



NATURAL RESOURCES BOARD

10 Baldwin Street
Montpelier, VT 05633-3201

NATURAL RESOURCES BOARD MEETING **TUESDAY, May 12, 2020** **11:00 am**

Board Members Present by Phone:

Diane B. Snelling, Chair
Steve Larrabee, Member
Don Turner, Member

ABSENT

Martha (Marty) Illick, Vice Chair
Brad Aldrich, Member

Staff by Microsoft Teams:

Gregory Boulbol, General Counsel
Kimberley Lashua, Business Director
Evan Meenan, Associate General Counsel
Aaron Brondyke, State Coordinator
Katie Emerson, Legal Technician

Members of the Public by phone:

Ellen Czajkowski, Legislative Counsel

11:001 a.m. Welcome and Introductions

The Vermont Natural Resources Board convened at 11:01 a.m. via Microsoft Teams/ phone, Chair Diane B. Snelling presiding.

Chair Snelling welcomed everyone; board members identified themselves on the call.

11:02 a.m. Opportunity for public to comment and agenda and non-agenda items.

Chair Snelling asked if there were any public comments, no comments were made.

11:03 a.m. NRB office and budget updates

Ms. Kimberley Lashua shared that she and Chair Snelling have started conversations with regional office staff regarding the new normal. The NRB has successfully



transitioned to telework, and as we transition back to in-person office work, it will likely include telework.

Chair Snelling notes that work has not been delayed in any way with the possible exception of hearings on major applications.

Ms. Lashua noted that we continue to expect information about current and proposed budgets but have not received anything yet.

11:08 a.m. Review and action on Minutes of April 14, 2020

There was not a quorum of board members who attended the April meeting; we will postpone approving the minutes until a quorum is present.

11:10 a.m. Records Management Policy Update

Mr. Meenan presented an administrative update to the Board's Records Management Policy. The first iteration of the Records Management Policy referenced a handbook produced by VSARA. They have taken the handbook and reformatted it into different pieces and published it on their website. The update replaces references to the handbook with references to their forms and procedures webpage.

Mr. Steve Larrabee made a motion to approve the update, Mr. Don Turner seconded the motion. The Records Management Policy update was approved unanimously.

11:15 a.m. Discussion regarding Act 250 legislative initiatives

Mr. Greg Boulbol reported that the legislature is focused on preserving the Vermont economy right now, so there is not a lot of activity regarding Act 250. The bill regarding the modernization of Act 250 did pass out of House shortly before COVID 19, and it is sitting at Senate Natural Resources Committee. The Committee may be interested in taking up the portion of the bill dealing with recreational trails. Mr. Boulbol will sit in on testimony regarding trails tomorrow morning and provide the Chair with updates and any Board members if they are interested.

Mr. Meenan gave an update on priority housing projects. District coordinators had previously identified a Priority Housing Project loophole that allowed for housing projects to qualify as affordable housing even if every unit was priced at more than the market rate. This is possible because of the six definitions of affordable housing under Act 250. Under these various definitions, the size of the unit does not need to be tied to the cost.

A bill in the Senate Finance committee, S. 237, could allow owner occupied mixed-income housing to become more expensive. Mr. Meenan is working on a memo for the Committee detailing how the six affordable housing definitions work under Act 250.

Chair Snelling gave a brief update. At the last meeting, there was discussion regarding what NRB would do regarding projects directly related to the COVID-19 emergency. The NRB is being asked to treat several projects as these types of emergencies. We are working to be consistent and fair in handling these applications.

11:25 a.m. Discussion of appeals, enforcement, and attorney-client memoranda

Mr. Boulbol reported that the courts have slowed down. A couple of Act 250 appeals were filed at the beginning of the COVID-19 emergency, but they have not been taken up yet. We will keep you posted.

11:30 a.m. Adjourn

At 11:30 a.m., Mr. Steve Larrabee made a motion to adjourn, seconded by Mr. Don Turner, and unanimously approved by the Board.