TRORC Board Meeting – Zoom Meeting
May 26, 2021 – Board Meeting Minutes
Attendance:

Name	Town	2/24/21	4/28/21	5/26/21					
Jerry Fredrickson	Barnard	X	X	X					
Steve Cota	Barnard (Alt)								
Paul Vallee	Bethel	X	X						
Carl Russell	Bethel (Alt)								
Nancy Jones	Bradford	X	X	X					
Marcey Carver	Bradford (Alt)		X						
Vacant	Braintree								
Lynne Bertram	Bridgewater								
Gwynn Zakov	Brookfield		X	X					
Jon Binhammer	Brookfield (Alt.)	X							
Carl Pepperman	Chelsea	X		X					
Tim O'Dell	Corinth	X	X	X					
Peter Berger	Fairlee	X	X	X					
Mark Belisle	Granville								
Monica Collins	Hancock	X		X					
Lori Hirshfield	Hartford		X						
Bruce Riddle	Hartford (Alt)	X	X	X					
Charles Jeffries	Hartland		X	X					
David Ormiston	Hartland		X	X					
Frank Tegethoff	Newbury	X	X	X					
Larry Scott	Newbury (Alt.)								
Rod Francis	Norwich	X	X						
Jeff Lubell	Norwich		X	X					
Sarah Gallagher	Pittsfield	X	X	X					
Anne Brown	Plymouth								
Jim Allen	Plymouth (Alt.)								
Bill Emmons	Pomfret	X	X	X					
Phil Dechert	Pomfret (Alt)		X	X					
Ramsey Papp	Randolph	X	X	X					
Gary Dir	Randolph (Alt)	X	X	X					
Anni Mackay	Rochester	X	X	X					
Doon Hinderyckx	Rochester (Alt)	X	X	X					
David Brandau	Royalton	X	X	X					

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Bushrod Powers	Royalton (Alt)	X	X	X					
Ira Clark	Sharon	X	X	X					
Deborah Jones	Sharon (Alt.)								
Bill Edgerton	Stockbridge								
John Echeverria	Strafford		X	X					
Jesse Anderson	Thetford	X	X	X					
Jim Masland	Thetford (Alt)			X					
Jim Clark	Topsham								
Michael Sacca	Tunbridge		X	X					
Kevin Rose	Tunbridge (Alt)			X					
Bill Baylis	Vershire								
Nancy Malmquist	W. Fairlee	X	X	X					
Don Bourdon	Woodstock	X		X					
Brad Prescott	Woodstock (Alt)								
Meghan Butts	At-Large	X	X	X					
Jennifer Colby	At-Large								
Ken Alton	At-Large		X	X					
Vacant - Conservation	At-Large								
Beth Long	At-Large	X	X	X					
Meg Emmons	At-Large	X	X						

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Guests: Dan Ruddell; Liz York

Staff: Peter Gregory, Lori Kay, Tory Littlefield, Kevin Geiger, Rita Seto

1. **Call to Order, Approval of the Agenda, Roll Call, and Public Comments:**

   The virtual meeting opened at 6:36 p.m. A quorum after roll call was declared. No changes to the agenda were made. There were no comments from the public.

2. **Acceptance of Minutes from April 28, 2021 Meeting**

   On a motion made by Commissioner Bruce Riddle and seconded by Commissioner Bill Emmons, the April Meeting Minutes were accepted unanimously.

3. **Acceptance of the Unaudited April 2021 TRORC Financial Report**

   On a motion made by Commissioner Nancy Jones, and seconded by Commissioner Bill Emmons, the unaudited April 2021 Financial Report was approved unanimously.

Gregory reported that the last quarterly financial advance from ACCD has been received. The last 5% of the ACCD contract funds will arrived in July. TRORC has completed all its task requirements under this contract.

TRORC's balance sheet report shows a higher balance in the Mascoma Wealth Management line. This increase is a result of closing out two CDs that were close to maturing and depositing those funds into the Mascoma Wealth Management account.

TRORC's Accounts Receivable Aging report is in good shape. The oldest invoices on the April report have been collected.

4. **Keys to the Valley Housing Presentation**
Kevin Geiger reported on the results of the Keys to the Valley housing study that began in January 2019. Geiger started his presentation by noting that the study has not discovered the solution to the Upper Valley's housing crisis, but it has identified several actions that can help.

Discussion following the presentation focused on the development of a "Top five things to advance housing" list to help improve the Upper Valley's housing crisis; difficulties in changing zoning when much of the Town is designated as flood areas or National Forests; working with local employers to develop housing for future employees. TRORC staff will come back to the board with a list of five priority actions.

Gregory noted that the Vermont Legislature has appropriated $650,000 in next year's budget for zoning modifications related to housing.

A copy of Kevin Geiger's PowerPoint presentation is attached to these minutes.

A video of an earlier housing study presentation is available on Youtube:
https://www.youtube.com/watch?v=t3vJsuRQvi4&list=PLQIz2sXLMDfespqCk7KswXtER4vVnsued

The housing study's website has received a lot of attention. Tory Littlefield reported that the website has received 2,000 visitors and 335,000 views so far.
https://www.keystothevalley.com/

5. **Transportation Projects FY22 Prioritization**

Rita Seta provided an overview of the changes VTrans has made in how it prioritizes its investment in Transportation projects. The new approach is performance based and data driven to a greater degree. Regional Planning Commissions and the Towns are being asked to provide input into the prioritization process. Rita noted that Towns in the TRORC region can start working with her immediately on proposing projects for the next round of prioritization.

Rita also reviewed the list of potential asset driven projects in the TRORC region. It had already been reviewed by the Transportation Advisory Committee (TAC) and needed TRORC Commissioner approval before it could be submitted to VTrans. On a motion made by Commissioner Bill Emmons, and seconded by Commissioner Nancy Jones, the list of regionally driven potential projects for VTrans; consideration was approved unanimously. Seto will submit the list by May 31, 2021.

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6. **Allegations of TRORC Code of Conduct violations**

Commissioner Michael Sacca opened the discussion and shared a PowerPoint presentation. A copy of the presentation is attached to these minutes.

Commissioner John Echeverria followed, providing comments of his own.

Kevin Geiger interjected with his experience as a moderator, asking each of the two Commissioners to limit their comments to the issue at hand – the allegation of Code of Conduct violations. He noted that as no action had been called for, no motion could be called, and no rebuttal would be allowed.

This agenda item had been allotted 15 minutes of the two-hour meeting. Chair Jerry Fredrickson closed the discussion.

7. **Executive Director Updates**

As the meeting was running long, Gregory stated that he would hold his updates until the June Board meeting.

The next Board meeting will be the Annual Meeting and will be held on June 23, 2021.

The meeting adjourned at 8:36 p.m.

Meeting Minutes prepared by:
Lori Kay, Finance Manager, June 8, 2021

DRAFT

Keys To The Valley

Homes For Your Community

A three RPC, two state effort to create HOMES

PRESENTER:

Kevin Geiger, *Two Rivers-Ottauquechee Regional Commission*

Mount Ascutney Regional Commission

TRORC Two Rivers-Ottauquechee REGIONAL COMMISSION

UVLSRPC

Format

- **Expandable**
- **Readable**
- **Action-oriented**
- **Visual**
- **Primarily web-based**
- **Limited print products**

The products

- **Survey: 1,221 responses representing 2,601 people, with at least one from each of the 67 towns**
- **Meetings: at the regional scale, with Vital Communities Corporate Council, housing groups in Woodstock, Bradford, Thetford, Pomfret, and Fairlee**
- **Coordinated with social service agencies**
- **Four trainings this spring: 275 registrants, 199 attended and a further 30 views of the recordings on our YouTube page.**
- **Website: Since the site was relaunched in April, we have had over 2,000 unique visitors with over 335,000 hits. Website views were the highest after our webinars.**
- **Many technical advisors on the 'report', which is the website**
- **Limited print production later**

Keys To The Valley

Homes For Your Community

Our Housing Challenge | Toolbox | Library | Get Involved | About Us

The greater Upper Valley region has a housing crisis. Here's what we can do about it.

The Keys to the Valley project documents our need for homes across a bi-state, 67-town region, and presents a roadmap for tackling this crisis at the local, regional, and statewide level. The scale of this challenge calls for both immediate action as well as further study and conversations.

During this project, we have come to understand several critical concepts:

Our first Key understanding – our region's housing problem is a crisis. −

Each Key Understanding is expandable

Our first Key understanding – our region's housing problem is a crisis. −

We have a housing crisis, and it is getting worse. It is not a small problem. Tens of thousands of individuals and families in the region struggle to afford their home, while others lack access to needed in-home supportive services. Some remain without permanent shelter, fear eviction, or reside in unsafe conditions.

Our second Key understanding – this is not just a private problem with a private solution. +

Our third Key understanding – it is a tough problem that requires many different solutions in tandem that are fit to each place and its people. +

Our fourth Key understanding – new solutions and approaches are needed. +

Our fifth Key understanding – solving housing needs must also solve other problems. +

Each Key Action Area is expandable

If you want to change behavior, tell people the desired behavior

With these understandings of our housing crisis in mind, our committee has identified a series of actions and related tools to address the challenges facing our region's homes.

Key Action Area A: Spread knowledge of the region's housing needs +

Key Action Area B: Ensure access to a safe home +

Key Action Area C: Sustain existing primary homes +

Key Action Area D: Make it easier to build homes +

Key Action Area E: Create the types of homes the region needs +

Key Action Area F: Build smart for economic health +

Key Action Area A: Spread knowledge of the region's housing needs +

Key Action Area B: Ensure access to a safe home +

Key Action Area C: Sustain existing primary homes +

Key Action Area D: Make it easier to build homes −

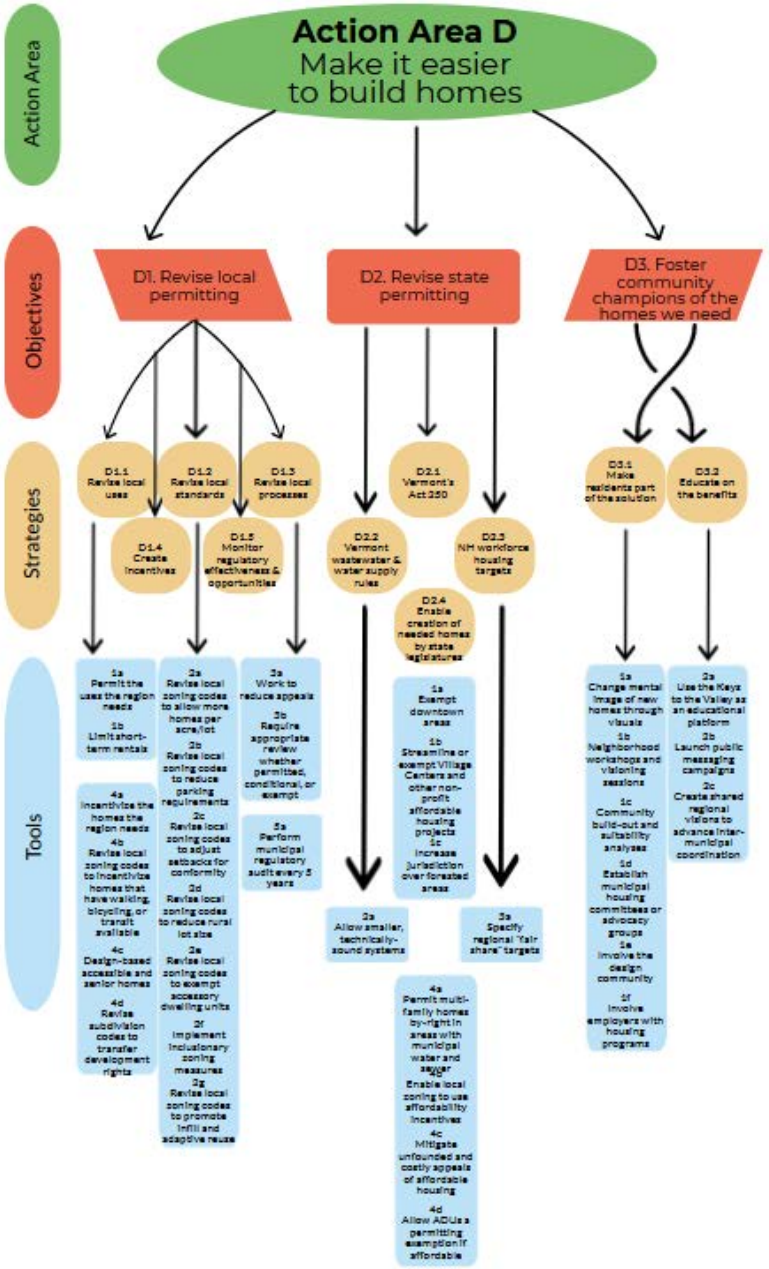
Key Action Area D: Make it easier to build homes

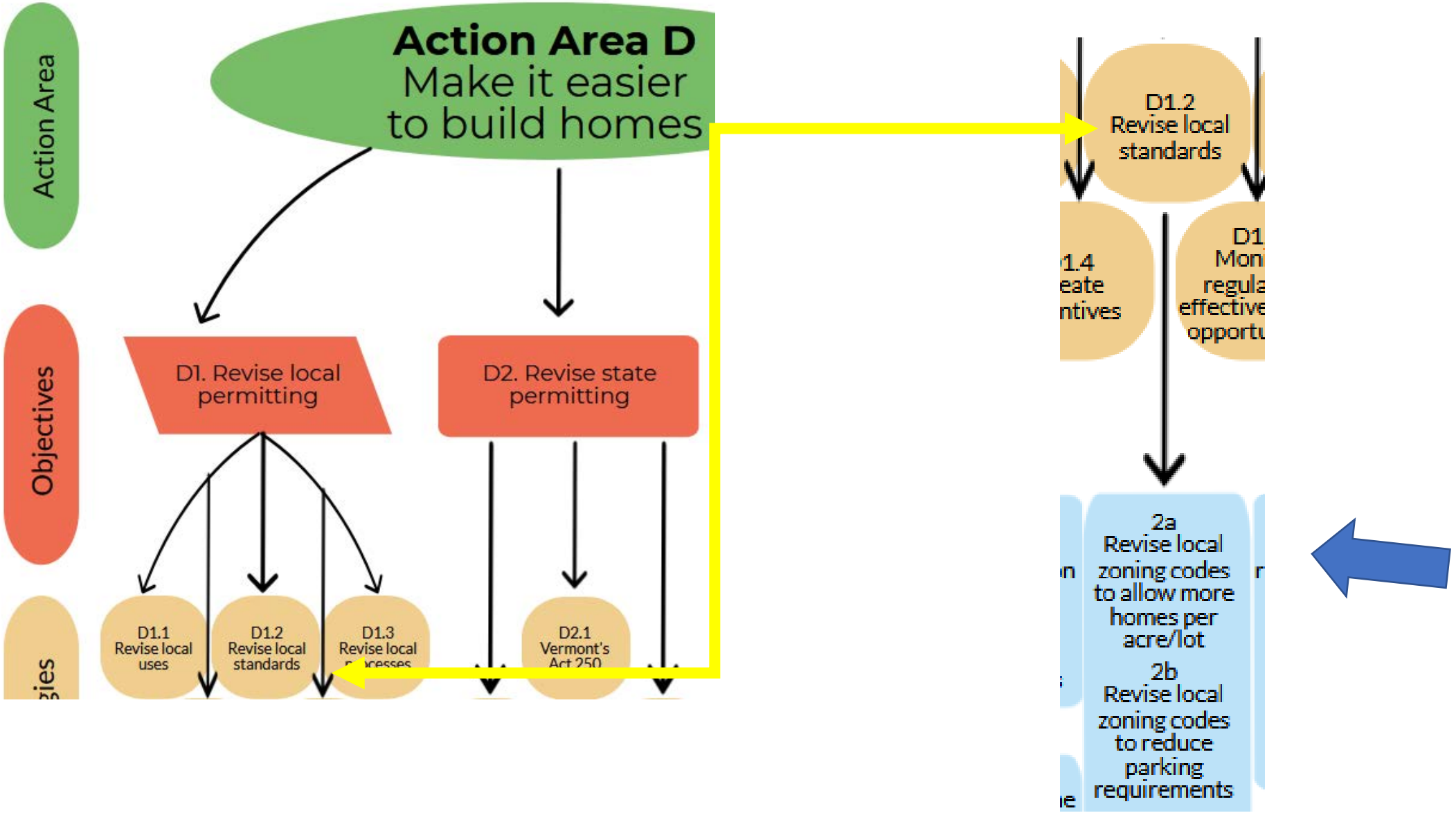
To make the process easier to build the types of homes that the region needs in the places we need them. This involves eliminating unnecessary regulatory barriers, streamlining the local and state review processes, and building grassroots support for proactively addressing our housing needs.

Clicking the + provides some text and clicking further expands to the next level of **what** to do

Use of a flowchart as <u>one</u> of the ways to navigate the site.

Each of the 29 actions to make it easier to build homes is a live link

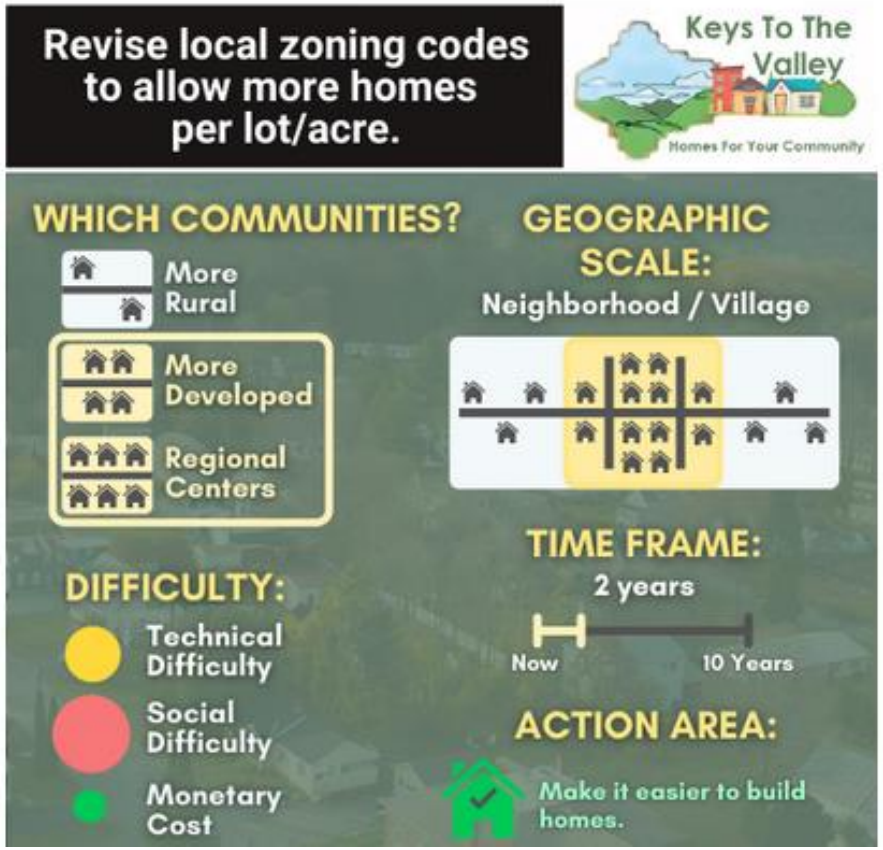



Action Area
Objectives
Action Area D
Make it easier to build homes
D1. Revise local permitting
D2. Revise state permitting
D1.1 Revise local uses
D1.2 Revise local standards
D1.3 Revise local
D2.1 Vermont's Act 250
D1.2 Revise local standards
2a Revise local zoning codes to allow more homes per acre/lot
2b Revise local zoning codes to reduce parking requirements

D1.2a. Revise local zoning codes to allow more homes per lot/acre

In areas with sewer and water and good mobility access, decrease lot size to 10,000 square feet or increase the allowable density to at least 4 units/acre. In core areas with multi-story buildings, remove any limit on the number of units entirely and just let dimensional and form standards govern the building, not the number of units inside.

Additional Resource: Feature Based Density (Chapter 1.3) by NH Office of Strategic Initiatives



Data

- Data supports an argument, but it does not *make* the argument
- We have population and housing burden by town in the report

Granville	2010	298	136	116	20	21%	17%
	2030 Projected	280	150	130	20		
	Change, 2010-2030	*-18*	*14*	*14*	*0*		
		-6.04%	*10.29%*	*12.07%*	*0.00%*		

Houses don’t match households

”The reality of household composition is quite different from the public perception. In Woodstock, 80 percent of all households are composed of only one or two persons.” Doug Kennedy Advisors, Woodstock Housing Assessment, 2018

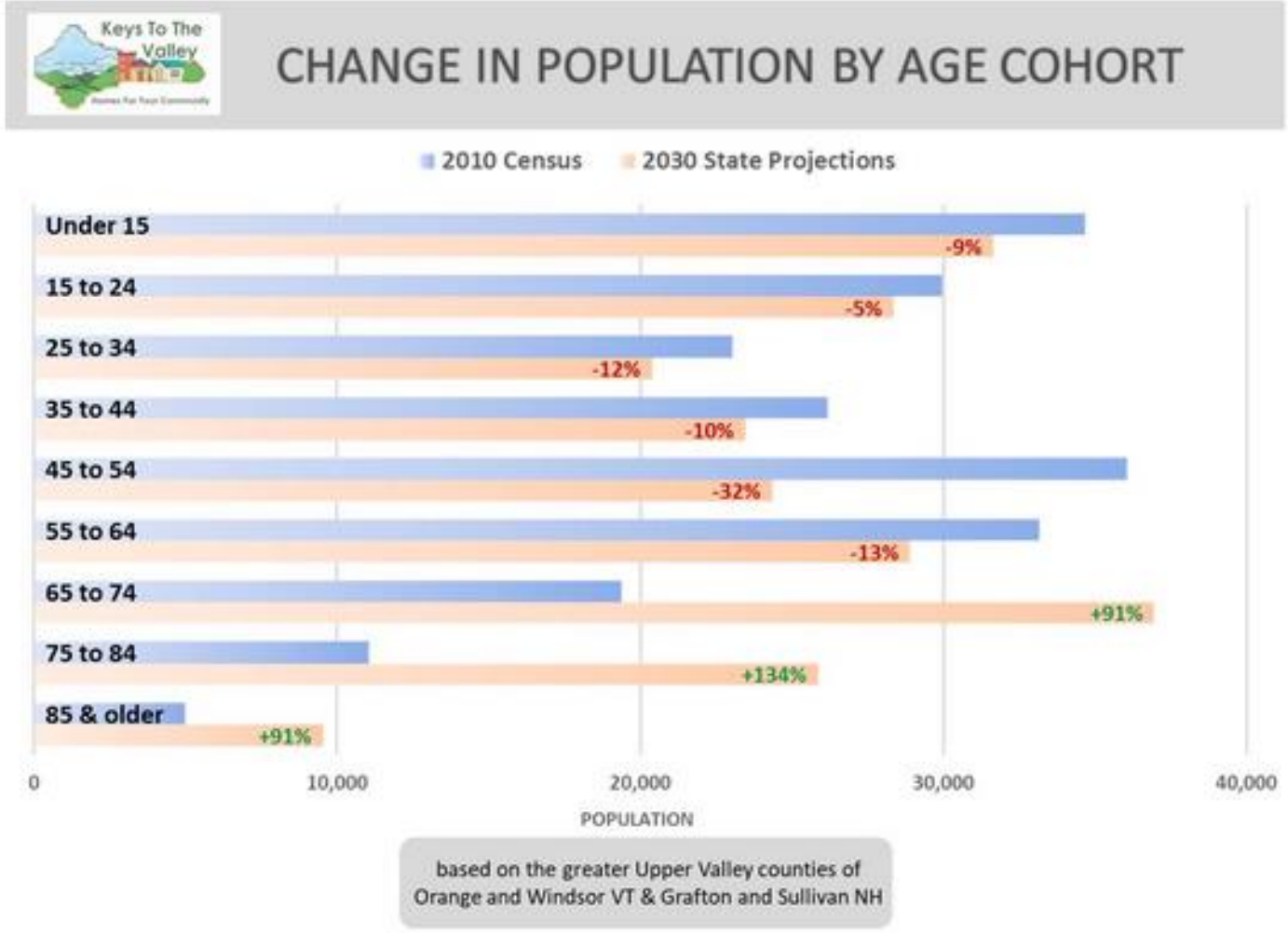
Description: The distribution of renters versus homeowners, and their respective household size.
Source: 2017 ACS 5-year estimates. Find out more at www.keystothevalley.com

Figure 3

Predicted change means to focus on seniors

"Again, an aging population is not unique to Woodstock; 41 percent of the town's households are 65 years or more, compared to 26 percent at the statewide level. As a result, a significant segment of the community is moving through a transition in terms of housing need. A supply of larger single family homes does not 'fit' a population dominated by one and two person households."
Doug Kennedy Advisors, Woodstock Housing Assessment, 2018

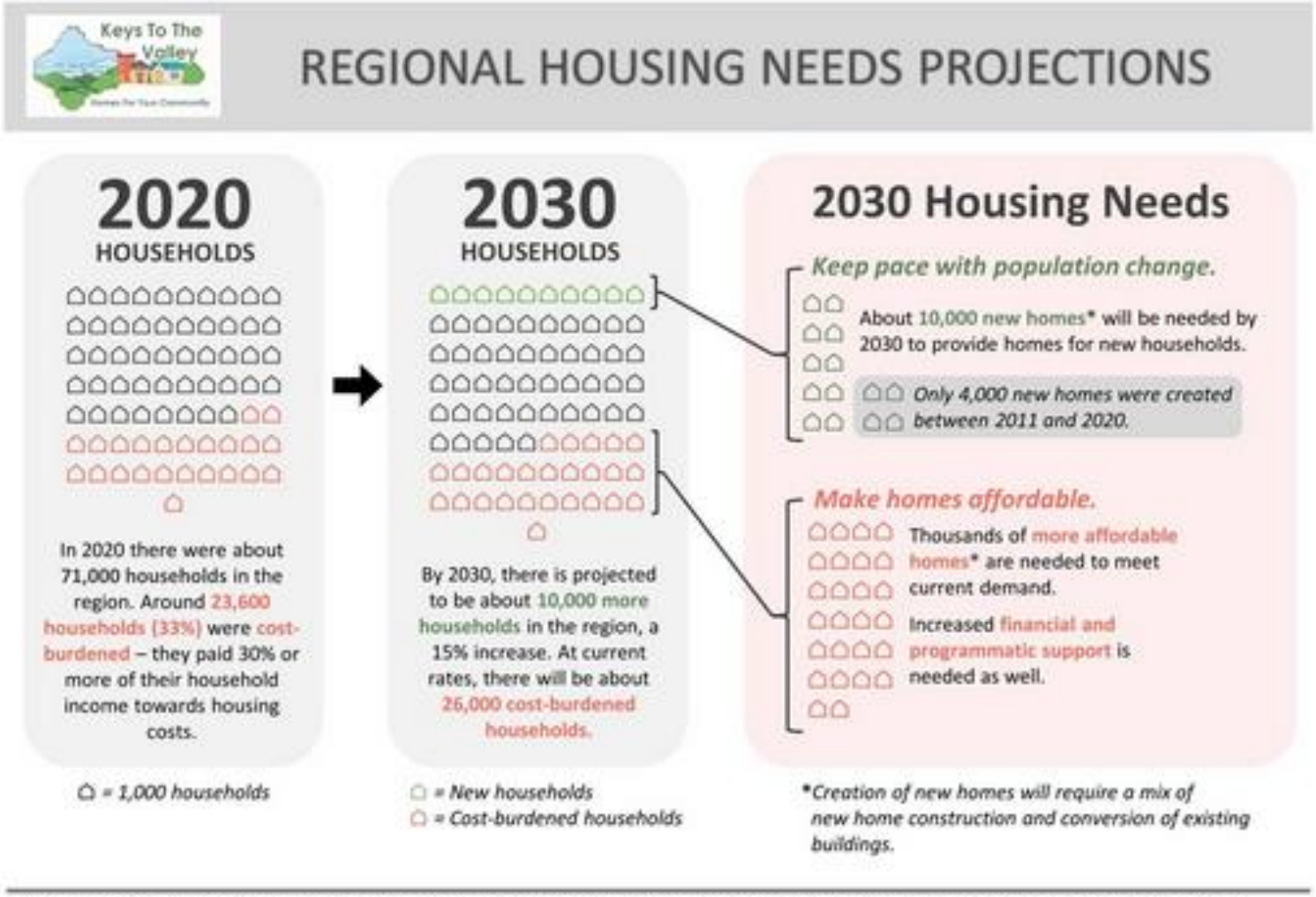
Wanted change is to focus on young workers



Description: Annual household income of resident public survey respondents, optional question.
Source: 2010 US Census, NH & VT State Population Projections. Find out more at www.keystothevalley.com

Figure 4

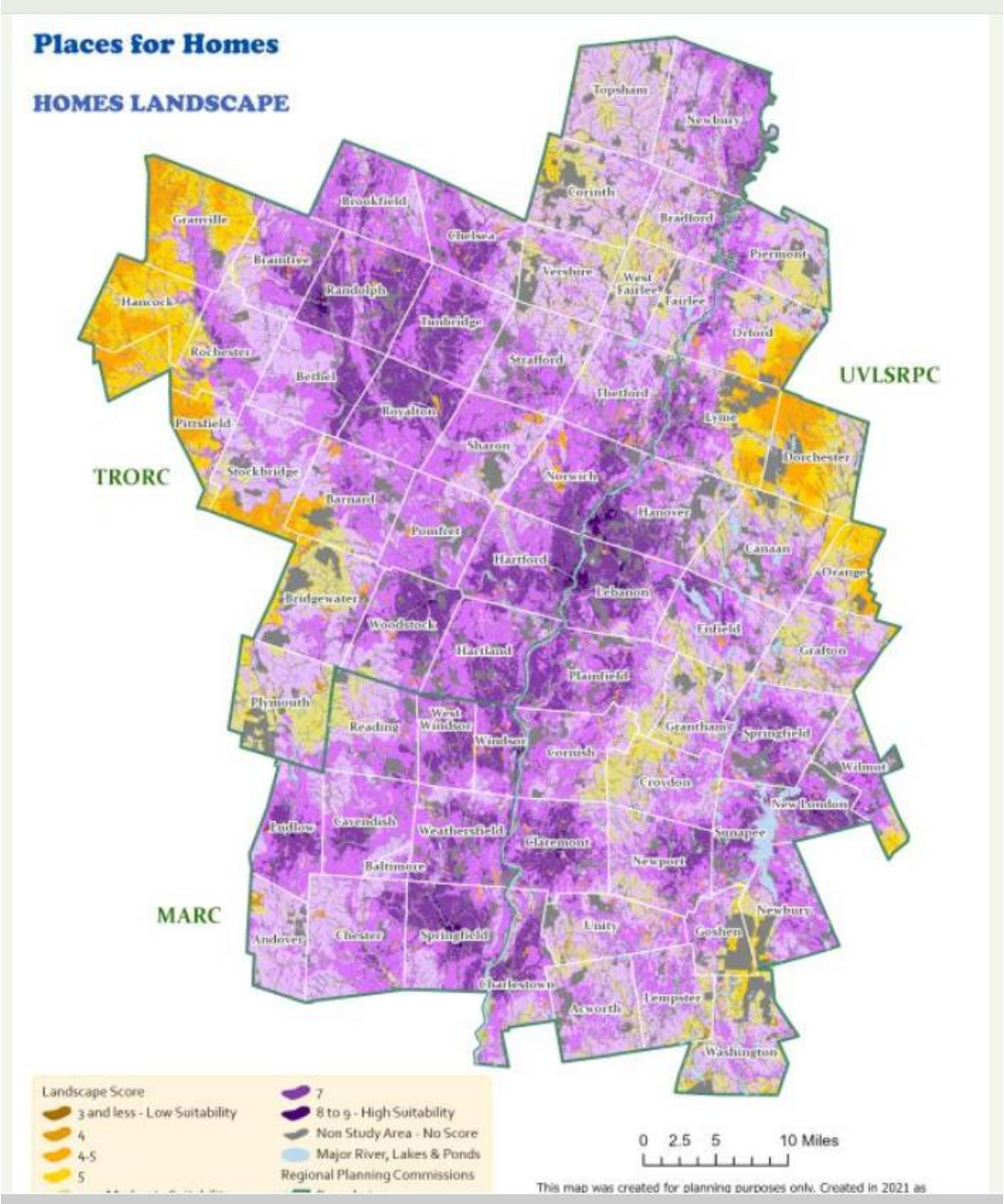
A third of our households are cost-burdened now (over 23,000).
If we ***triple*** construction rates of units we won't get worse.



Description: To maintain the Region's current level of housing supply and start to address affordability challenges, more new homes need to be built or converted from existing in the next decade then the last decade.
Source: Keys to the Valley 2021 Regional Housing Projections, Vital Communities New Homes Count, 2017 ACS 5-year estimates of owner and renter households. Find out more at www.keystothevalley.com

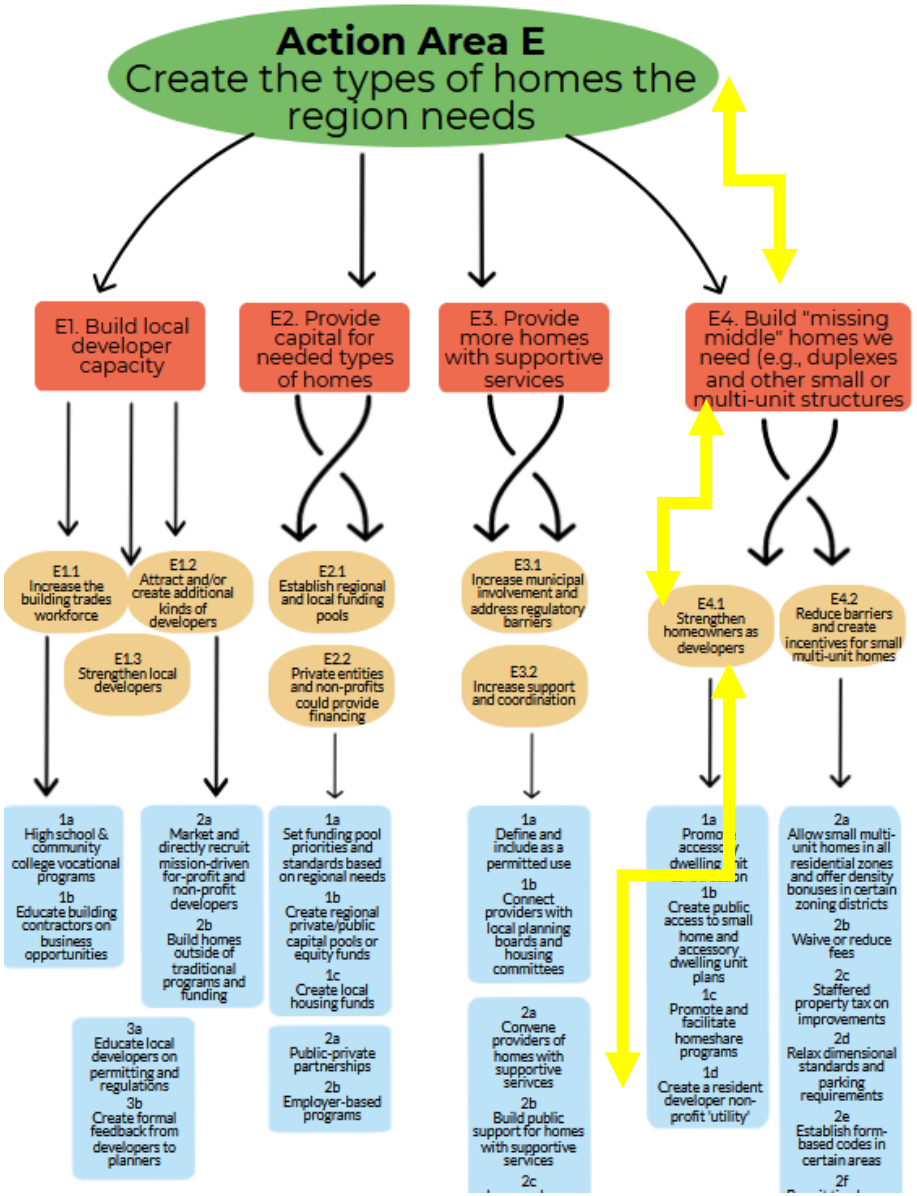
Figure 6

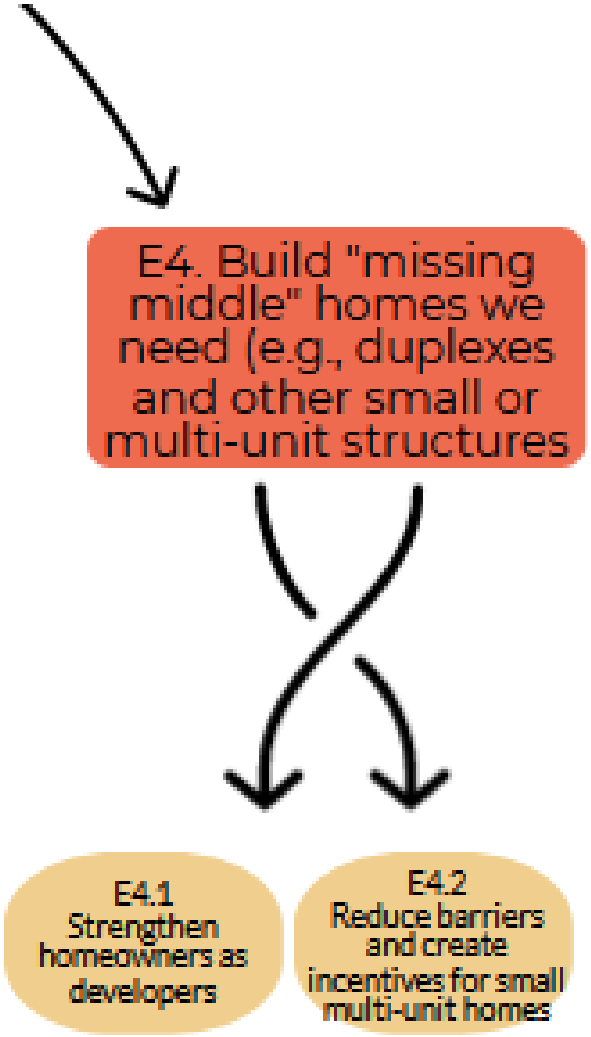
Interactive mapping can show where housing could go using a variety of parameters



Visuals can show where housing can go and fit

Much of the housing we need can go inside existing structures and on infill lots





1d
Create a resident developer non-profit 'utility'

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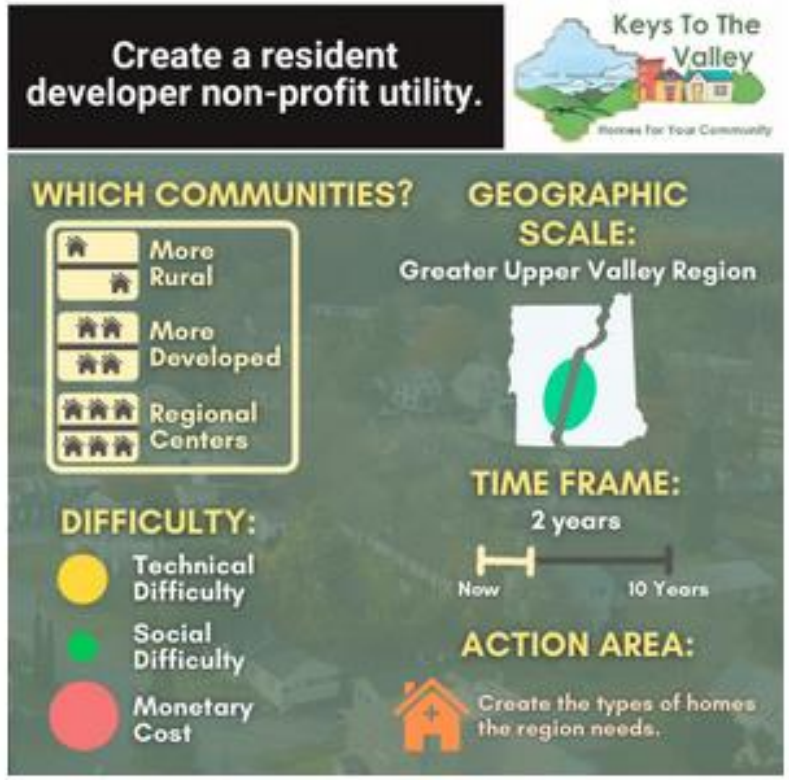
Everyone does not want to be a developer, or a bank, or a landlord.

E4.1d. Create a resident developer non-profit 'utility'

Whether dividing an existing large home into apartments, or building an ADU, homeowners need the full gamut of construction expertise and rarely have it. A 'utility' that can offer financing, plans, permitting, legal, construction and management a la carte or in total would make it much easier for homeowners to take these steps with a trusted partner at the least cost. Offering the legal, financing and management functions would make the creation of rentals much easier as the owner would not need to have capital, just equity, and would not need to take on the work of being a landlord.



If moral behavior were simply following rules, we could program a computer to be moral.

Samuel P. Ginder

TWO RIVERS-OTTAUQUECHEE REGIONAL COMMISSION

CODE OF CONDUCT AND CONFLICT OF INTEREST POLICY

FOR OFFICERS, BOARD AND STAFF MEMBERS

This Code of Conduct and Conflict of Interest Policy was Adopted by the Two Rivers-Ottauquechee Regional Commission's Executive Committee on February 10, 2021.

Two Rivers-Ottauquechee Regional Commission

CODE OF CONDUCT AND CONFLICT OF INTEREST POLICY

FOR OFFICERS, BOARD AND STAFF MEMBERS

The Two-Rivers-Ottauquechee Regional Commission is a government office whose responsibility is to provide good public service and efficient use of tax dollars to the public it serves. As such, the Regional Commission expects and requires its Officers, Board members, and employees to adhere to standards of conduct that are required for the effective functioning of the Regional Commission. These persons have a duty to conduct themselves in a manner consistent with these policies, the public interest, and the mission of the Regional Commission, and not to advance their personal interests. Thus a member or employee of the Regional Commission shall take all reasonable steps to avoid any action which might result in, or create the appearance of, a conflict of interest.

Code of conduct

A code of conduct can be an important part in establishing an inclusive culture, but it is not a comprehensive solution on its own. An ethical culture is created by the organization's leaders who manifest their ethics in their attitudes and behavior.[5] Studies of codes of conduct in the private sector show that their effective implementation must be part of a learning process that requires training, consistent enforcement, and continuous measurement/improvement.[6] Simply requiring members to read the code is not enough to ensure that they understand it and will remember its contents.[7] The proof of effectiveness is when employees/members feel comfortable enough to voice concerns and believe that the organization will respond with appropriate action.[8]

The purpose of adopting such a statement *formally* is to provide employees, volunteers, and board members with guidelines for making ethical choices and to ensure that there is accountability for those choices. When board members of a charitable nonprofit adopt a code of ethics, they are expressing their commitment to ethical behavior. Such a commitment goes a long way to earning the public's trust. Honesty, integrity, transparency, confidentiality, and equity are each examples of values that are typically expressed in a charitable nonprofit's code of ethics -

https://en.wikipedia.org/wiki/Code_of_conduct

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Please be thinking about a few questions as this discussion progresses-

1. Was it appropriate for the commissioner from Strafford to use his access to the TRORC ED to make a request of TRORC staff in order to advance his personal interests, which has nothing to do with his role as Strafford Commissioner?

2. Is it appropriate for the the ED of TRORC as a governmental official, to carry out a special request by a commissioner to distribute to his staff a position paper seeking to influence any potential activity of TRORC staff in official Tunbridge Planning Commission matters?

3. Why would the Strafford Commissioner reach out to TRORC regarding a specific Tunbridge Town Plan policy? To what end, what action do you think he hoped for?

On Feb 26, 2021, at 12:30 PM, John Echeverria <jecheverria@vermontlaw.edu<mailto:jecheverria@vermontlaw.edu>> wrote:

Peter & Kevin,

We have been having an interesting discursion in Tunbridge about legal trails. Attached is statement I submitted this week to the Tunbridge Planning Commission. I would appreciate it you would pass this along to TRORC staff who are working on trails issues and/or Tunbridge issues.

Take care,
John
PS Sorry to miss the last Two Rivers meeting. It conflicted with the Tunbridge Planning Commission meeting!

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-----Original Message-----
From: Peter G. Gregory <pgregory@trorc.org<mailto:pgregory@trorc.org>>
Sent: Saturday, February 27, 2021 9:49 AM
To: John Echeverria <JECHEVERRIA@vermontlaw.edu>
Cc: Kevin Geiger <kgeiger@trorc.org<mailto:kgeiger@trorc.org>>
Subject: Re: Tunbridge Legal Trails

Good morning John.
Thanks for sharing this. Sounds like an amazing property and your generosity in supporting public access is wonderful. And I learned a lot too.

I will send this to all TRORC staff.
No worries about TRORC Board meetings. I fully understand.

Have a nice weekend.

Peter

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On Mar 19, 2021, at 5:29 PM, Michael Sacca <mfsacca@gmail.com> wrote:
Hi Peter,
It appears that John is using his status as a Strafford Commissioner to influence an issue in Tunbridge where he is a landowner but not a resident. What do you think his motives were in writing this to you?

On Mar 19, 2021, at 5:36 PM, Peter G. Gregory <pgregory@trorc.org> wrote:

Well, he may have hoped for us to jump on his side but we are not. We get lobbied all the time on issues and decline unless directed by the Board.

We are good at seeing through these requests.

I can assure you we have not taken his side at all. We support the retention of public rights of way and always have for recreation. Bike trails are part of recreation. I believe we suggested the moving of the road as an option to explore.

Take care.
Peter

From: Michael Sacca <mfsacca@gmail.com>
Sent: Saturday, March 20, 2021 10:01 AM
To: Peter G. Gregory <pgregory@trorc.org>
Subject: Re: Tunbridge legal trails

Hi Peter,

Thanks for the explanation, I appreciate it.

Unless John was told that he was out of bounds or that TRORC routinely ignores such special interest requests, he will/does believe he made it through to you and that his request is above boards. The way I see it, his request is unethical and he should know that he overstepped a line as commissioner from one town to influence policy and/or ordinance in another town which has the potential to serve his personal interests Can you see that? Do you agree that this is a case of conflict of interest? As a commissioner from the affected town, do I have the right to bring this matter up myself to the the board? Shall I contact Jerry about this directly?

Statement of John Echeverria
Relating to the Legal Trails on the Dodge Farm

February 24, 2021

My wife Carin Pratt and I own the Dodge Farm at the top of the Strafford Road in Tunbridge. Thank you for letting me speak with the Planning Commission about a proposal to change the longstanding town position limiting the mandated public uses of the legal trails in Tunbridge to "hiking" and to expand the mandated trail uses to include, among other things, "road bike riding" and "mountain bike trail riding."

In September 2020, I sent a memo to the Selectboard, observing that bicycle use on the four legal trails would create a variety of problems for different land owners, and I subsequently forwarded the memo to the Planning Commission. In seeking to devise clear, general rules for the four trails, the Commission needs to recognize that each of the trail segments is unique and involves different sets of challenges. I urge the Commission to take the time to explore on foot each of the four trails to better understand the different kinds of problems that would be generated by bicycle use. I will be happy to give any Planning Commission member a tour of the two trail segments on the Dodge Farm.

I will focus these remarks on the two trail segments located on the Dodge Farm: the old Baptist Hill road and the trail between Dodge Farm and Landgoes Farm, and how bicycle use would impact the Dodge Farm. I will offer some very brief words at the end about horseback riding on the trails.

First things first, Carin and I support the continued existence of the public legal trails on the Dodge Farm as well as the other legal trails in Tunbridge. We have not and will not advocate that these trails be thrown up. Public access rights

allowing cows to gain access to the stream or the Baptist Hill Trail. In addition, Mr. Gabos has devised a new scheme for watering the cows, avoiding the past practice of allowing the cows to walk in the stream, using a set of pipes to supply water tanks on each side of the stream (and trail). (See second attachment) Pedestrian use of the Baptist Hill trail can continue after cows are restored to the pasture; bicycle use would quite simply not be practical. If anyone actually wants to open the Baptist Hill Trail to bicycles, we oppose that idea.

Turning to the second trail on the Dodge Farm, the trail from the farm to Landgoes Farm, we urge that the town continue to designate this trail for hiking (and other similar pedestrian activities such as skiing and snowshoeing), and not expand the list of mandated trail uses to include bicycling. Our objections to bicycles are based in part on concerns about erosion and rutting of the trail as well as the safety risks for walkers and other trail users that would be created by bicycle riders. Our primary objection to opening this trail to bicycle use, however, is that it would cause a serious invasion of privacy and loss of peace and quiet for those who live at the farm now and in the future. The legal trail proceeds from the end of Orchard Road, the public road leading into the Dodge Farm complex, through the Dodge Farm farmyard, passes within 20 feet of the house, crosses our lawn, and goes across the very narrow bridge we use to access the pond on the property.

If the trail to Landgoes Farm were opened to bicyclists, large numbers, potentially massive numbers, of bikers would travel through the farmyard. In recent years there has been a large increase in bicycling in the area, and efforts are underway to further increase the level of biking activity. In recent years, Alex Buskey and others created the Ranger Ride, which at its pre-Covid peak attracted 400 bikers on a single day to Tunbridge. I understand the hope is to resume and

CODE OF CONDUCT

1. A member of the Regional Commission has an affirmative obligation to conduct the affairs of his or her office, whether as a member of the full Regional Commission or as a member of a Committee or Sub-Committee, in such a manner as to instill public trust and confidence. Thus, a member of the Regional Commission shall take all reasonable steps to avoid any action or circumstance, whether or not specifically prohibited by this policy which might result in, or create the appearance of:

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TO: **Regional Commissioners**

FROM: Peter G. Gregory, AICP, Executive Director PGG

DATE: May 19, 2021

RE: Allegations of TRORC Code of Conduct violations

TRORC Commissioner Sacca from Tunbridge alleged to the TRORC Executive Committee in April that TRORC Commissioner Echeverria from Strafford violated the adopted TRORC Code of Conduct Policy that both Commissioners have signed. At the April 14th Executive Committee meeting, both Commissioners explained their position and justification for the allegation and at that meeting, Commissioner Echeverria counter alleged similar violations upon Commissioner Sacca.

The Executive Committee took the discussion under advisement and then met again, one week later, on April 21st and debated what was presented and upon reviewing that, found no Code of Conduct violations occurred by either party. Copies of both sets of minutes have been on our web site and are included in this Board packet. TRORC's Code of Conduct Policy is also included in this packet.

To summarize what the Executive Committee found:

1. Staff conducted themselves professionally and did not take sides in the underlying private dispute that gave rise to the Code of Conduct allegations.
2. No action of any sort, was taken by staff that could be construed as taking sides at the expense of one party over another.
3. There was no current state permit (Act 250) being sought be either party whereby TRORC could have provided testimony that would support one party over another.
4. No formal (TRORC Regional Plan) policy or informal policy was being written or acted upon regarding the underlying private dispute.
5. Neither party was enhanced financially, given that neither party gained anything of value by involving TRORC or TRORC staff in the private dispute underlying the alleged Code of Conduct violations.

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