

PLANNING COMMISSION

PRELIMINARY MINUTES

REGULAR MEETING

January 17, 2017

MEMBERS PRESENT:

Alan Couch, Chair
Terry Carter

Alan Isaacson
Logan Nicoll

MEMBERS PRESENT:

Norm Vanasse

STAFF PRESENT:

Rose Goings

OTHERS PRESENT:

Howard Barton
Susan Barton
Alston Springer

Victor Veve
Will Veve

Lisha Klaiber, Recorder
Adam Sayres - LPC-TV

1. CALL TO ORDER

A. Alan Couch opened the meeting at 6:02 p.m.

2. ROLL CALL BY RECORDING SECRETARY

A. All Planning Commission members present, except Norm Vanasse.

3. APPROVE MINUTES

A. The minutes to be approved are from the meeting of November 15, 2016.
B. **MOTION by Logan Nicoll and seconded by Alan Isaacson to approve the minutes November 15, 2016 as presented. Motion passed unanimously.**

4. COMMENTS FROM CITIZENS

A. There were none.

5. LUDLOW DRIVER SOLAR – 65 ROUTE 100 NORTH

A. Rose Goings said that they are now in the Comment Period of the application process. She said that the Planning Commission received one copy of the application. It tells the details of the project.
B. Will Veve said they could print more copies for the board. The panels will be ground mounted on the Danyew property. They will be located in the old sandpit. It will be a net metered project, connecting to Ludlow Electric's grid. The Planning Commission is a respondent in the application process. He supplied copies of the screening plan and said it was done by an Aesthetic Engineer who did a full aesthetic review of the property. He indicated proposed plantings which will serve as screening from the road.
C. Alan Isaacson said that he thought that as of the 4th quarter of last year, the utility had used up all of its net metering availability.
D. Will Veve said each utility can offer 15% of its total peak demand and when this project was initially proposed, it had not reached that limit. This year, the rules provide for no cap.
E. Alan Isaacson asked the cost per KWH.
F. Will Veve said \$.19 per KWH for the 1st 10 years.
G. Alan Isaacson asked the current Ludlow rate.
H. Howard Barton said \$.11 and the taxpayers will have to make up the difference. This will be a burden on the taxpayers.
I. Will Veve said they have a subsidized proposal.

- J. Howard Barton said they got this proposal in before the end of the year because the incentives decreased after the 1st of this year.
- K. Alan Isaacson asked who will operate the project.
- L. Will Veve said Green Lantern. They have built 40 projects and own, operate and maintain them. He said that the project will pay property and school taxes. They want to work with the Select Board and offer the net meter credits back to the town. They want to work with towns. They plan to attend the next Select Board meeting. He said it is important to present the screening plan. They plan to maintain the existing vegetation in the line of site, plus add more buffers.
- M. Alan Isaacson asked if there are wetlands on the property.
- N. Will Veve said not Class 2, there are Class 3 wetlands and they are working with the Army Corps of Engineers on this.
- O. Victor Veve said they are working primarily in the old sandpit.
- P. Will Veve said the first piece is to have the wetlands engineered and to coordinate with the state. The project is non-jurisdictional with the state, but jurisdictional with the Corps. They allow posts in Class 3 wetlands.
- Q. Howard Barton asked if they could plant in FEMA Flood lands.
- R. Will Veve said yes, they have also worked with the Flood Corridor people from the state and they have no concerns with the planting schedule.
- S. Rose Goings asked if they had that in writing, because she did not see it in the application.
- T. Logan Nicoll asked how long they have been in business and other projects.
- U. Will Veve said they did the Troy interconnection in July, they have 10 projects including Alberg Missile Base, which will benefit the school. Also projects in North Hyde Park, Northfield, and Lyndonville. All are solar, ground mounted.
- V. Logan Nicoll asked their overall relationships with the towns where the projects are located.
- W. Will Veve said good. He added that Green Lantern also has good relationships.
- X. Logan Nicoll asked if all of the other projects are with Green Lantern.
- Y. Will Veve said not the first, but all of the others.
- Z. Logan Nicoll said that so far, he feels that there has not been sufficient communication from them and that landowners were not properly notified. He feels that we have been under-notified and under informed. The Select Board has not received any information from them.
- AA. Will Veve said the Select Board did have advance notice and then had no available meetings.
- BB. Logan Nicoll said he wants better communication. He added that people are leery of the project. He said he also feels that the Select Board is apprehensive and against the project.
- CC. Will Veve said the Select Board did get 45 day notice.
- DD. Howard Barton said yes.
- EE. Will Veve said they couldn't get in front of the Select Board as it had no available meetings. He said they are open with information and looking forward to meeting with the Select Board at their next available meeting. He said that they are from Vermont and will be good neighbors.
- FF. Terry Carter asked if the power stays in Ludlow.
- GG. Will Veve said they will interconnect with Ludlow Electric, that's also why they want to meet with the Select Board.
- HH. Terry Carter asked if they tend to go to towns with their own utilities.
- II. Will Veve said that is the way it turned out.
- JJ. Victor Veve said they target sandpits and brown fields. They are trying to make this work.
- KK. Howard Barton said they had been on the agenda and scheduled to meet with the Select Board on December 5, 2016, but they cancelled. The Select Board wanted to be able to meet with them before the end of the year, so the board could make comments. In the testimony that you gave, you said the local Planning Commission and legislative body had no comments. We didn't have a chance to respond because you cancelled out of the meeting and were not present. The board needed to have information before it could comment. Referring to the project, he asked if they would be taking off the left bank of the gravel pit or will the gravel be removed to somewhere else.
- LL. Will Veve said that Howard Barton is correct that they did cancel out of the meeting.
- MM. Logan Nicoll said we have another project and have gone through the process with them. They were very open and provided us with more information than we needed. That openness helped us grasp the scope of the project. This project has had a rough start and we received no information. There were many people at last night's Select Board meeting and they have a lot of concerns.
- NN. Will Veve agreed and said they will provide more information. They can share digitally or in print. We are still in the comment period and if you have any comments, we will try to work with the town and neighbors. Let us know if we will need additional screening.
- OO. Terry Carter asked if there will be screening on Route 103.

- PP. Will Veve said it is existing.
- QQ. Alan Isaacson said that the town has also gone through the process with the transmission project from Canada and they also came in and made presentations to the boards and public.
- RR. Will Veve said they are a small business. He added that by the rules, the Select Board is not a respondent party.
- SS. Alan Isaacson said Ranger Solar also came in to see the Select Board and Planning Commission and answered people's questions. He asked if the site is level or on a slope.
- TT. Will Veve said there is a berm and grading there. He said there will be about 2,100 panels and the AC # is 496 KW.
- UU. Howard Barton said the screening will have to be tall enough to cover, and still not block the sun.
- VV. Alston Springer asked the spacing of the trees.
- WW. Will Veve said they would be in clusters in a straight line. He said the construction period is about 10 to 12 weeks, beginning to end and most of the intensive labor is in the first couple of weeks. They will not work on Sundays or holidays and work a 7:00 a.m. to 7:00 pm. Schedule.
- XX. Howard Barton asked if they will work on Saturdays.
- YY. Will Veve said yes, but that can be worked out with the town.
- ZZ. Alan Isaacson asked when they will start.
- AAA. Will Veve said the PSB process takes 6 to 9 months, or up to a year to get the Certificate of Public Good.
- BBB. Alan Isaacson said they may not start until possibly August at the earliest.
- CCC. Will Veve said yes, and maybe September.
- DDD. Logan Nicoll asked them how committed they are to this project.
- EEE. Will Veve said very committed. It is for the public good. We were asked to look at sandpit for potential projects. It is a good reuse of the property.
- FFF. Rose Goings asked if they are purchasing or leasing the land.
- GGG. Will Veve said purchase. There is a 20 year initial term for net metering that can be extended another 5 or 10 years. Current leases have been grandfathered for 20 years. We have to decommission the project at the end of its useful life.. We will remove panels and posts. The cost for that is about \$15,000 to \$20,000.
- HHH. Terry Carter asked the electric rate after the project.
- III. Will Veve said it goes to the interconnecting utility residential rate.
- JJJ. Howard Barton said the utility takes a hit on it.
- KKK. Alan Isaacson said the utility needs to break even and can't take a loss.
- LLL. Jason Rasmussen said that the Regional Planning Commission got the 45 day notice, but did not comment because they did not have information.
- MMM. Will Veve said they can comment for a period of 21 days after they receive the application.
- NNN. Rose Goings said the Planning Commission received its copy on January 6, 2017.
- OOO. Will Veve said he would like to make an offer to the town. If the Planning Commission needs additional time to make its comments, they can extend the comment time. He said that their attorney can send a letter requesting additional time.
- PPP. Alston Springer asked if their other projects are out of public site.
- QQQ. Will Veve said yes, indicating that the Northfield one is in a sandpit and the Alberg one is at the missile base.
- RRR. Alston Springer said there was no opposition to them because they were out of public site. This is a tourist area and this will be on the scenic by way.
- SSS. Alan Couch asked if the scenic by way designation has any bearing on the project.
- TTT. Howard Barton said no. He added that that is a scenic area and this project will destroy part of it for the town. The Select Board is not happy.
- UUU. Susan Barton said that solar projects are not attractive.
- VVV. Terry Carter said she likes them and they stand for independence.
- WWW. Alan Couch said he understands that the state has goals for renewable energy, but this is not in a good place.
- XXX. Terry Carter said she would rather see screening than a sandpit.
- YYY. Rose Goings added that people are also against the Barker Road project.
- ZZZ. Alan Isaacson said he is concerned about how the screening will be installed and maintained.
- AAAA. Will Veve said Green Lantern is a very reputable company and will stand behind the project. We will be required to provide screening and if you have any suggestions for better types of trees and screening to let them know.
- BBBB. Jason Rasmussen asked if they will maintain the landscape through the life of the project even if trees die off from salt coming off the roads.
- CCCC. Will Veve said that will be addressed and they will do whatever it takes.
- DDDD. Alan Couch asked about the structure on the property.

- EEEE. Will Veve said it is a vacant house and they will fix it up and rent it out. He added that they will not use that space to add to the project. A project may not be expanded once permitted. It is not allowed.
- FFFF. Logan Nicoll said that he appreciates their being at this meeting and said that the Select Board would like them to come to a meeting.
- GGGG. Will Veve said they will work with their attorney to work out extending the comment period.
- HHHH. Howard Barton said he would like it extended 30 days.
- IIII. Alan Couch said that would give us until after the next Select Board meeting.
- JJJJ. Will Veve said he would get copies of the application to the Select Board.
- KKKK. Logan Nicoll asked if they had done a sun exposure analysis for taxes.
- LLLL. Will Veve said yes. He said that based on the size of the system and value of the installed cost and property value, it is about \$1,500,000 installed.
- MMMM. Alan Isaacson asked how that would affect the Grand List.
- NNNN. Will Veve said the property taxes would be the same and there would be solar taxes. He said that they can come back down for a meeting.
- OOOO. Alan Isaacson said the Select Board meeting is February 6, 2017.
- PPPP. Will Veve said they would be there with a slide show.

6. ENHANCED ENERGY PLANNING REQUIREMENTS

- A. Rose Goings said the Select Board had signed the letter to the Regional Planning Commission requesting money for updating the Energy Section of the town plan. The letter had gone out.
- B. Jason Rasmussen distributed information sheets about the new state energy requirements for the Regional Planning Commission and the town will also have to follow those guidelines.
- C. Alan Isaacson asked what our position is on this project.
- D. Jason Rasmussen said that the Regional and Ludlow plans have “due consideration” at the PSB hearings. The PSB looks positively at renewable energy projects and asks is this project for the “Public Good.” They do look at town plans and it would be good for Ludlow to add comments about the Route 100 Scenic Byway to the plan.
- E. Alan Isaacson said the plan does discuss screening. That was added.
- F. Terry Carter asked if this project will reduce greenhouse gas.
- G. Jason Rasmussen said yes. He said that the Enhanced Local Energy Plan is pretty detailed. The Regional Planning Commission had decided to work with Ludlow on this. Ludlow will have to embrace the state energy goals and Ludlow does have wind and solar potential. You will have to consider how you want these projects and where and where not to put them. He asked if the board wants to pursue this.
- H. Alan Isaacson asked if the town has any choice.
- I. Jason Rasmussen said eventually, you will have to do it. You have to look at how much solar or wind power is now generated in Ludlow and what the target will be for 2050. There may be potential for hydro power. You will need maps for prime solar and wind sites, then look at where you want them.
- J. Alan Isaacson said if Ludlow buys power from Hydro Quebec, does that count.
- K. Jason Rasmussen said most of the conversation has been about local power.
- L. Terry Carter asked where Ludlow Electric gets its electricity.
- M. Howard Barton said from various supplies, such as Massachusetts and Hydro Quebec
- N. Alan Isaacson if we buy 85% of our power from renewable energy sources now, does that mean we only need to add 5% more.
- O. Howard Barton said that hydro power is difficult and ANR shuts them down.
- P. Jason Rasmussen said he does not know the answer to Alan Isaacson’s question, but would get an answer.
- Q. Alan Isaacson said it would be important to know that.
- R. Howard Barton said he can get that information to the board as a graph. The power we buy is a mix.
- S. Alan Isaacson asked if they should include in the town plan that Ludlow Electric will purchase energy from renewable sources
- T. Jason Rasmussen said they also look at home heating and transportation. He said that this is optional but we need to get the PSB really listen to the Town Plan. We need time to get numbers and maps together. The Planning Commission needs to meet with the Select Board together and get directions.
- U. Alan Isaacson said the Planning Commission can get on the Select Board agenda.
- V. Jason Rasmussen said the first meeting would be to get data and maps compiled. There will be at least one or two more meetings.
- W. Terry Carter asked if the Driver Solar location one of the good sites.

- X. Rose Goings said it may have been and they said they target sandpits.
- Y. Howard Barton asked if Phase 3 transmission line accessibility is also a consideration.
- Z. Jason Rasmussen said the state is also refining data. We are excluding floodways and river corridors. He added that the rest of the Town Plan must also meet all other new state standards. One issue here is which town plan is in effect. He spoke with Chris Callahan and his understanding from the conversation is that the town amended the plan in 2016, but the new rules are based on adoption date. Your plan expires in November, 2017. The Village adopted it a few months later. This needs to be clarified or you can choose to have two plans.
- AA. Alan Isaacson said he does not think that 2 plans are an option. The Village is an integral part of the town and we need to find a way that both boards will accept the plan. We view the plan as a community, not two separate groups.
- BB. Rose Goings said we can't lose the village plan because that would mean losing the Village Center designation and possible grants. She suggested for wording proposed for the Land Use section, that they add "This pertains to the Town Residential Commercial Districts only."
- CC. Alan Isaacson suggested removing the line "Our town will not support businesses that draw away from the economy of our downtown."
- DD. Terry Carter said the Trustees were split on that.
- EE. Alan Isaacson suggested that they think about it and include whatever change they make and present it when they present the Enhanced Energy section changes.
- FF. Rose Goings said that is great, except that now we have 2 plans because the Select Board accepted the change.
- GG. Jason Rasmussen said the board has a tight time line.
- HH. Alan Couch said he wants one plan and we need to find an amendable solution to this.
- II. Terry Carter said that sentence is written in the negative.
- JJ. Alan Isaacson said the whole thing has to go back when we present the Enhanced Energy section.
- KK. Rose Goings agreed, but repeated that they currently have 2 plans.
- LL. Alan Isaacson said we have the next 7 month and we should let it be. The Trustees can lose the Village Center designation or offer us better wording. He said this board should go forward and maybe look at new wording. We have to have a new plan in place by November.
- MM. Howard Barton said that wording is pretty strong and we don't want to take away from the Village.
- NN. Logan Nicoll said he likes the wording.
- OO. Rose Goings said that David Rose wants pro-business language.
- PP. Jason Rasmussen gave them, in the handouts, some suggestions for minor tweaks such as new Water Quality requirements and updating the Village Center boundary map.

7. MUNICIPAL PLANNING GRANT OPTIONS

- A. Rose Goings said the only comprehensive 5-year plan grants that she saw are for Villages.
- B. Jason Rasmussen said that he is also not aware of any other grants at this time. The next grants are in September.

8. VILLAGE RC DISTRICT

- A. Rose Goings said this was on the agenda for the wording in the Land Use section.

9. DISCUSS VILLAGE TRUSTEES MEETING (MUNICIPAL PLAN)

- A. This was discussed during the Enhanced Energy Section discussion

10. OTHER BUSINESS

- A. Select Board Meeting
 - i. Alan Couch asked when they wanted to meet with the Select Board.
 - ii. Rose Goings said they could invite the Select Board to the next Planning Commission meeting.
 - iii. Alan Isaacson said they should look at their meeting on March 21st. He said he does not think that they will be ready with the data and maps by the February meeting. He asked Jason Rasmussen to let this board know if he will be ready for the February meeting.

B. Next meeting

- i. Rose Goings said that agenda items for the February meeting would include the Energy Section.
- ii. Alan Isaacson said that they should also discuss the wording in the Land Use Section.
- iii. Terry Carter said they should discuss their comments for the Solar Driver project.
- iv. Jason Rasmussen said that Will Veve said he would talk to their lawyer about extending the comment time.
- v. Alan Isaacson said this board should go to the Select Board meeting with its comments.
- vi. Logan Nicoll said they should reach out to other towns to find out how Driver did with projects in their towns and if they made donations to the other towns. He said that the Select Board had not received anything from Driver.
- vii. Jason Rasmussen said that smaller projects have much faster time frames and that larger projects have more time to reach out to the towns where the projects are.
- viii. Rose Goings said this application said it was hand-delivered and it was not.

11. **ADJOURN**

- A. **MOTION by Alan Isaacson and seconded by Logan Nicoll to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 7:43 p.m.

Respectfully submitted,

Lisha Klaiber

Alan Couch, Chairman

Logan Nicoll

Terry Carter

Norman Vanasse

Alan Isaacson