

# TRORC Board Meeting May 22, 2019 – Board Meeting Minutes

Thompson Senior Center, Woodstock, Vermont

## Attendance:

Name	Town	5/22/19	4/24/19	3/27/19	2/27/19	12/19/18	10/31/18
Jerry Fredrickson	Barnard	X	X	X	X	X	X
Carl Russell	Bethel				X	X	X
Nancy Jones	Bradford	X	X	X	X	X	X
Marcey Carver	Bradford (Alt)	X			X	X	X
VACANT	Braintree						
Lynne Bertram	Bridgewater	X				X	X
Jon Binhammer	Brookfield	X	X	X		X	
Carl Pepperman	Chelsea		X	X			
Tim O'Dell	Corinth	X	X	X	X	X	X
Peter Berger	Fairlee	X	X			X	X
Mark Belisle	Granville			X	X	X	
Monica Collins	Hancock	X	X				
Lori Hirshfield	Hartford	X	X	X		X	
Bruce Riddle	Hartford (Alt)	X	X	X	X	X	X
Charles Jeffries	Hartland		X	X	X	X	X
Frank Tegethoff	Newbury		X	X	X		X
Rod Francis	Norwich	X					
Vacant	Pittsfield						
Anne Brown	Plymouth	X	X	X	X		X
Bill Emmons	Pomfret		X	X	X	X	X
Phil Dechert	Pomfret (Alt)	X	X	X	X	X	X
Ramsey Papp	Randolph		X	X		X	X
Gary Dir	Randolph (Alt)	X					
Anni Mackay	Rochester					X	X
Doon Hinderyckx	Rochester (Alt)					X	X
David Brandau	Royalton			X			X
Bushrod Powers	Royalton (Alt)	X	X	X		X	X
Peter Anderson	Sharon	X	X	X	X	X	X
Deb Jones	Sharon (Alt)						
Bill Edgerton	Stockbridge		X				
John Echeverria	Strafford	X	X	X	X	X	
Stuart Rogers	Thetford	X	X	X	X		
Jim Bulger	Topsham				X		
Michael Sacca	Tunbridge	X	X	X	X		
Kevin Rose	Tunbridge (Alt)		X	X		X	X
Bill Baylis	Vershire						
Nancy Malmquist	W. Fairlee	X		X	X	X	X
Don Bourdon	Woodstock		X		X		X
Steve Schneider	At-Large	X	X	X		X	X
Jennifer Colby	At-Large		X				
Ken Alton	At-Large	X	X	X		X	X
Vacant - Conservation	At-Large						
Andrew Winter	At-Large			X	X		

**Staff:** Pete Fellows, Kevin Geiger, Dee Gish, Peter Gregory, Tory Littlefield, Jess Richter

**Guests:** None

**1. Call to Order and Public Comments:**

Chair Jerry Fredrickson convened the Board Meeting at 6:30 p.m. A quorum was declared after roll call. There were no public comments.

**2. Approval of April 24, 2019 TRORC Board Minutes:**

A motion was made by Anne Brown and seconded by Bushrod Powers to approve the April minutes. Approved unanimously.

**3. Acceptance of April, 2019 TRORC Financial Reports:**

A motion was made by Peter Berger and seconded by Nancy Jones to accept the April financial reports. Peter Gregory noted that there are two more months in the fiscal year and reminded Commissioners that the FY19 budget was passed with a \$21,000 deficit for a one-year communications staff position. Financial reports were unanimously accepted.

**4. Regional Plan Land Use Chapter Review:**

Peter Gregory gave a history of the Regional Plan Land Use chapter. Peter noted that in 2013, there was an independent review conducted of Vermont's Regional Planning Commissions. TRORC's Regional Plan had some noted deficiencies, but the Land use chapter was held as a model and received an "A+" grade. Peter mentioned that a memo and maps were mailed to Commissioners with land use changes earlier this month. Lori Hirshfield noted that towns may not have had an opportunity to discuss the Land Use changes with their town Planning Commissions and Selectboards. Peter noted there should be plenty of time in the next two months with the enhanced mailing and full statutory, public hearing process.

Kevin Geiger began the Land Use chapter discussion with the Industrial and Mixed Use Areas sections. Kevin noted that in drafting these portions, staff relied on local zoning bylaws and noted only a few Mixed Use Areas were identified in the region. From comments received at the last meeting, definitions of Permissive versus Prescriptive uses were added to the introduction.

Marcey Carver raised questions specific to the mapped Bradford industrial areas and had concerns over having the hamlet area for Bradford Center. Peter noted that has been removed. Lori Hirshfield distributed a memo with her comments regarding the Land Use chapter and wanted a definition of how far the "regional impact" goes and "how do these things relate to the different types of uses?" Peter Gregory noted that RPCs are statutorily required to designate every inch of the region with different land use categories and that in Act 250, there is a narrow focus on whether development has "substantial regional impact." Peter noted that municipal plans may differ from the Regional Plan since there will never be perfect alignment, but the last approved Hartford Plan gets much closer to the Regional Plan. If the plans are not compatible, the Board may vote to not approve a municipal plan. John Echeverria noted that

Regional Plans guide local plans and that a Regional Plan is not made invalid due to inconsistencies with town plans, it's the reverse. Kevin Geiger noted that the compatibility or consistency test in statute is more like an incompatibility test. If town plans are going in the same direction as the Regional Plan, then the plan would be found compatible or consistent. TRORC does not consider bylaws when looking at local land use plans, only town Plans. Zoning bylaws need to be updated to match the current Town Land Use maps. Many towns' zoning is not kept up to date to ensure consistency with their local Plan. Pete Fellows noted that Hartford's growth center was mapped in accordance with the state's study. Kevin noted that businesses such as a propane dealer or tire center are not considered principal retail and are suited for Mixed Use Areas, since they would be less desirable downtown. Kevin noted that the Quechee gorge area used to be rural and now has been proposed as mixed use and that state land use goals do not include tourist zones. Lori voiced concern that Quechee businesses are retail stores catering to tourists, wonders why the area would be considered mixed-use if retail is not allowed and wonders how we would define Quechee appropriately? Staff are proposing a more intense land use area than what is in place now.

Rod Francis had questions regarding Norwich. Kevin noted that page 23 of the draft removes the Norwich I-91 interchange area. On the proposed map, the area would become Mixed Use and Rural. Rod voiced concern that residences in the rural area would become a non-conforming use. Kevin responded that there is a misunderstanding – that residential units are compatible in rural areas unless there is a significant density of units.

Peter Berger had questions regarding Fairlee. He noted that a sawmill backs up to a Mixed Use Area but was in an Industrial Area. Pete Fellows noted that a saw mill would be considered industrial, while a lumber yard would be considered for mixed-use. Peter Berger wondered if the Industrial designation would be inviting certain kinds of development. Pete Fellows noted that light industrial would be ok in mixed-use. Kevin clarified that a resource intensive business such as a saw mill would be ok in a rural area, but that permitting must meet the Town and Regional Plan. Pete Fellows will change the area from Industrial to Mixed Use.

Gary Dir requested that Kevin Geiger meet with Paul Rea of the Randolph Planning Commission. Kevin will set up a meeting.

John Echeverria asked if housing was appropriate in Industrial or Mixed Use Areas and asked why on page 16, mixed-use housing was at such a low density? Kevin and Pete noted housing is not precluded in those areas. Jon Binhammer suggested adding the phrase "several units per acre (or greater)" in Mixed Use Area Policies #2.

Lori referred to her comment hand out and the Mixed Use Area definition that "recognizes existing uses." She would like to understand what the expectation of Town Plans will be when they are up for readoption. Kevin noted TRORC is looking for whether municipal Land Use areas are moving in the same direction as the Regional Plan, which flows from Vermont statutory requirements.

Rod Francis suggested classifying land uses according to impact, noting that some light manufacturing do not result in much noise, dust, or traffic, while a hospital may result in

a great deal of traffic and may have a more negative impact. Phil Dechert noted that it may be better to have performance standards to judge impacts.

Bruce Riddle noted that development in Hartford's regional center may be cost prohibitive due to infrastructure restrictions, flood plain areas and the railroad. This reality may result in having retail move to a Mixed Use Area. Bruce noted that 24 VSA chapter 117 says "decisions shall be made at the most local level possible." But that chapter of law also requires regional planning.

TRORC staff will take these comments and suggestions into consideration. Peter Gregory reminded Commissioners that there will be a public hearing on the Regional Plan, so further comments can be suggested at those times.

**5. Regional Plan Adoption Timeline:**

Tory Littlefield reviewed the timeline and asked Commissioners to authorize staff to set the public hearings for adoption of the Regional Plan in October. A motion was made by Bushrod Powers and seconded by Anne Brown to set the hearings for Regional Plan adoption in October. Peter Gregory noted there will be two hearings in the region in July and the final hearing will be held at the September Board meeting. Comments will also be accepted via email. There will also be a number of Town Plans seeking approval in August and September. Pete Fellows noted that staff will produce a "responsiveness summary" to outline the progress of the Regional Plan. The Regional Plan Adoption Timeline was approved unanimously.

**6. TRORC Bylaw Changes:**

Peter Gregory described the draft Bylaw changes. Anne brown suggested an additional sentence for the Youth At-Large representative, instead of keeping the youth in with the "areas of expertise" description. Gary Dir suggested spelling out Two Rivers-Ottawquechee Regional Foundation (TRORF) under Executive Director duties. Peter Gregory noted these changes will be made and a separate mailing with the Bylaws will be sent as notice to warn the hearing for Bylaw adoption in June.

**7. Staff/Commissioner Updates:**

Lynne Bertram reported that she attended an ANR presentation on ash trees and that ash trees in the public rights of way will need to be removed. Jerry Fredrickson reported that an emerald ash borer presentation was given at the last TAC meeting. Jon Binhammer noted that there is no mandate for ash tree removal. Pete Fellows asked that if any towns have conducted ash tree inventories, to send them to him and he will forward to Elise Schaeder.

Peter Gregory reported that work is being done to fine tune the FY20 budget proposal and that most funding remains level, while TRORC will see a 3% increase in Transportation funding. The FY20 budget will be lower as the Irene buyout project is completed. Peter reported that the Water Bill is likely to pass and funding sources have been identified. Better Road Category A projects have been awarded and thanks to Rita's hard work, by the end of 2020 all TRORC towns except Bethel will have acceptable inventories. Pete Fellows reported that Planning Technicians Allyn and Scott have been working hard on road and culvert inventories this month. Peter

announced that the guest speaker at the June Annual Meeting will be Chris Perry from Upper Pass Brewery. Invitations to the Annual Meeting will be mailed to Commissioners soon.

**Adjourn:**

Bushrod Powers made a motion to adjourn at 8:26 pm.

Minutes prepared by Dee Gish May 23, 2019.