



## NATURAL RESOURCES BOARD

Dewey Building  
National Life Drive  
Montpelier, Vermont 05620-3201

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### NATURAL RESOURCES BOARD TELECONFERENCE MEETING

Tuesday, December 16, 2014

### MINUTES

#### PRESENT

Ronald A. Shems, Esq., Chair  
William Boyd Davies, Esq., Member (participated by telephone)  
Martha (Marty) Illick, Member (participated by telephone)  
Don Sargent, Member, (participated by telephone)  
Gail Fallar, Alternate Member, (participated by telephone)

#### STAFF

Lou Borie, Executive Director  
Melanie Kehne, General Counsel  
Peter Gill, Associate General Counsel  
Greg Boulbol, Associate General Counsel  
Aaron Brondyke, Permit Compliance Officer  
Kimberley Lashua, Administration Manager  
Karen Dupont, Program Technician

#### ALSO ATTENDING

Kate McCarthy, Sustainable Communities Director, Vermont Natural Resources Council  
(participated by telephone)  
David White, President at White & Burke Real Estate Investment Advisors, Inc.  
(participated by telephone)

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The Vermont Natural Resources Board convened by telephone at approximately 10:37 a.m. on Tuesday, December 16, 2014 at the Dewey Building Conference Room, National Life Drive, Montpelier, Vermont; Chair Ron Shems presiding. This meeting had been properly noticed with a location and a call-in number. Chair Shems welcomed everyone to the meeting and took a roll call of those attending by telephone.

#### Board Members

Bill Davies, Esq., Member - Yes  
Marty Illick, Member - Yes



Don Sargent, Member - Yes  
Gail Fallar, Alternate member – Yes

**Visitors**

Kate McCarthy - Yes  
David White - Yes

**1. Rule 21 – Master Plans and Partial Findings**

Peter Gill reviewed the draft Rule 21, *Master Plans and Partial Findings*, with the Board and explained changes made from the previous version. The Board discussed the proposed changes to the draft and heard from stakeholders through written and verbal comments.

Ron Shems made a motion that the Board commence rulemaking with the proposed Act 250 Rule 21 with the changes discussed at the meeting. The motion was seconded by Don Sargent. A unanimous roll call vote resulted as follows:

Ron Shems - Yes  
Bill Davies - Yes  
Marty Illick - Yes  
Don Sargent - Yes  
Gail Fallar - Yes

**2. Act 250 Rule Revisions**

Melanie Kehne reviewed the other draft Act 250 Rules and explained changes suggested by various district coordinators at the recent coordinators' meeting. The Board made several changes to the draft, including changes to proposed Rule 2(C)(4)(defining "confined to"), Rule 2(D)(Jurisdiction by Municipal Election), and Rule 34(E)(1)(regarding critical permit conditions).

Kate McCarthy commented in support of the Board's clarifying changes to Rule 2(C)(4)("confined to"), which were based in part on suggestions made by the district coordinators. She also suggested clarifying Rule 2(D) further by specifying the state-designated centers pursuant to Chapter 76A of Title 24. The Board approved that clarifying change for incorporation into the rule.

Bill Davies made a motion to proceed with rulemaking with these changes. Don Sargent seconded the motion, which passed unanimously by roll call vote:

Ron Shems - Yes



Bill Davies - Yes  
Marty Illick - Yes  
Don Sargent - Yes  
Gail Fallar - Yes

### 3. Approval of Minutes

Bill Davies moved to approve the minutes of the December 9, 2014 meeting as printed with no correction. The motion was seconded by Marty Illick and approved by the Board by roll call vote:

Ronald A. Shems, Esq., Chair - Yes  
Bill Davies, Esq., Member - Yes  
Marty Illick, Member - Yes  
Don Sargent, Member - Yes  
Gail Fallar, Alternate member - Yes

### 4. Adjournment

At approximately 11:35 a.m. Bill Davies moved to adjourn. Marty Illick seconded the motion, and it was approved by unanimous roll call vote:

Ronald A. Shems, Esq., Chair - Yes  
Bill Davies, Esq., Member – Yes  
Marty Illick, Member – Yes  
Don Sargent, Member - Yes  
Gail Fallar, Alternate Member - Yes

Respectfully submitted,

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Ronald A. Shems, Esq., Chair

Approved by the Board at its \_\_\_\_\_ meeting.

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