

Addison County Regional Planning Commission

Full Commission Meeting

Wednesday, April 9, 2003

The Addison County Regional Planning Commission's Full Commission Meeting was held on April 9, 2003, at Middlebury College's Kirk Alumni Center with Harvey Smith presiding.

ROLL CALL:

<i>Addison:</i>	Alden Harwood	<i>Orwell:</i>	David King Andrea Ochs
<i>Bridport:</i>	Edward Payne Andrew Manning	<i>Panton:</i>	David Raphael
<i>Bristol:</i>	William Sayre Jim Peabody	<i>Ripton:</i>	Jeremy Grip Laurel Kritkauskay
<i>Cornwall:</i>	Don Shall	<i>Salisbury:</i>	
<i>Ferrisburgh:</i>	Bob McNarry	<i>Shoreham:</i>	Margaret Barnes
<i>Goshen:</i>		<i>Starksboro:</i>	
<i>Leicester:</i>		<i>Vergennes:</i>	
<i>Lincoln:</i>		<i>Waltham:</i>	Thomas Yager
<i>Middlebury:</i>	Fred Dunnington Karl Neuse	<i>Weybridge:</i>	
<i>Monkton:</i>	Thea Gaudette Charles Huizenga	<i>Whiting:</i>	
<i>New Haven:</i>	Harvey Smith		

CITIZEN INTEREST REPRESENTATIVES:

AC Chamber of Commerce:
AC Community Action Group: Peter Dominico
AC Economic Development Corp:
Otter Creek Audubon Society: Judy Kowalczyk

STAFF:

Adam Lougee
Tim Bouton
Kevin Behm

Public Program

Tonight's public program discussing fluvial geomorphology and the ongoing geomorphic assessments currently underway on the Middlebury River and Lewis Creek began at 7:40 pm. Guest speakers included Michael Kline from the Agency of Natural Resources' Department of Environmental Conservation and Kristen Underwood of South Mountain Research and Consulting in Bristol.

Kristen Underwood kicked off the program by saying the science of fluvial geomorphology (FG) recognizes that rivers and streams are dynamic systems. Natural and human triggers cause streams to come out of equilibrium, which impacts our infrastructure -- specifically bridges, culverts and homes.

The types of problems typically encountered in damaged streams include: (1) degradation/incision, which results in undercut banks and scour-exposed roots; (2) over widening, where over steepened banks exceed critical height for the material resulting in collapsed banks and fallen trees; and (3) aggradation, where mid-channel bars and large

woody materials create debris jams which alter channel metrics and pose a flooding hazard.

Kristen explained that any change in the hydraulics -- such as an increase in stormwater runoff due to development - could trigger channel instability. For example, a one-acre parking lot produces 16 times the volume of runoff compared to one acre of undeveloped meadow. With increasing development, stormwater runoff will become even more of a factor in the future. Increased sediment loads also cause rivers to shift out of balance.

When ANR assesses a river or stream, they use a standard, three-phase system. Phase one is watershed-wide using remote sensing data and windshield surveys; phase two uses reach-specific field measurements (a segment of the flood plain); and phase three is site-specific using detailed surveys, cross sections, and longitudinal profiles.

The goal of FG assessment is to assess the stream condition, adjustment process or physical change currently underway and its sensitivity to disturbances. It is then used to prioritize land-use actions within a watershed.

Mike Klein addressed the commission next. He explained that a significant percentage of Vermont rivers are channelized (straightened) and that those historic practices have been maintained. These straightened channels have incised and lost floodplain, and those incised rivers are widening and aggrading. The process is causing hardship to current landowners.

Lewis Creek underwent a Phase 1 assessment, and they found it to be almost 25% channelized, which surprised them. Sediment load and sediment size must be in equilibrium with stream slope and stream discharge. A change in any one of those four variables kicks the river out of equilibrium (either via degradation or aggradation). Floods energize this process.

Deforestation, snagging, ditching and settlement are some of the historical forces impacting streams, Mike explained. Roads and railroads came along soon after, further straightening rivers. Dams and mill works also greatly affected the balance of our rivers. Post-flood channelization resulted in the over widening of the rivers, which means they can't move sediment as effectively. Wide channels move more water, narrow channels move more sediment. The river must find that happy medium, and when we tinker with that, it creates problems. Large-scale commercial gravel mining during the 1970s initiated a lot of the degradation of rivers. Urbanization and stormwater runoff leads to severe channel degradation and aggradation.

The critical question to ask ourselves is: Can we continue the cycle to maintain the channel works or can't we? Watershed basin planning should recognize what the rivers have been through and the impact on investments. We must balance channel adjustments versus land-use expectations. When we use channel management to protect our existing river corridor development, repeated dredging, berming, and armoring is necessary. Five floods in the 1990s cost \$60 million to recover from.

Mike said his group is working closely with transportation planners, helping them to take FG into account. The state is also pursuing an incentives-based approach to reward communities that take FG into account before approving developments or infrastructure near rivers and streams. When we channelize, sediment gets sent downstream to our neighbors, where they have to deal with it. We need to look at it basin-wide.

FG can also help with water quality assessments for sediment and nutrients loading and habitat protection and restoration. Ultimately we need to look at the cost/benefit risk assessment to decide what we can and can't do.

David Raphael asked whether equilibrium could ever be achieved. Mike answered that it's always dynamic, so it's never truly 100% in balance, but it's always trying to stay in balance.

David asked that since we have altered the landscape to the point where we have to manage our channels, do we either have to accept conflicts or start managing the system? Mike said it's not a black and white issue. Some streams are more difficult to maintain than others. But for many communities, there will have to be conflict resolution at some point.

Ed Payne asked whether the current models of mitigation are sufficient to make more intelligent decisions? Mike answered that there's a lot of bureaucracy that's built up around these issues. We're working very hard to convince

FEMA, the Corps of Engineers to agree with where we spend our mitigation dollars.

A member of the audience mentioned that there's a significant issue w/sediment in the White River in Granville. Mike said that there's been a lot of mediation of that river in a pilot project allowing the river to meander to some degree.

Jeremy Grip asked whether the 100-year flood plain maps are inadequate and whether rivers have a greater right of way than we give it. Mike answered that for some rivers, the maps are adequate. Channel adjustments that were going on while the maps were being made have created problems with the maps being adequate. We're not advocating putting meanders back into all rivers, but we have to start negotiating with land users to find a solution.

Jeremy asked whether we're really in a runaway disaster situation. Mike said in Lamoille County, it's been disastrous. Addison County has been luckier, although there have been some problems.

Laurel asked whether we're still initiating channelization. Mike answered that we're not seeing much new large-scale channelization, but rather we're spending time and money maintaining the old channels.

Adam asked Kristin to speak more about Lewis Creek and the Middlebury River and their status. Kristin said they're currently assessing Lewis Creek and the Middlebury River. Lewis Creek is in pretty good shape except for a couple trouble spots where it has jumped its banks. East Middlebury is in a tricky spot because it's been dredged and bermed so the energies of that system are causing sediment dumping downstream. In comparison to other parts of the state, it's not nearly so severe.

Mike said that the clay soils have actually helped keep the channels in place here in Addison County.

Pete Diminico asked whether Phase three assessments are being done in conjunction with surveys of impaired waterways. Mike answered in one or two instances, yes.

Bill Sayre asked about the implications of these studies with regards to water degradation. Mike answered that when we look at a system of sediment that are impairing waterways, we need to look at external sources as well as sources from within the rivers.

Bill asked whether it's possible that our current theory is still inadequate? Is it not conceivable that some of our past practices (gravel mining, channelization, etc.) may have had a positive impact on our waterways? Mike answered that in some cases, aggressive channel management worked for a certain set of landowners. We also did have places where it was done to such excess that we incurred serious property damage during floods.

Harvey asked about NRCS and state funds being used. Is there any more funding available that you know of? Mike answered that we have the CREP program and some federal funds that they have access to. They're working with FEMA to change their hazard mitigation processes and are working with the Corps.

Harvey thanked Mike and Kristin, and the public program was adjourned at 9:00 pm.

Business Meeting

The business meeting began at 9:10 pm.

Approval of Minutes: March 12, 2003

Jim Peabody asked that we include the entire resolution regarding VELCO, not just the amendment in the minutes. Laurel mentioned that Warren King did not attend the last meeting. She also wanted to correct the spelling of her last name in the minutes. **Bill Sayre moved to approve the minutes as amended from March 12, 2003. Thea seconded the motion. The motion passed unanimously.**

Executive Board Minutes: March 26, 2003

Tom Yager said his name was misspelled in the minutes. Laurel asked whether the Vermont Forum on Sprawl was one of the sponsors of the resolution passed by the Executive Board. Adam answered that they are one of the sponsors. She asked whether the commission would have any further action on this. Adam said it's possible.

Treasurer's Report

Adam said that everything looks good. Revenues are still above payables at 55% to 49%, so cash flow is positive. **Andrea moved to approve the Treasurer's Report as presented. Thea seconded the motion. The motion passed unanimously.**

Committee Reports

TAC: Tom said they met with Mel Adams, The Head of VTrans Policy and Planning Division regarding the TACs priority list of projects. Tom also noted that as a result of the meeting with Mel Adams, and the group's discussion of the Leicester-Whiting Road, the TAC decided to wait to conduct their study of the roadway until VTrans produced the data from its initial scoping. Adam added that it will probably be tabled until next fiscal year, so the \$12,000 grant funds are now available and need to be spent by September.

Local Government: *see New Business.*

Act 250: Fred said there are no new applications. They did receive a notice on Agrimark's substation on Exchange street. Where the 45-kV transmission lines cross, they will extend the lines and create a new substation on their property. Since they are using existing poles, the town decided there was no impact and approved it.

Natural Resources: Ed Payne noted the committee met with Steven Cyz, Ethan Swift and Rick Hopkins of the Department of Environmental Conservation and expressed concern that the standards they're supposed to meet might not be attainable. They received assurances Addison County might show progress without actually meeting the goals and that the Department recognized that agriculture and forestry uses are much lower impact uses than other forms of development and therefore the Department recognized that its regulations needed to work with those industries and help keep them healthy or their work would have undesired consequences.

Economic Development: Jim said the next meeting would be Tuesday the 15th at 3:00 at the Planning Commission office.

Utilities and Facilities: Laurel said they started revising a new health part of the U&F section of the plan.

Staff/Delegate Recognition

Harvey introduced Meg Barnes as the new delegate from Shoreham, taking over for Joe Kelley. Adam introduced Bob McNarry, the new delegate from Ferrisburgh.

Joint Partner's Report

Adam said they are going over a draft work plan later in the agenda. It is a draft because most of the parties haven't

seen it. Harvey said they've been working on the CEDS piece. They had a meeting on Monday to talk about Agriculture, Forestry and Mining. They received grant funds and hired a Middlebury College student to go over their data.

Old Business

Resolution regarding the siting of the State Police Barracks: Adam said they have gotten response from their resolution. Sen. Illuzzi wanted to know whether the commission opposed siting the station on the Norris parcel (next to Green Haven Gardens) in New Haven.

Kevin and Adam came up with a list of alternative sites for them to consider. Adam also spoke with Lieutenant Casey of the state police, who said that they had looked at almost all of the sites recommended, but they preferred the Norris parcel for various reasons.

Karl suggested the parcel near the former Addison restaurant, which has been on the market for years. There is an existing mound system in place. Adam said that the state police objected to the 7/17 site as too pricey at \$250,000. Adam then listed several other reasons why the police like the Norris parcel. They would like to begin construction this summer. Adam asked the commission how they would like to proceed.

Harvey said the town has already approved the subdivision of the Norris parcel specifically for the siting of the police station. They have also gotten a variance for radio towers, and received approval of a septic system. The House took up the issue, and they have already appropriated \$1.2 million for the purchase of the Norris parcel and construction.

Fred said that it's awkward that the Commission taken its position without understanding how much work had already gone into the process.

Karl said he didn't feel embarrassed and took responsibility for bringing up the issue in the first place. He said it's sending the wrong message to extend the pattern of growth along Rte. 7 when there are already a lot of areas that have already been developed that could be used. He's concerned about using state dollars that will create more strip development of Rte. 7. That's why he supported what Adam wrote and how the commission voted on the resolution. He said it's bad planning for the Middlebury Police and the State Police to have separate facilities.

Bill Sayre said he agreed with some of what Karl said, but that if we do not support the Police and Town of New Haven's decision, the whole plan could be shelved. He favors giving deference to the local planning decision and clarifying the regional planning commission's previous position.

Jeremy asked whether it was worth making a formal statement on this issue. Harvey answered that if we override the town it will be a first for this commission. We normally only get involved if a project goes through an Act 250 process.

David Raphael said he didn't consider this being a case of the commission overriding a town's decision, since the applicant came to New Haven and not the other way around. Considering the State Police barracks is a regional issue, the commission should take a stand.

Tom said that they've never heard of any public process or site selection process at all, and now this is being rushed along.

Fred said our last regional plan should have addressed this issue. Sen. Illuzzi wants to use this money somewhere else. A new state police facility is important to this region. The House has approved it, the police want it, and so we're a little late on the issue.

Jim moved that Adam inform Sen. Illuzzi that the regional planning commission does not intend to exclude siting the barracks on the Norris parcel. Bill Sayre seconded the motion. A vote was held to end the

discussion. The vote to end the discussion was unanimous.

A vote was then held on Jim's motion. The motion passed with one opposed and five abstaining.

A discussion then took place regarding if and how Adam would respond to Sen. Illuzzi.

Alden asked Harvey what we should do to move this along. Harvey answered that we should give Sen. Illuzzi our background information and tell him that we don't endorse the Norris site, nor do we preclude it, but we defer to the town of New Haven.

Fred moved that we authorize the chair of the Regional Planning Commission along with the executive director to prepare a letter to Sen. Illuzzi in a way they feel will best insure that the county receives funding for this project. Jeremy seconded the motion. A vote was held to call the question, it passed unanimously.

A vote was then held on the motion. It passed with three abstaining.

Report of the Nominating Committee for Executive Board Elections and nominations from the floor: Thea said the slate proposed by the nominating committee includes Don Shall as chair, Ellen Kurrelmeyer as vice-chair, Karl Neuse as treasurer, Thea Gaudette as secretary, and Harvey Smith, Andrea Ochs and Tom Yager as members-at-large. Nominations were welcome from the floor, none were forthcoming. Nominations will also be welcome from the floor at the annual meeting.

Annual Meeting May 14th: The Carillon is not running, but the Maritime Museum said they would be happy to host the meeting. We could either cater the meeting or eat locally at the Basin Harbor Club. Adam will set up the meeting.

Proposed Resolution finding that the ACSWD Plan conforms to the Addison County Regional Plan: Adam passed around a letter that commission staff members prepared to send the ACSWD saying our plans are compatible but that we update our plan to include the latest information. Harvey suggested that they rewrite the first paragraph to use more positive language.

Karl moved that we send the letter with the changes Harvey suggested. Thea seconded the motion. The motion passed unanimously.

New Business

Report of the Local Government Committee Regarding the Town of Waltham's Plan and Process, vote on confirmation of Waltham's Planning Process and vote on regional adoption of Waltham's Town Plan: Thea said that sometimes town plans are not complete when the regional plan receives a plan. This time, an entire segment was left out completely: the statement of compatibility with neighboring towns. They were told that since it wasn't in their first town plan, they didn't put it in the new one. They are clearly compatible, they just omitted the language. Thea told them if they could provide us with language that would fill this segment (which they did), the committee would endorse their town plan enabling a full commission vote. The committee recommends the town plan be approved.

Bill Sayre moved to confirm Waltham's Planning Process and approve the Waltham town plan. Karl seconded the motion. The vote passed unanimously.

Resolution honoring Eleanor Smith and acknowledging her service to the community: Tom Yager moved acknowledge Eleanor Smith, Andrea seconded. The motion passed unanimously.

Draft Joint Partners Workplan: Adam passed around the draft Workplan. There's nothing in the Workplan that were not already doing, but there are some specific initiatives there.

Harvey said he had the impression that some funds would be coming through the regional planning commission for some RMOs. Fred said that the house has voted that the remaining 3.7 million above and beyond last year's budget for regional planning commissions and town planning grants is being taken out and put back in the general fund.

Adam said we would adopt our own Workplan at the annual meeting.

Judy suggested that in the energy section they add "and other forms of clean energy." Adam thanked Judy for the suggestion and said other comments should be directed to him as soon as possible.

Adjournment

Jim moved to adjourn. Judy seconded the motion. The meeting was adjourned at 10:46 pm.

Submitted by Ursula Jones

List of Attendees: Full Commission Meeting April 9, 2003

<u>Name</u>	<u>Town/Affiliation</u>
Marty Illick	Lewis Creek Association
Lisa Godfrey	
Andrea Morgante	
Alden Harwood	Addison
David Raphael	Panton
Charles Schley	Middlebury River Watershed Partnership
Bill Paine	New Haven
Adam Lougee	ACRPC
Harvey Smith	New Haven
Margaret Barnes	Shoreham
Bill Sayre	Bristol
Andrew Manning	Bridport
Edward Payne	Bridport
Ethan Swift	VTDEC/Brandon
Jeremy Grip	Ripton
Jim Peabody	Bristol
Charles Huizenga	Monkton
Don Shall	Cornwall
Laurel Kritkauskay	Ripton
David King	Orwell
Andrea Ochs	Orwell
Fred Dunnington	Middlebury
Karl Neuse	Middlebury
Bob McHenry	Ferrisburgh
Kent Wright	Bridport
Pete Diminico	AC Community Action Group/Bristol
Judy Kowalczyk	Otter Creek Audubon Society
Tom Yager	Waltham