

Addison County Regional Planning Commission

Full Commission Meeting

Wednesday, December 10, 2003

The Addison County Regional Planning Commission's meeting was held on December 10, 2003, at Middlebury College's Kenyon Lounge with Don Shall presiding.

ROLL CALL:

<i>Addison:</i>		<i>Orwell:</i>	David King Andrea Ochs
<i>Bridport:</i>	Edward Payne Andrew Manning	<i>Panton:</i>	Louise Giovannella
<i>Bristol:</i>	William Sayre Jim Peabody	<i>Ripton:</i>	Jeremy Grip
<i>Cornwall:</i>	Don Shall William McQuillan Laurel Kritkauskay	<i>Salisbury:</i>	
<i>Ferrisburgh:</i>	Chester Hawkins Bob McNary	<i>Shoreham:</i>	Meg Barnes
<i>Goshen:</i>		<i>Starksboro:</i>	
<i>Leicester:</i>		<i>Vergennes:</i>	Neil Kamman Renny Perry Greg Clark April Jin
<i>Lincoln:</i>		<i>Waltham:</i>	Thomas Yager
<i>Middlebury:</i>	Fred Dunnington Karl Neuse	<i>Weybridge:</i>	Jan Albers
<i>Monkton:</i>	Thea Gaudette Charles Huizenga	<i>Whiting:</i>	Ellen Kurrelmeyer
<i>New Haven:</i>	Harvey Smith Jerry Smiley		

CITIZEN INTEREST REPRESENTATIVES:

AC Chamber of Commerce:
AC Community Action Group:
AC Economic Development Corp:
Otter Creek Audubon Society: Judy Kowalczyk
AC Farm Bureau
OC NaturalResource Conservation District

STAFF:

Adam Lougee
Brandy Saxton
Tim Bouton
Kevin Behm

Public Program

The public program was devoted to discussion of the regional planning commission's role in the VELCO Northwest Reliability Project (NRP) and the Act 250/Section 248 Committee's proposed resolution regarding that project. The program began at 7:30 pm.

Don called the meeting to order and gave the floor to Fred Dunnington as chair of the Act 250 Committee.

Fred noted that the proposal came through committee and was passed unanimously by the Executive Board. In summary, the proposal requests the Public Service Board to A) ensure that this kind of project is in the best interest of Addison County citizens, B) determine whether the Northwest Reliability (NRP) project is the right project to achieve whatever energy needs must be met, and C) providing the PSB with the examples of aesthetic mitigation measures that the Committee believes should be required of VELCO.

Regarding the latter point, Fred commented that it would be a disservice to our community and future residents to fail to petition for adequate mitigation measures in case the NRP project is approved. Aesthetic mitigation has been addressed by the Committee because it finds VELCO's proposal to be inadequate in that regard. Fred reported that the town of Middlebury hired a respected landscape architect, Jean Viscering, who drafted some examples of appropriate mitigation measures. The town wishes to submit these drafts to the PSB, in partnership with the ACRPC.

Ellen added that a resolution concerning the health impacts of the NRP has already been passed by the ACRPC and entered into the PSB proceedings.

Jim Peabody motioned for approval of the Committee's proposal as submitted. Andrea Ochs seconded the motion.

Jerry Smiley noted that his town, New Haven, has approved a motion indicating that the town of New Haven does not approve of the project. VELCO knows about this, he said. Jerry asked if the proposal debated here has any contingencies, as he believes that the PSB doesn't investigate the issues itself, but rather listens to arguments and then makes a decision. Jerry finds that this proposal doesn't reflect any in-depth investigation into the scientific aspects of the VELCO project. It doesn't seem that VELCO has seriously considered alternatives to the NRP, as is their legal responsibility. Jerry finds this proposal lacking in that it doesn't clearly state whether the ACRPC is for or against the project. Judy Kowalczyk agreed that alternatives have not been considered and argued that this proposal should point that out.

Fred answered that the proposal urges the PSB to consider the alternatives, and he believes that is their job, not that of the ACRPC. Fred noted that New Haven is free to, and seems to have stated its opinion more forcefully than is appropriate for the ACRPC statement. Neil argued that Section A of the proposal should indicate that the ACRPC has not determined that the NRP is a necessary project. He did not feel that such a statement would undermine the mitigation arguments put forth in Section C. Fred replied that, according to the Act 250 Committee and Executive Board, the ACRPC is not able to make the decision as to the necessity of the NRP.

Laurel Kritkauskay asked Fred whether the PSB will further investigate elements of the project. Fred answered that the PSB proceeding is formal, like a court. There will be pre-file testimony followed by more hearings. Requests for delay have not been granted. Around 40 individuals, organizations, etc. have been designated as interveners. There are stacks of technical information submitted, all of which the PSB reads. Their duty is to represent the public and not the interested parties, and it is their job to investigate the information presented to them.

Adam offered that that his goal in helping draft the proposal was to impress upon the PSB that this project has raised important concerns to the community and to ask that they investigate those areas of concern which the ACRPC proposal identifies. Laurel asked if further investigation would follow the testimony. Fred answered that investigation would take part throughout. He reiterated that it is already the PSB's legal responsibility to investigate these issues, and this proposal simply further urges the board to do so.

Harvey asked Fred which concerns VELCO must address in the PSB proceedings. Fred answered that the statutory

criteria must be met. These include: that due consideration has been made, that the project meets present and future energy needs at a better cost than energy efficiency, that the project will result in economic benefit to citizens of Vermont, that it will not have adverse impact on the environment, is consistent with the company's least cost integration plan, does not impact "outstanding water resources," etc. These are the essential elements. The PSB must also consider the towns' recommendations but not necessarily follow them.

Renny Perry added that the PSB does not carry out any independent investigation; it simply considers carefully all of the information presented. Renny also noted that there are multiple municipalities involved. He felt the language of the proposal was a little too weak, and he suggested adding phrases such as "if necessary" to reflect the fact that the necessity of the project is still in question.

Jan Albers argued that the fact that the proposal details mitigation measures in section C suggests that the Commission has resigned itself to the project being approved. Nevertheless, she agrees that it seems necessary to submit mitigation suggestions in case this is the only opportunity to do so. Jan noted that even people in towns not directly impacted by the NRP will see the lines when in other areas, but she believes that the ACRPC should defer somewhat to the towns that are directly impacted.

Ellen Kurrelmeyer suggested that the end of Section A of the proposal could be changed to read "The transmission system should be located and sized to mitigate impacts and adhere to approved town and regional plans." Don noted that the PSB is not legally mandated to follow the town plans exactly. Fred noted that this proposal can nevertheless recommend that the PSB do so, but he suggested that Section C4 would be the place to add further suggestions beyond what the PSB is already required to do.

Ed Payne commented that the "Not in my Back Yard" (NIMBY) effect plays a role in this issue, and noted that because the ACRPC represents the concerns of the region as a whole it perhaps cannot take a strong stance against the project. Ed noted that he is not convinced that using the existing corridor to install bigger poles and stronger lines would have such a negative aesthetic impact. However, neither is he convinced that Vermont will face the level of growth that the NRP's scale suggests. He further noted that the ACRPC acts on the principle of requiring 'in all things sound science.' He finds that this proposal is a reasonable document. Judy suggested that people look at the lines in Rutland to get a visual perspective on the difference in size of the proposed poles for 345kV lines.

Jeremy Grip said that accepting the idea that the PSB will make its decision based solely on scientific data is limiting. He questions whether scientists and engineers should be the ones planning for the future of our communities. He added that the issue should not be solely based on science and noted that even studies selected and published by VELCO reflect clearly that there are alternatives. He therefore believes the ACRPC should state this more strongly and thinks that the proposal seems to convey that the project is a done deal. Judy noted that the NRP is by no means a 'done deal.' Thea noted the timeline, saying that the ACRPC must state the basis of its case by December 17th.

Neil Kamman made a motion to change Section A of the proposal to read: *"If it is determined to be necessary, the NRP shall be designed to provide an economic, social and environmental benefit to the citizens of Vermont and Addison County. It shall provide stable moderately priced energy over a properly sized system to meet reasonable current and future demands. The transmission system shall be located and sized to mitigate impacts."*

Discussion followed concerning how to proceed with the process of editing the proposal. Jim Peabody thought the Commission should vote on amendments as they were proposed. Adam and Don suggested that all opinions and amendments be collected and then voted on. Andrea noted that amendments might add up to an unmanageable point if voting was done at the end. Karl Neuse pointed out that no one had made a specific motion to consider the amendments one by one, and therefore the possibility remained of voting the proposal up or down as it was originally proposed.

Fred noted that towns were able to look at this proposed resolution beforehand and that the town of Middlebury approved it as presented tonight. Any radical changes, he noted, could complicate or compromise the position that Middlebury has taken by approving the resolution. He also commented on Ellen's suggestion to recommend that the PSB adhere to town and regional plans, saying that it is not necessary in that it is the PSB's clear responsibility to consider the town and regional plans. Ellen then said that this language would further urge the PSB to follow the

plans. She noted that because several towns have stated their disapproval of the project, it would be a reasonable task for the ACRPC to make such a suggestion.

Renny Perry suggested the Commission vote on each amendment. Tom Yager said this would bog down the process because, for example, each amendment passed could possibly be voted out later.

Bill Sayre noted that many businesses and individuals do think the project is necessary, due to what he believes is an archaic electric system and Vermont's continual growth. There is a clear reliability risk. Neighboring states faced one day of blackouts in August which cost billions of dollars and created adverse environmental impacts as well. If businesses cannot invest in a reliable system in Vermont, they will invest elsewhere. He agrees that concerns about the NRP and mitigation suggestions should indeed be raised, and he thinks that the proposal is good and does that fairly.

Chal, a property appraiser, spoke from the audience and commented that public fear of the health risks and negative economic impact of locating power lines near properties shrinks the real estate market. He cited the article "Power Lines and Property Values: The Good, the Bad, and the Ugly" by David R. Bolton and Kent A. Sick, published by the Southwestern Legal Foundation in the Proceedings of the Institute on Planning, Zoning, and Eminent Domain, Municipal Legal Studies Center, Dallas, Texas, November 18-20, 1998, and in The Urban Lawyer, the National Quarterly on State and Local Government Law, Spring 1999, Volume 31, Number 2. The article addresses EMFs and their effect on property value, cites cases, statutes, and municipal regulations on the subject, and discusses the pros and cons of corridor valuation for expansion of existing utility easements. Chal said that the scientific community has not determined if EMF is a carcinogenic influence or not. The National Institute of Sciences noted that EMF should be considered a level 2 carcinogen, which means it is an agent that is possibly carcinogenic. This was confusing because other institutions had stated that there is no scientific basis for the argument that EMF is carcinogenic, but that judgment has been withheld in regards to children. Chal commented that public fear is now a recognized element of testimony in court proceedings. **Chal suggested that C3 be changed to read** "...ensure that the analysis of impacts uses an economic model that includes societal costs, including losses in property value resulting from proximity to *and public fear of* the corridor and property tax consequences to municipalities stemming from that lost value."

Jed Guton from Vergennes spoke from the audience and argued that the proposal should focus on need. He says the PSB has not yet seen a clear basis for the need for this project, either for businesses or the State of Vermont, and the VELCO meetings in Vergennes also failed to demonstrate the need, in his opinion. He also addressed an earlier comment that the NRP would only add a few lines, saying that although the NRP proposes 345kV lines only to New Haven, it would surely be subsequently proposed that the lines go further.

Jan Albers noted that we all want a healthy economy and a reliable system, but economic issues can be used to support both pro and con positions for the project. For example, it can be argued that the project will cause real estate values to plummet. The lines are also proposed to run through the most vibrant part of state in terms of tourism, which could be negatively affected by the aesthetic impacts of the NRP, and furthermore the NRP commits us to the negative environmental impact, throughout miles and miles of the state, by a project that even according to VELCO's own data is not necessarily necessary.

Bob McNary asked whether the PSB would make a "yes or no" decision or make a judgment with modifications. Fred said they could require any number of modifications, such as that certain portions be underground, or limiting the lines' capacity, etc., or they could simply approve or disapprove of the project. The PSB must consider all criteria and could make a judgment based on any of them. For example, even if the project is deemed necessary, if it can't be done in a way that meets the aesthetic criteria it could be defeated. Jed disagreed with this. He added that he thinks the necessity is the very first thing that must be discussed, and he noted that if approved the project could create direct disputes between towns. Fred added that the PSB will take into account this fact and he noted that everyone involved in this issue is a ratepayer and wants his or her power to be reliable and efficient, which means that there is at least some common ground for all those involved.

Andrew Manning recalled the creation of the 115kV lines in 1950. He said the 345 kV lines would be more efficient and can't believe that they would be aesthetically much worse than the existing lines. Michael from Monkton spoke from the audience and noted that the proposal should say that the transmission lines must have no adverse health

effects. Page Griffin from Vergennes said she sees no problem with businesses needing more power, but that our energy should be developed cleaner, locally, and in ways that pay back to the community through cheaper energy and add property value rather than diminish it. This is in contrast to investing in a system represented by the NRP project, in which communities pay but don't get anything back.

Todd from Ferrisburg spoke from the audience and said he sees part of ACRPC's purpose as to help direct the community to common goals. He said it would be meaningful if the ACRPC would pass a resolution that constitutes a statement or plan for the county guiding it towards "greener" energy use and pass this message to the PSB. He believes that most Vermonters agree that we should invest in alternative energies and local sources.

Tom Yager commented on EMFs and other environmental costs, saying that when we daily use electricity in our homes we are in effect asking others to make sacrifices, such as those communities which are near nuclear power plants.

Richard Jensen from Vergennes spoke from the audience and noted that there are creative technologies for fuel cells that use methane as an energy source, and he suggested that Vermont farms could utilize that technology. He suggested that such technologies could replace power lines and power stations. He cited a bill created by Jim Jeffords which argues for local energy over bigger, transmission line systems. Richard said he hoped the \$130 million slated for the NRP could go to exploring this technology.

Jim Peabody said he is concerned about economic development and that Vermont is viewed from within and out-of-state as anti-business. He said he disapproves of the NRP but notes that this position would solidify the anti-business perspective on Vermont. He finds that this proposal, in addition to the resolution passed by the ACRPC regarding the health impacts, tread a good middle ground and address the relevant concerns. He said he has faith that the PSB is weighing these concerns and it can also order any further information. He favors this proposal as written.

Evan Markowski from Vergennes spoke from the audience and suggested a direct statement against the NRP and favoring more environmentally sound energy sources. He said that the NRP would commit Vermont to dirty power sources and further pass the negative impact on to other communities. He added that Mercury is also generated by these energy sources, which is a class 2 carcinogen as are EMFs.

Don read a statement from State Representative Steve Maier, Middlebury, who is concerned "that Vermont may be forced to choose an option purely on financial grounds because of funding restrictions imposed by the New England Power Pool (i.e., they currently only pay for traditional upgrades and wires). I would suggest the Commission consider a statement asking the PSB to look at whether something less than the entire scope of the project might be approved to allow some time for funding changes to be proposed and adopted at the regional level."

Jan said that she has gathered from Green Mountain Power that one real alternative to address our power needs would be a few power stations in Chittenden County, and that a small number of plants, covering only 1 acre each, could be brought on-line within 2 years and would meet the electrical needs of that area. She made reference to Tom's earlier statement and added that this solution would make local users bear the responsibility rather than spreading the impact throughout large areas of the state, as the NRP power lines would.

Fred noted that Green Mountain Power is however a co-applicant with the NRP and supports the project. Tom noted that other groups also have their own ideas for power projects, such as developing wind generating plants, etc.

Bob McNary said that the problem is that power companies have been given the leeway to just do nothing, and therefore no upgrades to the system have been made. He thinks the PSB could be more assertive and make local power companies upgrade the existing grid. He commented that the rates we pay for power in Vermont are outrageous and needless. The power companies are not being mandated to use hydro or solar power, and Bob feels that such alternatives are years away, if at all, given the PSB's current attitudes.

Judy said she supports business and believes power should be locally generated, so that the investment stays here. The proposed project will have us paying out of state in continuity. She said Jim Jefford's statement indicated that an almost exclusive majority of pollution comes from the select group of the country's oldest plants. While it would cost \$100 billion to update the existing power lines, this does not consider the cost of impacts or the cost of sources

like gas. Jeffords argued that local energy produces reliability, not huge grids. Judy added that alternative energy fuel cells would be ready in 5 years. Huge solar installations, she said (for example, at the Taft Corners' box stores), would considerably reduce the energy burden of the current system.

Jeremy commented that the characterization of the opposition to the NRP as being anti-business is not correct. He added that performance issues on the part of utilities could be responsible for failures, not necessarily the system being antiquated. Jeremy endorsed Jan's point that the environmental impacts of the NRP also result in economic costs.

Susan Tomossi from New Haven spoke from the audience to say that Vermont could be a leader in alternative energy, and she urged the ACRPC to make a stronger statement against the NRP.

Harvey seconded Ellen's motion to add the phrase "and adhere to approved town and regional plans" to section A of the proposal.

Jim asked whether New Haven had specifically stated its opposition to the NRP project. Jerry answered that it had. Jim then pointed out that the proposed amendment would say the PSB must adhere to town plans, while at least one town has rejected the project. Jerry said that he could not vote for Ellen's amendment because he finds it neither realistic nor in the spirit of the ACRPC to call for rejecting the project because of the position taken by one town. Jan noted that the statements in the ACRPC proposed resolution are recommendations, not mandates.

The motion to add the phrase "and adhere to approved town and regional plans" to section A of the proposal failed by a vote of 8 to 15.

Andrea seconded Neil's motion to amend Section A to read: *"If it is determined to be necessary, the NRP shall be designed to provide an economic, social and environmental benefit to the citizens of Vermont and Addison County. It shall provide stable moderately priced energy over a properly sized system to meet reasonable current and future demands. The transmission system shall be located and sized to mitigate impacts."*

Jeremy did not agree with the use of "shall" because it sounds like a mandate rather than a recommendation.

It was agreed to split the motion into two amendments, the first being the added text "If it is determined to be necessary, the NRP shall...social and environmental" and the second motion being to change the two occurrences of "should" to "shall."

Jerry asked whether this amendment is actually asking for demonstration of a positive impact of the project. Neil said that he meant to convey that it is not yet clear whether the project is necessary. Jan noted that although intended to suggest alternatives, the statement seems to validate the NRP project. Discussion followed on the words "it is" in the first part of the amendment, and **Neil and the seconder, Andrea, agreed to remove "it is" from the amendment.**

Thea called a question on the amendment to Section A to read: "If determined to be necessary, the NRP shall be designed to provide an economic, social and environmental benefit to the citizens of Vermont and Addison County. It should provide stable moderately priced energy over a properly sized system to meet reasonable current and future demands. The transmission system should be located and sized to mitigate impacts."

Don called a question on whether the Commission wished to vote immediately on the amendment. The Commission voted to make an immediate vote on the amendment. **The motion to alter Section A with the sentence "If determined to be necessary, the NRP shall...." failed by a vote of 10 to 14.**

Jim called the question to approve the entire proposal as it stands. Ed seconded the motion. It was noted that a two-thirds majority would be necessary to carry the motion. **The motion to suspend the process and come to a full commission vote on the resolution failed.**

Renny made a motion to amend Section A to read "If determined to be necessary, the NRP **should** be designed to provide an economic, social and environmental benefit to the citizens of Vermont and Addison County. It should

provide stable moderately priced energy over a properly sized system to meet reasonable current and future demands. The transmission system should be located and sized to mitigate impacts” (this amendment had previously failed with the word “shall” rather than “should”). **Jeremy seconded the motion. Andrea called the motion to question. The motion carried, with 20 in favor, 3 opposed, 1 abstention.**

Jim made a motion to change the phrase in Section A “the citizens of Vermont and Addison County” to read “all citizens.” Neil seconded the motion.

Jim added that he finds it provincial to limit the language to citizens of our county, as the impacts of the project extend beyond the county. Thea noted that the ACRPC represents only Addison County. Bob McNary commented that the ACRPC does not have the authority to speak for everyone everywhere. Jeremy said that the phrase could be read either way, in that within the document “all citizens” could be inferred to mean those citizens of Addison County, and that therefore it might not convey an attempt to speak for citizens outside the county. **Bob McNary called the motion to question. The motion to change Section A to read “all citizens” failed.**

Jerry made a motion to add the following sentence to the end of Section A: “Before a new transmission line is approved, the PSB and the ACRPC should be satisfied that the applicant has fulfilled the specific stipulations of 30 VSA §248(b)(2) regarding alternative solutions, including a conservation approach.”

Fred asked how this amendment differs from section C2 of the proposal. Jerry answered that this statement is an effort to insert language of contingency and give the proposal more backbone. Jerry noted that the effect of the NRP on taxpayers is an impact that is not reflected in the resolution’s suggestions for mitigations. He added that his aim in the proposed amendment is convey to the PSB that whatever they decide, they should follow state law. Laurel commented that the language in this amendment is clear and strengthens the proposal with its firm grounding in the statute.

Fred suggested that the statement could be improved by adding “any transmission system” and “however, before any new...” Renny noted that the word “applicant” should not be used, rather “the petitioner.” This was changed without objection.

Ed asked whether the ACRPC really has the right to be fully “satisfied” in the matter. Jerry noted that there will be many technical experts giving testimony on the various elements of the project. Jeremy asked for a summary of 30 VSA §248(b)(2), and Fred read from the statute, which describes the various criteria which the PSB must determine are met by the project, including environmental impact and least-cost criteria.

Andrea seconded the motion to add the following to the end of Section A: “However, before any new transmission line is approved, the PSB and the ACRPC should be satisfied that the petitioner has fulfilled the specific stipulations of 30 VSA §248(b)(2) regarding alternative solutions, including a conservation approach.” **The motion passed unanimously.**

A suggestion had been made from the audience to add an amendment concerning potential health effects of the NRP, but no one from the Commission supported an amendment based on that subject. Discussion included the fact that a resolution concerning this had already been passed by the ACRPC.

Ellen made a motion to add language suggested earlier by a member of the audience to amend C3 to read: “Pursuant to 30 VSA §248(b)(4), ensure that the analysis of impacts uses an economic model that includes societal costs, including losses in property value resulting from proximity to **and public fear of** the corridor...” Jan noted that it is not certain whether or not there are health risks from the lines, but this statement would recognize that people do fear the possibility. **Neil seconded the motion. The motion failed by a vote of 8 to 16.**

Judy made a motion to amend Section B to read “new, cleaner technologies.” It was suggested to make this “cleaner and less polluting technologies.” Judy proposed this change, **Jeremy seconded the motion. The motion failed 10 to 12, with 2 abstentions.**

Thea made a motion to amend Section B to read “The Addison County Regional Planning Commission encourages creating electricity options valuing energy efficiency and new, **cleaner** energy technologies...” **Andrea**

seconded the motion. The motion passed unanimously.

Jeremy made a motion to amend Section C3 to read “...stemming from that lost value and also the economic impacts to the tourist industry from degradation of the scenic corridor.” **Charlie Huizenga seconded the motion.** Jim Peabody offered that although this statement has merit, it doesn’t belong here because there is no way to calculate the cost on property taxes as a result of the project. Jeremy said that the amendment is meant to be independent of property taxes, referring rather to the impacts on the economy in general. Ed noted that this would be included in “societal costs.” Jeremy said that these are all societal costs. Jan said that the issue is not about societal costs, but rather about the economic model being used to evaluate the project. Fred noted that the criteria state that the project must result in economic benefit to Vermont residents. Ed said that the economic impact of the project on tourism is not quantifiable. Neil argued that this is indeed quantifiable, and noted that a number of professional journals are dedicated to that very issue. Louise suggested a change in the wording, which Jeremy and Charlie approved. **Tom called to question the motion to change Section 3 to read: “stemming from that lost value and also the negative economic impacts from degradation of the scenic corridor.” The motion carried 13 to 11, with 1 abstention.**

Don called the vote on the resolution as amended. The resolution passed unanimously.

Don noted that the Commission would need to empower the Executive Director to act on the resolution. He therefore **motioned that the Commission authorize the Executive Director to expend up to \$5000 of ACRPC funds to consult and cooperate with towns and experts to provide testimony to support the resolution as adopted.** Fred suggested that the details of finances should be left to the executive director, who has 7 days during which to apply his discretion in the matter. Bob did not think this expenditure would be appropriate because some towns have solid opinions while others don’t, and the funds should not be used to support one town over another. Jim Peabody agreed that the money should not be spent to go against the project, which he felt it would, because the Commission was not unanimously opposed to the project. Harvey asked Adam what the money would be used for. Adam replied that he has 7 day in which to provide pre-file testimony to the PSB. He knows that he can contract with Jean Viscering, the landscape architect who has developed some drafts of examples of aesthetic mitigation. Adam was not certain of other testimony that he could arrange for the ACRPC to provide to the PSB. Fred added that he has the documentation on what is being developed for testimony, if anyone wishes to see it.

Harvey said that his intent was to make sure that funds would not support one town’s opinion over another’s. Karl noted that to do so would be inconsistent with the resolution just passed. Fred asked if funds could be used to support mitigation in one specific town. Jan asked if it would be used to support the resolution. Adam answered yes. Renny noted that municipalities might already have information that would help ACRPC support its resolution.

Jerry wondered if any town has hired an expert and argued against VELCO to strike their town from even being considered for the project, an argument that he thought would be worthwhile. Andrew Manning asked if what an expert does is simply go to the PSB and present information, to which others said yes. Jim Peabody asked whether the money would stay within staff, and Adam answered no, the funds were intended to be used to hire outside experts, such as the landscape architect.

Bob asked if the landscape architect would look at all towns along the corridor. Fred answered that it is impossible to consider the whole corridor within the week. Rather, the idea was to submit an example that would be typical of the level of mitigation that would be necessary. Bob suggested that therefore the towns might have information that would be helpful to Adam. Fred added that the town of Middlebury shared information with Adam and also with Vergennes and said that sharing information seems to be the general intent.

Judy asked whether ACRPC could submit more testimony after the pre-file testimony. Fred answered no, but said that one can cross-examine other people’s testimony. ACRPC’s resolution will be submitted into the record, and Adam will seek testimony to support the resolution. Fred noted that if someone wants to cross examine ACRPC’s expert, the Commission will have to pay the expert to then defend the position. He suggested therefore that the Commission save some of the \$5000 for that purpose.

Jeremy advocated against passing the motion. Simply laying out the funds to authorize this position, he said, would undermine all the lengthy and varied comments debated tonight, as the money would seem not to go towards

supporting all of the viewpoints raised.

The motion to authorize the Executive Director to expend \$5000 in ACRPC funds to support the resolution carried.

Don recommended that the Commission suspend the rest of the agenda, except for one item on Town Assessments. **Jim moved to approve the Town Assessment as submitted. Jan seconded. The motion passed unanimously**

Adjournment

Don moved to adjourn. Neil seconded the motion. The meeting was adjourned at 10:15 pm.

Submitted by Joe Langerfeld