

Addison County Regional Planning Commission

Full Commission Meeting

Wednesday, October 13, 2004

The Addison County Regional Planning Commission held its Full Commission Meeting on October 13, 2004, at the Middlebury College Kirk Alumni Center, with Donald Shall presiding.

ROLL CALL:

<i>Addison:</i>		<i>Orwell:</i>	Andrea Ochs
<i>Bridport:</i>	Andrew Manning Edward Payne	<i>Panton:</i>	
<i>Bristol:</i>	William Sayre Peter Grant	<i>Ripton:</i>	Jeremy Grip
<i>Cornwall:</i>	Donald Shall William McQuillan	<i>Salisbury:</i>	
<i>Ferrisburgh:</i>		<i>Shoreham:</i>	
<i>Goshen:</i>		<i>Starksboro:</i>	Elissa Close
<i>Leicester:</i>	Kathleen Swington-Ramsay	<i>Vergennes:</i>	Neil Kamman
<i>Lincoln:</i>	Steve Revell Jason Oleet	<i>Waltham:</i>	
<i>Middlebury:</i>	Karl Neuse Fred Dunnington Brian Bauer	<i>Weybridge:</i>	
<i>Monkton:</i>	Thea Gaudette Charles Huizenga	<i>Whiting:</i>	Ellen Kurrelmeyer Jonathan Heppell
<i>New Haven:</i>			

CITIZEN INTEREST REPRESENTATIVES:

AC Chamber of Commerce:

AC Community Action Group:

AC Economic Development Corp:

Otter Creek Audubon Society: Judy Kowalczyk

ADDISON COUNTY REGIONAL PLANNING COMMISSION

ACRPC EXECUTIVE BOARD

CHAIR: Donald Shall

VICE-CHAIR: Tom Yager

SECRETARY: Thea Gaudette

***TREASURER: Karl Neuse
Renny Perry
William Sayre
Andrea Ochs***

STAFF:

EXECUTIVE DIRECTOR: Adam Lougee

ASSISTANT DIRECTOR/GIS DATA MANAGER: Kevin Behm

EMERGENCY MGT PLANNER/SENIOR PLANNER: Tim Bouton

SENIOR/TRANSPORTATION PLANNER: Garrett Daque

PLANNER/GRANT WRITER: Brandy Saxton

WATERSHED PLANNER: Neil Fraser

OFFICE MANAGER/BOOKKEEPER: Pauline Cousino

TELEPHONE: 388-3141

FAX: 388-0038

Public Program

The Utilities and Facilities Committee presented the results of their work on the following sections of the Addison County Regional Plan:

- 7.1 Water Supply, Wastewater and Solid Waste
- 7.2 Energy
- 7.3 Communications Technology
- 7.4 Health and Safety
- 7.5 Education
- 7.6 Historic, Cultural, Municipal & Recreation Facilities

Committee members Ellen Kurrelmeyer, Peter Grant, Jeremy Grip, Thea Gaudette, Judy Kowalczyk, Laurel Kritkavsky, Andrew Manning, Bill McQuillan, Andrea Ochs, Jim Peabody, Bill Perkins, and staff members Brandy Saxton and Tim Bouton were recognized for their extensive work on the 100-page document.

Committee Chair Ellen Kurrelmeyer invited members to submit their comments to the Utilities and Facilities Committee no later than November 12th, after which time the committee shall reconvene to consider any recommendations before finalizing their report.

Staff members Brandy Saxton and Tim Bouton gave a presentation outlining the key drivers related to the section of the plan entitled Utilities, Facilities and Services, while committee members reviewed the goals and objectives (copy attached). Brandy advised that the committee had consulted with a number of experts, including Elizabeth Hunt, Water Source Protection Chief for the DEC Water Supply Division; Terri Kuczinski, Director of the Addison County Solid Waste District; Blair Hamilton, Managing Director for Efficiency Vermont; Tom Murray, Director of Telecommunications Infrastructure Advancement for the Agency of Commerce and Community Development; Diane Champion, District Director for the Vermont Department of Health; Mary Ellen Mendl, Director of the United Way of Addison County; Peter Coffey and Dean Gilmore of Addison County's Firefighter's Association; Donna Corcoran, ANSU Business Manager; and Barbara Harding, ACC Travel and Marketing Director.

Ellen noted that not all of the goals had been cited during the presentation, and encouraged members to review the report in its entirety.

Fred asked for clarification of Goal C, Objective f under the 'Safety' section as it relates to the New Haven police barracks: "That new law enforcement or criminal justice facilities will be located within existing settlement areas so as to maximize their accessibility and contribute to the vitality of the region's communities."

Jeremy Grip explained that the commission supports the new police facility in New Haven; however, by including the above language, it is the intent of the committee that future projects will adhere to the plan.

In regard to the topic of energy conservation, Judy Kowalczyk strongly encouraged commission members to tour NRG Systems new facility in Hinesburg, which utilizes 70% of solar-powered electricity.

Bill Sayre asked for clarification regarding the 'Recreation' section (page 7-93), Goal C, "That municipalities will retain control over unused road and railroad rights-of-way, Class 4 roads...."

Jeremy responded that the key word is "unused," and he added that the objective's aim is to preserve these roads for recreational uses.

In reference to the topic of 'Energy' (page 7-27), Goal A: "The Addison Region will produce as much energy as it consumes," Bill Sayre inquired how much energy is now produced.

Jeremy explained that energy use is at 40%. He noted that the document reflects only goals and objectives, not mandates, and that the committee is aware of the legal process involved in regard to the plan's conformity.

Bill Sayre suggested that the words “shall” and “will” imply mandates, and clarification is needed, otherwise it would appear the county is in violation of the plan.

Don Shall recommended that those with process and language issues should review the preamble of the document for clarification.

Bill Sayre reiterated that both the preamble, goals and objectives within the document itself should be made clear to avoid any future legal ramifications.

Ellen advised that there will be two public hearings held to discuss the plan, and reminded members to submit their comments and suggestions to the committee prior to November 12th.

Business Meeting

The business meeting began at 8:35 p.m.

Approval of Minutes: September 8, 2004

Peter Grant moved to approve the minutes of September 8, 2004. Andrea Ochs seconded the motion. Motion passed unanimously. Minutes approved as presented.

Treasurer’s Report

Adam distributed a revised Treasurer’s Report (copy attached).

Treasurer’s Report unanimously accepted.

Committee Reports

Act 250 Committee

Fred Dunnington suggested that ACRPC draft a resolution opposing the recent ruling by the District 9 environmental coordinator Geoffrey Green in connection with ongoing litigation involving an apple orchard in Orwell. Mr. Green has twice ruled that orchard owners Peter and Carla Ochs need a state permit to run their apple packing and shipping warehouse; specially for the those lands leased by the Ochs for their operation. Since farms and orchards have long been exempt from Act 250, the ruling could have far-reaching effects on farm operations in the county. Fred recommended that the commission participate in the case as an interested party, and to submit a letter stating that the ruling is a breach of jurisdiction.

Andrea Ochs noted that due to a conflict of interest, she is recused.

Ellen suggested limiting the letter to a policy statement and to cite relative portions of the current plan.

Neil Kamman moved to submit a letter on behalf of the commission; Ed Payne seconded the motion. Motion passed unanimously. Adam will enter an appearance as an interested party at Friday’s status conference hearing.

Economic Development Committee

No meeting held.

Natural Resources Committee

Ed Payne reported that a conference to discuss watershed planning and the implications for agriculture will be held October 18th from 10 a.m. to 3 p.m. in Bridport. The public is invited to attend, and lunch will be served.

TAC Transportation Committee

Adam reported that the committee met with the State Agency of Transportation on October 5th to discuss transportation needs for the region.

Utilities, Facilities & Service Committee

Ellen noted that the committee will hold one more meeting before submitting their final draft.

Local Government

The committee's next meeting is scheduled in Vergennes on November 1st.

Joint Partners Report:

None.

Delegates/Staff Recognition:

Don Shall again acknowledged the members of the Utilities and Facilities Committee for their tremendous effort and work on the regional plan, and he welcomed Kathleen Swington-Ramsay as the new alternate from Leciester.

Old Business

Project Impact

Adam distributed the closeout report to members and welcomes any questions or comments.

Northwest Vermont Project Update

Adam advised that staff had begun working on the Northwest Vermont Project, a study of the primary transportation corridors into Chittenden County from the region, including Route 7, Route 116 and Silver St./ Monkton Bristol Road. ACRPC will receive approximately \$40,000 from AOT, monies originating from the circ highway project in Chittenden County. ACRPC staff has begun meeting with Select Boards in Monkton, Starksboro, Bristol, and Ferrisburgh to obtain input on the planned corridors as part of the access management study.

VELCO Summary

Adam reported that the hearings are currently in the design detail phase, and further written testimony will be submitted Thursday, October 14th. Hearings will continue in October, legal briefs submitted in November, and a final decision is expected in January.

Fred Dunnington acknowledged Adam for his ongoing efforts with the VELCO litigation.

Chapter 117 Training

Adam noted the following training sessions scheduled for local boards and zoning administrators throughout the region:

- Tuesday, October 12, 7:30 p.m., Ripton Town Office
- Monday, October 25, 7:00 p.m., Bridport Community Building
- Tuesday, October 26, 7:00 p.m., Howden Hall, Bristol
- Wednesday, October 27, 7:00 p.m., Vergennes Fire Station

In addition, ACRPC staff members will send memos to surrounding towns describing the impact of the new planning laws. Individual support is available and town officials are encouraged to call their assigned staff member. Adam anticipates ongoing training throughout the next year.

Year End Report to DHCA

Adam distributed the year-end report, which reflects fiscal year ending June 30th. He asks commission members to direct any questions to him after reviewing the report.

New Business

None.

Members' Concerns/Information

None.

Adjournment

Andrea Ochs moved to adjourn; Peter Grant seconded the motion. The meeting adjourned at 9:10 p.m.

Submitted by Peggy Connor