



NATURAL RESOURCES BOARD

10 Baldwin Street
Montpelier, VT 05633-3201

NATURAL RESOURCES BOARD MEETING **TUESDAY, January 10, 2023** **11:00 am**

Board Members Present:

Sabina Haskell, Chair; Brad Aldrich, Vice Chair; and Andrew Collier, Member

ABSENT

Don Turner, Member and Steve Larrabee, Member

Staff Present:

Peter Gill, Executive Director; Alison Stone, General Counsel; Jenny Ronis, Associate General Counsel; Aaron Brondyke, State Coordinator; Michaela Stickney, Enforcement and Compliance Officer; Christopher Kinnick, Enforcement and Compliance Officer; Rachel Lomonaco, Business Director; Katie Emerson, Legal Technician; Quin Mann, Roving Coordinator; Pete Kopsco, District 3 Coordinator; Kaitlin Hayes, District 4 Coordinator

Members of the Public:

The Vermont Natural Resources Board convened at 11:03 a.m. via Microsoft Teams, Chair Sabina Haskell presiding.

I. 11:03 a.m. Opportunity for public to comment and agenda and non-agenda items.

Chair Haskell offered the public the opportunity to comment, no members of the public were present.

II. 11:05 a.m. Welcome and Introductions

NRB Staff who had not previously met the Board introduced themselves:

Pete Kopsco - started last February. Took over from Linda Matteson when she retired, was previously with ANR

Kaitlin Hayes - district coordinator in D4, was previously an enforcement officer with the NRB and before that was with Agency of Agriculture

Christopher Kinnick - been with the Board since last September had previously been with the department of health



Pete Gill – new executive director, had previously been with the board as an attorney for about 8 years, in the interim was at Norwich University

Quin Mann – one of the ARPA or roving coordinators, focused on southern part of the state. Background in NEPA in the private sector and with CCDE

Katie Emerson is leaving the NRB after four years and moving to the tax department current use program.

III. 11:05 a.m. Review and action on Minutes of December 13, 2022

A motion to approve the minutes of the Tuesday, December 13, 2022 meeting was made by Brad Aldrich. Mr. Andrew Collier abstained since he was not present at that meeting. The approval of the minutes was tabled until the next meeting.

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

No new updates other than staffing

V. 11:12 a.m. Discussion regarding Act 250 legislative initiatives

Chair Haskell said that we are in the second week of the legislative session. We have a newly named committee, House Environment and Energy. The committee is largely new with four returning members, and seven new members. Of the seven new members, four have served on other committees and three are brand new.

Chair Haskell and Executive Director, Pete Gill, are meeting with chair of the committee tomorrow, they will give her an advance copy of the Accessory On Farm Business report (will send to Board as well). Have a discussion of her goals and planning for the Act 250 report due in December.

Pete Gill gave an overview of bills that have already been introduced that impact the NRB:

- H2. Would exempt act250 for aircraft hangers
- H5. Seeks a study to coordinate municipal, regional, and statewide planning
- H6. Extend act 250 jurisdiction to subdivisions above 2,000 ft
- H. 29 extends jurisdiction under the existing flood hazard area and River Corridor Rule
- Several bills relate to the review of natural resources, which could impact how Act 250 review criteria
- S. 1 is a companion bill to aircraft hanger bill, H. 2.

- We anticipate additional bills relating to housing and other topics

Chair Haskell noted one additional bill (S.3) that:

- prohibits paramilitary training camps, which likely stems from slate ridge in Pawlet

VI. 11:17 a.m. Reports

Chair Haskell will submit the Accessory On Farm Business (AOFB) report on Friday. Work has just started on the Act 250 Necessary Updates Report. Chair Haskell is hoping to hire a facilitator.

Chair Haskell asked if the Board members would be interested in participating on an internal stakeholder team. Mr. Brad Aldrich expressed interest in participating remotely from Florida. Mr. Andrew Collier would like to get regular updates.

VII. 11:19 a.m. Discussion of appeals, enforcement, and attorney-client memoranda

Ms. Jenny Ronis, Associate General Counsel gave an update on the Costco appeal. Currently, there are three different matters and two of them are in front of the environmental court, superior division.

- One of the two cases is regarding the -19 amendment, which limited hours operation of the gas pumps until traffic improvements are made. The second case is an appeal of a JO for all operating hours following a traffic study.
- Costco also filed an application with district commission asking for full operating hours.
- There is a Vtrans public meeting on Thursday night to discuss exit 16

Ms. Alison Stone, General Counsel reported that there are currently 21 pending cases that Alison and Jenny are working on together or separately. She also mentioned that discovery is going on in the Burton Appeal. The case is before Judge Teachout, who doesn't normally hear environmental cases but has likely taken over because of Judge Durkin's illness.

Chair Haskell concluded this update with a plan for a more in-depth review of appeals at the next meeting.

VIII. 11:25 a.m. Adjourn

At 11:25 a.m., Mr. Brad Aldrich made a motion to adjourn, seconded by Mr. Andrew Collier, and unanimously approved by the Board.