which stated that no town planning bylaws could regulate farming activities. Section 4495 is the reason why today farmers don't need local building permits. However, minimum requirements need to be met in order to be an acceptable Farm Structure. Requirements include: notifying the town in writing that you intend to build and meeting local zoning setbacks or other setbacks approved by the Commission. If you can't meet these requirements, then you have to notify the Commissioner of Agriculture in writing. The Commissioner reviews the plans and makes a decision. He will notify the town of his intended action and will give the town 7 days to comment. If the setbacks are different from the town, then he will notify the farmer and the town in writing of his decision.

The Large Farm Operation (LFO) Permit Program is another State program which uses AAPs to regulate large operations. In Vermont, if you have 950 animal units, (i.e. cows, chickens), you have to apply for a permit and prove that you can comply with AAP. You cannot have direct discharge of manure off the farm in less than 24 hours. A manure management plan for manure storage and application is also a requirement. In Vermont, there are approximately 40 LFO's who have not applied for permits. In order to get these farms to apply for permits, sometimes the Department of Agriculture has to go directly to the farmer and get information from them. If the farmer does not come forth and apply, then he could end up paying penalties. The biggest problem for the LFO is Phosphorus, which is the main contaminant of water, and travels with soil. On average, Addison County averages 6 to 10 tons per acre per farm of soil movement. A lot of that movement carries Phosphorus into the streams. However, Phil noted we are all Phosphorus polluters. He stated because suburban acres produce more phosphorus on average than farm acres, for every acre we change from an agricultural to a urban/suburban acre, we have to treat three additional agricultural acres. In summary, he concluded that Phosphorus was not only an agricultural problem. All communities have to work together in order to treat agriculture water quality.

Fred Dunnington commented that Middlebury has not had any problems with Section 4495 and has recently spent millions of dollars on its sewer treatment plant to reduce phosphorus and other emissions.

Adam Lougee asked what proactive measures municipalities might take to help farming and forestry in their community?

Phil responded that communities should think about land sizes that are commercially viable for farmers to utilize. A five acre field is not commercially viable. Farmers need large blocks of interconnected working land. Chopping up parcels inhibits lands capacity to support viable agriculture.

Phil was thanked for his presentation and a brief break was called before the Business Meeting began.

BUSINESS MEETING:

The meeting was called to order at 9:00 pm

APPROVAL OF MINUTES: A motion to approve the minutes of the December 8, 1999 Commission meeting was made by Karl Neuse, seconded by Harvey Smith; all approved, with Thea Gaudette and Randy Friday abstaining.

TREASURER'S REPORT: Adam distributed the Treasurer's Report and stated that the Commission is in good financial shape. Adam noted the second half of the DCA money has been received. Accordingly, we have a large balance in our accounts. However, this money is necessary to carry the Commission through to June. Randy Friday suggested that the Commission open a short-term interest bearing account to hold money which will not be used in the immediate future. Harvey Smith made a motion to accept the Treasurer's Report, was seconded by Thea Gaudette, all approved; no abstentions.

MEMBER'S CONCERNS/INFORMATION: Fred noted that Wendell Sessions had passed away. He read a resolution that the Executive Board asked Adam to prepare regarding Wendell. It noted the contributions of Wendell to the Planning in Addison County and the Town of Ferrisburgh. The Commission thought that this should be published in the Burlington Free Press, Addison Independent, and The Valley Voice. A motion was made by Bill Sayre, seconded by Harvey Smith, to accept the resolution, all approved; no abstentions. Adam added that he will check into Wendell being a delegate on Solid Waste Management and will act accordingly.

COMMITTEE REPORTS:

EXECUTIVE BOARD: Fred Dunnington stated that there is a vacancy on the Executive Board, due to the passing away of Wendell Sessions. After reviewing the bylaws, the Executive Board determined that they needed to have a nominee for the next Full Commission meeting. At the meeting Fred mistakenly commented that the discussion was not in the Executive Board minutes. (The discussion was in the minutes at the bottom of the second page.) The Executive Board decided to nominate Ellen Krullmeyer to finish out Wendell's term, which will be through June, 2000. Randy Friday noted that he was uncomfortable that a vote on the new executive board member was not specifically warned on the agenda. Thea noted that warning was not required under the bylaws. After some debate, a motion was made by Harvey Smith, seconded by Thea Gaudette, that Ellen Kurrelmeyer be appointed to the Executive Board for the remainder of the term. All approved, with Rick Good, Randy Friday, Terry Weihs, and Ellen Kurrelmeyer abstaining. Fred added that the decision to nominate Ellen was based on her good attendance and participation. He also noted she resides in the southern part of the county and that it will be nice to have a female join the Executive Board.

ACT 250: Fred stated that the Executive Board minutes reflect that he volunteered to take Wendell's position on the ACT 250 Committee and was so appointed by the Executive Board.

OLD BUSINESS: None.

NEW BUSINESS:

ADCA Joint Partner Mid-year Report. Adam distributed a copy of the ADCA Joint Partner Mid-year Report. Adam stated that it constitutes a good summary of the items on which the Commission's staff has been working.

Budget Status and Proposed Amendments. Adam stated that he needs to update the spreadsheet to reflect changes throughout the first half of the year and anticipated for the remainder of the year. He stated he will have it for the next meeting.

ADJOURNMENT: The meeting was adjourned at 9:55 p.m. on a motion by Karl Neuse, seconded by Thea Gaudette, and approved.

Submitted by: Theresa A. Sawyer