

PROGRAM/PROJECT REVIEW COMMITTEE MEETING MINUTES

WEDNESDAY, FEBRUARY 11, 2009

The meeting of the Policy/Project Review Committee was held at the Northwest Regional Planning Commission office. At 5:30 PM, M. Guernsey opened the meeting.

ATTENDANCE:

Commission: Baderstadt, Andrea ; Garrett, Harold ; Guernsey, Michael ; Howrigan, Patrick ; Kade, Barry ; Kittell, William ; Lambert, John ; Leach, Christopher ; Peirce, David ; Roberge, Richard ; Speer, Neal ; Steen, Colleen ; Charron, Claude ; Bob Manning .

Staff: G. Brunswick.

1) Minutes. M. Guernsey asked for comments on the January meeting notes. No comments heard. C. Steen made a motion to accept the December meeting notes. H. Garrett seconded. Motion passed. M. Guernsey asked for comments on the October meeting notes. C. Steen noted that she was at the meeting, but marked absent. G. Brunswick noted that the change has been made. A. Baderstadt made a motion to accept the October meeting notes. C. Steen seconded. Motion passed.

2) Staff Updates.

- **Collins Perley.** Brunswick noted that there is a proposal for improvements to the Collins Perley Sports Center, which includes a new exterior building to house the refrigeration package, renovations to the outdoor running track, replacement of stadium field poles and lights, and upgrades to the stormwater system. Brunswick responded to the application with a letter stating no conflict with the Regional Plan. She is looking for ratification of this letter. B. Kade made a motion to approve the letter stating that the improvements to Collins Perley do not conflict with the Regional Plan. C. Steen seconded. Motion passed.
- **Fairfax 2 lot subdivision.** Brunswick updated the Committee on a 2 lot subdivision off Woodward Road in Fairfax. She explained that she does not believe there is a conflict with the Regional Plan and is looking for support to provide this feedback to the District Commission. D. Roberge made a motion to provide a letter stating that this project does not conflict with the Regional Plan to the District Commission. C. Steen seconded. Motion passed.
- **Geoff Green Next Steps.** Brunswick explained that she put this on the agenda to talk about next steps as closure to the discussion with G. Green in January. She noted that she will be convening a Regional Plan Committee meeting sometime in the Spring to discuss amendments to the goals and policies of the Regional Plan. M. Guernsey explained his two big points. G. Green sits as Coordinator for the NW Region and Addison County and he appreciates that the NW Region is very active. Addison County is the exact opposite; they rarely look at Act 250 applications. Also, because our Regional Plan is suggestive, with the use of the word should and recommend, when push comes to shove, the language does not hold weight. There are areas where

language could be strengthened. However, M. Guernsey noted that our comments not relating to regional plan conformance are useful as they are things he would usually bring up, but are better coming from us.

The Committee discussed the notion of strengthening language in certain sections for the Regional Plan, which was recommended as an option by G. Green. B. Kade noted that an option language amendments could be that specific criteria for a project have to be met for it to become a shall. For example, if light from a project projects more than 20 feet beyond the property line, then the project will do this or this. H. Garrett noted that lighting and stormwater are standards that could be required across the board, while sidewalks are different and vary on the situation and the municipality. A. Baderstadt asked if we can learn anything from ordinances in other cities.

The Committee discussed the purview of the regional plan versus local zoning bylaws and planning. The Committee agrees that the Regional Plan should not impose standards that individual towns don't want. There was agreement therefore, that there may not be a place for the word shall in the Regional Plan. Brunswick noted that there are instances that are very general where the word shall can be appropriate, such as development shall not degrade ground water. The Committee did not reach agreement on how language should be amended.

M. Guernsey recommended that the Regional Plan Committee keep the Project Review Committee updated on their discussions of amendments to the Regional Plan.

- **Act 250 Rule Changes.** Brunswick updated the Committee on proposed changes to the Act 250 Rules, which govern the Act 250 review process. She noted that there are several proposed changes, which are mostly minor administrative changes. She noted that she wants to bring one more substantial change to the Committee's attention. It proposes to allow for an exemption for commercial construction of a de-minimum nature. Applicants would apply to the District Coordinator for this exemption and the Coordinator would determine if it has a de-minimus impact on the Act 250 criteria. Brunswick noted that we would not get notice of this decision, but it would be appealable. C. Steen has concern about the decision being made by one person without public notice. She asked isn't it similar to the decision that G. Green makes for minor versus major projects? The Committee discussed this further and agreed that while the exemption makes sense, public notice should be required. C. Steen made a motion to authorize G. Brunswick to confer with M. Guernsey and C. Dimitruk on addressing the Committees concerns in comments on this Rule change. B. Manning seconded. Motion passed.

3) Project Review

- **Existing 4 lot subdivision, St. Albans Town.** Brunswick explained that this project was completed piecemeal over 32 years. This portion seeking approval has already been completed, but never received Act 250 approval. Brunswick does not see any conflict with the Regional Plan. A. Baderstadt made a motion that this project does not conflict with the Regional Plan. H. Garrett seconded. Motion passed.
- **Reed Subdivision.** Brunswick updated the Committee on the proposed Subdivision of 11.4 acres into 5 lots, with 2 lots proposed for duplexes, 2 lots proposed for single family homes, and 1 lot preserved for agricultural mitigation, located off Cook Road (between

Heald Road and the Highgate Town Line) in the Town of Sheldon. The project is located in Agricultural Resource Lands as identified in the Northwest Regional Plan. B. Kade made a motion that the project does not conflict with the Regional Plan with the agricultural mitigation. D. Roberge seconded. Motion passed.

- **Georgia Mountain Wind.** Brunswick explained that while the full application has not been submitted yet, there are a few things the Committee can discuss about this project. First, to gain party status, the Commission will have to file an entry of appearance. Brunswick is looking for official action from the Committee on this matter. C. Steen motioned to file for party status. A. Beaderstadt seconded. Motion passed. Secondly, Brunswick noted that the Committee has seen visual simulations of the wind towers and could discuss visual impact of the project. The Regional Plan requires that the Quechee Analysis be used as a basis for visual impact analysis. Brunswick referred to a handout on the Quechee Analysis to be used as a basis for discussion. H. Garrett noted that based on the experience of other proposed wind projects in this state he does not have faith that any will be permitted. A. Beaderstadt told the Committee about a wind project which she finds aesthetically pleasing, especially when compared to the burning of a coal plant. H. Garrett looks at it in the same context as putting cell towers on the interstate. Look at the struggle the state is having. M. Guernsey thinks that this project is of a small enough scale that it may not have such a struggle. H. Garrett noted that the Harrison's are testing the water.

The Committee reviewed the questions relating to the Quechee Analysis in the handout. It was suggested that the wind project is compatible with the surrounded area because it is already used for power generation with the Lake Arrowhead Hydro Dam. The Committee discussed how the visual impact is not alarming. B. Kade noted that if the project was not clean, energy production he thinks that the project would have an adverse visual impact, but that it will generate clean power, the impact is mitigated. H. Garrett made a motion that while the visual impact of the project is strong, it is not undue give the public benefit of wind power generation. B. Manning seconded. Motion carried.

- **Lowe's.** Brunswick updated the Committee that Lowe's will be starting the local review process very shortly. She noted that the engineer has contacted her and will be coming to give a presentation on the project at next months meeting. Brunswick thinks that the Committee should start thinking about lessoned learned from Walmart in anticipation of this project. The Committee briefly discussed general details of the project.
- 4) **Other Business.** M. Guernsey will not be here for the Board meeting at the end of the month and therefore cannot give Committee report. H. Garrett agreed to give the Committee report. Brunswick will provide a narrative and project updates will be included in the Business Report.

P. Howrigan moved to adjourn. Adjourned at 7:16