

BARRE TOWN PLANNING COMMISSION MINUTES

The Town of Barre Planning Commission held its regular meeting and a public hearing on **Wednesday, May 20, 2015** beginning at **7:12 p.m.** at the **Municipal Building**, Lower Websterville, to consider the following:

Members Present:

Cedric Sanborn Charlie Thygesen
George Clain Claire Duke
Chris Violette

Members Absent:

John Hameline

Others Present:

Gladys Agell

Staff Present:

1) CHANGES TO THE AGENDA

None

2) APPROVAL OF MINUTES:

On a motion made by Duke, seconded by Violette the Planning Commission voted to approve the minutes from April 15, 2015 with changes.

3) WARNED PUBLIC HEARINGS (7:05 p.m.)

AGENDA ITEM: ONE (1)

Discuss Solar Array proposed for the Wilson Industrial Park (Pitman Road) and the letter sent from the Selectboard.

Enclosures: Letter sent to the applicant by the Selectboard

Consultant:

Date: May 15, 2015

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE, PLANNING OFFICER

I suspect the Commission would like to discuss the proposed solar array proposed for the Wilson Industrial Park. I've enclosed a letter that the Selectboard decided to submit to the applicant in advance of the 45 day pre-application deadline. While the Planning Commission won't be able to submit prior to

the expiration of the 45 day pre-application deadline, if we choose we can submit a letter directly to the Public Service Board.

DISCUSSION:

Sanborn stated the letter submitted by the Selectboard was very nice.

CV stated that the time frame didn't allow for the Planning Commission to send in comments or have a joint meeting with the Selectboard during the 45 day pre-application period, but noted that the PC can still send comments to the Public Service Board.

Sanborn stated even though the PC missed the 45-day comment window, the PC should send a letter directly to the Public Service Board stating their concerns.

Sanborn stated that a list of concerns can be made and put into letter form, stating the position from the Planning Commission.

Thygesen says there needs to be more rules and regulations.

Sanborn stated the only thing that really counts is the Industrial Park covenants. Applicants have to abide by those, but not zoning.

Duke asked if the covenants allow energy generating; CV stated yes.

Thygesen stated that twenty years ago this wasn't an issue. Solar was used to heat pools.

Thygesen asked if Barre Area Development has an opinion; CV stated that they (BAD) transferred the covenants to the Town about 2-3 weeks ago. Barre Area Development has not taken a position.

Thygesen stated these are being built for profit and shouldn't be allowed without any say. The Industrial Park was created to create jobs.

Sanborn suggests putting in a letter

- 1) Exceeds lot coverage allowable.
- 2) Violates the side setbacks put in place by the Zoning Bylaw.
- 3) This is an incredibly poor use of prime industrial land.
- 4) These are not creating jobs, which is the intent of the Industrial Park.
- 5) It needs to be screened from the road and adjacent property owners if this moves forward.
- 6) If this moves forward, what's the impact on water runoff and vegetation?

Duke believe solar needs to be an option and asked the Planning Commission where they would put the panels, or what process should the community have? Thygesen stated the Selectboard should set the regulation. CV stated that Zoning may be an avenue in the future, but might not be the answer.

Clain stated that we need manufacturing, sustainable jobs that will last longer than six months.

CV stated that this project doesn't create permanent jobs and likely only a small amount of tax revenue and maybe even less if the tax is capped.

Sanborn asked CV to draft a letter and have a special meeting.

Clain asked that a member of the Public Service Department be present when the letter is discussed.

On a motion by Sanborn, seconded by Violette, CV is going to draft a letter with the six points listed, conduct a special meeting, try to get a member of the public service department and ask if the Selectboard wants to do a joint letter. All in favor.

Thyssen asked what protection the citizens of Barre Town are given if the State keeps taking things away. What good is zoning at that point?

AGENDA ITEM: ONE (2)

Discuss proposed 500 (kW) net-metered solar project on land owned by the Canadian Club off Pine Hill Road.

Enclosures: Pre-application noticed filed by Novus Energy of a solar array off Pine Hill Road

Consultant:

Date: May 15, 2015

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE, PLANNING OFFICER

Attached is a 45-day notice of application for a proposed solar array project on land owned by the Canadian Club. The array field will be accessed by an existing curb-cut off Pine Hill Road. The curb-cut exists but a driveway was never constructed. The plans call for a road to be built from Pine Hill Road using the existing curb-cut to the array. This array will be highly visible to at least one residential parcel if not two. Other visible locations are not known at this time. I expect at least one landowner to be in attendance to voice their concern to the Planning Commission.

DISCUSSION:

CV gave a brief summary of where this will be located. Access will be from Pine Hill Rd. A road not shown on the map is Hartley road, which provides access to two dwellings. CV stated both of those homes will be heavily impacted.

The Agell's will be significantly impacted as this will be directly in their backyard. Another resident has submitted a letter.

Sanborn asked when the 45-days starts; CV isn't sure, but feels the Planning Commission should go right to the Public Service Board.

Clain stated this law does nothing but breathe total arrogance.

Agell stated she's put a lot of money into her home, land and hopes to retire someday. These panels will be right on the property line.

Sanborn asked if this can be considered industrial or commercial; CV stated it could be.

Agell asked what happens when the farms go up, what if there are problems.

Sanborn stated the discussion needs to be similar to the other one (Wilson Ind. Park); CV stated a few of those bulleted points won't apply. CV stated screening and run off could be carried over, as well as visual impact.

Thygesen stated there has to be some way to protect the residents of Barre Town. These people pay taxes on their land and views. Duke stated it's a matter of changing state law.

CV stated the Planning Commission refer to the Town Plan for this one with regard to the following in the plan:

8.5 RENEWABLE ENERGY

"In general the Town of Barre supports the use of renewable energy systems provided that they fit into the goals of the Town Plan, taking into account noise, scenic vistas, and impacts on resident's quality of life".

CV stated this is an impact to quality of life and property values.

Sanborn added:

The siting of large solar arrays may be in conflict with the Town's goals of preserving scenic vistas and natural resources.

Sanborn stated that a letter should be written; also adding as many laws as the Town can in the Zoning Bylaw.

Clain stated The Vermont Digger has why the law didn't pass this year.

Sanborn stated the Planning Commission will be sending a letter. CV asked if it should go to the applicant or the PSB; Clain requested both. CV stated there isn't a reason why there can't be a joint meeting with the Selectboard.

Clain wants to know: Where is the three phase power being tapped into?

- 1) Location and impact of transformers and lines
- 2) Use of residential land for commercial or industrial use
- 3) Reference town plan
- 4) Impact on resident's quality of life
- 5) Impact on scenic vistas
- 6) Screening
- 7) Setbacks
- 8) Water runoff from Hartley and Pine Hill Road and how does it impact the Town.
- 9) Where is the 3-phase power being accessed from

CV will speak with the Selectboard on a joint meeting.

On a motion by Violette, seconded by Duke, the Planning Commission voted to send a letter to meet the 45-day notification to the applicant as well as sending a letter to the Public Service Board. All in favor.

Clain would like the three Senators and two Reps copied on the letter. Sanborn added the Governor, Lt. Governor, Speaker of the House and Senate Pro-tem. Thygesen suggested working with the East Montpelier Rep.

AGENDA ITEM: ONE (3)

Open discussion concerning future potential Zoning Bylaw amendments

Enclosures:

Consultant:

Date: May 15, 2015

**STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER**

The Selectboard has given its final blessing to the last round of Zoning Bylaw amendments. They are now in effect.

At previous meetings we've been discussing putting a list together for another round of bylaw amendments.

Cedric submitted the following:

- page 34, section (f) review standards for site plan review;
- 7.5 - Signage
 - Amend to include lighting shall be LED or similar technology for energy efficiency
- 8. Utilization of renewable resources;
 - expand to require; a) outside/exterior lighting to be LED or similar, b) placement of building on lot (if possible or realistic) to maximize passive solar, roofs facing south for possible future solar arrays c) weatherization/insulation requirements??. d) heating system efficiencies??
- Establish set-backs for wind turbines and solar arrays -- all zones
- Establish rules for ground mounted PV arrays, % lot coverage, set-backs, permitted and conditional zones, visibility, impervious surfaces , best use of land , prime ag etc
- page 16 lighting- parking lots
 - e) amend the town of Barre (encourages) requires the installation of energy efficient lighting [Requirements of article 3.15 shall also apply??]
- page 53 section 7.9 Variances
 - redo, rewrite, expand variance criteria .What we have is non-sensical and mostly not answered with a straight face.
- page 30 5.5 conditional use review
 - A.11 - utilization of renewable energy resources [same comment as for page 34]
- page 26 - industrial park
 - 8. Signs - [see previous comments]
- protection of ridgelines - house, buildings, view, solar, wind towers

Items within the existing Zoning Bylaw I'd like to explore possible changes:

Multiple Houses on one lot

Site plan classification especially as it relates to warnings (5.6)

Storage Container limitations (3.8)

Waiver expansion

Industrial zone setback for accessory structures (table 2.2)

Come up with an abandon/dilapidated structure regulation (3.1)

Correct error in 7.10 regarding state statute reference

Please come to the meeting with items that you'd like to see the Planning Commission work on.

DISCUSSION:

Clain wanted to add: that charging stations be considered for the Industrial Park, housing developments, apartment complex. CV stated that it could be added to the Town Plan and also Site Plan.

Clain would like to look at economic development; CV stated that would be under the Town Plan, not zoning.

CV went over his list.

Sanborn said that he'll gather some information on what he wants to work on.

Clain said he'd like to work on solar; acreage requirements, locations, and limitations etc...

4) **OTHER:**

5) **CORRESPONDENTS:**

Discussion about attending the Planning symposium – if you want to attend, please notify Chris.

6) **ROUND TABLE:**

7) **ADJOURN!**

On a motion by Clain, seconded by Sanborn, the Planning Commission voted unanimously to adjourn the meeting of May 20, 2015 at 9:02 p.m.

Respectfully Submitted,

Heidi Bennett

Cedric Sanborn, Chair

John Hameline

Charlie Thygesen Sr.

Chris Violette

Claire Duke

George Clain

DRAFT