

BARRE TOWN PLANNING COMMISSION MINUTES

The Town of Barre Planning Commission held its regular meeting on **Wednesday, July 20, 2016** beginning at **7:03** p.m. at the **Municipal Building**, Lower Websterville, to consider the following:

Members Present:

Cedric Sanborn	George Clain
Claire Duke	John Hameline
Debra Pierce	Chris Violette

Others Present:

None

1) CHANGES TO THE AGENDA

Violette added an item under Other related to the Central Vermont Regional Plan.

2) APPROVAL OF MINUTES:

On a motion by Hameline, seconded by Clain, the commission unanimously voted to approve the minutes of June 15, 2016.

3) WARNED PUBLIC HEARINGS

There were no public hearings held this month.

4) TOWN PLAN AMENDMENT(S):

Discuss Town Plan amendments, possibly review proposed changes to the scenic preservation section.

Violette advised that he is planning to draft amendments to the scenic preservation section of the Town Plan that would incorporate a lot of what had previously been drafted for the energy section. He is hoping to have that done for the next meeting.

Violette is still waiting to hear from the Central Vermont Regional Planning Commission (CVRPC) with regard to how the new solar siting law (S.260) is to be implemented and how Towns can incorporate the requirements into their plans.

Clain asked if the wording in the draft scenic preservation amendment would be focused just on solar panels or would it include wind turbines or reflections from buildings. Could it hurt other types of development.

Violette stated that, generally speaking, the Town Plan will be used for projects that would be going through a regulatory authority higher than the Town such as Act 250 or the Public Service Board (PSB). Projects that aren't alternative energy projects would not usually have higher scrutiny if the development is less than 10 acres.

Violette also said that the big picture does need to be considered when writing the scenic preservation section.

Sanborn stated that while the scenic preservation amendment will be a work in progress, he really feels like the energy section needs to be amended by the end of the year regardless of what happens with new solar siting rules.

Clain asked if we'd be amending the energy section in accordance with the rules or based on the views.

Violette thinks it needs to be amended based on the rules so that it doesn't have to be rewritten several times. That is why he prefers to slow down and not just write to write, let's get it right.

Clain stated he isn't in favor of writing based on the rules, that if you do you give up the challenge.

Violette said you do have to follow the rules to a large degree because if you don't, especially based on the new law, then you will never get a chance to be heard by the PSB. You really have to do both, you have to follow the rules, but you can also put in your views.

Pierce stated that if we write the scenic preservation in a way that doesn't pigeonhole us towards anything in particular we'll have some teeth.

Clain asked if we fast track any amendment, is the Selectboard on notice. Violette stated that yes they are aware that the PC has been working on the Town Plan, and Sanborn agreed stating that he has talked to a few SB members.

Pierce stated maybe we won't be that far off with whatever we put into the plan.

Violette stated that the biggest problem with the new siting law is that a plan has to incorporate new goals and that without the goals, which are geared to complement the state energy plan, the Town Plan will not be given deference with the PSB.

Pierce asked about the timeline for siting rules coming out of the Public Service Department (PSD).

Sanborn stated that the PSD likely won't have the rules before the end of the year. He is concerned that if we wait until then and then wait for the RPC to do their thing that we will be behind.

5) **FOLLOW UP:**

Discuss Senate bill S. 241 (the legalization of marijuana) and how the Town of Barre may want to respond to allowing a marijuana facility(s) in Barre Town.

Violette noted this is on the agenda because Clain had asked for this to be left on so it could be discussed at a later date.

Sanborn noted that the bill is no longer on the table because it didn't get passed this past legislative session.

Clain thinks it is still on the table or at least that there is a study committee. It will be back; it's not dead. He wants to see if the Town wants to take a position on whether we want to host marijuana facilities either public dispensaries or cultivation.

Violette noted that the previous bill did offer some opt out ability by municipalities. It's hard to know what future bills will allow.

Clain noted that the opt out option was going to have to be done by Australian ballot.

A discussion followed about all kinds of marijuana use including medical.

Clain noted that his whole purpose for having this discussed was to see if there is interest in even having some kind of regulation regarding the sale and cultivation of marijuana in Barre Town.

Duke stated it might be like trying to hold a dam back.

Violette stated that it is hard to stop it and that if it is handled in a proper way, regulated and controlled, he's not sure it would be a bad thing if legalized to host. He told a story about how Barre Town almost was home to a cultivation facility for medical marijuana and while at first he was very concerned, those concerns lessened once he did some research and found out how tightly controlled the industry is.

Clain countered with what if the marijuana was "free range" with little control. Violette stated that free range is a much different story. But it's hard to know because we don't have anything at this point to go by.

Pierce stated it's more about what is the scale for her.

Discussion took place about when a new bill might appear. The old bill is gone but because there may be a study committee it might not take long to create a new bill.

Pierce asked what we should do from the Town's perspective now?

Hameline stated it would be hypercritical if the State decides to make it legal because we need the tax revenue. Then what next?

Duke asked what if we just say we don't want dispensaries or cultivation? Is that going to hold up if the legislature legalizes it?

Sanborn said we'd have to say as a Planning Commission we proposed not allowing it, send it to the Selectboard, and then likely hold a Town-wide referendum.

Clain noted that even an individual could ask for something to be put on a ballot.

There was discussion whether the Town Plan should be amended to state the Town doesn't support having dispensaries or cultivation in the Town.

Violette says that ultimately if the Town wants to ban marijuana facilities, zoning would be the best place to put language.

There was no clear consensus on how to proceed.

Clain said that he'd keep an eye and ear on what is going on with regard to legalization of marijuana.

6) **OTHER:**

Violette discussed with the commission that the Central Vermont Regional Planning Commission has just completed the regional plan. The Plan will be take effect on August 16th unless a majority of member municipalities veto it.

Violette will email the link to the full plan. The Selectboard is also being advised that the plan has been adopted and is in the 35 day objection period.

7) **CORRESPONDENCE:**

Violette handed out correspondence received from the Northeast Organic Farming Association of Vermont.

8) **ADJOURN:**

On a motion by Violette, seconded by Hamline, the Planning Commission voted unanimously to adjourn the meeting of July 20, 2016 at 8:24 p.m.

Respectfully Submitted,

Christopher Violette

Cedric Sanborn, Chair

John Hameline

Charlie Thygesen Sr.

Chris Violette

Claire Duke

George Clain

Debra Pierce

DRAFT