

**Southern Windsor County  
Regional Planning Commission**

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Minutes of Tuesday, February 24, 2015  
Springfield Town Offices, Springfield, VT

**Commissioners Present:** Peter Daniels (Chair), Weathersfield; Tom Bock (Vice Chair), Chester; Carol Lighthall (Treasurer), Baltimore; Joe Fromberger, Andover; Etienne Ting, Cavendish; Clayton Paronto, Windsor; Joe Wilson, Springfield; Norm Vanasse, Ludlow; Logan Nicoll (Alt.), Ludlow; Hal Pyke, West Windsor; Tom Kenyon (Alt.), West Windsor.

**Staff Present:** Tom Kennedy, Jason Rasmussen, Dan Potter, Cynthia Porter, Chris Titus, Allison Hopkins.

**Others Present:** Kristi Morris, David Yesman, Peter MacGillivray.

Peter Daniels opened the meeting at 12:20 PM.

1. Secretary's Report

- a. *Etienne Ting made a motion to approve the January 20, 2015 Secretary's Report as presented. Second by Tom Bock. Motion passed. Norm Vanasse, Peter Daniels and Carol Lighthall abstained.*

2. Treasurer's Report

- a. Discussion on the January 2015 Treasurer's Report included that net income is still a deficit. Each year, we tend to move into positive territory in the 3<sup>rd</sup> and 4<sup>th</sup> quarters. Staff will continue to keep an eye on this situation.
- b. *Joe Fromberger made a motion to accept the January 2015 Treasurer's Report. Second by Joe Wilson. Motion passed unanimously.*

3. Presentation of FY 2014 Audit

- a. Tom Kennedy and Cynthia Porter presented the FY 2014 financial audit. Tom reviewed the notes in the report. It is a clean audit with no substantial findings or concerns. To assist in the review, Cynthia provided the financial numbers – that were provided to the auditor as the basis for the audit – in a format that is familiar to the Commissioners.
- b. *Clayton Paronto made a motion to accept the FY 2014 Financial Audit for the SWCRPC. Second by Norm Vanasse. Motion passed unanimously.*

4. Brownfields

- a. Discussion of Loan Application for the Bright Street Project in Burlington
  - i. Dan Potter reviewed the RLF application for the Bright Street Project.
  - ii. Champlain Housing Trust and Housing Vermont are applying for \$250,000 for a project to redevelop blighted properties in Burlington and create 42 co-op housing units.

- iii. We have about \$250,000 in our old RLF that needs to be utilized soon (i.e. use it or lose it). A new RLF program has \$250,000 available for future projects.
- iv. We have asked our towns but there is no demand for our old RLF at this time.
- v. Champlain Housing Trust and Housing Vermont have not asked for a deferment, so they are expected to start repayment almost immediately in the amount of about \$1,000 a month for 20 years.
- vi. Federal Brownfields funds are drying up, so this will help to keep our regional Brownfields program funded in the future. We have more flexibility with RLF funds once they have been repaid.
- vii. Joe Fromberger noted that is important to make sure we have provisions in the agreement regarding if they don't repay.
- viii. *Joe Fromberger made a motion to authorize staff and the Brownfields Steering Committee to negotiate an agreement for \$250,000 for the Bright Street Project as described in their RLF application. Second by Joe Wilson. Motion passed unanimously.*

b. Update on Loan Agreement with 100 River Street

- i. Tom Kennedy provided an update on the 100 River Street loan agreement. Tom and Dan Potter have been working with Attorney Callahan to combine the existing two notes into one note.
- ii. The balance is \$860,000.
- iii. The draft agreement includes a 20-year payment schedule: \$1,500 a month (first 24 months), \$3,000 a month (25 - 48 months), and \$4,000 a month for the remainder of the pay-back period.
- iv. Default would be triggered by being 10 days late on a payment.
- v. 100 River Street has not yet seen this draft loan agreement.
- vi. 100 River Street is reportedly now cash-flow positive, and has three potential tenants.
- vii. Tom indicated that he hopes to ask the Board for a motion regarding this agreement at the next RPC meeting.
- viii. *Tom Bock made a motion to authorize staff and the Brownfields Steering Committee with the assistance of Chris Callahan to negotiate a loan agreement with 100 River Street. Second by Etienne Ting. Motion passed unanimously.*

5. Discussion of TDI New England Clean Power Link Project

- a. Dan Potter informed the Board that the SWCRPC was granted intervener status by the Public Service Board.
- b. Tom Kennedy stated that, since this is such a large project, it is our responsibility to be informed about and to participate in these proceedings, whether or not we have issues with project impacts.

- c. Dan gave a Power Point presentation summarizing the project. The project involves constructing an underground electric transmission line to connect Hydro Quebec to a new, expanded substation facility in Ludlow (i.e. under Lake Champlain and a network of public roadway corridors).
- d. The applicant appears to have done their homework; there appear to be no major issues with the project in this Region.
- e. The only questions that SWCRPC has regarding the project include: whether a small area of wetland impacts can be avoided/minimized, if there will be any impact on tree canopy or stone walls, and additional information regarding the bridge crossing onto East Lake Road.
- f. Peter Daniels noted that there would be secondary impacts of this project: reversing the Coolidge-Vernon substation connection, and upgrades to the Coolidge-Ascutney line.

## 6. Legislative Issues

- a. Tom Kennedy reported on key legislation:
  - i. H.249 relates to enabling RPCs to become a Council of Government. It would be voluntary. A COG is more service oriented (i.e. it is more than just a planning organization.) Tom noted that the SWCRPC already functions as a service organization with Brownfields and Solid Waste programs. A COG would require more Board representation from Selectboards or Town Managers, which may lend more “gravitas” to the organization.
  - ii. The Water Quality Bill (H.35) was expanded from originally being Lake Champlain specific to now applying statewide. It would seek to address sewage and turbidity issues with the Connecticut River. The current bill also includes provisions to establish a role for RPCs to work with ANR on water quality issues, similar to our TPI role with VTrans. Maintenance of local roads will be one of the major issues related to this bill. Kristi Morris indicated his concern to the Legislature to not put an additional burden onto property tax in order to pay for this.
  - iii. An un-numbered bill would establish a 10-Year Cycle for town plan approvals. Tom indicated that VAPDA does not support this as it is too long to go 10 years between plan updates. Plans should be updated or partially updated more frequently to deal with changing community situations (e.g. West Windsor as it relates to the closed ski area).

## 7. Review of Flood Hazards Areas and River Corridors

- a. Jason Rasmussen gave a Power Point presentation regarding new flood hazard and river corridor planning and regulatory changes, including Act 138 (2012), Act 16 (2013), VT Flood Hazard & River Corridor Rules, and DEC’s Flood Hazard Area & River Corridor Protection Procedures.
- b. All municipal plans adopted after July 1, 2014 must include a Flood Resilience Element.

- c. Nothing in your local flood hazard regulations needs to change as a result. However, you may wish to clarify the exemptions under §4413 and consider river corridor protection provisions per State incentives.
  - d. The new river corridor map was reviewed on ANR's online Atlas.
  - e. State Flood Permits will be required per 24 V.S.A. §4413 (i.e. power generation, telecommunications under Sec. 248a, and exempt farming and forestry activities, state facilities). These State permits will involve both flood hazard as well as river corridor standards.
  - f. Projects that need Act 250 or Section 248 approvals are also subject to these State standards for flood hazard and river corridor protection areas.
- 8. Old Business - None
  - 9. New Business - None
  - 10. The meeting was adjourned at 2:15 PM.