

TRORC Board Meeting

Thompson Senior Center, Woodstock, Vermont

October 30, 2019 – Board Meeting Minutes

Attendance:

Name	Town	10/30/19	9/25/19	8/21/19	6/27/19	5/22/19	4/24/19
Jerry Fredrickson	Barnard	X	X	X	X	X	X
Paul Vallee	Bethel	X	X				
Nancy Jones	Bradford	X	X		X	X	X
Marcey Carver	Bradford (Alt)	X	X			X	
Vacant	Braintree						
Lynne Bertram	Bridgewater					X	
Gwynn Zakov	Brookfield	X	X	X			
Jon Binhammer	Brookfield (Alt.)				X	X	X
Carl Pepperman	Chelsea	X	X	X	X		X
Kent Gilman	Chelsea (Alt.)	X	X				
Tim O'Dell	Corinth	X	X	X	X	X	X
Peter Berger	Fairlee			X	X	X	X
Mark Belisle	Granville			X			
Monica Collins	Hancock				X	X	X
Lori Hirshfield	Hartford	X	X		X	X	X
Bruce Riddle	Hartford (Alt)	X	X	X	X	X	X
Charles Jeffries	Hartland	X		X			X
Frank Tegethoff	Newbury	X	X	X	X		X
Rod Francis	Norwich	X	X	X		X	
Sarah Gallagher	Pittsfield	X	X				
Anne Brown	Plymouth	X	X	X	X	X	X
Bill Emmons	Pomfret	X	X	X	X		X
Phil Dechert	Pomfret (Alt)	X	X			X	X
Ramsey Papp	Randolph	X	X		X		X
Gary Dir	Randolph (Alt)	X	X	X	X	X	
Anni Mackay	Rochester	X			X		
Doon Hinderyckx	Rochester (Alt)	X			X		
David Brandau	Royalton	X	X	X	X		
Bushrod Powers	Royalton (Alt)	X		X	X	X	X
Peter Anderson	Sharon	X		X		X	X
Bill Edgerton	Stockbridge			X			X
John Echeverria	Strafford	X	X		X	X	X
Stuart Rogers	Thetford	X		X	X	X	X
Jim Masland	Thetford (Alt)			X	X		
Jim Bulger	Topsham	X					
Michael Sacca	Tunbridge	X			X	X	X
Kevin Rose	Tunbridge (Alt)			X	X		X
Bill Baylis	Vershire				X		
Nancy Malmquist	W. Fairlee	X	X	X		X	
Don Bourdon	Woodstock	X	X	X			X
Steve Schneider	At-Large		X	X	X	X	X
Jennifer Colby	At-Large				X		X
Ken Alton	At-Large	X	X	X		X	X
Vacant - Conservation	At-Large						
Beth Long	At-Large	X	X	X	X		
Meg Emmons	At-Large	X	X		X		

Staff: Pete Fellows, Kevin Geiger, Dee Gish, Peter Gregory, Lori Kay, Tory Littlefield, Jess Richter
Guests: Bob Haynes, GMEDC; Matt Darling & Jacqui Lakritz, New England Retail Properties; Jim & Nancy Clark, Topsham; Brannon Godfrey, Hartford; PJ Skehan, Hartford Area Chamber of Commerce; Perry Armstrong, Randolph Selectboard; Joshua Jerome, Randolph Economic Development Director.

1. Call to Order, Introductions, and Public Comments:

Chair Jerry Fredrickson convened the Board Meeting at 6:30 p.m. A quorum was declared after roll call. Peter Gregory introduced Lori Kay, new Finance Manager for TRORC, and thanked Dee Gish for her exemplary years of service in that same position. The Board applauded Dee for her work. There were no public comments.

2. Final Public Hearing on draft TRORC Regional Plan:

Chair Fredrickson called the hearing to order. Bruce Riddle of Hartford and Marcey Carver of Bradford each attempted to make separate motions which could not be accepted. Peter Gregory reminded the group that motions cannot be made during a public hearing, and that hearings are intended to be a forum for taking comments.

Marcey Carver noted that language in the new Regional Plan does not reflect Bradford's understanding of how Bradford land may be used – since the sewer is not limited to the east side of Rte. 5. She feels the west of side of Rte. 5 should be included. Further, an earlier request for lower plain to be included in town center was not included.

Jim Bulger of Topsham advocated for allowing communities to have a say as to what is happening in their town, and used as an example of the Agency of Natural Resource's mapping of 2/3 of Topsham land as forest blocks, which along with the town's wetlands, rivers and habitat, makes it difficult for development in Topsham.

PJ Skehan from the Hartford Area Chamber of Commerce noted that Quechee Gorge has 500,000 visitors each year, and feels that the Regional Plan should support Hartford's effort to have the Quechee Gorge area designated as "gateway commercial."

Jim Clark expressed a concern regarding the criteria used for areas in Topsham included in the Regional Plan as Forest-Based Resource Areas. Kevin Geiger noted that the State generated forest block maps that TRORC used as its starting point and then reduced this further by looking at aerial photos and other sources to develop the maps included in the Regional Plan. Including forest blocks and habitat connectors in in some form in Regional Plans is mandated by the state. Pete Fellows noted that 64% of Topsham is within the Resource Conservation Area in the current Regional Plan, while the new Regional Plan proposes 52% of the town be within the Forest-Based Resource Conservation Area, based on new data provided by ANR's Vermont Conservation Design program. Jim Bulger stated that the Topsham Planning Commission and Selectboard disagree with the ANR data and the forested area as shown on the Regional Plan's map.

Bob Haynes of GMEDC asked whether TRORC staff has a willingness to make changes to the Regional Plan as currently written. Peter Gregory stated it is not the staff, but the Board's decision whether to make any additional changes.

John Echeverria of Strafford asked for the staff's opinion on Quechee Gorge regarding its current and possible future uses. Kevin Geiger reviewed the area's land-use purpose statement for the group – stating that categorizing it as a mixed-use area, that “is appropriate for recreational facilities, higher intensity residential, light industrial/manufacturing, land intensive commercial uses, and uses not appropriate for the core of downtowns and villages, such as lumberyards, nurseries, warehouses and kennels. Principal retail establishments are not allowed in this area.” He noted that the town may preclude industrial uses in zoning and that the Regional Plan is permissible versus prescriptive in many ways. Village centers are the appropriate area for principal retail, as has been stated in the Regional Plan for a long time. He noted that Quechee Gorge does not have housing with retail that would constitute a “village center.”

Lori Hirshfield requested clarification and/or modification on language, asking for compatible language be included so that “principal retail” could exist on a small scale – 2,500 sf or less. Lori does not believe that Quechee Gorge retail establishments compete with Quechee Village. Lori referred to Hartford's “Resolution to change land use designation for Quechee Gorge Area” memo that was distributed to Commissioners. Peter Gregory noted that the Quechee Gorge area has been designated as Rural Area in the Regional Plan, and that moving to a Mixed Use Area allows even more dense development than does Rural Areas.

Public hearing closed at 7:05 by Chair Fredrickson.

3. Public Hearing - Town Plan approvals for Woodstock and Plymouth:

Tory Littlefield reviewed the Woodstock Town and Village Plan and noted that Woodstock completed every suggestion from the last Plan review in 2016. There are only minor weaknesses for improvement in the next Town Plan. TRORC staff recommends approval of the Woodstock Town Plan.

Stuart Rogers noted typos on page 2, #1 has two 1a's. Paul Vallee noted on page 8 under C, “Tunbridge” should be changed to “Woodstock.” These corrections will be made.

Jess Richter reviewed the Plymouth Town Plan, noting there were significant updates and that Plymouth completed all suggestions from the previous Plan review. TRORC staff recommends approval of the Plymouth Town Plan.

Chair Fredrickson closed the Public Hearing.

4. Public Hearing – Confirmation Action per 24 VSA, Section 4350 for Woodstock and Plymouth:

Peter Gregory reviewed the statutory text and noted that staff recommend the confirmation of Woodstock and Plymouth planning efforts.

5. Public Hearing - Issuance of a Determination of Energy Compliance for Woodstock Town and Village Master Plan:

Kevin Geiger reviewed the Woodstock Determination of Energy Compliance memo. Kevin noted that in a few places, the amended Town Plan energy chapter contained erroneous information, but this did not affect the requirements. Having a Determination gives greater weight in the Section 248 process before the Public Utility Commission for renewable energy development. TRORC staff recommends a Determination of Energy Compliance for Woodstock be issued.

6. Woodstock and Plymouth Town Plan approvals:

A motion was made by Bill Emmons and seconded by Nancy Malmquist to approve the Woodstock Town and Village Plan and the Plymouth Town Plan. Unanimously approved.

7. Confirmation of Planning Efforts for Woodstock and Plymouth:

A motion was made by Bill Emmons and seconded by Frank Tegethoff to confirm the planning efforts of Woodstock and Plymouth. Unanimously approved.

8. Action on Issuance of a Determination of Energy Compliance for Woodstock

A motion was made by Don Bourdon and seconded by David Brandau to issue a Determination of Energy Compliance for Woodstock's Town Plan. Unanimously approved.

9. Authorizing the scheduling of the adoption of the draft TRORC Regional Plan

A motion was made by Bill Emmons and was seconded by David Brandau to schedule the adoption of the Regional Plan amendments. Discussion ensued.

John Echeverria noted that due to Hartford's zoning and subdivision regulations, any development on less than ten acres in the Quechee Gorge area would not trigger Act 250 or TRORC involvement in the process. Gregory noted there are only two parcels in the Quechee Gorge area larger than ten acres. Lori Hirshfield again noted Hartford's desire to allow principal retail at a reasonable scale in the Quechee Gorge area, and does not see the need for a restriction. Charles Jeffries countered that there is a regional impact of principal retail in the area because of traffic impacts.

Jim Bulger again noted his belief that having 52% of Topsham's land designated as forest conservation is detrimental and affects the future of the community.

Bushrod Powers suggested tabling the motion to allow Hartford, Topsham and Bradford to work with TRORC staff and negotiate proposed changes. It was noted that tabling the motion would be out of order. After discussion, the original motion, to schedule the adoption of the TRORC Regional Plan was voted down on a voice vote by the majority of the Board.

Nancy Malmquist noted that although there are areas of disagreement, she would not like to see the good work and policies of the draft Regional Plan amendments lost or

delayed, and would not want the Regional Plan delayed every time there is a disagreement. A new motion was made by John Echeverria and seconded by Don Bourdon that the Commission direct TRORC staff to engage in dialogue with representatives from Topsham, Hartford, and Bradford regarding their concerns and explore whether there are ways to address their concerns that are consistent with state statutes and policy and overall objectives of the Regional Plan and to return to the Commission with the staff conclusions. John noted that there may or may not be changes that will be made. Unanimously approved.

Jim Clark asked why the motion would be limited to the three towns? Chair Fredrickson noted we would not be opening this dialogue to the thirty towns since there has been a two-year process of working with all 30 towns for public comment. Chair Fredrickson would like to see forward momentum on the Regional Plan towards adoption. Peter Gregory asked that there be no time constraints put on this process, and that TRORC staff will work with due diligence. John noted this process does not need to come to consensus. Gregory noted, based on a question, that the Regional Plan is not in danger of expiration.

10. Approval of TRORC Board Minutes – September 25, 2019:

A motion was made by Nancy Malmquist and was seconded by Bushrod Powers to approve the September 25 board minutes. Unanimously approved.

11. Acceptance of the September 2019 TRORC Financial Reports:

A motion was made by Nancy Jones and seconded by Rod Francis to accept the September 2019 Financial Report. Unanimously accepted.

12. Approval of the FY21 Dues Rate for TRORC:

A motion was made by Anne Brown and was seconded by Jim Bulger to accept the FY21 dues rate. Unanimously approved.

13. Acceptance of the FY19 Single Audit:

A motion was made by Nancy Jones and was seconded by Frank Tegethoff to accept the FY19 single audit. Peter Gregory reviewed the audit management letter and noted that TRORC's financial audits are posted on the website. Although TRORC budgeted for a loss of \$21,490, TRORC ended the FY with a fund balance increase of \$8,378. Gregory also noted this was another clean, single audit with no findings, again thanking Dee Gish for her work. Lori Hirshfield asked where the Foundation appears in the audit. Gregory noted that the management letter reported the Foundation has not set up a chart of accounts yet, and that due to the lack of financial activity to date, the TRORC appears in the TRORC audit. Unanimously accepted.

14. Staff/Commissioner Updates:

Gregory asked for volunteers to help with a Brownfields Advisory Committee. Rod Francis and Gary Dir volunteered to help choose consultants for Brownfields work and select sites. He also noted that ANR will be choosing designates for the Clean Water

Service Providers to bring together stakeholders to choose water quality projects, and TRORC may be one of those service providers.

The December 11th meeting will begin at 5:00 with appetizers. The location is to be determined, and the meeting will feature a presentation from Energy Action Network. The Commission will also be discussing Town Plan Approvals for Granville and Corinth.

Adjourn:

Nancy Jones made a motion to adjourn at 8:21 pm.

Minutes prepared by Lori Kay and Dee Gish 11/5/19.