

Meeting Minutes
Addison County Regional Planning Commission
Wednesday, October 12, 2011

ACRPC held its Monthly Meeting at its office at 14 Seminary Street in Middlebury on October 12, 2011 with Harvey Smith, the Chair, presiding.

ROLL CALL:

Addison:

Bridport: Andrew Manning
Mark Pumiglia

Panton:

Bristol: William Sayre
Peter Grant
Garland Chico Martin

Ripton:

Salisbury: Bryan Jones

Cornwall:

Shoreham:

Ferrisburgh:

Starksboro:

Goshen:

Vergennes:

Leicester: James Maroney

Waltham:

Lincoln:

Weybridge:

Middlebury: Fred Dunnington

Whiting: Ellen Kurrelmeyer

Monkton: Charlie Huizenga
Wendy Sue Harper

New Haven: Harvey Smith
Linda Horn

Orwell: Andrea Ochs

CITIZEN INTEREST REPRESENTATIVES:

Addison County Farm Bureau:

Kent Wright

Addison County Economic Development Corp:

Harvey Smith

Otter Creek Audubon Society:

Margaret Lowe

Otter Creek Natural Resources:

Paul Wagner

Addison County Chamber of Commerce:

ACRPC EXECUTIVE BOARD

Chair: Harvey Smith

Vice-Chair: Jeremy Grip

Secretary: William Sayre

Treasurer: Fred Dunnington

At Large: Steve Revell

Andrew Manning

Ellen Kurrelmeyer

STAFF

Executive Director: Adam Lougee

Assistant Director/GIS Manager: Kevin Behm

EM/Senior Planner: Tim Bouton

Transportation/Senior Planner: Richard Kehne

Land use Planner: Claire Tebbs

Office Manager/Bookkeeper: Pauline Cousino

Regional Planner: Kevin Lehman

Addison County Regional Planning Commission

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ACRPC Regional Plan Amendment and Re-Adoption Public Hearing Comments October 12, 2011

PUBLIC HEARING:

Harvey Smith, ACRPC Chair, opened the public hearing at 7:30. Adam Lougee, ACRPC Director, noted that this is the 3rd public hearing on the proposed amendments and re-adoption of the Addison County Regional Plan. All the comments received to-date have been reviewed by the Natural Resources Committee (NRC) and many have been incorporated into the plan. All the comments and the NRC's response to the comments are available for review and have been mailed to Commission Delegates and Alternates. After this hearing, if all comments have been satisfied, ACRPC may bring the proposed plan with amendments to a vote.

Linda Horn – LH, felt the Natural Resource Section was very informative and easy to read and understand.

James Maroney – JM stated that he had sent a 16 page letter with many objections and all of them seemed to be denied. The water quality language is weak and does not reflect the serious impacts to lake and river water quality by conventional agriculture. He has attended several meetings lately concerning agriculture and water quality and the impact of conventional dairy farming on water quality is not clearly addressed. He stated that a recent Lake Champlain TMDL (Total Maximum Daily Load) meeting with EPA officials noted that approximately 50% of lake phosphorus is attributable to conventional dairy farming, yet the policies stated in the plan under consideration supports the historical farming paradigm which has clearly failed. The plan should be forward-thinking in addressing conventional dairy and phosphorus.

Andrea Ochs – AO replied that as Chair of the NRC, the Committee reviewed all comments. She assured JM that his comments were read and fairly reviewed by the committee. An entire meeting was spent on his comments and some of them were accepted into the plan draft.

Bryan Jones – BJ asked how the Commission reviews the comments of JM.

Harvey Smith – HS clarified that the NRC is comprised of Commission members, who develop a draft amendment for review by the entire Commission. The Commission has complete authority over the content of the plan. He added that all of the NRC drafts and comment responses have been available to all members of the Commission.

Addison	Bridport	Bristol	Cornwall	Ferrisburgh	Goshen	Leicester
Lincoln	Middlebury	Monkton	New Haven	Orwell	Panton	Ripton
Salisbury	Shoreham	Starksboro	Vergennes	Waltham	Weybridge	Whiting



Fred Dunnington – FD noted that there were not enough commissioners present to vote on the plan this evening. In addition, no members of the public were present and Commission members have already expressed their interest in the plan through 2 prior hearings and additional meetings, so it's appropriate to make a motion to close the Public Hearing. Motion was seconded by LH.

Mary Dodge – MD noted that she was a member of the NRC when much of the draft was developed, but she is not a member of the Commission currently. However, she felt the discussion should proceed.

Fred Dunnington – FD withdrew the motion stating that it was not his intention to limit discussion.

Andrea Ochs – AO stated that the plan considers all agricultural practices and clearly calls for agricultural operations to adhere to all water quality regulations. The NRC did not intend to set different farms against each other, i.e. conventional dairy vs. fruit production vs vegetable farms. The committee tried to address all agriculture equally.

Adam Lougee – AL stated that JM has thoughtful comments with good arguments concerning the oversupply of milk in the dairy industry and water quality impacts. However, he believes JM's proposed solution to convert all dairy farms to organic production does not constitute a realistic market solution to the problem. AL believes this would be a difficult cultural and financial transition and there would not be enough organic markets for all the production. He notes that the draft plan relies on four elements within the existing system to address water quality; a) diversification, including organic b) technology, like biomethane production c) water quality regulations, and d) Best Management Practices.

James Maroney – JM stated that the plan does note that conventional dairy is in trouble with fewer farms every year while organic farming is increasing. He would like Vermont to abandon conventional dairy and focus policies on encouraging organic production of a product that consumers want.

Margaret Lowe – ML stated that JM's economic development policies are better suited for the economic development section of the plan. She didn't feel the Plan should mandate a particular production technique, but it can call for water quality standards that all agriculture must adhere to.

Paul Wagner – PW said that he was a dairy farmer and he spent a lot of time and money on productivity and water quality. Additional regulations are not needed if everyone follows the ones currently required. In addition, milk can be shipped to markets all over New England.

Charlie Huizenga – CH noted that poor water quality is also the result of municipal sewer and wastewater systems and urban runoff, it is not just the result of farm practices. Residential weed control is another major pollutant.

Harvey Smith – HS noted that about 50% of the land use in the Lake Champlain Basin is agricultural and it does contribute the largest percentage of phosphorus, but farmers are helping to clean-up the lake with advanced Best Management Practices.

James Maroney – JM said that he wants to see agriculture continue in a profitable fashion and not pollute the lake. Increasing production is counter-intuitive in that it also forces prices down.

Fred Dunnington – FD said that JM’s analysis makes many good points, however the Regional Plan has a rather limited role in agricultural policy. The Commission can consider whether any additional language needs to be added to the plan before the next commission meeting.

Harvey Smith thanked everyone for the useful discussion and closed the Public Hearing at 8:30.

BUSINESS MEETING:

Harvey Smith, the Chair, called the Business Meeting to order to address the agenda before the Commission at 8:30 p.m.

- I. Approval of Minutes: September 14, 2011** – Harvey asked for a motion on the Minutes. Charlie Huizenga moved to table the minutes since they were handed out immediately prior to the meeting and no one had been given sufficient opportunity to review them. Margaret Lowe seconded the motion. After a brief discussion, **The Commission tabled the minutes until its next meeting.**
- II. Executive Board Minutes: September 27, 2011** - Harvey explained that the Draft Executive Board Minutes are provide for information only, and asked if anyone had any questions. No one asked another question on the Executive Board minutes.
- III. Treasurer’s Report** – Adam reported on the Treasurer’s Report dated October 12, 2011. Adam noted he expected to have a final audit and to be able to close last year’s books prior to the next full commission meeting. In the meantime, he reported that our cash balance is still strong. He noted that receivables were decent even though we had items still to bill. However, even at year end revenues still lagged slightly behind expenses, if we include the entire cost of the car purchased this year as an expense. He noted that the gap had closed considerably since his July report and he expected when the audit was completed we would end the year in the black. Adam offered to answer any questions. **Andrea moved**

acceptance of the Treasurer's Report. Ellen seconded the motion. The motion to accept the Treasurer's Report was approved by voice vote with all in favor.

IV. Committee Reports:

- a. **Act 250.** Ellen noted that the commission had some activity this month including the following:

New Applications:

1. On September 14th Martin and Carol Kulczyk of North Branch Road in Ripton applied for an Act 250 application to build 10 cottages on their 112 acre property that currently contains their home. We have received notice that the district 9 Commission will treat this application as a minor unless a party requests a hearing prior to October 18th.
2. On September 14th Green Mountain Power applied for a Certificate of Public Good under Section 248 of Title 30 to construct an NPS 100 Wind Turbine on the campus of the Northland Job Corps in Vergennes.
3. On September 14th the ACoRN Energy Coop applied for a Certificate of Public Good under Section 248 of Title 30 to construct a 150 kW solar array to be located at 1 Lucious Shaw Lane in Middlebury, the site of Middlebury's former wastewater facility.

Approvals or Denials:

1. On September 21, 2011 the District 9 Environmental Commission issued an Administrative Amendment to the President and fellows of Middlebury College to move the previously permitted solar house from one location to another on Porter Field Road.
2. On September 27, 2011 the District 9 Environmental Commission issued an Administrative Amendment to the President and Fellows of Middlebury College to construct some minor improvements and make renovations to the cross country ski trails in Ripton.
3. On September 27, 2011 the District 9 Environmental Commission issued an Administrative Amendment to the Addison County Humane Society to renovate its existing building at 238 Boardman Street in Middlebury.

Other:

On September 29, 2011 the Federal Energy Regulatory Commission issued a permit approving a recreational design for a fishing access at the Sugar Hill Reservoir in Goshen as part of its relicensing process for the hydroelectric facility at the same location.

- b. **Local Government.** Adam reported that the committee did not meet, but should expect a meeting in November with the Town of Weybridge.

- c. **Natural Resources.** See the hearing above and new business below.
 - d. **TAC.** Andrew Manning reported that the TAC had met and reviewed the town applications for projects that ACRPC funds with its TPI funding. Andrew noted a number of good projects and that the TAC had made its final decisions on the projects and chosen a sidewalk study for Middlebury on Exchange Street, A culvert study on 116 in Starksboro and a traffic study around “Field Days” in New Haven. Andrew also noted that VTrans intends to open the Champlain Bridge on October 24th.
 - e. **Energy.** Adam reported that the Energy Committee had met and discussed the projects ACRPC is currently pursuing. Adam explained that the biggest item of interested would be the PACE program ACRPC is holding at the RPC office on October 27, 2011 at 7:00 p.m. He hopes all your selectboards and treasurers will attend so they understand what administering a PACE District entails. He also hopes many will put together a vote in March for Town meeting day.
 - f. **Brownfields.** Adam noted that the committee did not meet and that most of its projects were wrapping up.
- V. **Joint Partners Report:** Harvey Reported that ACRPC, ACEDC and ACORN were holding a joint financing workshop all day on November 10th at the American Legion in Middlebury to try to link farmers with capital to support or expand their operations.
- VI. **Delegate/Staff Recognition/ Project Highlights:** Adam noted again to everyone that **Claire had her baby in September, a healthy baby boy named Innis, who is pictured in the newsletter.**
- VII. **Old Business:**
1. **Committee Assignments.** Harvey noted that ACRPC requests that each of its delegates or alternates serve on at least one committee in order for the commission to more efficiently address its workload. He noted that the Executive Board reviewed the requests it actually received and made committee assignments based upon those requests. Anyone still desiring to serve on a committee should speak with a member of the Executive Board or Adam. **Bryan Jones requested that Adam redistributed the committee assignments for the year. A copy of the Committee Assignments is attached as Exhibit A.**
 2. **Orientation Manual:** Adam noted he had made 10 copies of the manual for distribution tonight and requested that the new members of the commission be offered the first opportunity to take them. **Someone pointed out that the list of Delegates is from last year and should be re-inserted. Adam agreed he would take care of that for next meeting.**
 3. **Other:** Adam noted that the Chittenden County RPC had recently chosen to take the name “Champlain Valley Commission”. He informed the Commission that he had been

instructed unanimously by the selectboard to oppose the name change and write a letter to CCRPC requesting that they reconsider their name in relationship to the area they serve.

VIII. New Business:

1. Hurricane Irene Response. Adam outlined the actions staff of ACRPC had been taking to help our towns and towns in other parts of the State address the impact of Hurricane Irene. He noted we should be reimbursed for the work by VTrans and VEM.
2. Vote on the adoption of the 2011 Natural Resources Section, Utilities facilities and Services Section and the Land Use Section of the Plan and readoption of the entire plan. The Commission tabled this action item until next month when it can have a greater number of commissioners attend and participate to help us pass the vote.
3. Other. Andrea noted that the Farm Bureau would be having Dan Conant speak on solar structures on barns at their next meeting at the Hannaford Career Center.

IX. Members Concerns: None.

X. Adjourn: There being no further business, Peter Grant moved to adjourn the meeting; Andrea seconded the motion and Harvey adjourned the meeting at 9:00 pm.

Respectfully Submitted,

Adam Lougee
Executive Director

ACRPC COMMITTEE ASSIGNMENTS SEPTEMBER 2011

Standing Committees:

1. **Act 250.** To review all Act 250 applications for a “significant regional impact” as defined in the Regional Plan and to support towns in the Act 250 process. If a regional impact exists, or if a town requests assistance, conduct a review of the application to determine whether it complies with the Regional Plan pursuant to 10 V.S.A. §6086(a)(10) and make a recommendation concerning a position to the Executive Board and Full Commission.

Members 2011-2012:

Ellen Kurrelmeyer, Chair
Andrew Manning
Wendy Sue Harper

Steve Revell
David Hamilton

Staff: Tim/Adam

Thea Gaudette*
Fred Dunnington

*Thea Gaudette has requested to receive minutes only via email

2. **Local Government.** Conduct a regional review, including a public hearing, of Town Plans for communities requesting regional confirmation. The review shall be conducted pursuant to the criteria set forth in 24 V.S.A. §4350. Upon conclusion of the hearing, the committee shall make a recommendation for a vote of the Commission. (We may expand the charge of the Committee to also facilitate cooperation among municipalities).

Members 2011-2012:

Thea Gaudette, Chair
Andrea Ochs

Staff: Claire/Adam

Andrew Manning
Fred Dunnington

Ad Hoc Committees:

3. **Natural Resources.**ⁱ This committee’s current primary objective consists of rewriting a natural resources section of the regional plan. Additionally, as necessary, it may address other topics concerning or impacting significant natural resources in the region and make recommendations for policy or actions to the Executive Board and Commission.

Members 2011-2012:

Andrea Ochs, Chair
Ed Payne
David Hamilton
Mark Pumiglia

Kent Wright
Peter Grant
Bryan Jones

Staff: Kevin

Margaret Lowe
James Maroney
Paul Wagner

4. **Transportation Advisory Committee.** The TAC conducts the transportation-planning role of the regional planning commission. It operates as an ad hoc subcommittee of the RPC and recommends priority transportation projects, makes recommendations for the selection of consultants, assigns any planning funds reserved to local planning projects from the transportation portion of the budget and makes recommendations for transportation related policy or actions to the Commission. The Transportation Advisory Committee consists of

designees of each town that may or may not be members of the RPC. Commissioners desiring to serve on this committee should also speak with their Selectboard and make sure that the Selectboard has not already appointed a delegate to the TAC and request that the Selectboard approve their appointment to the committee.

Municipal appointments of made by Selectboard for 2011/2012: Staff: Rick

Chair: Will Sipse, Lincoln

Addison: Jeff Nelson

Bridport: Andrew Manning
Alt: Ed Payne

Bristol: Peter Grant

Cornwall: Ralph Teitschied

Ferrisburgh:Lorretta Lawrence
Alt. Bob McNary

Goshen: Jeff Whiting
Alt: Jim Hayes

Leicester: Diane Benware
Finger

Lincoln: William Sipse

Middlebury: William

Monkton: Thea Gaudette
Alt. Charlie Huizenga

Alt: Elwin Isham
New Haven: Roger Boise
Alt: Charles Roy

Alt: Fred Dunnington
Orwell: Carla Ochs

Panton: J. Douglas Dows

Ripton: Steve Zwicky
Alt: Mar Harrison
Susan Riet de Salas

Salisbury: Jack Beasley

Shoreham:

Starksboro: Jan McCleery
Alt: Richard Warren

Vergennes: Greg Edwards
Alt. Diane Lanpher

Waltham: Tom Yager

Weybridge: Jan Albers

Whiting: Ellen Kurrelmeyer
Alt. Delwin Fielder
Francis Fielder

Please note that if your Selectboard has already appointed a member to the TAC, the Executive Board appointed Commissioners requesting this committee as alternates or appointed them to another committee.

5. **Energy.** The Energy Committee of the Addison County Regional Planning Commission shall be responsible for implementing the policies, goals and recommended actions contained within the Energy Section of the Addison County Regional Plan. As such it shall be responsible for the following:
 - a. Establishing an ongoing educational process concerning energy issues within the region;
 - b. Helping to activate and provide support for the town energy coordinators in the region, specifically helping them or other town officials to pursue heating for public buildings and biomass;
 - c. Finding funding opportunities for local energy generating projects;
 - d. Identifying possible locations for and infrastructure requirements for appropriate hydro, wind, solar or bio-fuels, including biomass opportunities within the region;

e. Supporting local or regional conservation programs, and participating in planning for or reviewing Act 248 projects and making policy or action recommendations to the Executive Board or Commission.

Members 2011-2012:

Harvey Smith, Co-Chair
Jeremy Grip Co-Chair
Kent Wright
Charles Huizenga
Larry Keyes
Fred Dunnington
Linda Horn
Bryan Jones

Staff: Kevin L/Adam

Ed Payne
Alyth Hescoock
Wendy Sue Harper

Appointments to other state or regional boards:

Vermont Association of Regional Planning Commissions (VAPDA) – Harvey Smith; Alt. Fred Dunnington
Vermont Economic Progress Council - Bill Sayre
Addison County Chamber of Commerce – Bill Sayre
Addison County Economic Development Corporation – Fred Dunnington;
Vermont Downtown Board – Fred Dunnington

The Executive Board worked from the pool of responses it received. If we did not receive a response from you, you were not assigned to a committee. If you would like to serve on a Committee, please submit a request for a committee assignment to either Adam or a member of the Executive Board.