

Addison County Regional Planning Commission

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FULL COMMISSION MEETING

Wednesday, November 13, 2002

The Addison County Regional Planning Commission Meeting was held on November 13, 2002 at Kirk Alumni Center at Middlebury College with Harvey Smith presiding.

ROLL CALL

MUNICIPAL REPRESENTATIVES:

Addison		Leicester		Ripton	Jeremy Grip
Bridport	Andrew Manning Edward Payne	Lincoln	Tommy Thompson Rick Good	Salisbury	
Bristol	Peter Grant Jim Peabody William Sayre	Middlebury	Fred Dunnington Karl Neuse	Shoreham	
Cornwall	William McQuillan Donald Shall	Monkton	Thea Gaudette Charles Huizenga	Starksboro	
Ferrisburgh	David Shlansky	New Haven	Allen Karnatz Harvey Smith	Vergennes	Randy Friday
Goshen	Chad Chamberlain	Orwell		Waltham	
		Panton		Weybridge	
				Whiting	

CITIZEN INTEREST REPRESENTATIVES:

AC Chamber of Commerce:
AC Community Action Group:
Otter Creek Audubon Society:
AC Economic Development Corp:

STAFF:

Adam Lougee
 Kevin Behm
 Brandy Saxton

Addison Bridport Bristol Cornwall Ferrisburgh Goshen Leicester
 Lincoln Middlebury Monkton New Haven Orwell Panton Ripton
 Salisbury Shoreham Starksboro Vergennes Waltham Weybridge Whiting



PUBLIC PROGRAM

The public program began at 7:45 p.m. The invited speaker was Virginia Rasch, Executive Director of the Vermont Association of Conservation Commissions. Also present were representatives from five of the seven conservation commissions in the Addison Region.

Virginia introduced the program stating that local conservation commission representatives would each talk briefly about their work. After that she would give an overview of the role of the VT Association of Conservation Commissions and open the program up for questions. She then introduced Robert Turner, Chair of the Starksboro Conservation Commission.

Robert Turner said that the Starksboro Conservation Commission started in 1990. It did not start in response to a particular need or issue. Instead, there was recognition that Starksboro has special resources and someone needs to care for them. Since 1990, the commission has been active in many ways, but the group has never been so busy that members burned out. For the first five to six years, the commission was comprised of charter members. Since then, there has been gradual turnover often with people new to town joining the board. One important function of the commission is working to integrate the town. The commission spends a lot of time working with existing groups doing community building not advocacy. They have tried to gently raise awareness of Starksboro's special attributes.

The commission's first project was a natural resource inventory. They started an annual sugar makers open house and the first year they handed out over 150 maps. The open house brings townspeople out into environment and shows them the connection between the resource-based economy and the environment. Last year, there was a statewide sugar makers open house day.

The commission also has regular walks to get people out and give them a new perspective on their community. The commission also sponsors regular lectures on topics of interest. The conservation commission coordinated with the planning commission to develop a series of indicators for Starksboro's town plan related to forest resources. At this point, the conservation commission is bringing money into Starksboro and does not take any funding from the town. Over the years, the commission has brought in over \$15,000 in grants and projects. The conservation has been careful and deliberate in developing its role incrementally over the years. It is now respected. They also do work with the local school.

Next to speak was Deb Lalumiere from the Ferrisburgh Conservation Commission. Their commission started around 1989. Since then their function has evolved. They are stewards of the town forest. They created a map of town resources and lands for walking. At point the commission organized an annual tracking program that involved around 45 people. That activity got people out into the woods and increased their understanding of Ferrisburgh's wildlife resources.

The planning commission asks the conservation commission to look at subdivision plans, do site visits and write reports. The conservation commission is advisory, but the planning commission does ask for advice. Currently, the commission is working on improving the town forest. They are also figuring out how to put together a conservation trust fund. Each year, the commission organizes a seminar on a

conservation issue as it relates to agriculture. This is a chance for the commission to give back to community and keep the agricultural nature of the community alive and vibrant.

John Chamberlain and Natalie Reigle from the Weybridge Conservation Commission spoke next. Their commission started in 1989 as a sub-committee working on a town plan revision. That committee was charged with finding information to write a stronger natural resources section of the plan, a project that took about two years. They got grant money and commissioned a groundwater study and a study of natural areas in town. They also did a survey of residents. The draft section they wrote was incorporated into plan.

At the 1991 town meeting, they asked to be made into a conservation commission. Since then, the commission has worked on a variety of projects. The commission developed a set of criteria for determining which areas in town were significant from a conservation standpoint. Their commission is not of opinion that everything should be conserved. In 1994, they asked for a conservation fund at town meeting and were appropriated \$1,000. With additional private fundraising, they created fund of several thousand dollars. One project they used money from this fund was the donation of a historic site to the town; the conservation fund covered the legal costs of the transfer. The conservation commission was also the vehicle for the transfer of an island in Otter Creek from CVPS to the Town of Weybridge.

After that the Vermont Land Trust wanted to acquire development rights on a farm in Weybridge and asked the commission if it could come up with \$5,000. The commission agreed, but it left their fund with a balance of \$25. To replenish their fund the conservation commission asked for two cents on tax rate for five years. At town meeting, the voters approved overwhelmingly. The commission was surprised and had underestimated the commitment of Weybridge's residents. They will continue to use their funds to leverage projects, working in cooperation with others to make a real difference. The commission had a member that was an artist and she created a conservation calendar, with pen and ink illustrations of natural areas in Weybridge. The calendar was a fundraiser and it also highlighted places in town that people can and should get out and enjoy.

Natalie, the current chair, then spoke about on-going projects. The commission currently has three types of activities: working with the community, a regulatory role and other special projects. For community projects, the commission sponsors an annual canoe trip up Otter Creek and a hike up Snake Mountain. These outings introduce the community to natural resources in Weybridge. The commission is working with the state to get a fishing access site on town-owned land. For regulatory projects, they are currently helping the town remove underground tanks on town-owned land. The commission also reviews town documents like its plan or development applications.

The conservation commission got a request from the town to develop a map of hiking trails on Snake Mountain. They also are developing a map that emergency responders can use for search and rescue operations. They have created a map of public areas town wide. The commission is working to help save an old cemetery that is eroding along the creek. Sometimes they worry that the commission does not have direction or is not being proactive, but there is someone to call. The commission can't do everything, but having someone there to answer a call for conservation has made a difference.

Fred Dunnington spoke about conservation activities in Middlebury. Middlebury does not have a conservation commission but has a committee. Steve Trombulak is the chair of that group. Fred stated that as town planner, he also works on conservation-related projects. When he came to Middlebury in the early 1980s, they had money to fund a town land trust fund and from that the Middlebury Area Land Trust (MALT) was formed. Middlebury decided that an independent, non-profit organization would work better for them than a commission that was part of town government. The Middlebury planning commission does tackle conservation issues. The conservation committee has continued as a sub-committee of the planning commission. They have helped draft plan language and several years ago completed a detailed study of town wetlands. From that they got a set of wetland maps that they use in development evaluation. Stormwater could be a future area for further work. Fred said that he has lost count of number of conservation projects that have occurred in Middlebury over the past 20 years. Middlebury has no one organization focused on conservation issues; instead they have a diverse group of people and organizations working in different ways.

Jackie Tuxill from Lincoln spoke last. In Lincoln, their conservation commission is just getting going. They were officially formed this March. They are fortunate to be starting with a \$7,000 grant to do public participation around the issue of managing town forest properties. Lincoln had some controversy several years ago when selectboard wanted to purchase new property for new town shed. As part of raising funds for that project, they were thinking about logging or selling the town's forest property. There was no management plan in place for the forest properties. The conservation commission's first project will be to bring the selectboard some recommendations on how to manage the town forestland. They are holding public walks and getting to know the properties. The commission is in process of gathering public input as to how people want these properties managed. Now that the controversy has died down, they are having a bit of trouble getting people interested.

The conservation commission also teamed-up with the planning commission and received a municipal planning grant. The commission plans to take a look at Lincoln's wetlands and how they function. They will also do some education and outreach with school. The school is interested in constructing a trail from the school to one of the town's forest properties. So the Lincoln conservation commission has a couple of projects just getting started on and they have ideas for future projects relating to the river corridor and trails.

Virginia then spoke about the VT Association of Conservation Commissions and her work. She has been promoting conservation commissions since 1987. Conservation commissions vary from town to town. She stated that Ripton also has a commission and introduced Frank Wolf from Ripton who was in attendance.

Virginia then spoke briefly about the history of conservation commissions in Vermont. The other New England states had conservation commissions and in 1974 Vermont adopted the idea. Since then, a few get formed every year. Currently about one-third of the towns in Vermont have a conservation commission. To form a commission, a group needs to get on the warning for town meeting. The deadline for that is mid-January.

Virginia advised any groups interested in forming commissions to start slow and to not get intimidated. She said the impetus to form a commission can come from the planning commission, selectboard or

interested citizens. Virginia then talked about the adopt-a-town program. A neighboring conservation commission may be able to help a new commission through the process of getting formed. The idea is to help neighbors get a conservation commission and work cooperatively on future projects. Virginia said she believes the future for conservation commissions will be regional efforts between neighboring commissions on shared resources.

The VT Association of Conservation Commissions holds an annual meeting, publishes a quarterly newsletter and develops handbooks. They serve as a clearinghouse of information, sharing resources and successful projects. Next year, they will have an electronic bulletin board, so conservation commissions around Vermont can communicate with each other and share ideas. Virginia then opened the program up for questions.

An audience member asked is there funding for towns to get started?

Virginia replied that a conservation commission should ask the town for funds for their annual operating costs, like a planning commission does. For projects and studies, there are a lot of grant opportunities out there.

An audience member asked are conservation commissions a 501(c)3?

Virginia said, yes, in a way since they are part of town government.

Peter Grant asked if there were conservation commissions that have faced serious opposition from landowners?

Virginia stated that as far as inventorying, a conservation commission has to ask for permission to go on private property. It has been her experience most landowners do not refuse permission. A conservation commission has no regulatory authority. Robert Turner replied that in places where commissions have faced opposition it is largely because people do not understand the role of the commission. Also if the commission is putting themselves out there as an advocate, they may be a lightning rod for controversy.

Ed Payne asked if any conservation commissions were addressing the issue of housing?

Virginia replied that housing isn't the focus of the conservation commission. Some commissions deal with cultural and historic resources, in addition to natural resources. Advocating for housing is not the conservation commission's role.

An audience member asked Robert where Starksboro's \$15,000 came from?

Robert replied that they got grants for projects. For example they were a pilot community for a program called See the Forest. They were paid to be the guinea pigs. He stated that they had the capacity as an established commission. As commissions develop experience they become attractors to money. He said that the Starksboro commission has had people come to them with money for projects.

An audience member asked what about taking land off the tax rolls?

John Chamberlain said the issue had been raised in Weybridge. Their response is that it affects taxes more if the land were developed into residences, mainly due to the expense of education. He also said the small pieces of land Weybridge has conserved has not had much effect.

An audience member asked for clarification on the difference between a committee and a commission?

Virginia said a committee is a group of informal citizens or a sub-committee of the planning commission. A commission has come to the town for a vote. They do virtually the same thing.

An audience member asked legally can a committee do what a commission can?

Virginia said there is no case law on this issue. Fred Dunnington replied that a commission is not the only way conservation issues can be advanced in a town.

An audience member asked if there were conservation commissions involved in village center preservation?

Virginia replied that most commissions are not going into that arena. However, Starksboro inventoried cellar holes as part of its activities and Weybridge did include a section on archaeological resources in its plan. The relationship between the conservation commission and the planning commission varies from town to town.

Jeremy Grip asked does being a commission versus committee give the group access to any extra resources?

Virginia stated that even if you are a full-fledged commission, the selectboard has to sign off on activities. She said that in most cases there isn't much difference.

Kevin Behm asked are there conservation commissions in communities that do not have a planning commission?

Virginia stated that does happen and said that in some towns without zoning there is a conservation commission.

Harvey Smith asked what are conservation commissions doing regionally?

Virginia replied that neighboring commissions had cooperated on projects like trails and issues related to watersheds.

There were no further questions. Adam handed out a letter from Nell Fraser, the new watershed planner at the regional planning commission, introducing herself. Adam then spoke about Nell's role in getting citizens involved in the watershed planning process. He also handed out an outline of planning process developed by the natural resources committee. They have a two-fold plan to get feedback on outline and then to help local groups get involved in watershed planning.

The public program was adjourned at 8:45 p.m.

BUSINESS MEETING

The business meeting began at 9 p.m.

Approval of Full Commission Minutes: October 9, 2002

Thea moved to approve the minutes from October 9, 2002 as written. Karl seconded the motion. There was no discussion. The motion passed unanimously.

Review of Executive Board Minutes: October 30, 2002

There was no discussion.

Approval of Treasurer's Report

Adam passed out the report and stated that the commission was in good financial shape. He also reported that the audit of last year's finances was just completed. The audit showed \$537,016.99 in revenue and \$526,341.11 in total expenses. He said copies of the audit would be given to the Executive Board at their next meeting and made available to commission members next month.

Fred moved to approve the treasurer's report. Peter seconded the motion. The motion passed unanimously.

COMMITTEE REPORTS

Transportation Advisory Committee: Rick Good stated that the TAC had approved letters of support for transportation enhancements grant applications by Addison County Transit Resources (ACTR) and the Middlebury Area Land Trust (MALT). ACTR is applying for funds to put up put bike racks on its buses, post bus stop signs and distribute route maps. MALT is applying for funds for pedestrian enhancements as part of a project to develop a park and creek access on the Middlebury-Weybridge line near the Pulp Mill Bridge.

At the last TAC meeting VTrans officials came and talked about the 2003 transportation budget and projects. Mainly it was a discussion of all the projects that are on hold due to budget constraints. VTrans did indicate that a lot of their funding is federal and if the federal dollars do not come through they cannot do as much. They also stated that big projects would take a lot of money that is coming in. Adam added that Garrett wrote letter for Addison Region legislators notifying them of what projects are on hold. Fred asked to be copied in on that letter.

Local Government Committee: Thea stated that the Local Government Committee held a hearing on the Bristol Town Plan on November 12. She said that any plan has areas that could use further development. The main concern of the committee in regards to Bristol's plan was the omission of the

statutorily required transportation map. The Bristol Planning Commission voted to add the omitted map and redistribute their plan to the required parties.

Thea moved to approve Bristol's Town Plan and confirm Bristol's planning process. Don seconded the motion. The motion passed unanimously.

Act 250: Fred said that the committee has not met and that there have been no applications.

Natural Resources: Harvey stated that the committee has not met. Kevin said that now that Nell has started work, there would be a meeting scheduled soon. Harvey asked that committee members get notification of a meeting well in advance of the scheduled date.

Economic Development: Jim reported that the committee plans to meet next on December 5 at 3 p.m. The meeting scheduled for November 19 has been cancelled. Harvey asked how far along the committee was. Jim replied that the committee had reviewed data on the region's workforce and would next look at the region's employers. He said after that the committee would work on setting goals and objectives. Adam stated that the Addison County Economic Development Corporation (ACEDC) recently received a grant to help fund development of the Comprehensive Economic Development Strategy (CEDS). Jamie Stewart will be contacting Brandy to see how we can work together and share resources.

Utilities, Facilities and Services: Andrew reported that the committee met last month to discuss water supply and infrastructure. Elizabeth Hunt from the state Water Supply Division came and spoke to the committee. Brandy added that the committee would be meeting next week to discuss solid waste.

JOINT PARTNERS REPORT

Adam stated he did not have anything to report. Thea said that the CEDS committee is starting to pull the sections together to create a unified document. She said they are moving along and expect to have a document in two to three months.

OLD BUSINESS

Municipal Planning Grants: Adam reported that all five towns in the Addison Region that applied have been awarded planning grants totaling \$28,935: New Haven \$2,500 to finish update of zoning; Leicester \$11,150 to update zoning & subdivision; Lincoln \$5,535 to update zoning & subdivision; Monkton \$6,000 to revise subdivision; and Vergennes \$3,750 to update zoning. Adam stated that we did not ask for all the money the region had been allocated. Fred asked what the total allocation was and Adam replied that it was \$50,000. Kevin added that New Haven had asked for a total of \$6,500 in two separate projects. However, due to a change in the rules this year municipalities can apply for only one project. So New Haven was only awarded funding for one project.

NEW BUSINESS

Update on Staff Activities: Adam reviewed the project lists that were included in the member's mailing. There was a bulleted list of ongoing actives and projects for each staff members.

Adam stated that Garrett is working on bike-ped grants, transportation enhancement grants and culvert inventories. Ed asked if a culvert inventory had been done for Bridport. Adam said he did not think so. They had started in the mountain towns and each town needs to send Garrett a letter of interest if they would like an inventory done. Rick added that Garrett is working on finishing bike-ped study. Adam then continued with the project list including the ACTR (*Addison County Transit Resources*) strategic plan, which is a capacity building plan, a study on Leicester-Whiting Road, traffic counts at railroad crossings and an access management study. Adam said that Garrett will be working the municipal planning commissions on the access management study and will supply the regional commission with the findings as well.

Adam then moved on to Tim's projects, which include EMPG (*Emergency Management Planning Grant*) the base funding from VEM (*Vermont Emergency Management*) for emergency management planning. Adam pointed out that Tim's list contained a lot of acronyms and at Jim's request he had emailed out a list of definitions for them to those commission members he had email addresses for. Harvey asked that Adam follow up with a hard copy for those who do not have email.

Adam then continued reviewing Tim's list of activities. Tim also administers the LEPC (*Local Emergency Planning Commission*) made of first responders. Adam stated that the LEPC would be an important part of homeland defense in Vermont. The homeland defense effort is being run by state police and the LEPC will help allocate where money will be spent on training, communication equipment and education. Adam then said that some of that money would go to equip the mobile command unit that the responders in the region are currently raising funds for. Fred asked if there really were problems with area responders being able to communicate with each other. Adam said yes and that the mobile command unit will allow police, fire and ambulance personnel to talk to each other at the scene of a disaster or emergency.

Tim attends SERC (*State Emergency Response Committee*) meetings. The SERC deals with hazardous waste and materials. Tim attends those meetings and maintains a database of hazardous materials within the region. Tim also is working on local emergency planning, developing and updating RRP's (*Rapid Response Plans*) for municipalities. He deals with floodplain insurance, FEMA (*Federal Emergency Management Administration*), flood mitigation assistance and is still working on the hazard mitigation plan

Fred asked about the letter he wrote requesting that a contingency plan for the Battell Bridge be included in the plan. Adam said he thought Tim had written Fred back a letter. Fred said that the letter stated you'd consider it and he wanted to know what the outcome was. Adam thinks there was a provision added in the plan and he said he would go back and check.

Adam then moved on to Project Impact. He stated that the projects starting to gear up. There are now weather radios in each school that go off automatically if there is a storm warning. Jim asked whether the

Bristol Selectboard had been informed about the temporary hold on the Bristol sprinkler project. Bill Sayre stated that he believed that the selectboard was. Kevin added that the original buildings to be sprinklered had already been done. Adam said that the timing was not right on the previous building and Tim is looking for an alternate location for the project.

Fred asked about the lowering and armoring of Halpin Road. Adam explained that the theory was the road acts as a dam since it is higher than the surrounding land. The project proposed was to lower some of it and pave it to allow water to flow through. The New Haven Selectboard decided against it because they were worried about the possibility of people driving into a flooded section of road.

Adam then moved on to Brandy's current project list. He stated that she is working on the regional plan sections, staffing the local government committee and assisting numerous towns with their plans. Brandy is also helping to put together the zoning administrator handbook and is helping Kevin develop a manual for the buildout software. She also is assisting the Shoreham Commons Taskforce and a groups working on New Haven's village center.

Adam finally reviewed Kevin's projects. He is working on GIS projects for towns, regional projects, the buildout program. He is still working with the Lewis Creek Association, making them informational maps. Kevin added that the maps would be part of a guidebook that the association will be providing to each town in watershed. Adam continued, stating that Kevin is working with Middlebury River group as well. He is doing some emergency and hazard mitigation mapping for VEM. Kevin is also developing a new set of septic suitability maps based on the new on-site regulations.

Bill McQuillan asked about the septic suitability maps. Kevin explained that he would be using the soils tables that go along with soils maps to reclassify the region's soils to match the new regulations. Bill asked if the state going to use this in regulatory fashion. Kevin said no this is just general soils data and you will still need site-specific information to design systems.

Ed stated that the state presented a map six to eight years ago that showed the soils all along the lake as unsuitable for septic systems. He said that the state has already made the determination that Addison County will not be able to be developed. Harvey said that is a bigger issue than we need to get into now.

Karl added that the Governor's Oversight Committee would be meeting on November 14 in Waterbury. Harvey asked how large a group that is. Karl said that there are 16 people, five of which are from Addison County. Adam added that the committee has used the test pit examples from Addison County to emphasize the need for a clear understanding for designers and engineers as to what amount and type of mottling is significant. Karl said the committee is working to keep the boys from Rutland out of the pits and to allow designers and engineers to use their professional judgment, which was the intent of the legislation.

Kevin asked Karl if agency personnel would be doing more audits. Karl replied that he didn't think they are going to be revoking licenses if there are a few problems, but if systems fail at a high frequency that will be looked into.

Ed added that nine subdivided lots were substantially completed in Bridport before the November 1 deadline.

ADJOURNMENT

Peter moved to adjourn. Jeremy seconded the motion. The motion passed unanimously. The meeting was adjourned at 9:50 p.m.

Submitted by Brandy Saxton