

**Southern Windsor County
Regional Planning Commission**

Monthly Meeting Minutes of Tuesday July 14, 2013
Martin Memorial Hall, Ascutney, VT

Commissioners Present: John Mitchell, Reading; Norm Vanasse, Ludlow; Clayton Paronto, Windsor; Etienne Ting, Cavendish; Joe Fromberger, Andover; Peter Daniels, Weathersfield; Tom Bock, Chester; Hal Pyke, West Windsor.

Staff Present: Tom Kennedy, Jason Rasmussen, John Broker-Campbell, Dan Potter, Cynthia Porter.

Guest: Chris Callahan, Brady & Callahan.

12:20 – Peter called the meeting to order and moved agenda item 5 to the beginning of the meeting.

1. Secretary's Report

- a. Joe Fromberger made a motion to approve the June 18, 2013 meeting minutes as presented, seconded by Tom Bock; passed unanimously.

2. Treasurer's Report

- a. Cynthia Porter provided updated financial information including Profit and Loss and Consolidated Balance Sheet for the end of fiscal year 2013. In answer to Joe Fromberger's question, the loans receivable does reflect money that has been loaned out. The RPC ended the year with a surplus of \$26,000.

Hal Pyke made a motion to accept Treasurer's Report, seconded by Etienne Ting; passed unanimously.

3. At-Large Membership Appointments

- a. The SWCRPC Board Chair may make appointments, but they need to be ratified by the Board in accordance with the Bylaws.

Hal Pyke made a motion to ratify the reappointment of Bob Flint (SRDC) as an at-large Board member, seconded by Tom Bock; passed unanimously.

Tom Kennedy will ask the Windham & Windsor Housing Trust for a representative to serve as an at-large Board member.

4. Committee Membership Appointments

- a. Hal Pyke made a motion to appoint the committee membership as presented, seconded by Tom Bock; passed unanimously.

5. Adoption of North Springfield Sustainable Energy Project MOU

- a. Tom Kennedy stated the process began 1.5 years ago to focus on transportation issues for the NSSEP development site. At that time, John Bruno was hired and presented testimony based on his review of available data. The RPC is utilizing Chris Callahan's services in coordination with the Town of Springfield, but that may change in the future. The Board reviewed a draft Memorandum of Understanding (MOU). The MOU is the

basis for the applicant's permit and becomes part of the record indicating an agreement and understanding between applicant and RPC and will be submitted to PSB. Chris Callahan stated the interest of the RPC in the formal proceedings has been limited to traffic (other issues of concern being addressed by ANR, VNRC, etc.), specifically access into park and impacts on the surrounding road network. In order to mitigate traffic impacts throughout the SWCRPC Region, the RPC has been seeking an MOU to distribute traffic as evenly as possible among VT Routes 103, 11 and 106. Chester has retained their own attorney for traffic concerns.

In contracts for fuel haulers (wood chips), the applicant will agree to follow specified traffic flow patterns and a committee of stakeholders will monitor traffic patterns for at least three years. Norm Vanasse asked what enforcement was available to the applicant or haulers not complying with outlined traffic patterns. Chris Callahan stated that since this is part of the permit, the threat of the applicant losing their permit looms large. Clayton Paronto asked about truck volume; Jason Rasmussen believes the truck volume to be estimated at about 50 deliveries per day (or 100 trips per day) in the application materials. The MOU is based on the Boards list of issues developed and refined throughout the process. The SWCRPC is the only organization carrying the regional traffic concern moving forward.

Tom Kennedy provided a brief update on the Town of Chester's concerns and their attorney's work.

Tom Kennedy asked: will the Public Service Board (PSB) take the approved MOU as a stance by RPC on biomass? Chris Callahan believes it is a matter of perception, but the MOU may be viewed as a position of approval by the RPC, at least regarding traffic concerns. Tom Kennedy said the primary concern of the PSB is whether or not the project is in compliance with the SWCRPC Regional Plan. However, the secondary impacts of the biomass plant will be much greater than the biomass plant itself. The potential for additional traffic from other development utilizing the heating loop will be high. In order to address these concerns, the RPC needs to be able to have discussions with applicant over time; without this MOU the SWCRPC has no leverage over the next three years. The stakeholder group noted in the MOU is key for this to work. If other parties request changes to the MOU in the future, any change must be approved by the NSEEP and SWCRPC. Clayton Paronto supports the MOU but the route contracts with chip providers are non-enforceable. Chris Callahan stated that cheating is possible but through log-books and contracts it will hopefully be limited. Peter Daniels stated the permit holder holds leverage over transportation providers and can utilize only contractors which will follow the regulations.

Joe Fromberger made a motion to approve the MOU between NSEEP and SWCRPC, Etienne Ting seconded. With no additional discussion, the motion passed unanimously. Tom Bock requested the minutes show his approval of the MOU, but not for the biomass project as a whole.

6. Permit Updates

a. Section 248

- i. The Chester Solar Project at the intersection of VT 103 and Trebo Road received a permit.
- ii. The North Springfield Solar Project is in the middle of the review process. The current discussion is focused on aesthetic concerns (i.e. fencing, landscaping, appearance of the utility shed). ANR has issues with a rare plant found on site. Minor changes are likely to minimize these impacts, but there is no opposition to the project.
- iii. Peter Daniels added that another permit for an AT&T tower in Amsden was received. Jason Rasmussen stated that the RPC does not usually respond to pre-filings due to a lack of information. Questions regarding this application include the ability and costs to collocate on existing towers, and possibly decreasing the heights of towers if future collocation is unlikely. The RPC will wait until final packet is received before making any determinations.

b. Act 250

- i. A public hearing is scheduled for tomorrow (July 17th) on West Windsor's purchase of the ski resort sewer line. The RPC is supportive of the joint application by the Towns of West Windsor and Windsor.
- ii. Nothing to report on the SP Lands application in Killington.
- iii. Timber Creek 2, a 208 unit development on Okemo Mountain, had to be redesigned due to ANR stream buffer and stream alteration requirements. The project is likely to be receiving a permit reasonably soon.

7. Adoption of Transportation Work Plan and Self Certification documents

- a. Jason Rasmussen provided an overview of the proposed transportation work plan for October 2013 through September 2014. The RPC will continue as usual with transportation planning, and was fortunate to receive a 2% increase in funding. New tasks include collecting Complete Streets reports from towns and RPC staff will be contacting towns in the coming months to remind them of this requirement. The TAC has reviewed this work program and recommends approval by RPC board. It needs to be submitted to VTrans by the end of July.

Joe Fromberger made a motion to approve the work plan, seconded by Norm Vanasse; passed unanimously.

Jason Rasmussen also reviewed the self-certification form that states that the RPC's procurement procedures meet federal requirements. This form is an annual requirement for our transportation work program. Hal Pyke made a motion to approve the procurement process self-certification form as presented and authorize Tom Kennedy to sign it, seconded by John Mitchell; passed unanimously.

8. Brownfield's Program

- a. Dan Potter provided an update of current brownfields work. Remediation is scheduled to begin at the Jones and Lamson Site within a week. A Phase 2 site assessment in Windsor is being requested; the RPC board previously approved conducting Phase 1 on

this property in order to facilitate its purchase. A group of investors from Windsor would like the assurance of SWCRPC assistance prior to closing on the property. Their short term plans for the property include general site cleanup including mowing and removal of debris. The SWCRPC BSC approved allocating up to \$30,000 to complete Phase 2 at site contingent on the sale of property.

Motion to accept the BSC's recommendation to allocate a not to exceed amount of \$30,000 to complete Phase 2 assessment made by Hal P, seconded by John; passed with Joe dissenting.

- b. Work will be beginning soon at J&L between building and river bank cleaning up soil contaminants.

9. Old Business

10. New Business

- a. Due to the recent damage from thunderstorms, DEMHS will be applying for a Presidential disaster declaration, making FEMA funds available for both towns and individuals.
- b. Tom Kennedy thanked staff for all of their hard work.

11. Adjourn

- a. The meeting was adjourned at 1:45pm.