

Addison County Regional Planning Commission

Full Commission Meeting

Wednesday, September 14, 2005

The Addison County Regional Planning Commission's Full Commission Meeting was held on September 14, 2005, at Middlebury College's Kirk Alumni Center, with Donald Shall presiding.

ROLL CALL:

<i>Addison:</i>		<i>Orwell:</i>	David King Andrea Ochs
<i>Bridport:</i>	Andrew Manning Edward Payne	<i>Panton:</i>	Mike Hermann
<i>Bristol:</i>	William Sayre Jim Peabody	<i>Ripton:</i>	Jeremy Grip
<i>Cornwall:</i>	Donald Shall Harvey Huetter	<i>Salisbury:</i>	
<i>Ferrisburgh:</i>	Bob McNary	<i>Shoreham:</i>	Elizabeth Golden
<i>Goshen:</i>		<i>Starksboro:</i>	Elissa Close
<i>Leicester:</i>	Kathleen Ramsay	<i>Vergennes:</i>	
<i>Lincoln:</i>	Jason Oleet	<i>Waltham:</i>	
<i>Middlebury:</i>	Karl Neuse Brian Bauer	<i>Weybridge:</i>	
<i>Monkton:</i>	Thea Gaudette Charles Huizenga	<i>Whiting:</i>	Ellen Kurrelmeyer
<i>New Haven:</i>	Milo Schaefer		

CITIZEN INTEREST REPRESENTATIVES:

AC Chamber of Commerce:

AC Economic Development Corp:

AC Community Action Group:

Otter Creek Audubon Society:

ADDISON COUNTY REGIONAL PLANNING COMMISSION**ACRPC EXECUTIVE BOARD**

CHAIR: Donald Shall

VICE-CHAIR: Renny Perry

SECRETARY: Andrea Ochs

***TREASURER: Karl Neuse
Andrew Manning
Elissa Close
William Sayre***

STAFF:

EXECUTIVE DIRECTOR: Adam Lougee

ASSISTANT DIRECTOR/GIS DATA MANAGER: Kevin Behm

EMERGENCY MGT PLANNER/SENIOR PLANNER: Tim Bouton

SENIOR/TRANSPORTATION PLANNER: Richard Kehne

PLANNER/GRANT WRITER: Brandy Saxton

WATERSHED PLANNER: Neil Fraser

OFFICE MANAGER/BOOKKEEPER: Pauline Cousino

TELEPHONE: 388-3141

FAX: 388-0038

Public Program

A quorum being noted as present, Chairman Donald Shall opened the first of two public hearings at 7:40 p.m. to discuss the proposed Utilities and Facilities section of the regional plan.

Committee chairperson Ellen Kurrelmeyer explained that the majority of changes made were grammatical deleting the “wills” and “shalls” from the text. Regarding the section on the potential recreational uses of “ancient” roads or other unused trails or Rights of way, Ellen noted that the committee made every effort to strike a compromise between the State and benefits to local municipalities. To that end, the section provides language to encourage a dialogue within communities, and recommends that municipalities retain control over all unused roads or rights of way for future use as trails.

Edward Payne opined that the revised document more accurately reflects ACRPC’s mission, and that he would be inclined to support the document.

In terms of accountability and responsibility, Milo Schaefer asked what process was in place to measure progress against the stated objectives in the plan.

Adam Lougee explained that, on behalf of the commission, members of the staff serve to promote and achieve the stated goals by sponsoring educational forums and workshops and producing maps and other informative documents. One example Adam cited was the issue of wastewater in which the commission has played an active role by holding a number of educational forums throughout the county and providing mapping and other information to various towns. ACRPC is also a statutory party to the Act 250 process. Donald Shall added that annual reports reflect outcomes, and that several studies supported by the commission have also shown measurable results, i.e. watershed.

Jeremy Grip pointed out that the commission is not charged with documenting measurable outcomes, but rather to serve as a guide to Town Plans that are required to conform to the regional plan.

Jim Peabody added that as an un-elected body, ACRPC does not have the authority to direct actions groups, however, the commission is responsible for setting policy and goals.

As a member of an action group in Ferrisburgh, Bob McNary noted that one of the reasons he was not able to support the plan prior to its revision was the frequent word of “shall” stated within the goals, which he interpreted as unrealistic and unattainable.

Jim Peabody moved to delete the following portion of Goal D. on page 7-28: “b. For no large-scale energy generation or transmission facilities, which have as their primary purpose providing energy to markets outside the Addison region, to be constructed or expanded in the region.”

Jim pointed out that the county receives energy from other places and could see no reason to prevent others from providing energy to the county. He cited the hydroelectric plant located in Vergennes, and asked, should GMP choose to expand, would it then be considered “large-scale?” Jim recommended refining the language to disallow nuclear plants -- specifically, on Lake Champlain, as proposed in the past.

Bill Sayre seconded the motion.

As a point of order, Thea Gaudette asked if it was appropriate to take motions at a public hearing.

Adam responded that one of the purposes of a public hearing was to provide a forum for motions, but that generally we took comments first and then after every one had had a chance to make comments, took motions from the floor. Noting no objection, Don Shall accepted the motion, and opened the floor for further discussion.

Bob McNary noted the New Haven substation as a case in point, and asked if it too would be defined as a “large-scale” facility once its expansion is complete.

Jeremy Grip contended common sense would dictate that neither GMP's hydro facilities on Otter Creek nor an expanded New Haven substation would be regarded as large-scale facilities, providing power outside the region. He added that by defining "large-scale facility" to be the level of generation as it relates to the level of consumption would satisfy the definition cited in the document.

Bill Sayre objected to the wording of Goal D itself, which states: "For the energy infrastructure and services in the Addison Region do not impact the health and safety of residents or environmental quality." Bill suggested adding the word "unduly" prior to the phrase "impact the health and safety..." Regarding Jim Peabody's motion, Bill stressed that utility companies are part of a national grid, with focus well beyond Addison County, and that their primary purpose is to sell electricity to the general market.

Ellen Kurrelmeyer moved to table the motion until the next public hearing, and suggested that Jim Peabody offer alternate wording for further discussion. Mike Hermann seconded the motion.

Jim Peabody clarified his motion: to delete Goal D. on page 7-28 and to substitute: "to preclude any nuclear power facility in Addison County."

Thea Gaudette called the question.

The Chair asked if there was any objection to proceeding with a vote on the motion. All in favor.

VOTE (by show of hands): Those in favor of deleting Goal D. on Page 7-28 of the Utilities and Facilities section of the plan: 8; those opposed: 12. MOTION FAILS 8-12.

Andrea Ochs suggested that delegates consult with their respective Select Boards to ensure that their votes accurately reflect the positions held by the representatives of their towns.

Ellen Kurrelmeyer strongly recommended that the commission move forward in adopting the Utilities and Facilities section of the regional plan Ellen did not believe the process to date was working properly to bring the document to a vote and final completion in a timely fashion.

While recognizing that the process has been frustrating, Bill Sayre pointed out that significant progress has been made in an effort to make the regional plan a better document. Bill strongly supported deleting subparagraph b. under Goal D. , and further added that defining the terms "transmission facilities" and "large-scale" would be worse than eliminating the paragraph altogether.

Jeremy Grip agreed that members are closer to a consensus and supported Bill's recommendation to add the word "unduly" prior to the phrase "impact the health and safety..." as stated in Goal D on page 7-28.

Harvey Huetter reminded members that there were many factors to consider and not rush to judgment. He added that the most important part of the document is not the document itself, but rather who implements it. To that end, Harvey suggested that the commission seek assistance from state government to provide some mechanism to implement the document.

Karl Neuse suggested that motions be submitted in writing to be voted on at the next public hearing.

Don Shall encouraged members to submit their written comments and suggestions – both substantive and non-substantive -- to Brandy Saxton within two weeks.

The public hearing was closed at 9:20 p.m.

Business Meeting

The business meeting began at 9:35 p.m.

Approval of Minutes: July 13, 2005

Andrea Ochs moved to approve the minutes for July 13, 2005. Michael Hermann seconded the motion. Motion passed unanimously by voice vote. Minutes approved as presented.

Executive Board Minutes

The minutes of the Executive Board meeting held August 31st, 2005 were previously distributed via first class mail for their review.

Treasurer's Report

Adam briefly reviewed the Treasurer's Report, and noted that the commission has hired a new auditor, Vance DeBouter.

Jim Peabody moved to approve the Treasurer's Report; Andrea Ochs seconded the motion. Motion passed unanimously by voice vote.

Committee Reports

Local Government

None.

Act 250 Committee

Adam called attention to the Executive Board meeting minutes of August 31st (page 2) for a list of applications and permit approvals. Six new Act 250/248 applications have been received, and the District Commission issued six new permits.

Natural Resources Committee

No meeting held.

TAC Transportation Committee

Committee report to follow under "New Business." Adam noted that State Secretary of Transportation Dawn Terrill

met with Town Officials in Middlebury on September 13th to discuss the deteriorating conditions of the town's bridges and an urgent need for the proposed Cross Street Bridge. TAC is scheduled to meet next Wednesday, September 21st to reassess the priority list of capital program projects (copy attached). Adam encouraged members to submit their comments and suggestions prior to the meeting.

Utilities, Facilities & Services Committee

No additional report.

Joint Partners Report:

None.

Delegates/Staff Recognition:

Adam announced delegate Elizabeth Golden's recent marriage to Mark Pigeon; and ACRPC's Watershed Planner Neil Fraser's son, William Forrest Fraser, was born last week, on September 9th.

Old Business

Committee Membership for FY 05-06

Committee assignments are listed in Adam's September 6th memo, included in packets mailed to members this month. Don Shall noted that Michael Herrman's name should appear on the Bylaws Committee. Elissa Close asked that her name be added to the Natural Resources Committee. On behalf of the Bylaws Committee, Thea Gaudette reminded members that most of their work will be done by email and should plan to meet prior to the full commission's monthly meetings on an as-needed basis.

Velco Update

Adam reported that the Public Service Board held oral arguments on whether to reopen Velco's Certificate of Public Good, and a decision is expected within a week. Aesthetic mitigation is proceeding well, and Velco has incorporated most of the requests received.

Bob McNary asked the commission to send a letter to Velco asking what cost increase will impact ratepayers.

Adam explained that the anticipated rate increase is one issue currently before the Public Service Board and part of the reason for the remand.

Chapter 117 Rules Now in Effect

Adam distributed a copy of a memo from the commissioner of the Vermont Department of Housing and Community Affairs (DHCA), John Hall (copy attached) that outlines changes to Chapter 117, effective September 1, 2005.

New Business

Year End Report for DHCA

Adam distributed the commission's FY2004-2005 Year End Report (copy attached), describing it as a good reference tool that outlines the activities and work done by the ACRPC staff on behalf of the commission. Adam

explained that the Department of Housing and Community Affairs (DHCA) is a major funding organization that requests a year-end report detailing how the money was spent.

Summary of Addison Region Planning and Exercising Grant

The attached list of Emergency Management Activities outlines the uses of the HSU planning grant. Adam noted that September has been designated as Disaster Preparedness Month, and Homeland Security has funded an amount of \$2,500 for the purpose of public outreach.

Bob McNary stressed the need to focus on the repair and replacement of infrastructure both county- and state-wide, given that in the event of anything catastrophic, infrastructure would suffer most.

Transportation Planning Projects and Project Prioritization

Adam advised that the list of Capital Program Projects adopted by the Transportation Advisory Committee represents the message being sent to VTrans for the projects, or candidates for projects, slated for the region. The list will be reviewed at TAC's meeting next week. Adam also asked members to review the FY06 Transportation Planning Feasibility Studies adopted by TAC (copy attached).

Adjournment

Andrea Ochs moved to adjourn; Karl Neuse seconded the motion. Motion passed unanimously by voice vote. The meeting adjourned at 10:15 p.m.

Submitted by Peggy Connor