

**Franklin Planning Commission
FELCO Room @ Franklin Homestead
March 21, 2017**

Members Present: Clark Hubbard, Dave Bennion, Judith McLaughlin, Cyrus Grennon, Rolland Rainville, Dan Larivee, Maureen Sodaro,

Members Absent: Peter Kittell

Guests: Peter Magnant (Selectboard), Yvon Dandurand (Selectboard), Bob Irish (Zoning Administrator), Pam Greene, Corinna Stanley, Doug Clark, Jamie Boudreau, Bryant Reynolds, Jacque Luce, Michelle Guillmette, Marilyn Hackett, Jess Alexant

Meeting called to order at 7:03 pm

Approval of Minutes: Motion to approve the minutes by Dave Bennion, seconded by Dan Larivee.

Mail Folder: No mail in the folder.

Old Business: No old business

New Business: Jamie Boudreau is requesting a 50' ROW over a 3.5 acre parcel Lot #1 to create another lot #2. The ROW is across his own driveway. Judith asked if it would affect town water since it is in the town district. Jamie said water will be drilled on his land, sewer on the other lot. Judith asked how a ROW can be approved without an approved subdivision. She was informed that the subdivision has been approved. Bob Irish clarified that Jamie would like to subdivide his lot so that his son can build on the land. Since he would be using the existing driveway, the ROW is 50' and meets standards. Jamie is the owner of the ROW. Judith asked for clarification as to approving the subdivision before a ROW is approved. The current ROW is already approved. The PC is just being asked to approve the ROW to reach the other lot so that building can occur in the future on that lot.

Clark made a motion to approve the ROW, Roland seconded the motion. The ROW was approved.

The next part of the meeting was dedicated to discussing large renewable power development, bills H474, and H40. The PC is looking for input from the town residents regarding renewable energy and the Town Plan.

Clark wanted clarification about sections in the Town Plan that Taylor questioned. He asked the PC members if the wording was approved at the February meeting in which he was not present. Clark wanted to be sure before he places the warning for the April 2017 meeting in which Town Plan proposal will be presented. He wants to make sure that what he is going to warn was approved in February. The members said that the wording was approved at the February 2017 meeting.

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Clark thanked the guests for attending. Clark and Dave stated that the PC wants to know how the town feels about renewable energy, where we want it, and if we want it. In addition, Dave added that we need to state where we don't want it. The PSB is interested in where we do not want it. If we state where we, as a town, do not want renewable energy, we have a seat at the table with the PSB when they decide where projects should go. If we do not make a statement, we have no say in where the PSB decides energy projects should go. Clark told the group to remember, that if it is stated that we do not want projects in the town, the state has said that no construction (houses or businesses) can occur either. Clark stated his personal opinion that he is not against personal windmills or personal solar panels in town.

Yvon Dandurand asked to speak- He stated that he met with Catherine Demitric and was told that some of the statements made earlier might no longer be true with a new Governor. He stated that the statement regarding "no projects = no development" is no longer the case. Judith wondered if there is a difference in the rule regarding residential development and commercial development. Clark wondered as well.

Bob Irish ZA thanked Judith for her presentation at Town Meeting. He stated that he understands that if we do not put something in our Town Plan regarding the renewable energy, we would have no say if the PSB decides to place projects in town. If we did write it into our plan, we would have a seat with the PSB regarding any future development in Franklin. Bob would like the PC to include wording that would protect areas that have been preserved. In addition, he would like to keep agriculture as a primary emphasis. He wants agriculture preserved, and not hurt the farmers. If a solar array is on a farm, Bob stated, the land can no longer be farmed.

Clark stated that the town plan has to be specific and precise as to what areas we do not want used for renewable energy. The map shows that the Franklin Bog is the only area protected.

Bob continued to state that the Zoning regulations designate what areas are protected. He would like the plan to address those areas. Clark stated that according to the map provided by Taylor Newton, those designations may have changed.

Marilyn Hackett spoke about Yvon Dandurand's statement. She added that she read that towns are guaranteed a seat at the table. Clark clarified that you have to be a member of the H40. Judith stated that our plan has to mesh with NWRPC, and then the State has the final say in decisions. Marilyn talked about the Swanton vote and that the State of Vermont can take their vote into consideration. She talked about other projects that have been abandoned due to other town votes.

Doug Clark spoke about Swanton, and that they are still talking about the renewable energy project. He said that the town residents can speak up and say no without having it in the Town Plan. Bob Irish stated that it is better to be part of any process in the beginning in order to be heard.

Michelle Guilmette wondered how important it is to have it in the Town Plan, and Clark repeated that the State would listen to our concerns. They might not do what we want, but at least we would be able to express our concerns.

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Clark reminded the group that the bill is not finalized and amendments can be made. Michelle Guilmette wondered what options/alternatives we have to develop renewable energy. Judith explained what the Franklin County's part of the renewable energy requirement would be. We would need to make sure we are not taking on another town's responsibility for renewable energy. Michelle agreed with Judith, and added that we need to consider what is visually agreeable.

Bob Irish stated that the Town Plan drives the Zoning rules. He said that reasonable constraints can be added, such as landscaping, roads, parking/ access. The town would have some control.

Roland Rainville stated that farm digesters do not get any credits for the town.

Corrina wondered about the KW requirement. She and Cyrus discussed the KW of the various size systems. There are other requirements in the definition. Corrina said that she is pro- solar energy and would rather see renewable rather than fossil.

Marilyn Hackett referred to a Burlington Free Press article that mentioned the amount of various energy sources Franklin County has. She would like to see a caveat in the Plan to make sure that the credits stay with our requirements rather than be sold. She would rather see solar than wind. She mentioned a Messenger article that included sound levels and the adjustment of sound. The PC stated that we cannot put a caveat in the plan.

Clark told the group that the energy credits get sold, and if they are sold, we will not hit the percentage required. Clark asked the people if they feel we should proceed with joining the act .

Bob Irish stated that his job would be difficult without regulations to help him make decisions when people ask to place renewable energy on their property.

Michelle Guilmette stated that she would like something in place so the town has a say. She wondered if we have spoken with the Vermont League of Cities and Towns for legal advice on this matter. The PC has not, but wondered if the Regional Planning Commission had.

Michelle asked the PC if they had made a decision regarding renewable energy in the Town Plan, and Clark answered that they had not. He felt it was too big an item to include in the Town Plan without public input.

Dan Larivee stated that he is not in agreement with the town residents telling landowners what they can and cannot do on their property. He feels we need to be open minded on the topic. He sees both sides of the issue.

Judith stated that in the town regulations we do tell landowners what they can and cannot do. She said that we need to speak as a town, and think as a town.

Clark said that the people of Lowell Vermont love the wind farms because their energy costs have gone down a great deal.

Michelle wondered how much do we want to tell people what they can and cannot do? The question she feels is how much and how big do we want?

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Pam Greene- She is in support of the Town of Franklin having a seat at the table. She talked about defining the Lake District and reminded everyone that the Lake District is important financially for Franklin. Judith added that non-town residents (summer) make up 40% of the tax base in Franklin. She felt that it would be worth getting their thoughts on such projects. Their presence is important to the town of Franklin. Clark asked the group if they felt that solar would be detrimental to the Lake District. The group felt it would be fine to put up solar with landscaping.

Doug Clark asked about the land that the Town of Franklin owns. He wondered if that land is being considered. Clark stated that there was interest, but the people who opposed it attended the meeting. No one attended the meeting who supported it. He said that Sun Common wanted to put solar on that land. It was not approved because someone would not approve the access to that land.

Bob Irish repeated his feelings on making sure something is in the Town Plan so that we have a say in the process. He is not in favor of windmills blocking the view of Jay Peak, or the Dewing farm view from the lake.

Jess Alexant suggested that the PC speak to the Vermont League of Cities and Towns for advice. He feels they can answer our concerns. He also had questions regarding the requirements the State has. Jess Alexant wondered how eligibility is decided. He also wondered what happens to the sources that get shut down. He also wondered how much the town can put into the plan for dismantling the equipment that gets left. He spoke of a decommissioning clause for such energy producers. Jess thinks that that could be addressed with the Vermont League of Cities and Towns. Clark stated that he asked Sun Common what happens to the Panels after 25 years when they do not work anymore. His response was that they stay where they are. The company does not remove them.

Clark said that Franklin can say what we don't want, but the PSB has the final say. He said we are one of the first towns going into this at the same time as working on our town plan. Clark also said the goal is 95% renewable by 2050.

Peter Magnant stated that he would like everyone to have an understanding of the Town Plan before they leave the meeting. He wants to review the timeline.

Clark said that we are warning the current Town Plan for the April PC meeting without the energy portion. The Energy Portion will be worked on through the fall. The PC hopes to do a warning January of 2018 to warn the amendment for the energy portion. The Selectboard has to warn a meeting the following month to approve the PC Town Plan. Peter repeated the process and added that the Selectboard will not be able to warn their meeting until July 2017 (to approve Town Plan w/o energy portion).

Judith wondered if there was an issue with an expired town plan (the current plan expires in May). Peter does not feel there will be an issue. Clark would like the Selectboard have their meeting in July with the public.

Judith is concerned about applying Grants- especially one available in the fall.

Peter and Yvon felt that would not be an issue.

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Marilyn stated that she has read the state laws regarding energy points. She talked about the different renewable energy sources that provide points. She feels we need to be at the table that we can speak against industrial sources.

Clark stated we are speaking about the wind and solar that accumulates for credits.

Marilyn said it is in the law that small projects do accumulate. Judith is going to look into that section as well.

Bob Irish again stated that the timeline is important.

Jess Alexant asked about the digesters, and Clark said that the farm digesters do not contribute. He wondered if the towns can buy from other sources.

Bob Irish spoke and said that the Biodigesters were supplying energy back to the farm. He added that the investors who are putting the solar panels in Swanton will be gone 5 years from now.

Jess feels we need conditions and requirements in place to cover abandonment and decommissioning.

Michelle again suggested the Vermont League of Cities and Towns can assist with the process. She said that some plans may be on their website.

Judith spoke about a "quechee test" regarding plans.

Marilyn said there is a section in the bill that speaks to legal costs. There is money in act 174 to cover legal costs if lawsuits occur.

CHANGED TAPE

Judith will see if Cold Hollow has something about enhanced energy plan

Bob Irish gave his opinion as a voter to go forward.

Clark ask the voters present to raise hands if they wish to join the process by providing their voice in developing the renewable enhanced energy plan wording in the amendment in the town Plan.

The group looked at the maps provided by Taylor.

Marilyn brought up wording from Town Meeting notice regarding energy planning and said she would not vote for wind. Judith stated that we are only asking for opinions from the public whether or not to go forward with advanced energy planning.

The group raised hands, most said yes.

The PC will go forward with advanced energy planning.

The meeting was adjourned at 8:05

The next regular meeting of the Franklin Planning Commission will be held on Tuesday, April 18, 2017 at 7:00 pm in the FELCO room at the Franklin Homestead.

Respectfully Submitted,
March 23, 2017
Maureen Sodaro, Secretary

Note: These minutes are not final until approved by the PC at the next regular meeting.