



# MINUTES

**July 15, 2021 - 5:30 PM**

Meeting held via Zoom and in Person at 210 South Street, Bennington

Present: Donald Campbell, Linda Gallagher, Nancy Faesy, John LaVecchia, Jay Reichman, Anthony Maclaurin, Cinda Morse, Dana Rozycki, Bruce Lierman, Charlie Rockwell, Nick Zaiac, Dixie Zens, James Salerno, Steven Bendix, John LaVecchia, Jr.

Xusana Davis, Liz Courtney, Representative David Durfee, Rob Faley, Karen Mellinger, David Mellinger, Jerry Mattison, Mike White, Robert Scott, Michael Gardner

Staff: Jim Sullivan, Catherin Bryars, Bill Colvin, Allison Strohl, Mark Anders, Jim Henderson, Callie Fishburn, Amanda Stevens

I. Welcome and Introductions

Catherine Bryars opened the meeting, noting that a brief business meeting and public hearing on the Glastenbury Zoning Bylaw would follow the presentation by Xusana Davis.

II. Applying an Equity Lens: Xusana Davis, VT Executive Director of Racial Equity

Xusana's presentation focused on racial equity issues in general and the situation in Vermont in particular. The presentation slide show is attached to these Minutes and will be available on the BCRC website. Xusana discussed equity issues in the context of land use planning, housing, transportation, food security, and public health, all of which are areas of BCRC and municipal work. She focused on the myth of race neutrality, how to properly and effectively use data to support decision-making, and incorporation of equity in all areas of our work. Xusana emphasized the equity implications of budget and policy decisions. Her presentation was followed by commissioner comments and questions noting the challenges, but also the importance, of continuing to work toward those equity objectives in all areas of our work. The BCRC will be providing additional information on diversity, equity, and inclusion to towns and villages in the near future.

III. Approval of May 20, 2021 Meeting Minutes

Motion to approve the Minutes as presented by Zens. Second by John LaVecchia. Passed unanimously.

IV. Public Hearing – Glastenbury Zoning Bylaw Amendments

Jim Sullivan explained that the BCRC is responsible, according to statute, for holding a public hearing and considering adoption of land use regulations for the unorganized town of Glastenbury. A planning group that also serves as the Glastenbury development review board, drafted a number of amendments to the town's zoning bylaw. Catherine Bryars provided an overview of those changes, which include required updates made necessary by changes to state law as well as a provision making certain training exercise a conditional use. The proposed amendments and a report were provided to commissioners in advance of the hearing.

Public Comments:

Karen Mellinger asked whether the Town of Shaftsbury had been apprised of the proposal. Bryars indicated that they had received the proposal and hearing notice. Mellinger also asked who would be reviewing the permit applications and whether there could be numerous events and activities occurring throughout the summer. Bryars noted that applications would be reviewed by the development review board as conditional uses, the property owner is the applicant, and the DRB would be able to apply permit conditions concerning the length and number of events.

Steven Bendix expressed concern about the suitability of the F1 vs. F2 zoning districts for the training exercises.

Jim Henderson noted that the amendments related to training apply to all property owners in the town and that the types of training are limited to those noted in the bylaws.

Jay Reichman asked whether the language regarding the training exercises was "boilerplate," taken from other similar regulations. Bryars noted that there were limited examples available so the planning group drafted the proposed regulations based on the particular situation in Glastenbury. Reichman also asked about the term "residential" areas and whether the standards would apply to other areas as well. Bryars said that the intent was to keep the training uses out of the upland forest areas, including land owned by the Green Mountain National Forest.

Linda Gallagher expressed a concern that Glastenbury property owners weren't consulted and that the planning group does not represent residents of the town.

Jerry Mattison noted that he lives in Glastenbury and did participate in the development of the proposal.

Rob Faley, the VTrans District Administrator, stated that VTrans has certain responsibilities for the local road network and as such is concerned about the potential damage to the roads from heavy vehicles traveling to any military style training exercises. He also noted that there is a weight limit on Glastenbury Road. Bryars responded that the intent was to consider traffic and transportation system impacts via the conditional use process. All agreed that VTrans should be notified of any permit applications and hearings.

Karen Mellinger added that events in Glastenbury also would impact Shaftsbury roads so that town should be notified of any applications as well.

There being no further comments, the public hearing was closed. After some discussion, it was agreed that voting would be conducted using ballots to be mailed/mailed to the BCRC by next Friday (July 23). Sullivan will provide the meeting Minutes as well as a link to a recording of the hearing to commissioners, and will re-send the ballots to all commissioners.

There being no further business, the meeting was adjourned at 7:10 PM.

Meeting Recording Available on the  
BCRC website:

[Meetings - BCRC \(bcrcvt.org\)](http://bcrcvt.org)



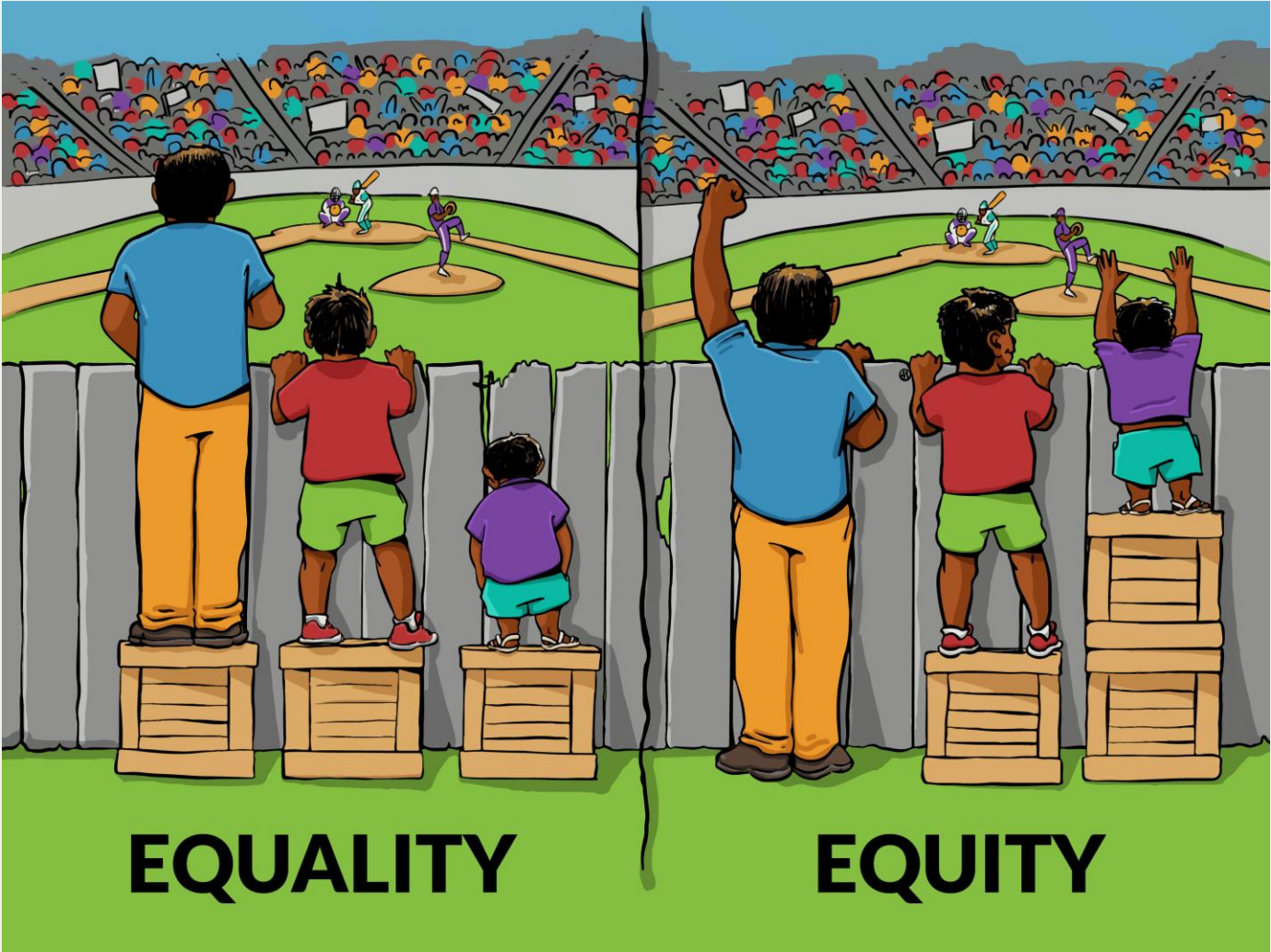
# **APPLYING AN EQUITY LENS: BCRC AND STRUCTURAL SOLUTIONS**

**July 15, 2021**

**Xusana R. Davis, Esq.  
Executive Director of Racial Equity  
State of Vermont**

**THE LAND WE CALL  
“VERMONT” IS  
UNCEDED  
INDIGENOUS  
TERRITORY**

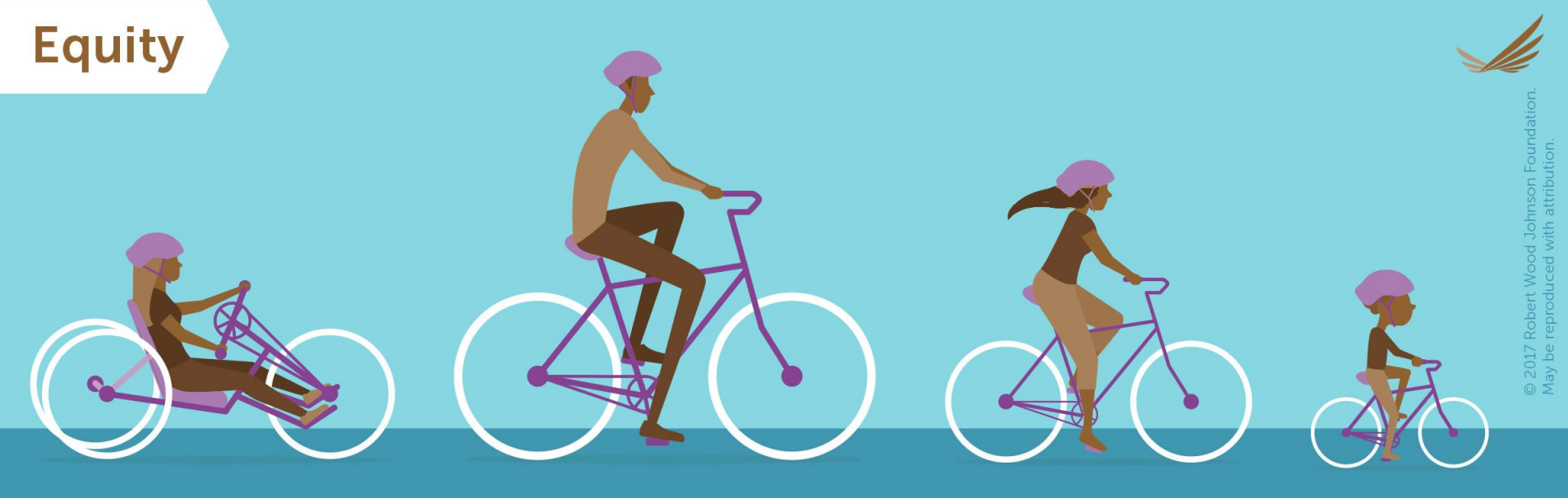
# EQUALITY VERSUS EQUITY



**EQUALITY**

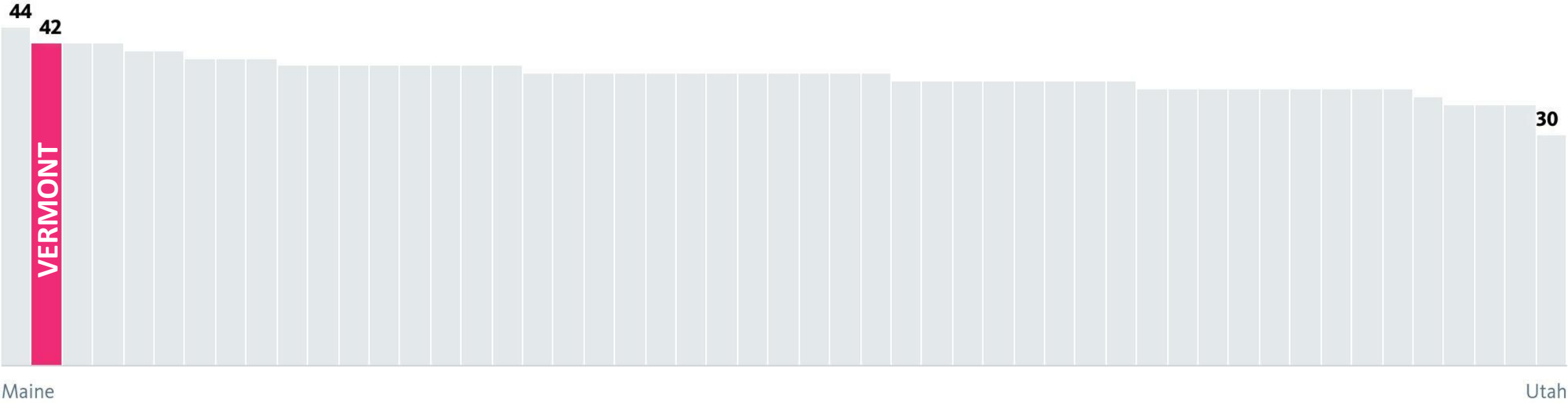
**EQUITY**

# EQUALITY VERSUS EQUITY



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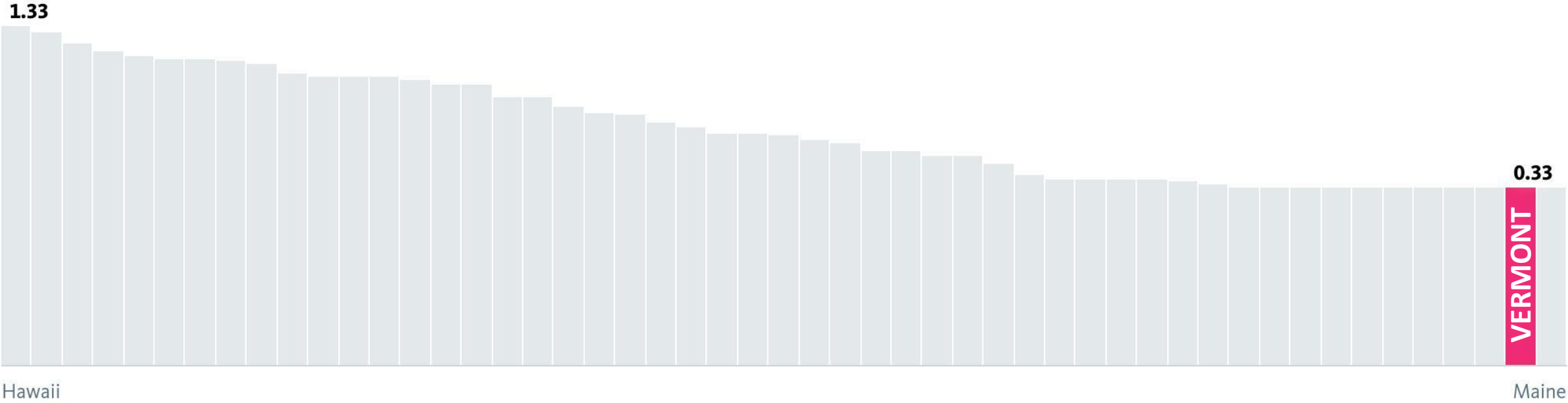
# Median age, ranked: Vermont, All, 2015



IPUMS  
PolicyLink/PERE National Equity Atlas, [www.nationalequityatlas.org](http://www.nationalequityatlas.org)

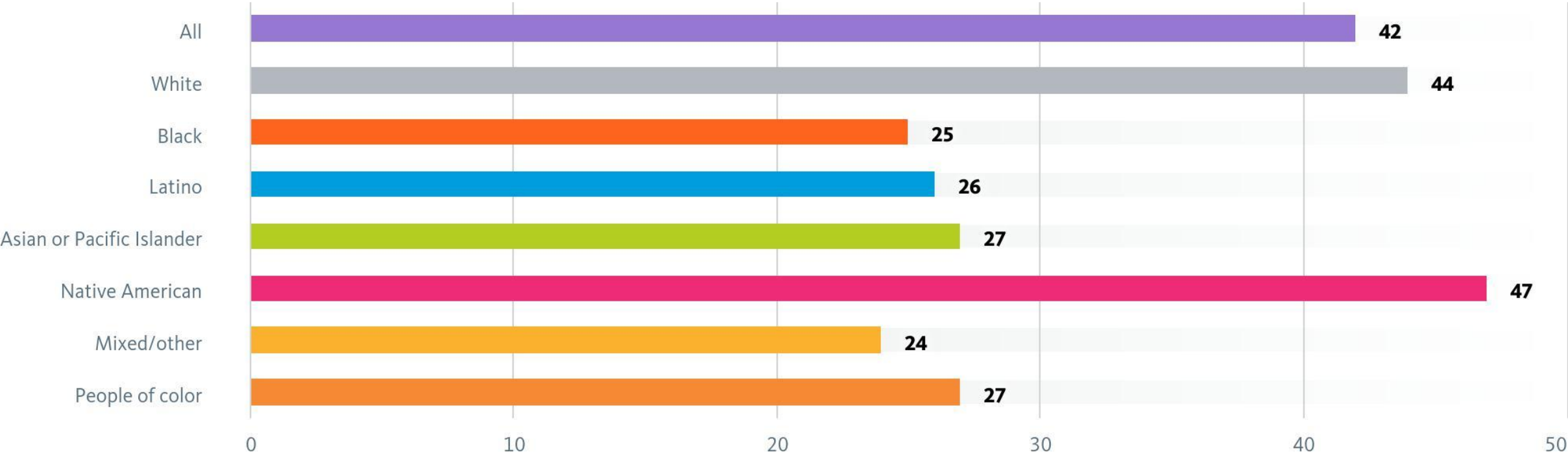


# Diversity score, ranked: Vermont, 2015



U.S. Census Bureau  
PolicyLink/PERE National Equity Atlas, [www.nationalequityatlas.org](http://www.nationalequityatlas.org)

# Median age: Vermont, 2015

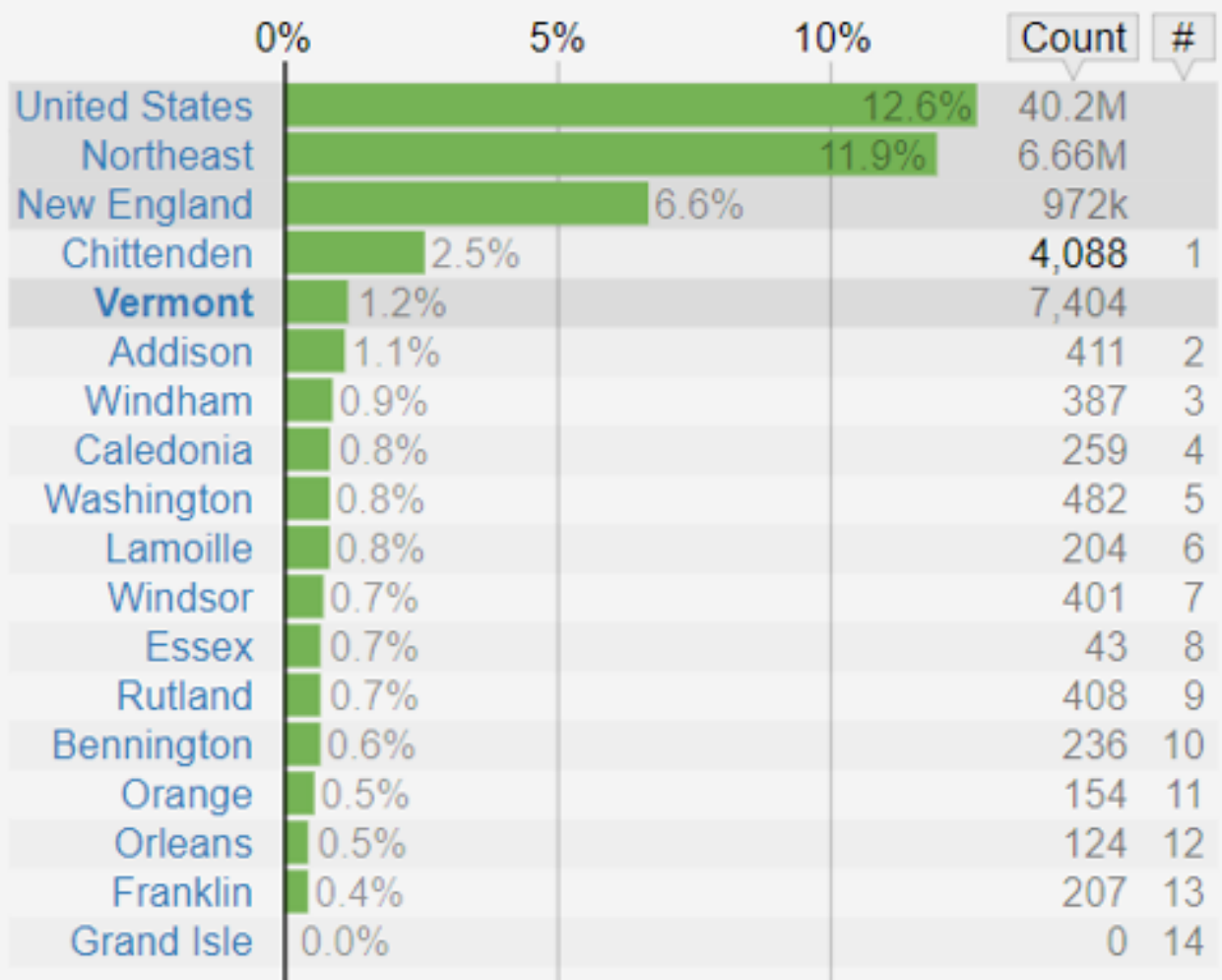


IPUMS  
PolicyLink/PERE National Equity Atlas, [www.nationalequityatlas.org](http://www.nationalequityatlas.org)

# Black Population by County

Percentage of the total population.

Scope: population of Vermont, selected counties in Vermont, and entities that contain Vermont



Count number of blacks  
# rank of county out of 14 by percentage blacks

## The economic benefits of equity

Racial economic inclusion is good for families, good for communities, and good for the economy. Nationally, GDP would have been \$2.5 trillion higher in 2015 if people of color had earned the same their white counterparts. We also know millions fewer would have lived in poverty, there would be billions more in tax revenue, and a smaller Social Security deficit overall.

Vermont: In 2015, the economy would have been **\$0.42** billion larger if there had been no racial gaps in income.

Actual GDP and estimated GDP with racial equity in income (billions):  
Vermont, 2015



In Vermont, African Americans are

**6.1x** MORE LIKELY

to be arrested for misdemeanor marijuana possession than White people.

From 2012 to 2016,

ABOUT **1 in 3**

Indigenous adult Vermonters was diagnosed with depression, compared to 1 in 5 White Vermonters diagnosed.

Vermonters of color had a

**48%**

homeownership rate in 2015, while White Vermonters had a 72% rate of homeownership.

Vermont's economy would have been

**\$0.42B**

larger in 2015 if there had been no racial gaps in income.

In FY19, State of Vermont hired

LESS THAN **HALF**

its applicants of color, paid them less, & lost them at higher rates than White employees.

In a National Parks Service survey,

**16%** OF AFRICAN AMERICANS

said they did not visit national parks because they thought the parks were unsafe.

According to the FBI,

**TWO-THIRDS**

of Vermont's hate crimes in 2018 were based on race—and this is an undercount.

In Vermont, race data is often

**UNKNOWN**

due primarily to lack of collection or small sample size.

## Demographics

77,685 Total Population (1940)  
22.4% Foreign-born white

## Area Descriptions

*click to select*

Selections from the Area Descriptions

C2

Artificial pond for ice cutting at Ohio & Connecticut Aves. (Detrimental Influences)

D6

Belgians (Inhabitants)

C1

Large families of small income interested in truck gardening and chickens. (Clarifying Remarks)



## Area Descriptions

*click to select*

Selections from the Area Descriptions

D5

The neighborhood is considered to be "tough" and juvenile delinquency is a definite problem. (Clarifying Remarks)

C11

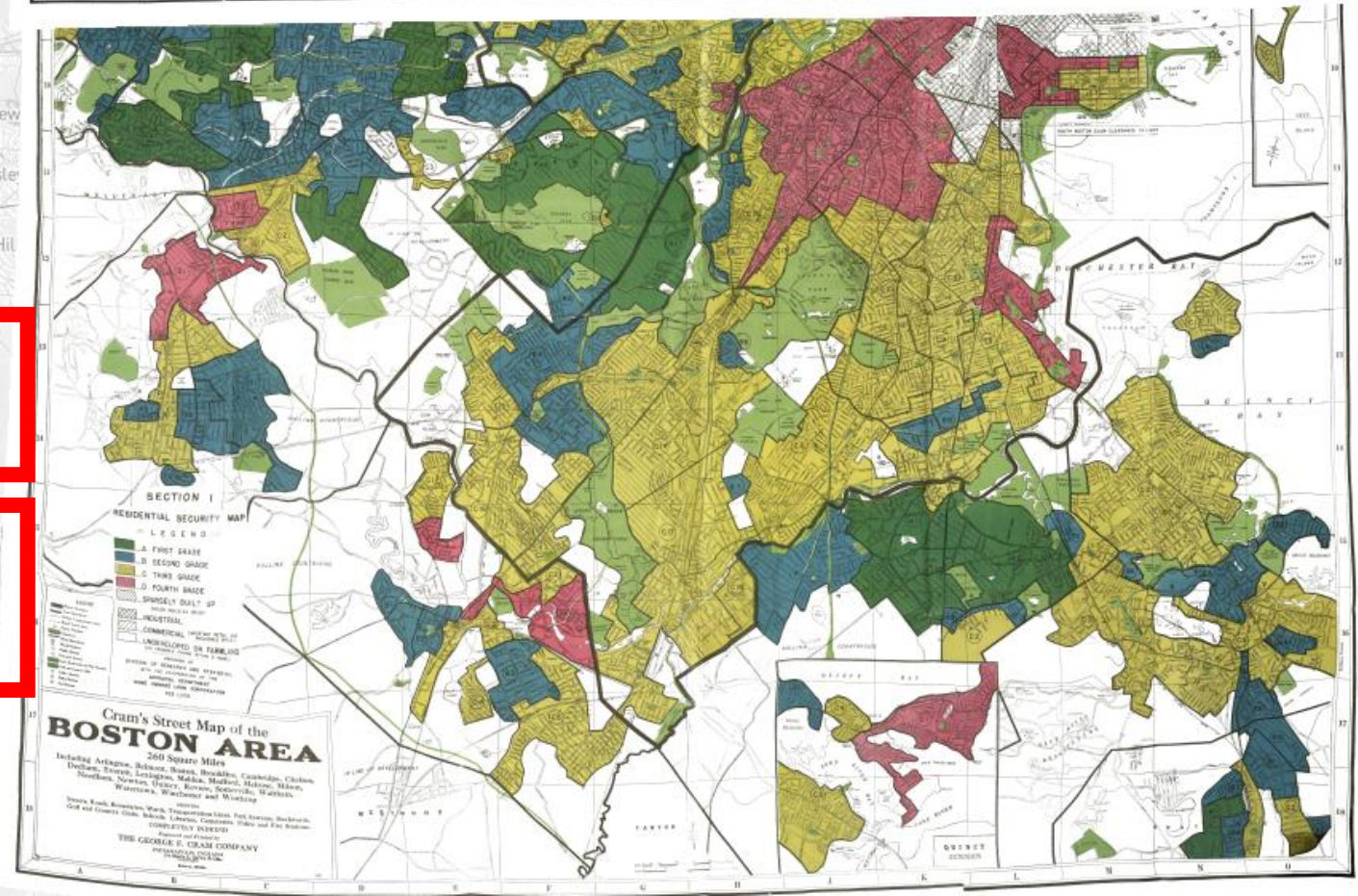
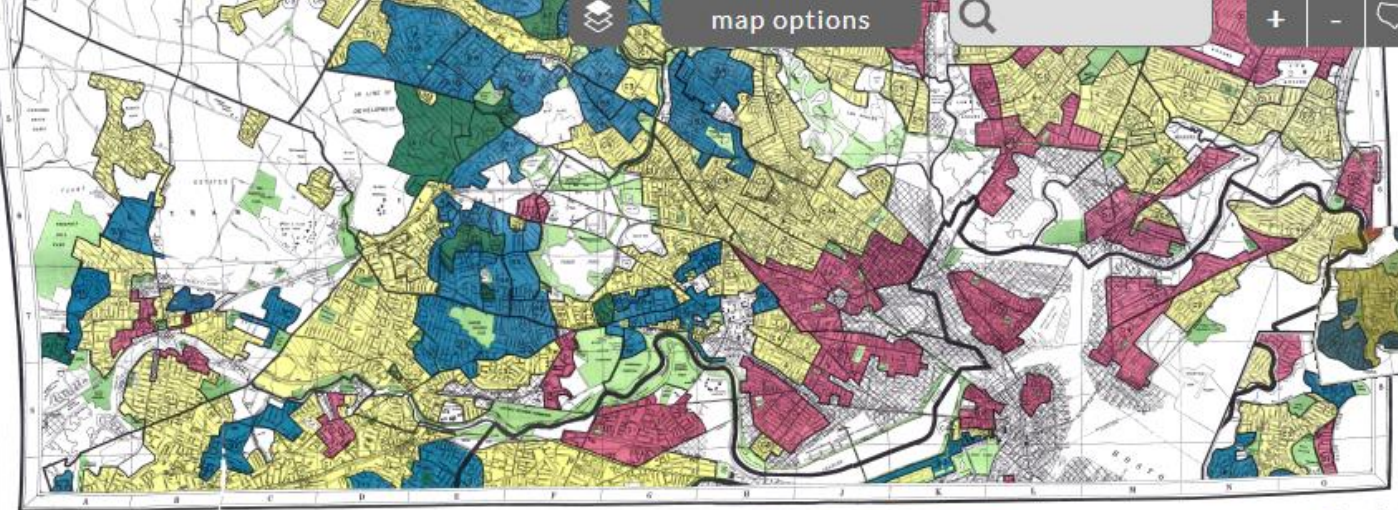
Market limited to Jewish buyers (Area Characteristics)

B8

Threatening Jewish infiltration into area. (Clarifying Remarks)

D7

Area becomes less desirable north of Dover St. with Orientals concentrated in this spot. (Clarifying Remarks)



# EXAMPLE 1: FOOD JUSTICE

## Food Deserts and Food Swamps

**Food Deserts:** Areas with few/no healthy food options.

**Food Swamps:** Areas with 4+ unhealthy food options for every healthy food option.

**Disparate Impact on Community Health:** Presence of food deserts & swamps tracks closely with prevalence of obesity, diabetes, heart disease.



# EXAMPLE 1: FOOD JUSTICE

## Health, Nutrition, and Productivity

Poor nutrition → negative health impacts

Negative health impacts → higher costs for health and low productivity.

Nationally, the cost of diagnosed diabetes has risen 26% over 5 years, totaling **\$327B** in 2017.

Obesity-related job absenteeism costs businesses **\$4.3B** annually & drives health care costs of over **\$200B per year**.

**STRUCTURAL  
PROBLEMS**

**REQUIRE**

**STRUCTURAL  
SOLUTIONS**

# INTENT VS IMPACT

## “THE STING OF INTENTIONAL PAIN”

Participants received equally strong electric shocks.

Those who thought the shocks were administered intentionally actually experienced them as being more painful than those who thought they were administered by accident.

## “INTENTIONAL HARMS ARE WORSE, EVEN WHEN THEY’RE NOT”

Participants read about a CEO who cost his employees part of their paychecks through a bad investment, either because [a] he intentionally wanted them to work harder, or [b] he simply made an unfortunate mistake.

People assigned the CEO more blame in the former condition, and participants saw the loss as “more damaging” to employees and their families in the latter scenario, even though the employees suffered the exact same objective financial loss in both cases.

# THE MYTH OF RACE NEUTRALITY

## THE NEW DEAL?

Under the National Labor Relations Act of 1935, American workers gained the right to organize and bargain collectively. Later, they established the 40-hour work week, the minimum wage, and overtime protections.

## ...NOPE, SAME OLD DEAL.

Purposely excluded domestic and agricultural workers, “as a race-neutral proxy for excluding blacks from statutory benefits and protections made available to most whites.”

# THE MYTH OF RACE NEUTRALITY

## EEOC v. Catastrophe Management Solutions

**Facts:** Catastrophe Marketing Solutions rescinded a job offer from Chastity Jones because of her locs. The Equal Employment Opportunity Commission (EEOC) filed suit. During the hiring process, an HR manager reportedly told Jones that “[Locs] tend to get messy, although I’m not saying yours are, but you know what I’m talking about.” The EEOC said this violated the Civil Rights Act of 1964’s Title VII.

**Holding:** The company’s “race-neutral grooming policy” was not discriminatory because hairstyles, while “culturally associated with race,” are not “immutable physical characteristics.”

**Result:** You can legally discriminate against those who wear locs in employment.

# THE MYTH OF RACE NEUTRALITY

## WORKPLACE INJURY

Claimants are most often white males



## WORKPLACE HARRASSMENT

Claimants are most often people of color, people living with disabilities, and/or women



# APPLYING AN EQUITY LENS



# ASSESSING RACIAL EQUITY IMPACTS IN BUDGET & POLICY PROPOSALS

01

## Equity Promotion

How does your proposal promote equity in service delivery? Does it enhance services to underrepresented or underserved communities?

02

## Harm Reduction

If you are proposing a budget reduction, what strategies are you using to mitigate the impact of this reduction on underrepresented or underserved communities?

03

## Community Involvement

Did you involve community members in the design of your proposal? Which communities and how were they involved?

04

## Data-Informed

What data/information (including statistics, maps, interviews, etc) did you use to develop the proposal?

05

## Multi-Sectoral Approach

Does your proposal build collaboration with other departments or with other organizations in pursuit of a system-wide approach to building equity?

06

## Metrics & Timeline

What specific equity measure/timelines have you built into your proposal to determine success in improving community participation, or promoting equity in service delivery?



**“[T]he work for racial equity is about undoing as much as it is about doing. We do not simply build new culture or behavior on top of old, especially in situations that are characterized by oppression. Some things must be released, and this letting go does not come easy.”**

**–CURTIS OGDEN, INTERACTION INSTITUTE FOR SOCIAL CHANGE**



**GRACIAS**

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