

***PLANNING COMMISSION***  
**Draft Minutes**  
**June 3, 2015**

**Members Present:** Sally Miller, Paul Highberg, Marilyn Spaulding, Nick Scheu, Keri Cole, Susan Boston  
**Members Absent:** Sam Segal  
**Others Present:** Mary Young-Breuleux, Pete Breuleux, Robert Maynard, Candie Gammill, Bruce Franzen, Darlyne Franzen, H. Vern Harris, Melanie Fraser, Alison Clarkson, Barbara Barry, Michael Pacht, L.C. Lombard, Gail Childs, Michael Brands

**I. CALL TO ORDER**

The meeting was called to order at 7:30 pm.

**II. APPROVAL OF MINUTES**

The minutes of the April 1, 2015 and May 6, 2015 meetings were approved as submitted.

**III. NEW BUSINESS**

**A. Taftsville Solar Farm**

At the May 6, 2015 meeting, the PC discussed drafting a letter in response to Tom Garden's 45 Day Advance Notice to the Public Service Board for a solar farm in Taftsville. A consensus was not achieved at the May meeting and therefore the discussion was continued to the June meeting.

Chair Miller emailed a draft letter on June 2 to all members as a means to generate discussion.

The PC has until June 11, 2015 to send a letter to Tom Garden, the solar developer.

The Planning Commission is charged with creating the Town Plan and the Zoning Regulations but does not enforce them or grant permits.

The Town Development Review Board would normally hold a hearing on a request such as the proposed solar farm. A Conditional Use and Site Plan Review would be required. Abutters would be notified. The hearing would allow all interested parties, applicants and abutters the opportunity to testify. The TDRB would be able to seek additional information if needed for their decision making process.

However, the State of Vermont, has exempted solar development from the local hearing process. Therefore, it is very difficult at the local level, to obtain information and to have questions answered.

The PC response should be restricted to general comments and quotes from the Town Plan. Fortunately, the Town Plan was recently rewritten and adopted in 2014.

Mr. Sheu noted he has been working on a draft letter as well that has a slightly different angle to it than Chair Miller's draft. How does the Town Plan reflect on the proposal? Scenic beauty is very important to the town. The letter should be generic and not specific.

Mr. Franzen, Taftsville resident, reflected on an application presented by Mascoma Bank in the mid 1990s to subdivide the hillside behind him. The Franzens ended the proposal by buying the lot and have held on to it since. The Franzens restored the land to its former state. The land in question is extremely wet. The historic hamlet is having an industrial use placed in a residential area. During the 1990s, there was a conversation which included all interested parties. This is not occurring now.

Mr. Pacht, Taftsville resident, noted the industrial scale of this solar project on a 15 acre site is not compatible with the historic nature of Taftsville. The most difficult part of this is that the town does not have a voice in the matter. All review and the ultimate approval are done by the Public Service Board. How can this be approved when there is almost unanimous opposition to this project from the local community? Mr. Garden is spending \$1,000,000 to move this project forward. All Vermonters are affected by this. The Vermont legislators need to change the law, Act 248, to allow local communities a say in the process.

Mr. Gammill, Taftsville resident, asked that proper siting be accomplished before these solar farms can be developed. This particular site does not work visually as it is located on top of an east facing hill and thus visible to all of Taftsville. The site is very very wet. It is a bowl collecting water from the nearby hills. 2,100 panels will be installed in very wet soil. Extensive clay and ledge are noted throughout the site. Thousands of borings would take place to enable the placement of the support structures.

Chair Miller cautioned against specific testimony as the PC is not taking testimony. A potential letter needs to reflect town plan policies, statements, and goals.

Mr. Breuleux, Taftsville resident, reflected on the historic importance of where we live. The appropriateness of site selection should be considered. A solar farm placed right next to a historic graveyard is not in character with the area. Mr. Garden has no sense for the character of Taftsville.

Mr. Sheu noted the Town has brought development into control when it impacts a scenic ridgeline or wetlands, or when the community feels something is important to protect. However, this particular site does have certain advantages for a solar installation, proximity to the grid. Solar development does have to occur someplace. Regulations are written to compromise a community's desire for both development and preservation.

Ms. Fraser, Taftsville resident, asked if the Route 4 Scenic Byway would be mentioned in the letter.

Chair Miller agreed the Scenic Byway should be mentioned in the letter.

Chair Miller spoke with Two Rivers Ottawaquechee Regional Commission after they wrote a letter of support for the project. The letter was written based on the Regional Plan, which did not have goals or statements in opposition to such a project.

Chair Miller added that the project should go through a Conditional Use and Site Plan Review for review of the proposal in detail, but the State does not allow a local level review. The PC may only write a letter of concern and the PSB is not obligated to adopt the PC's concerns.

Mr. Sheu noted his letter ties in scenic quality, wetlands and local concerns. Mr. Garden, as a future community member via property ownership, should address these concerns.

Mr. Harris, Taftsville resident, asked the Town to hire a good lawyer to represent the community. Taftsville citizens support renewable energy but not one of such an industrial scale.

Ms. Clarkson, State Representative, stated the opportunity for net metering to the local community is available via the PSB process.

It was noted Mr. Garden has no desire to offer the community this opportunity. The energy is being sold as "green energy" to businesses located in states south of Vermont.

Ms. Cole stated the problem is that the local community has no impact in the matter.

Ms. Berry, Taftsville resident, stated the time constraint is too tight for such a project, 45 days is not enough time to allow meaningful input.

Mr. Sheu asked what has to be done in the future to deal with these issues. Appropriate screening, protection of wetlands, and historic resources should be considered. Where are the appropriate locations for this type of development and maybe they should be mapped.

Mr. Breuleux agreed all the items discussed tonight are valid concerns that need to be dealt with.

Ms. Clarkson stated the Town is allowed per a new law, H. 40, to seek party status. With party status, the Town has a larger say in the process. The law is not yet signed but should be signed any day now. She also noted the Vermont Law School is a great source for legal advice.

Mr. Highberg added, the future needs to be thought out. Solar power is needed. It is a much better source of energy than either coal or nuclear.

Mr. Pacht is a strong supporter of clean energy but feels the legislature's attempt to encourage solar has opened a Pandora's box. Uncontrolled solar development is allowed that does not respect local character. The profit of these solar farms is excessive.

Ms. Franzen supports solar energy but felt the developer in question is not here to help the local community. He is here to make money for his investors, none of whom live here. How can he develop a parcel of land within a historic district and on a Scenic Byway?

Chair Miller questioned, where is the public benefit in this "public utility"?

Representative Clarkson stated the plus side of the VT legislature is that it is a nimble body that has the ability to change laws quickly.

Mr. Sheu stated that cheap, affordable and appropriate energy is needed for the future. He asked Ms. Clarkson as a legislator, to not forget this need. More solar panels are a tradeoff he is willing to accept, however he does agree local control is necessary.

Ms. Clarkson stated the State has a goal of generating 55% of its energy locally.

Mr. Sheu reiterated the Town supports alternative energy, but also wants to have a local say in any proposals.

Ms. Childs, Taftsville resident, stated solar is a big challenge. If Mr. Garden's proposal were to benefit the local community, it would have been supported by the local community. All investment returns and energy go elsewhere. The Town should hire an attorney to support local needs.

Chair Miller and Mr. Sheu will join forces to draft a letter regarding Mr. Garden's solar farm proposal. The draft will be circulated around to the other PC members for comment. The final copy will also be sent to the PSB and area legislators.

## **B. VILLAGE SIGN REQUEST**

At the last meeting, Woodstock Sports owners - Alison and Peter Johnston, asked the Planning Commission to change the Village Sign Regulations to allow them more signage. The Town Planner asked the Listers for current square footage of the three largest stores in the Central Commercial district. The approximate first floor retail space was listed as 3000 sf for Woodstock Pharmacy, 2000 sf for Gillinghams and 2000 sf for Woodstock Sports.

The Woodstock Sports building is unique in that it is much narrower than most buildings of this size. The allotted sign square footage per business is calculated based on the width of the building front. One way to allow more signage for Woodstock Sports would be to write a clause allowing additional signage for retail spaces that have the unique characteristic of a narrow front and a deep building.

Due to the late hour, the PC agreed to discuss the request at their July meeting.

## **C. RIVER CORRIDORS**

The Town Planner emailed the proposed River Corridor regulations to the PC. The language could be amended to the Town Zoning Regulations. Adoption of the proposed language and associated River Corridor map would allow the Town to benefit from the State's offer of a 17% increase in refunds for natural disasters. The intent is to include this in the updated Town Zoning Regulations, which are currently being rewritten. Due to the late hour, the PC agreed to discuss this at their July meeting.

## **D. UPDATES**

### **1. Design Review Amendments**

The Board of Trustees approved the proposed Design Review amendments on May 12, 2015. The motion to approve included a demand that the Planning and Zoning Office's attorney, Todd Steadman review the amendments. Mr. Steadman remarked in his review that the proposed amendments address the Environmental Judge's concerns which were the intent of the changes.

### **2. Town Zoning Sign Amendments**

The SelectBoard will hold a public hearing on the proposed amendments to the Town Zoning Regulations which would allow for two signs per business and three signs where a larger building front is located. The hearing will take place June 16, 2015 at 6:00 pm.

**IV. NEXT MEETING**

The next meeting is scheduled for **July 1, 2015 at 7:30 pm.**

**VI. ADJOURNMENT**

The meeting adjourned at 9:05 pm.

Respectfully submitted,

Michael Brands, AICP