

Addison County Regional Planning Commission

Full Commission Meeting

Wednesday, December 12, 2007

The Addison County Regional Planning Commission met at the ACRPC office on December 12, 2007, Fred Dunnington presiding.

ROLL CALL:

<i>Addison:</i>	Tim Davis	<i>Orwell:</i>	Andrea Ochs
<i>Bridport:</i>	Edward Payne Andrew Manning Mike Gamach Mark Puglia	<i>Panton:</i>	
<i>Bristol:</i>	Jim Peabody	<i>Ripton:</i>	Jeremy Grip
<i>Cornwall:</i>	Ralph Teistheid	<i>Salisbury:</i>	
<i>Ferrisburgh:</i>	Larry K eyes Bob McNary	<i>Shoreham:</i>	Elizabeth Pidgeon
<i>Goshen:</i>		<i>Starksboro:</i>	Jim Lockridge
<i>Leicester:</i>		<i>Vergennes:</i>	Renny Perry
<i>Lincoln:</i>	Steve Revell	<i>Waltham:</i>	
<i>Middlebury:</i>	Fred Dunnington Brian Bauer	<i>Weybridge:</i>	Nadine Barnacle
<i>Monkton:</i>	Charles Huizenga	<i>Whiting:</i>	Ellen Kurrelmeyer
<i>New Haven:</i>	Harvey Smith		

CITIZEN INTEREST REPRESENTATIVES:

Addison County Farm Bureau: Kent Wright
Addison County Economic Development Corp.:
Otter Creek Audubon Society:
Otter Creek Natural Resources: Jonathan Chamberlain

ADDISON COUNTY REGIONAL PLANNING COMMISSION

ACRPC EXECUTIVE BOARD

CHAIR: *Fred Dunnington*
VICE-CHAIR: *Elissa Close*
SECRETARY: *Thea Gaudette*
TREASURER: *Andrea Ochs*
Renny Perry
William Sayre
Bruce Webster

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: *Jeffrey Owen*
WATERSHED PLANNER: *Amy Diller*
OFFICE MANAGER/BOOKKEEPER: *Pauline Cousino*
TELEPHONE: 388-3141 **FAX:** 388-0038

Public Program

Addison County Regional Planning Commission's Chair, Fred Dunnington, thanked all for coming to ACRPC's program with its legislative delegation. He began the program by introducing Senator Harold Giard, Representative Betty Nuovo and Representative Steve Maier. Senator Giard agreed to speak first. He discussed legislation he had helped pass to aid Vermont's dairy farmers. He also spoke about his work on the Education Committee. He believes our education system is far too regulatory. He believes education needs to be much more unfettered to allow it to succeed. Lastly, he noted that he is on the Champlain Bridge Committee. He is interested in the regions economic viability. When the bridge is replaced/reconstructed, he wants to make sure that we work to improve access to the Vermont Side of the lake. Lastly, he sits on the poverty council. He believes poverty is a rising concern. Economic development will need to be something that comes from within, from our small business sector. Senator Giard spends a lot of time dealing with requests from people to help them. He told one story of a young man he helped transition from prison to getting certified as a licensed electrician.

Next Representative Betty Nuovo of Middlebury spoke. She commended ACRPC's Transportation Plan. She expressed her pleasure that the Cross Street Bridge was the region's top priority. She also noted that she will be participating in the TAC meeting concerning the Champlain Bridge next Wednesday. She expressed her support for a roundabout at the Route 7 and Exchange Street intersection in Middlebury. She believes it is dangerous as it is and the roundabout would fix the safety problems and provide a northern gateway to the Town of Middlebury.

Regarding land use planning, Representative Nuovo spoke against the new neighborhoods program and noted that she wanted to protect Act 250. She did not believe that the incentives in the bill would lower housing costs. Representative Nuovo also expressed that she was interested in promoting renewable energy as a source of economic development.

Representative Steve Maier spoke next. He noted that the main problem facing transportation is its funding stream. He will support a gas tax again this year because he believes additional revenue is needed to maintain Vermont's infrastructure. He also noted that he remains concerned about the Circ highway and its costs. He hopes that what may come out of that will be something smaller than the original plans.

Representative Maier expects an energy bill to come back as a priority this year. He also expects a campaign finance bill will come back. Representative Maier also noted that he expects housing/ affordable housing bill will come out of the legislature. Lastly, Representative Maier noted that healthcare is his area of expertise and that he will be working on that this session evaluating the Catamount Health Plan.

Commissioner Kurrelmeyer asked Representative Maier how he felt about H304, which provides health insurance to cover hospital stays for all Vermonters. Representative Maier noted that his committee will be looking at it. However, he noted that a couple of years ago his committee decided that it would be better to address primary and preventative care instead of hospital stays.

Commissioner Manning asked Representative Maier whether he knew how Catamount Healthcare was doing. Representative Maier noted that in the first two months, about 2,000 people had signed up for the program. They had a goal of 3,000 in the first six months. Representative Maier noted that there are currently about 65,000 uninsured Vermonters, about half of which are currently eligible for existing programs.

Commissioner Peabody asked each of the delegation if they would vote to raise taxes next year. Representative Nuovo responded that her vote would depend upon her constituents' needs and the purpose of the tax.

Representative Maier noted that he has already stated his support for the gas tax to support the transportation network. He also noted that he might support tax increases to support energy efficiency programs.

Senator Giard noted that he will not support new taxes. He believes that the middle class in Vermont is feeling tapped out and he cannot support new taxes.

Fred Dunnington noted that the Town of Middlebury is investigating local sales tax, and/or a tax increment financing districts, or some other options to support the Cross Street Bridge.

Commissioner Tim Davis noted that the State had done a good job supporting the farm to school program. He noted that most of that money goes to the schools, not to the farmer producing the fresh produce. Senator Giard noted that supporting the local farming economy is important. He noted that the schools needed equipment to store the fresh food and he hoped that maybe they could switch the incentives in the future.

Brian Bauer asked about teacher's pension and healthcare. He noted that dependents are expensive for families to cover. He also noted that he agreed with Senator Giard's assertion that education needed more innovation.

Brian noted that Vermont needs to create a whole life education system. People are switching careers and need some support to do that.

Finally, Brian noted that people need to be personally responsible for their own welfare.

Senator Giard noted that education needs new leadership that looks at it from the outside and moves toward success, not merely defends against failure. Education is a \$1.2 Billion industry with no leadership just trying to survive. He noted he is struggling with how to empower the leadership to change.

Commissioner Bob McNary noted no programs exist for gifted students. He believes that needs to change. Representative Nuovo blamed part of the problem on No Child left behind. Teachers teach to the test. It doesn't work.

Commissioner Davis noted that science teachers should have science degrees, not merely education degrees.

Commissioner Teisthied asked Senator Giard if we are going to create economic development from within, how the Senator feels about zoning excluding industrial uses in towns. Senator Giard responded that jobs are important, but he would need to look at the situation specifically.

Commissioner Barnicle asked whether any one of the Addison County Delegation will move to Transportation. Representative Nuovo noted that committees are appointed at the beginning of the first session. This will be the second session of this biennium.

Senator Giard noted that Middlebury got its bridge back on the list because of Fred Dunnington effort on behalf of Middlebury.

Brian Bauer noted that Vermont should do more to help women businesses. Senator Giard noted that he recently saw an advertisement targeting women, but agreed.

Commissioner Ochs thanked the delegation members and noted that she appreciated Senator Giard's stand on taxes. She noted that the agricultural community would be hurt by the gas guzzler tax.

The public program concluded at 8:30 p.m.

Business Meeting

The Business Meeting commenced at 8:40 p.m.

I. Approval of Minutes: November 14, 2007

Andrea moved to approve the meeting minutes for November 14, 2007; Renny Perry seconded the motion. The Commission approved the minutes by a voice vote, with Kent Wright opposed.

II. Executive Board Minutes: None

No action required.

III. Treasurer's Report

Adam distributed an updated Treasurer's Report, noting revenues are temporarily running behind expenses. He noted he believes that will be remedied next month by the second round of dues from DHCA and some new quarterly billing.

Renny moved to accept the Treasurer's Report; Elizabeth seconded the motion. The Commission approved the Treasurer's Report unanimously by voice vote.

IV. Committee Reports

Renny Perry moved to open the Act 250 report on the Lathrop Gravel Pit in Bristol and to defer all committee reports except for that of the Act 250/248 committee to another meeting given the items on the agenda. Andrew seconded the motion. All approved, except Elizabeth Pidgeon who abstained.

Act 250 and 248: Fred Dunnington introduced the discussion of the Lathrop Gravel Pit tabled from last meeting. He noted that **the Act 250 Committee had reviewed the project, found it did not have significant regional impact and had recommended and moved that the commission find that the Lathrop Gravel Pit be found not to have "significant regional impact" as defined in the Addison County Regional Plan and therefore refrain from participating in the Act 250 process.**

Fred asked that a representative of the Applicant briefly describe the project. Jim Lathrop asked that Steve Revell, a commissioner from Lincoln and one of his consultants on this project. Steve began by noting that he was a little concerned with the Full Commission having a hearing on the committees recommendation, and stated that he hoped the Commission would limit its action to its own criteria for "substantial regional impact" and not open debate more properly before the District Commission. Fred responded that the Commission knew its role and the sole question before it was whether the application raised significant regional impacts that might trigger ACRPC's involvement in the Act 250 process or not. Steve then described the gravel pit project in the general terms of the application.

Fred thanked Steve for his report. Fred then asked Ellen Kurrelmeyer, Chair of the Act 250 Committee to explain the Committee's Report. Ellen noted that the Committee reviewed the project pursuant to ACRPC's "significant regional impact" criteria with the Bristol Delegation and that the Committee voted unanimously to find no "significant regional impact" as defined by the Addison County Regional Plan. Because no "significant regional impact" exists, the Committee proposed that ACRPC not participate in the project's Act 250 hearings. Ellen specifically noted that ACRPC's delegates from Bristol represent either end of the political spectrum, yet both strongly urged ACRPC not to get involved.

Jeremy Grip moved to accept the Act 250 Committee report. Ed Payne seconded the motion.

Elizabeth Pidgeon asked that members of the public from Bristol be allowed to speak.

Fred Dunnington turned the floor over to John Moyers, a citizen of Bristol opposed to the project who spoke for the projects opponents. Mr. Moyers concentrated his discussion on reasons he believed ACRPC should find that the project has significant regional impacts and why he and his citizen's group would like ACRPC to oppose the project. Mr. Moyers contended that:

1. The project will have no positive economic impact;
2. The project location will deprive Bristol of its best place for growth and encourage sprawl;
3. Will affect the town tax structure by impacting the values of other properties.
4. The application is incomplete because:
 - a. it fails to assess the impact of the construction of the access roads
 - b. The noise tests were inadequate;
 - c. The Applicant failed to evaluate how blasting might impact the Town's water supply
5. The project expanded a prior non-conforming use.
6. The Bristol Cliffs Wilderness area will be impacted by the pit because the pit will be visible from the cliffs above it.
7. The regional plan values both gravel and good development land and this application deprives Bristol of good development land.
8. The project goes against the Bristol Town Plan.

Fred Dunnington invited Jim, Lathrop, representing the applicant to rebut Mr. Moyers testimony. Mr. Lathrop noted that he believed Mr. Moyers misrepresented many facts in the application. He noted that the pit's business will certainly create a positive economic impact for other local suppliers and other businesses. He also noted that most places in Addison County need the gravel.

Adam Lougee spoke noting that Mr. Moyers had quoted extensively from a memo he had written to the Bristol Zoning Board of Adjustment 3 years ago. Mr. Lougee noted that the project application had changed substantially from the previous application before the zoning board at the time he wrote the application. He noted he no longer felt the memo he had written fairly reflected the change in circumstances. He also noted that the primary purpose of the memo was not to tell Bristol how it must act. Rather, it was to explain options available to the Bristol Zoning Board at that time and enable the Zoning Board to make the best, most informed decision that they could. Since the purpose of the memo was to help Bristol make a local decision, Mr. Lougee did not feel Mr. Moyers was fairly construing his work as advocacy for regional involvement.

Tim Davis asked whether the neighbor's group had offered to purchase the property. Mr. Moyers responded that they had.

Elizabeth Pidgeon stated she felt that the Commission should find significant regional impact because the zoning should be interpreted to support the Plan, and this application seemed not too.

Bob Mc Nary also noted that a gravel pit of this size would have regional impacts on the Village of Bristol.

Renny Perry respectfully disagreed. He noted that the Committee gave a thoughtful review of the project under ACRPC's criteria and felt it was not the commission's place to override that, especially since no officials from the Town of Bristol had requested ACRPC's support.

Andrea Ochs also expressed her opinion that this commission generally had adhered to a policy of not interfering in local decisions unless towns had requested help.

Brian Bauer noted support for the Committee decision and called the question. Ed Payne seconded the call. All voted in favor of calling the question except Elizabeth Pidgeon.

Fred then recited the motion before the commission: That the Addison County Regional Planning Commission find that the Lathrop Gravel Pit be found not to have "significant regional impact" as defined in the Addison County Regional Plan and therefore refrain from participating in the Act 250 process.

Brian Bauer requested that votes be taken by a show of hands rather than a voice vote.

Fred asked for a vote in favor of the motion to raise their hands. He called for those opposed to the motion to raise their hands. He called for all abstaining o raise their hands. Fred announced the motion carried 14 in favor, 4 against and 1, Steve Revell, abstaining because of a conflict of interest.

V. Joint Partners Report

None.

VI. Delegate/Staff Recognition

Fred Dunnington noted that Bridport had a new alternate representing it at the meeting, Mike Gamach. He invited Mike to say a couple of words, which Mark declined.

VII. Old Business

Set Hearing Schedule for the Transportation Plan: Fred noted that ACRPC's next program would be its hearing on the Transportation element of the Addison County Regional Plan. Adam noted that he had handed a copy of the draft Plan to the members of the full commission at last meeting and invited any one wanting a copy of the Plan to see him after the meeting.

Other None.

VIII. New Business

Proposed Municipal Assessment FY 2008-2009. Fred noted that the commission usually adopts its municipal dues in December, ahead of town meetings. He noted that staff had proposed that dues increase to \$1.05 per person per town. After a short discussion of the current dues rate and the last time they were raised 2-3 years ago. **Jim Peabody moved to approve a rate increase to \$1.05/capita; Andrea Ochs seconded the motion, which passed with all in favor except Delegate Kent Wright who opposed the measure.**

Peak Oil. Fred noted that the Town of Middlebury had been approached by a group looking to discuss Peak Oil and to potentially create a planning committee for the region. The Selectboard had deferred and recommended that the group speak with the regional planning commission. The group has approached ACRPC and asked to present. Fred and Adam had told them that they could present in February. If any one has any ideas for the other portion of a panel to make sure we get a balanced presentation, please speak with Adam.

Municipal Planning Grants.

Adam announced that the following municipalities in the region had received municipal planning grants: Lincoln, New Haven, Starksboro, Vergennes Waltham and Whiting received grants to work on their municipal plans. Middlebury received a grant to work on a Downtown Riverfront Action Plan.

IX. Members' Concerns/Information

Adam noted that he would be sending all those for whom he has e-mail addresses an online survey from the Vermont Public Service Department. The survey is intended to help the Department evaluate and plan for Vermont's future energy needs and goals.

Adam also noted that Kevin Behm had been hard at work creating maps of the towns to decorate the office and invited every one to look at them on their way out.

X. Adjournment

Andrea Ochs moved to adjourn; Renny Perry seconded the motion. Motion passed unanimously by voice vote.

Meeting adjourned at 9:50 p.m.

Submitted by,
Adam Lougee
