

# TOWN OF HIGHGATE

## Planning Commission

December 15, 2015 @ 6pm

### Approved Minutes

*NOTE: All actions taken are unanimous unless otherwise stated.*

#### I. CALL TO ORDER

Woody Rouse opened up the meeting @ 6:00pm.

Present for this meeting were:

**Planning Commission Board Members;** Woody Rouse; Luc Dupuis; Larry Simmons; Bruce Ryan; Barbara Chevalier

**Town of Highgate staff:** Heidi Britch-Valenta – Planning & Zoning Administrator; Wendi Dusablon – Clerk

**Public / Other:** Kirt Mayland; Sarah & Eric Chevalier; Will Veve; Vie Veve; TJ Poor; Fernand & Pat Gagne; Jason Gagne; Will King; Ian Jewkes; Gary & Jenny Ploof; Evangeline LaRocque

#### II. SOLAR PROJECT UPDATES

- **Frontage Rd. – Stanislaw Sand Pit – 500kw (AC)**

Kirt Mayland from Reservoir Road Holdings, LLC was present for another update on the proposed solar project on Frontage Road in the Stanislaw sand pit (formerly owned by Pete Paquette). The project has been scaled back to approximately 3 acres and they have submitted their 45-day notice to the PSB. They are on their way to getting a certificate of public good in the early spring. From a tax perspective it is not as good for the town, but impact wise, the project is now better. Kirt has been working with Will Veve on a project immediately to the south on the Carroll Concrete property. They are separate owners and separate parcels, but working together creates efficiencies. You can't see or hear either site and there are no immediate neighbors. Both projects are proposed to be the same size, 3 acres. Both have submitted to ACT248 and there is very little to hold them up at this point. Each project has a separate existing access road already there. There are no issues with ANR, aesthetics, noise, glare or plants. During the certificate of public good process the town can comment, they will be submitting that in 43 days. Both projects on Frontage Road are using the same engineers and are going through the process together with Swanton Electric. The Stanislaw project referred to on the 45-day notice as Housatonic Solar 1, LLC will be a 3 acre project 500kw (AC) which is the largest you can go in the net metering program. Nothing else has changed on this proposal, other than it has shrunk. Larry had questions about the roads used to build and maintain the project. The projects will have separate access roads each with one transformer, one inverter and one cement pad. On Frontage Road there will be power poles about every 250 feet. Heidi asked about the edge of the property, to which Kirt replied that the edge is very flat. Tyler Stanislaw will still be extracting sand from the western piece of the property. This project will be 750' from the nearest well. There were questions about reclamation of the property. They will enter into a contract with Tyler for reclamation of the solar project area as it is decommissioned. Woody inquired if local contractors will be hired – yes, to the fullest extent possible they will use local contractors. They are currently working with Cross Consulting and will use locals for the cement work and also use Vermont licensed electricians and fence crews. This project on the Stanislaw property will hold approximately 2,090 solar panels, depending on the wattage they decide to purchase. Gary Ploof was confused as to who owns the property, he thought it was Pete Paquette's property, but Pete sold to Stanislaw Sand Pit, LLC in August of this year. Fernand Gagne thinks this is a great use of that land.

- **1745 Frontage Rd. – Carroll Concrete property – 500kw (AC)**

Will Veve was present from VWSD, LLC with regard to the proposed solar project on the Carroll Concrete property located at 1745 Frontage Road.

This project is also proposed as 3 acres and will require less than an acre of clearing. This will be a 500kw project and be metered through the Swanton utility. A full aesthetics study has been done and there were no adverse effects found. This project is virtually invisible to the public and is nowhere near any homes. There were no concerns found with regard to historic preservation. Will is not expecting any concerns from ANR either, he should have e mail confirmation soon. They have met with Duane from Swanton Village and are moving ahead with an interconnection plan to reuse preexisting poles if they can. This project has a different configuration than the other Frontage Road project, due to the wetlands. Their 45-day notice has been submitted to the PSB and they expect smooth sailing. Woody again asked about the use of local contractors on this project. Yes, they will be used whenever and wherever possible. Larry had questions about decommissioning. Will stated that they are the development company and they will enter into those negotiations when the project is sold. Decommissioning funds will be set aside once a deal is in place, right now they are strictly in development mode. Kirt added that a decommissioning bond is like an insurance company, which they are happy to do. Heidi asked about the existing Carroll Concrete infrastructure that is there. That will all be acquired as part of the purchase and sale agreement. There is a building there, currently being utilized by vagrants, which will be taken down, as there is some activity going on there now. Gary Ploof noted that the property has been cleaned up quite a bit over the years. There is no current ACT250 permit on this parcel, as Carroll was grandfathered in. Larry had some questions about the cap on metering projects with so many projects coming forward. Will stated that the net metering program is based on 15% of the utility. VELCO has closed their cap along with Green Mountain Power for net metering. The larger projects are not part of the net metering program. Kirt added if there was room at the schools or the arena, they can help to reduce electricity bills through the program and he can chat with the town if they are interested.

- **Ballard Rd. – Fernand & Patricia Gagne property – 4.95MW**  
Will King from Alternative Energy Development Group, LLC was present with regard to a 4.95MW proposed project on Ballard Road. This proposal incorporates two sites, one on either side of Ballard Road; 1.5MW project on the “Beyor” site and 3.45 MW project on the “Houghland” site, all currently owned by Fernand & Patricia Gagne. The Beyor site proposed array will occupy approximately 7.205 acres of a 20 acre property and the Houghland site proposed array will occupy approximately 15.622 acres of a 60 acre property. Some clearing will be required on the larger site and there is no wetland impact or endangered plants or species on either site. They are working with the state regarding some archeological areas. Gary Ploof asked for Saxe’s Brooke to be pointed out on the maps provided. The Houghland site is visible from the Ploof’s home. Power from these projects will be sent to VPPSA under a long term, 25 year, power purchase agreement. TJ Poor was present from VPPSA (Vermont Public Power Supply Authority). This project is economically feasible for VPPSA. Woody asked about the use of local contractors – yes, they will be used whenever and wherever possible on this project as well. Larry had questions about the amount of clearing to be done and screening. A full aesthetics plan will be done and include what needs to be planted and where. Larry also had questions about decommissioning, which were answered by Ian Jewkes from Krebs & Lansing Consulting Engineers, Inc. It was noted that on the 500 proposals, decommissioning plans are not required. Fernand and his son, Jason, do have concerns, so that is all written into the land lease. Most can agree, solar power is wonderful and we are mandated to shift in that direction, but property owners don’t want to see it every day. Eric & Sarah Chevalier are Ballard Road residents and were present. Eric asked about the life expectancy of the project – 25 years, this is the length of the power purchase agreement with VPPSA. Gary Ploof had questions about glare. The glare will be very limited. The panels will be pointed a little to the west at a 25 degree angle from the Ploof property, so in general the only glare issues would be experienced when you are quite high above the panels. The panels are made to absorb light, not reflect it. Heidi asked about tree removal and any ongoing maintenance. There won’t be much maintenance, just mowing a few times per year and routine pick-up truck type traffic for monthly technician maintenance. Both sites will be fenced in and they are open to discussion about security gates. Emergency responders would have access keys as well as the caretaker.

There will likely be activity for up to 6 months on Ballard Road during the construction phase, but they see it accomplished in one construction season. This will involve tractor trailer trucks, so traffic control may be necessary. The area by the old sawmill could be used as a staging area. This would be a 2016 project, as it is dependent upon tax credits. It was noted that it may be known as soon as this Friday if tax credits are being extended into 2017. The total value of the Ballard Road project(s) is eight million dollars. Heidi asked about them noticing abutting land owners. They are not required to notice abutters on the 45-day notice but they are on the CPG. They are also planning to talk to property owners individually. TJ Poor verified that the power will be going through Swanton Village lines to VPPSA and then offered to Swanton Village and others. Eric asked about any noise associated with these proposals. They hum at about 60 decibels, which is pretty much nothing at a couple hundred feet away. The transformer will be located as far away from homes as possible. The inverters only make noise during the day. Jenny Ploof asked for locations of similar projects so they could drive by and look at them and listen to them. There is a project in Sheldon Springs that is easily accessible. These projects are not noisy like wind. Jenny asked Ian if he would want one near where he lives, to which Ian responded it would not bother him at all. The PSB makes all the decisions and the local planning commission has the ability to form an opinion and submit that formally. Larry feels to stop any of these projects would be difficult, but it is the job of the PC to get the best we can for our residents. The conversation shifted some to the large project with Ranger proposed for St. Armand Road. The town has submitted a request for a road safety audit of the Route 78 & St. Armand intersection already. Heidi added that the Selectboard is also of the opinion that if projects are going to move forward, we need to get the best deal possible for our taxpayers. It was also noted that it is included in our town plan 2015-2020 to promote renewables as an energy goal.

Following the solar presentations, the PC went over what was presented and began to mull over what they would like to see happen. The Stanislaw property presentation was very thorough and touched on all the points they wanted to see. This was the third time Kirt has come before the town, so they have all the information they need at this time. The Carroll Concrete property, there were still some questions about a reclamation plan, due to an ACT250 not being in place. The project(s) on Ballard Road are in the forest reserve and / or protected districts of Highgate. Heidi referred to the definitions in the development regulations as follows;

- ***Forest Reserve District*** - The (FR) Forest Reserve District is to protect the natural resource value of lands which are essentially undeveloped, lack direct access to public roads, are important for wildlife and wildlife habitat, have potential for commercial forestry use or have one or more physical limitations to development. Residential and recreational development which is compatible with the district purposes and does not require additional facilities and services beyond what is being planned will be encouraged; other limited uses are allowed in the district.
- ***Protected District*** - The (PA) Protected Area District represents the unique and irreplaceable areas of natural beauty, which, for the public good, should remain in their natural state for the generations to come. This area contains steep slopes, fragile soils and vegetation, headwaters of the Rock River, wetlands and similar features. It is the intent of these Bylaws, through the designation of this district, to preserve these areas from medium to high density and intensive development, therefore limited uses are allowed in the district. To conserve large tracts of land any major subdivision in this district must be designated as a PUD.

There were also points brought up about prime ag soil and wildlife in the area. This project on Ballard Road is currently the second largest one that has been presented to us. So if the Ranger project does not go through, this project on Ballard Road should be responsible for training of emergency responders. It was noted that all of these solar projects are creating impervious surfaces and that storm water studies will be needed. Solar projects are a great way to add to our tax base with little to no impact to the vast majority of residents. Screening is an issue on all of the projects. The Ranger project is too large and is at least partially in the village district, impacting many more people. The intersection of Route 78 & St. Armand Road was brought up again as an area of concern and in need of infrastructure that Ranger should be required to help with if their project moves ahead.

III. **CAPITAL IMPROVEMENT PLAN (CIP) ~ FINAL**

The final document is in the PC packets. This was adopted by the Selectboard on November 19, 2015. A finance committee has been formed to replace the elected auditor positions that were eliminated. The FC is designed to assist the treasurer in creating the yearly budget and create policies associated with the CIP. The FC is looking for one member of the PC to join and complete their committee with five members. It is a monthly commitment for now and will likely move to quarterly once things are off the ground. Larry will give the position some thought. Bruce Ryan also offered to serve on the FC.

IV. **APPROVAL OF MINUTES**

Motion by Woody Rouse to approve the PC minutes from October 20, 2015, as written. The motion was seconded by Bruce Ryan – **APPROVED**.

Motion by Woody Rouse to approve the PC minutes from November 17, 2015, as written. The motion was seconded by Luc Dupuis – **APPROVED**.

V. **OTHER BUSINESS**

• **Meeting Schedule 2016**

Motion by Woody Rouse to approve the PC meeting schedule for 2016. The motion was seconded by Luc Dupuis – **APPROVED**.

• **Number of PC members on the board**

Motion by Woody Rouse to make a recommendation to the Selectboard to change the number of PC members from 7 to 5 members. This number will be easier to maintain a full board and obtain a quorum. The motion was seconded by Larry Simmons – **APPROVED**.

• **Reorganization of the PC**

Rick Trombley has recently resigned from the PC and Barbara Chevalier is here tonight for her first meeting as a new member. Motion by Bruce Ryan to nominate Woody Rouse as Chair of the PC. The motion was seconded by Luc Dupuis – **APPROVED**. Motion by Woody Rouse to nominate Luc Dupuis as Vice-Chair of the PC. The motion was seconded by Bruce Ryan – **APPROVED**.

VI. **UPCOMING EVENTS**

Dec. 17	7pm	Selectboard Mtg.
Dec. 20	4:30-5:30pm	Skate with Santa @ Highgate Sports Arena
Dec. 22	5pm	Selectboard Budget Mtg.
Dec. 24 & 25		Municipal Offices are CLOSED
Dec. 31		Municipal Offices are CLOSING @ NOON
Jan. 1		Municipal Offices are CLOSED
Jan. 1 Arena	12pm & 1:30pm	MVU Mens Alumni Hockey Games @ Highgate Sports
Jan. 7	7pm	Selectboard Mtg.
Jan. 14	6pm	DRB Mtg.

Heidi added that the final arena construction committee meeting was today @ 4:30pm. The entire project went very well and everything was able to be accomplished and a few extras as well, such as the new well and painting walls and beams. Between the bond, grants, financial donations and in-kind donations, we finished well under budget.

VII. **ADJOURNMENT**

Motion by Bruce Ryan to adjourn the meeting @ 8:11pm. The motion was seconded by Luc Dupuis – **APPROVED**.

Minutes respectfully submitted by:

\_\_\_\_\_, Clerk  
Wendi Dusablon  
\_\_\_\_\_ Date

Minutes approved by:

\_\_\_\_\_, PC – Chair  
Woodbury Rouse, Jr.  
\_\_\_\_\_ Date