

**Southern Windsor County
Regional Planning Commission**

Monthly Meeting Minutes of Tuesday, January 15, 2013
Martin Memorial Hall, Ascutney, VT

Commissioners Present: Peter Daniels, Weathersfield; Hal Pyke, West Windsor; Norm Vanasse, Ludlow; Tom Bock, Chester; Don Barrett, Springfield; Carol Lighthall, Baltimore; Etienne Ting, Cavendish; Clayton Paranto, Windsor; John Mitchell, Reading; Derek Suursoo, Chester Alt.

Special Guests: Peter Gregory; TRORC, Kevin Geiger, TRORC.

Staff Present: Tom Kennedy, Jason Rasmussen, Katharine Otto, Cynthia Porter, Angela Esslinger.

12:10 pm Peter Daniels opened the meeting.

Tom Marsh resigned as Commissioner, and Clayton Paranto was appointed as his replacement by the Windsor Selectboard.

Secretary's Report

Carol Lighthall made a motion to approve the November 27, 2012 Secretary's Report. The motion was seconded by Hal Pyke. Motion carried. It was noted to remove the "?" after the special guest speaker's name. Peter Daniels abstained from voting.

Treasurer's Report

Norm Vanasse made a motion to accept the December 2012 Treasurer's Report. The motion was seconded by John Mitchell. Motion carried. Cynthia Porter explained the Accounts Receivable, under the Revolving Loan Fund (RLF), are loan payments that are due now. Tom noted that on the Profit and Loss summary, we are about even as far as income and expenses are concerned, and way over budget on consultant fees for a water contamination assessment project for the Black River in Springfield. Peter Daniels asked if we should look at the budget as it is at six months to see if we need amendments. Tom Kennedy will talk to Cynthia Porter and Executive Committee to schedule a meeting prior to February 19th full board meeting.

Discussion of HUD Grant with TRORC

Peter Gregory and Kevin Geiger spoke to the Board about the current HUD grant which the SWCRPC and Two Rivers-Ottawaquechee Regional Commission (TRORC) are working on together. Kevin Geiger explained that a grant from the HUD Sustainable Communities Regional Planning Program is funding a three year planning effort, often called the "East Central Vermont Sustainability Consortium". SWCRPC is a sub-consultant to TRORC on this grant. The consortium involves many people from the area, including Kristi Morris, Springfield Select Board Chair, and William Morlock, Springfield Housing Authority, as well as representatives from Twin Pines Housing Trust, Housing Vermont, Agency of Commerce, and others to assist in guiding this project.

The primary outcome of this effort is to develop a joint plan to create a better place to live and work that is focused around the Livability Principles (from U.S. DOT, HUD and EPA). The plan components involve housing, transportation, energy, economic development, climate resilience, water supply, health and society, and habitat. Poverty is the main focus for HUD. In this area, poverty is more prevalent with single parent households, female heads of house, elderly housing and work force housing. Another common related issue for our area is employers having trouble finding employees because they can't find housing in their price range.

This project involved an evaluation of existing plans and regulations, including town and regional plans, and local zoning bylaws. Both Regional Plans are fairly good, but the SWCRPC regional plan will need to be updated with 2010 census data and related housing needs analysis updates. A desired outcome of this process is to get disparate

plans coordinated and clarify existing language in order to provide greater specificity and focus on achieving results. There will be a big push to make policies generally more specific. Permitting is another big issue and how to get around the time it takes to get permits.

To date, the Housing and Transportation working groups are active. Public outreach is being conducted this winter. Vital Communities is presenting at the TAC meeting tomorrow night. Kevin is doing a presentation at the spring TOEC conference. Jason and Dan are scheduling a presentation in early March in Springfield.

Discussion of the RPC Post Irene Home Buyout

TRORC is also managing the so-called “CDBG-DR” funds for post-Irene home buy-outs. These funds are for long term disaster recovery, specifically including matching funding for Hazard Mitigation Grant Program (HMGP) buy-outs. There will be 136 houses and a couple businesses bought by their respective Town with State and Federal funds. The damaged structures will be demolished, and the sites will be reclaimed and used for flood storage and other compatible uses, such as recreation fields. Dan will be working with TRORC on this process for a number of towns, including Chester, the only town in our region receiving buy-outs funds. Although commitment by the State was made to help everyone who had a need some are not eligible for funding by CDBG/HMGP/Statewide disaster recovery fund there for buyouts are not possible.

Legislative Report

Brownfields: The Agency of Natural Resources is working on legislation to try and clarify a number of brownfield issues. A issue for the RPC is liability protection for RPCs in case the RPC was ever to own land. The liability issue is of great concern to Regional Development Corporations.

Land Use/Energy Planning: Industrial wind generator in the North East Kingdom is a great concern to many small communities in the area and there are a number of bill that are trying to address the issue. .

The ACT 248 process is not as transparent as the ACT 250 process and there is a bill that would clarify the role of town and regional plans in the proceedings.

Downtown: Peter Gregory briefed the Board on the decision of the VT Downtown Designation Administration on their desire to streamline the designation process.

Review of ACT 250 Applications

The fast timelines in ACT 250 proceedings generally do not allow sufficient time to have a discussion with the full Board in preparation for the hearings or other deadlines for filings. Often we are given only two weeks to respond. Therefore, we have relying on our Permit Review Committee to formulate comments for these proceedings. Often staff need to react to new information or to questions posed during the hearing itself, which may not directly relate to preparatory discussions with the Committee or Board. We make every attempt to inform the Board about the current permit activity at the next meeting.

Dollar General

Staff attended the first hearing, and at that hearing learned that the building is more in the flood plain than originally thought. Staff also gave testimony regarding improving onsite traffic circulation, consolidating parking, adding bicycle parking facilities and providing a sidewalk connection between the buildings. To address issues raised during the first hearing and in the recess memo, staff coordinated with the applicant and ANR. We feel that modest changes to the site plan will help to address all of the above issues. In order to illustrate these suggestions, we hired Bob Haight to develop some basic sketches, per our Permit Review Committee. The Applicant is not interested in changing the site plan. A second hearing is scheduled for Thursday, January 17 between the applicant and ANR to see if all parties can come to an agreement. The RPC is not opposed to this project, we just want to make it better and safer for everyone.

Timber Creek 2

Staff met with the Permit Review Committee to prepare for the first hearing in December. Staff coordinated on traffic issues with the applicant and VTrans. The three parties generally agreed to the mitigation recommendations

presented at the hearing, which includes the applicant helping to pay for a portion of a detailed corridor study. In a recess memo, the district commission did not agree and asked the applicant to go back and revisit a couple things. A second hearing is scheduled for February 22nd to revisit traffic, and address stream buffer issues and other natural resource issues as they relate to criterion 10 (conformance with Regional Plan). At the first hearing, the RPC was asked by the district commission to get an “ability to serve” letter from the Town of Chester to document the Town’s position on how the project will impact traffic along the VT 103 corridor in Chester.

Killington/SP Lands

The RPC has participated in Act 250 proceedings related to the Killington ski resort-related traffic impacts since the late 90’s. In coordination with RRPC and TRORC, the RPC asked SP Lands to participate in “Ski Country Corridor” planning process as detailed in a draft Memorandum of Agreement (MOA). However, the applicant would not agree to the MOA as drafted, and the RPCs could not agree to the applicant’s alternative MOA. The RPC has a conference call today to finalize a final submission due on Thursday, January 17. Tom Kennedy would like the applicant to participate in developing a corridor study that would evaluate traffic issues, determine when further mitigation would be required, and develop a methodology to determine who pays for the improvements. This is the same corridor study being suggested for the Timber Creek 2 project.

Review of ACT 248 Applications

North Springfield Biomass

Tom Kennedy met with the Chester Selectboard a few months ago, and suggested that the Town write a letter to inform the RPC about their specific issues with the Biomass project. The Town submitted such a letter, drafted in response to the RPC’s list of issues developed a few months ago. The Permit Review Committee met recently to review the points raised in the letter. The Committee agreed with most of the Town’s, but differed on two points raised in the letter: (1) the Committee still feels that not allowing nighttime deliveries is a good idea, and (2) due to the expense of hiring an expert and considering that Vermont has relatively rigorous air quality standards, the RPC does not anticipate submitting written testimony on environmental effects of this project. The Board confirmed these points. Tom Kennedy will draft a letter to respond to the Town formally. Derek Suursoo noted that the Town’s discussion on the nighttime deliveries was that they did not want to preclude nontraditional means of traffic mitigation, possibly including delivering at night in order to lessen the peak traffic times.

Tom Kennedy reported that the RPC, Town of Springfield and the applicant are trying to develop a Memorandum of Understanding to mitigate traffic impacts, including a new access road.

The process is starting to wind down; February 14th is a technical hearing and briefs are due in March. It is not clear at this point if the RPC will need to appear at the technical hearing.

Chester Solar Farm

A complete application for a Certificate of Public Good has now been submitted. However, the PSB schedule has not yet been determined. The RPC’s only issue with the project is aesthetics. The applicant did not provide the additional information as requested during their presentation to the Board in the fall.

Tom Bock reported that it is a very large site and the Town is developing a position on this project; aesthetics appears to be the primary concern. The Town asked the RPC for a Certificate from the Sharon solar project. Tom Kennedy reported that the search tool on the PSB website is not working. Staff will try to find the document and forward that to the Town.

AT&T Tower (Weathersfield)

Nothing new to report.

AT&T Tower (Windsor)

Nothing new to report.

West Windsor Local Resources and Businesses Map

Katharine Otto shared with the Commissioners the new West Windsor map which highlights local businesses and points of interest. The map was created in coordination with Sue Greenall from the Ottauquechee Natural Resources Conservation District. Katharine is also working with Sue to create a similar map for Weathersfield in the coming months. The West Windsor map can be purchased at the Brownsville General Store with proceeds going to the West Windsor Conservation Fund.

If other communities would like to develop a similar poster, they can contact Katharine.

Updates

Brownfields

The Brownfield Steering Committee recommended the allocation of up to \$35,000 in additional loan funds to 100 River Street, LLC. 100 River Street requested additional loan funds to be used to remove a pile of contaminated soil and concrete that is currently infringing upon the hospital's parking area and to pay Stone Environmental for services rendered at the site.

The Brownfield Steering Committee met and discussed the second loan request to 100 River Street and instead of an amendment to the existing loan, they recommended refinancing the loan to include all the penalties and the additional \$35,000.00. The terms will be 0% interest from closing date to June 30th. If not paid at maturity the interest rate will be 8% per annum.

Hal Pyke made a motion to approve the refinance of the existing loan up to \$360k loan and Chris Callahan to draft a document to that effect. Etienne Ting Seconded. Motion passed.

Clayton Paronto, who replaced Tom Marsh as an RPC Commissioner, was nominated by Tom Bock to membership on the Brownfields Steering Committee. The motion was seconded by Peter Daniels Motion . Passed.

Clayton will now also serve as a representative on the Brownfields Steering Advisory Committee.

Old Business

None.

New Business

The next meeting will be February 19th.

Adjourn

Norm Vanasse made a motion to adjourn, seconded by Hal Pyke. The meeting was adjourned at 1:50 PM.