

**Southern Windsor County  
Regional Planning Commission**

---

Monthly Meeting Minutes of Monday, April 29, 2013  
Martin Memorial Hall, Ascutney, VT

**Commissioners Present:** Hal Pyke, West Windsor; Norm Vanasse, Ludlow; Tom Bock, Chester; Joe Wilson (Alt.), Springfield; Carol Lighthall, Baltimore; John Mitchell, Reading; Joe Fromberger, Andover; Peter Daniels, Weathersfield.

**Guest:** April Hensel, District 2 Coordinator.

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

12:20 pm Peter Daniels opened the meeting.

**1. Secretary's Report**

Hal Pyke made a motion to approve the February 19, 2013 Secretary's Report. The motion was seconded by John Mitchell. Motion carried. Joe Wilson and Peter Daniels abstained from voting.

**2. Treasurer's Report**

Joe Fromberger made a motion to accept the March 2013 Treasurer's Report. The motion was seconded by Tom Bock. Motion carried. Tom Kennedy explained that the budget is over for the line item legal services due to Attorney Chris Callahan's assistance with the Biomass Project.

**3. April Hensel, District 2 Coordinator**

April has been working with Act 250 for 29 years. For much of that time, regional plan language used to just create a sense of what the RPC wanted to happen but was not terribly specific.

Things really started to change about ten years ago. A regional plan without specific mandatory language will have no effect in the Act 250 process. The same is true for town plans. SWCRPC lacks clear mandatory language, which is typical of many regional and town plans. Two Rivers-Ottauquechee Regional Commission (TRORC) has clear, mandatory language in parts of their regional plan, which was justification for denial of a proposed dollar store in Randolph. Their plan was clear that retail was desired only in the village, not in the location proposed by the applicant. Good land use plans must specifically state which land use activities are desired in which parts of town. If you want your regional plan to have effect, specific mandatory language must be used. April suggested identifying a certain few policies that are most important to your town or region, and then apply specific language towards those priority concerns.

In regards to conflicts between a regional plan and a town plan, if the project has a regional impact (as defined in the plan) than the regional plan prevails.

Mandatory specific language can help to streamline the application process and prevent litigation.

**4. North Springfield Sustainable Energy Project**

The technical hearings are over and the PSB is currently taking final briefs. The project has received an air quality permit. Areas of concern remain to be actively worked on include:

1. Forest management and fuel supply: The Agency of Natural Resources is asking the applicant to contribute to a fund that will monitor and support sustainable forestry practice, at this time, the

two parties have not come to an agreement on what the cost should be.

Because of the scale of this project and with whole trees harvesting being the predominate practice for this type of project, some parties in the process have raised concerns of forest health. Other forestry related issues invasive insects and competition for fuel supply with other biomass plants.

2. Traffic: A Memorandum of Agreement between Town of Springfield and applicant regarding a new access road and taxes continues to be worked on. The staff has been working with the Town of Chester in regards to traffic issues, AOT should be down in May to speak with Chester and answer any questions.

The SWCRPC was asked to submit a request for a jurisdictional opinion to determine whether an Act 250 permit is required for aspects of the North Springfield biomass project, such as the new access road and/or proposed heating loop. Tom Kennedy stated that he would talk with Chris Callahan and Natural Resources Board.

### **5. Legislature Update – House Bill 450**

This bill was written by a couple of RPC directors. RPC's are currently ill defined by statute. This bill seeks to clearly authorize RPCs to act as escrow agents, manage revolving loan funds and purchase property. The bill has passed the House and is now working through the Senate.

Windham Regional Commission's attorney has the opinion that RPC's do not have the right to run revolving loan funds. Chris Callahan noted that this is only one attorney's opinion.

### **6. Update of the Regional Plan**

Staff is currently revising policies in the Natural Resource Chapter in order to make suggestions for more specific mandatory language. A completed draft of the new chapter should be available for the May meeting.

Tom Bock, Peter Daniels, Carol Lighthall as well as the regional plan committee will be reviewing the drafts once completed.

### **7. Approve Transportation Project Prioritization and Town Highway Bridge Pre-Candidate Projects**

Jason reviewed the Project Prioritization list with the Commissioners. This list is fairly similar to the list we saw last year, and is recommended for approval by the Transportation Advisory Committee (TAC). Joe Fromberger moved to approve the regional Transportation Project Priorities as recommended by the TAC, John Mitchell seconded. Motion passed.

Jason reviewed the Town Highway Bridge Program pre-candidate list that shows the top 10 local bridge projects. These represent our recommendation to VTrans for new town highway bridge projects. Similarly, this list is largely similar to last year's list, and is recommended by the TAC. Joe Fromberger made the motion to approve the pre-candidate priorities for the Town Highway Bridge program as recommended by the TAC, Norm Vanasse seconded. Motion passed

### **8. Old Business**

The permit review committee is meeting directly after this meeting to discuss ongoing Act 250 and Section 248 projects.

### **9. New Business**

Relicensing of Wilder Dam south to Northampton, MA.

The relicensing of the three dams on Connecticut River is a process which takes five years then the permit is good for fifty years. Some of the issues have been recreational issues and access to the river, climate

change and what happens when we have rain like Tropical Storm Irene. Connecticut River Joint Commission (CRJC) and RPC's along the river have been working together with this relicensing process. Tom Bock stated that a project for along the river could be to introduce Coho salmon or Mid Atlantic Salmon to the area since the Atlantic Salmon project was unsuccessful.

#### Brownfield article

Joelle Greenland wrote the article on 100 River Street for Planning Magazine.

#### Retirement

Tom Kennedy asked for a motion regarding the 457 retirement program. The US Council of Mayors asked Nationwide to eliminate/delist certain funds. Nationwide did not and now it is being dropped by VLCT. Great West is taking over the program.

Tom is currently reviewing program details.

Carol Lighthall made the motion stating that permission is given for the Commission to investigate the VEMERS 457 Retirement program. Tom Bock seconded.

The next meeting will be May 21<sup>st</sup>.

#### **10. Adjourn**

Joe Fromberger made a motion to adjourn, seconded by Hal Pyke. The meeting was adjourned at 1:55 PM.