

JOHNSON PLANNING COMMISSION MEETING MINUTES
ELLSWORTH ROOM, WILLEY LIBRARY, VSU - JOHNSON
THURSDAY, MAY 9, 2024

Planning Commission members present: Charlie Gallanter, Kiley Hill, Rob Rodriguez, Adrienne Stevson, Paul Warden

Planning Commission members absent: David Butler, Kim Cotnoir

Others present: Meghan Rodier (Lamoille County Planning Commission), Alberto Della Torre (LCPC)

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Paul called the meeting to order at 6:30.

He said the meeting may or may not have been warned appropriately as a public hearing. He needs to check on that. But it was warned as a Planning Commission meeting and public input can be taken as part of a Planning Commission meeting. If it was not warned correctly as a public hearing another public hearing will be held next month.

2. Agenda Changes & Public Comment

None

3. Public Comment and Discussion/Edits – Draft Municipal Development Plan

With no members of the public present, Paul suggested that the Planning Commission go through the draft Municipal Development Plan chapter by chapter so members could provide input.

On p. 4 there is an overview of the plan. Paul thought it might make sense to have a paragraph about the flooding and how that colors a lot of the rest of the plan. He sent suggested wording to Meghan Rodier. (*Kyle Hill arrived at 6:35.*) Commissioners reviewed the proposed wording and agreed to it.

On p. 5 Paul suggested changing “Implementation recommendations are categorized by short-term, medium-term, and long-term goals based on the following general timeframe descriptions” to replace “timeframe descriptions” with “timeframe expected for completion.”

Commissioners had no comments about the Demographics and Housing or Economic Development chapters.

Paul said the Natural, Scenic and Historic Resources chapter does not reflect the commission’s recent discussion on vernal pools. It recommends a buffer of 750 ft. around vernal pools but the commission previously discussed reducing that. The state mandated buffer is 50 ft. in general and our plan recommends increasing that to 100 ft. He proposes the same buffer for vernal pools.

Charlie said vernal pools will only be on one side of the river. They are created when rivers overflow in spring, then recede and leave pools behind. Paul said that is not the only source of vernal pools. Charlie said a 100 ft. buffer around a vernal pool near a river extends to the other side of the river. If the pool is near a road a 100 ft. buffer could extend to the other side of the road. Animals that use a vernal pool won’t cross a river or road. A buffer of more than 50 ft. may not be practical. He is content with a 50 ft. buffer.

After some discussion, it was agreed to change the language on vernal pool buffers to say that the Conservation Commission recommended a 750 ft. buffer based on findings from the 2017 natural

resources inventory but the Planning Commission feels that could result in public taking of private property rights so we recommend the same 50 to 100 ft buffer as for Class 2 wetlands.

Charlie handed out some comments on the Johnson Enhanced Energy Plan chapter. He suggests referring to Johnson's inclusivity statement and saying that it applies to those of all socioeconomic strata when distributing incentives. Paul asked what point that is trying to get across. Charlie said that if there are subsidies for weatherization or charging stations are being given away, everyone should be able to get them. Rob agreed. Adrienne said she doesn't know how our town plan can affect that. Paul said he is not 100% sure he agrees with the suggestion. Kyley said she is in the middle class so the loan she got after the flood had less favorable terms than it would have if she had been lower class. She feels she should have gotten the same terms because she is not so well off. The question is where we draw the line. Someone who has ten electric cars shouldn't get a free charging station for each of them. Charlie said everyone should get one, including the person with ten cars. Adrienne said she doesn't know if this change is necessary. Charlie said he feels we should extend equity to the middle class.

Charlie asked, is the goal to reduce energy consumption? If that is the goal, incentives should not be income dependent. Paul said if we are talking about weatherization, someone with fewer economic advantages would need more help weatherizing their home. Charlie said if the goal is to reduce CO2 emissions, incentives should apply across the board. If an incentive helps him reduce his emissions it shouldn't matter how much money he has in the bank. Kyley said if 100% of insulation costs were going to be covered, a billionaire's house would cost more to insulate. Rob said maybe not; maybe they would have built it better.

Paul said there will always be a limited pool of money. If you only have \$10,000, are you going to divide it equally and give 10,000 people a dollar? Charlie said you would make \$500 awards on a random lottery basis.

Rob said he agrees with Charlie. The same amount of carbon is being saved if a billionaire uses the incentive. Paul said if you put the same amount of money into a small, poorly insulated house and a large, better insulated house, you probably would save more energy with the smaller house.

Charlie said this is really intended to help the middle class. He is not really talking about multi-millionaires; he is talking about people like the Planning Commission members who may have too much income when income sensitivity is applied but are not in the 1%.

Paul said it appears that 3 commissioners are in favor of Charlie's suggested language and 2 are undecided.

Charlie said he thinks the energy burden information needs to be moved to its own standalone section. The statement about Johnson's energy burden should be changed to say that in Lamoille County Johnson is the town with the highest energy burden. And the 14.3% figure should be explained as 14.3% of residents meeting income criteria. The commission agreed to those changes.

In the thermal energy use/weatherization section, Charlie thinks it makes more sense to give the percentage of Johnson housing stock that was built before 1939 rather than the percentage that was built after that.

Charlie had suggested language changes for the first part of the section about EV charging infrastructure. His language says Efficiency Vermont is funded in large part by a regressive surcharge on electricity and that energy cost saving for electric vehicles are due in part to the fact that electric vehicles don't pay road tax. He said it is not true that people will save money with electric vehicles because their maintenance costs are very high. They go through tires more quickly, which contributes to carbon pollution. People may save on energy costs with electric vehicles, but they won't save overall.

Paul said he doesn't know that he agrees with saying electric vehicles provide a cleaner but less equitable transportation network, as Charlie suggested. Charlie said it is less equitable because electric vehicles don't pay road tax and because Efficiency Vermont is funded through a regressive fee on electricity usage. It's a sales tax and sales taxes are regressive. The fee has a greater effect on people who spend more of their income on energy. That's not equitable.

Meghan said the state was looking at a higher registration fees for electric vehicles to compensate for them not paying gasoline tax. Charlie said they haven't done it yet.

Paul said Charlie's suggested language seems very negative. Is there another way to express the same thoughts? And the statement about how Efficiency Vermont gets its money doesn't seem relevant to the rest of the paragraph. Paul said he will work on different suggested wording and send a draft around.

Charlie said he doesn't believe the statement that for rural areas solar arrays can have a positive effect when combined with agriculture. How so? He would like the statement to be backed up if possible. Meghan said she doesn't know that we need that statement. Paul showed Charlie an example of combining solar arrays with agriculture he found online. Charlie said leaving the statement in is all right with him.

Charlie suggested adding a footnote about Efficiency Vermont's statistics. He thinks some are questionable. Some of the figures are based on models he doesn't know that we can trust. The models rely on a lot of assumptions. He wouldn't make a decision based on those statistics. Paul said he doesn't think we are in a position to comment on which sources are reliable or suspect. He wouldn't be comfortable with Charlie's suggested language. Adrienne said she wouldn't call out just one source of statistics in the report. Kyley suggested saying that all the statistics are subject to change. Others suggested not saying anything about the statistics and Charlie agreed to that.

No one had comments on the Transportation chapter.

In the Public Services and Community Facilities chapter, Paul questioned whether we emphasize strongly enough the poor location of the wastewater treatment facility. Charlie said he thinks that is addressed in the Flood Resiliency chapter. It was agreed to add a medium term implementation recommendation to consider locating the wastewater treatment facility outside the floodplain.

No one had comments on the Education chapter.

In the Recreation chapter, Paul pointed out that there are some implementation recommendations that are not classified as short term, medium term or long term. It was agreed to leave all the items grouped together under #2 grouped as they are and to call them short term. "Explore funding for lights

for the ball fields at Old Mill Park” should be labeled long term and “Explore opportunities for enhanced access / recreational options at VSU-J” should be short term.

Charlie handed out some suggestions for the Flood Resiliency chapter. Some of his suggestions had already been incorporated or referred to language that had been removed, as he was not working from the most recent draft. He pointed out one sentence that didn’t make sense and it was agreed that the word “are” needed to be added to it.

Paul said one of the implementation recommendations in this section (“Revise the Johnson Form Based Code to allow for exemptions for installing flood resiliency measures”) is something the Planning Commission shot down recently. It was agreed to change “Revise” to “Consider revising.”

A formatting issue was identified on p. 98 of the Land Use chapter.

The Land Use section says when form based code was adopted by the selectboard. It was agreed to add that it was subsequently adopted by the voters in the binding referendum.

Adrienne asked if the maps in the PDF of the plan can made the same width as the other pages so the document is easier to scroll through. Alberto said he will see if he can resize them.

Paul said we have a lot of implementation recommendations. Should we show which ones are priorities? A number of other town plans have priorities listed up front. Adrienne suggested a separate action-focused summary document. It was agreed to add a link in the introduction to a list of all the implementation recommendations.

Paul said another public hearing has to be warned to adjacent towns 30 days in advance. Once it is warned we can’t change the plan so the edits discussed tonight need to be made first. It was agreed to schedule another public hearing, if needed, on June 18 at 6:30.

The commission discussed possibly holding a Planning Commission meeting following the public hearing if the public hearing is short. The commission could start work on flood hazard bylaws. Charlie would also like to warn that we are going to meet as the floodplain DRB to consider an enforcement action on a floodplain permit. Paul asked him to send him that request in writing.

4. Adjourn

Kyley moved to adjourn, Charlie seconded and the motion was passed unanimously at 8:21.