

MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

REGULAR MEETING

September 7, 2015

BOARD MEMBERS PRESENT:

Howard Barton, Jr., Chairman John Neal Logan Nicoll
Brett Sanderson Bruce Schmidt

STAFF PRESENT:

Frank Heald Ulla Cook

OTHERS PRESENT:

Aaron Svedlow Ted Reeves
CJ Walsh Ed McEneaney (LPC-TV)

1. **Call to Order**

- A. Chairman Howard Barton called the meeting to order at 7:00 p.m.
- B. All members present.

2. **Approve Minutes of Previous Meetings**

- A. Howard Barton advised that the minutes to be approved are from the regular meeting, including Public Hearing on August 3, 2015.
- B. **MOTION by John Neal and seconded by Brett Sanderson to approve the minutes of the meeting of August 3, 2015. Motion passed unanimously.**

3. **Comments from Citizens**

- A. There were none.

4. **Board of Listers Errors & Omissions**

- A. Howard Barton advised that there were two (2) omissions submitted by the listers.
- B. **MOTION by Bruce Schmidt and seconded by John Neal to accept the Errors and Omissions Report as submitted by the listers. Motion passed unanimously.**

5. **Presentation by Ranger Solar RE: Coolidge Solar Project**

- A. Frank Heald introduced Arron Svedlow of Ranger Solar.
- B. Aaron Svedlow advised that they had met with Frank Heald about 3 weeks ago to discuss this project. They have also met with the Southern Windsor Regional Planning Commission. The project is a utility scale solar project to be constructed in Ludlow. The company was formed 6 months ago, but the principles have been in the business for many years. The project will be located on Barker Road and will produce up to 20 megawatts of power. They plan to submit at 45 day notice to Ludlow as part of the Act 248 requirements.
- C. Bruce Schmidt asked where on Barker Road.
- D. Aaron Svedlow said in the open fields on the left. The participating land owner is Dan Moore. The project will be setback 100 feet. There will also be portions on the north side of the road. They have done a wetlands survey and will stay away from any sensitive areas. They hope to avoid nearly all natural resources.
- E. John Neal asked the total number of acres.
- F. Aaron Svedlow said about 100 to 120 acres.
- G. Bruce Schmidt asked for a definition of Utility scale.
- H. Aaron Svedlow said the power will go to the grid and interconnect with VELCO. The power will be sold to the utilities. The cost of the power will be the cost of traditional power at the current rates. They are working on sales agreements with power companies now.

- I. John Neal asked the life of the panels.
- J. Aaron Svedlow said up to 40 years, typically 30-35 years. At that time, they will either be restored or decommissioned. The funds for that are bonded.
- K. Howard Barton asked if they would leave the panels there when no longer active.
- L. Aaron Svedlow said no. The contract would be to restore the land to preexisting conditions. There is also a potential for a step up transformer substation.
- M. Bruce Schmidt noted that the power point papers said there would be \$3,000,000 in tax revenues for the town over the life of the project.
- N. Aaron Svedlow asked the board how Ranger Solar would be able to contribute to the economic development of the town.
- O. Howard Barton asked who figures the value of the project.
- P. Aaron Svedlow said the state for their side of the taxes and the town according to your list.
- Q. Bruce Schmidt asked what if the land is in Current Use.
- R. Aaron Svedlow said Ranger would pay to get it out. The project may go as high as 140 acres with roads. The design shows a bigger than the footprint than what the project may actually be.
- S. Howard Barton asked if the location was chosen because it is close to Coolidge.
- T. Aaron Svedlow said yes.
- U. Bruce Schmidt asked how they would address the aesthetics.
- V. Aaron Svedlow said TJ Boyle from Burlington is working on landscape with abutters or for the whole project. There is an agreement with the landowner that the project will be totally screened along the road.
- W. Logan Nicoll asked how this ties into Hydro Quebec's project.
- X. Aaron Svedlow said there was a system impact study of both projects. They may need upgrades.
- Y. Logan Nicoll asked if there would be any work on the HydroQuebec land.
- Z. Aaron Svedlow said no.
- AA. Bruce Schmidt asked how many panels.
- BB. Aaron Svedlow said 70,000 to 90,000 panels. He said they used the same technology as existing projects. He asked again, how they can help the economic development of Ludlow.
- CC. Bruce Schmidt suggested the Enterprise Fund.
- DD. John Neal said this would have a tremendous impact on the landscape up there.
- EE. Aaron Svedlow said as part of Act 248, they must address aesthetics and hope to keep the impact minimal.
- FF. Bruce Schmidt said that this board is not a fan of Act 248. The town recently did not want a project and had no say in it. We were not in favor of the telecommunications tower.
- GG. Howard Barton, referring to the tower project, agreed, saying that it did not fit into the town plan or zoning regulations.
- HH. Aaron Svedlow said he would keep in contact with Frank Heald and the board.
- II. Bruce Schmidt said the project would take away from the landscape, but obviously, the landowner may do what he wants with his land.
- JJ. Howard Barton asked wildlife.
- KK. Aaron Svedlow said they did a bat survey. It is part of the Act 248 process to avoid impact of sensitive areas. He added that he can't speak to impact on deer.
- LL. Frank Heald noted that the power point indicated 3 full time jobs.
- MM. Aaron Svedlow said they would be for maintenance and operations. There will not be a lot during construction. It would include grading, clearing, installation of panels, fencing and operations and maintenance.
- NN. Frank Heald expressed concern that they would keep the property clean and neat.
- OO. Aaron Svedlow said they would. They will be required to have money in escrow for operations and maintenance for the life of the project. This project is a big investment and they don't intend to let weeds grow up in it.
- PP. Bruce Schmidt asked if they had a local project that this board could see.
- QQ. Aaron Svedlow said there are none yet in the northeast, of this size. He said they could give references. He said that solar projects have lower impact than other types of renewable energy projects. He said they would love to have the support of this board.
- RR. Frank Heald asked about the 45 day notice.
- SS. Aaron Svedlow said it would be within the next week or two.
- TT. Howard Barton asked them to keep this board informed.
- UU. Aaron Svedlow said he would also be meeting with all of the abutters.

6. **Approve Town Road Names**

- A. Howard Barton said they had received a list of street names for Okemo from Rose Goings.
- B. Ted Reeves said the names are for the Timber Creek – South Face Village development.
- C. Howard Barton asked if it would be developed over time.
- D. Ted Reeves said yes. He added that some of the smaller roads may not be done for several years.

- E. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to accept the list of road names for Okemo as presented. Motion passed unanimously.**

7. **Discuss Penalty for Late Filing of Homestead**

- A. Frank Heald noted that Ulla Cook is present. He said that the state assesses penalties for late filing of the homestead declaration. We are allowed to collect or waive the penalty. There are 3 repeat late filers and a fair number of new ones.
- B. Ulla Cook said they should have been filed by April 15th.
- C. Bruce Schmidt asked if there are any 3 year offenders.
- D. Ulla Cook said there are 3 repeat from last year.
- E. Bruce Schmidt asked Ulla Cook's recommendation.
- F. Ulla Cook said she wrote letters to the offenders last year telling people that they had to file the Homestead Declaration. She does not think we should let them go again. They need to pay the penalties. She suggested that new offenders will be sent a letter this year.
- G. Howard Barton said the board discussed this last year.
- H. Ulla Cook said the repeat offenders were told, last year that they needed to file.
- I. Howard Barton said we forgave them all last year.
- J. Ulla Cook said it is 8% of the education tax.
- K. Frank Heald asked who gets the money.
- L. Ulla Cook said the town. She added that it is not much work for the office to penalize them, just reprint the tax bill with the changes.
- M. Bruce Schmidt said this is the 3rd year we have had this and asked if any people give excuses.
- N. Ulla Cook said she had not heard from any of the repeat offenders.
- O. Frank Heald suggested that some of them may have filed for tax extensions, but they cannot extend filing this form.
- P. Howard Barton said it may even be the 3rd year for some.
- Q. **MOTION by Bruce Schmidt and seconded by John Neal to rescind the penalty for first time offenders with a letter reminding them to file the form for next year and to impose the penalty on the repeat late filers. Motion passed unanimously.**

8. **Designate VLCT Annual Business Meeting Delegate**

- A. **MOTION by John Neal and seconded by Brett Sanderson to appoint Frank Heald as delegate to the Annual VLCT Business meeting. Motion passed unanimously.**

9. **Department Head Reports**

- A. Howard Barton advised that all reports are in.
- B. **Recreation Department**
- i. Bruce Schmidt noted that in their report, the Recreation department had a conversation about West Hill and asked if they plan to put it on this board's agenda for a discussion.
 - ii. Howard Barton said this board wants to understand what they are planning.
 - iii. Frank Heald said that some of the committee wanted to come tonight, but others thought it would be better to wait until they had a plan to send you to read, also some financials. They are going to meet again this week. The question is it would be nice to have a recreation area, but the geese are back. The swimming area needs to have a valve replaced. It would be a great time to take the pond down, regrade and remove the gravel from Irene. The roof is leaking on the building and is out for replacement now. The Recreation Committee is considering trails for hiking and biking, but will the people use it. These are major decisions. He said that he supported the committee chair with regard to need for more information.
 - iv. John Neal said that when the town was considering the Public Safety Building, the committee held several public information meetings to find out what people wanted.
 - v. Frank Heald said that he had discussed this with the Recreation Committee Chair last week. He said that also, when the town was considering renovation of town hall, they also held several public meetings.

10. **Other Business**

- A. **Buttermilk Falls Road**
- i. Howard Barton referred to a letter received by the board from Dennis and Irene Pearson regarding traffic on Buttermilk Falls Road.

- ii. Frank Heald said that he has spoken to Mr. Pearson and Chief Billings. The solutions may be more signage and more enforcement. Also, they may be able to do something with the speed limit next year. He added that speed bumps don't work.
 - iii. Howard Barton said it does get busy up there and traffic is going faster.
 - iv. Bruce Schmidt said Chief Billings needs to make a concerted effort next summer. He added that he was waiting for someone at the VFW building and was surprised at the traffic on Buttermilk Falls Road. It was more than he expected.
 - v. Frank Heald said they may be able to put a counter up there.
 - vi. Bruce Schmidt said he also does not think speed bumps are the answer.
 - vii. Logan Nicoll agreed that speed bumps don't work. He said he would like to find a way to stop the speeding up there.
 - viii. Howard Barton said that years ago, Buttermilk Falls Road was used mostly by locals, now everyone knows about it.
 - ix. John Neal said that he had heard that there is a lot more trash and garbage up there.
 - x. Frank Heald asked who owns it.
 - xi. Ted Reeves said it is part of the Ludlow State Forest.
 - xii. John Neal suggested a park ranger on weekends.
 - xiii. Frank Heald suggested counters or borrowing speed indicators from the village.
 - xiv. Bruce Schmidt said the speed indicators don't work.
 - xv. Frank Heald said that the ones coming into the village do work.
 - xvi. Bruce Schmidt asked Frank Heald to respond to Dennis and Irene Pearson.
 - xvii. Frank Heald said he would.
- B. Firemen's Auction
- i. Brett Sanderson said the auction collected \$4,400 over last year. He said they also received help from other departments, which really helped. There was also a new auctioneer and he was very good.
 - ii. Frank Heald said they make a big bunch of cash that goes to improving the department.
- C. Walker Bridge
- i. Frank Heald said that next week, Daniels is coming in to put in 3 plates over the top. It will mean 1-way traffic for 3 days. This work should get us through until 2017 when the major construction happens. He added that one old plate had opened up and you could see the water. Everything else looks like it will hold for now. We have to do both sides of the road.
 - ii. Howard Barton asked if they would be diverting truck traffic.
 - iii. Frank Heald said no.
 - iv. Howard Barton asked if the work could be done after hours.
 - v. Frank Heald said not really. They will try to keep traffic moving as well as possible. He added that night work is too expensive, especially for the town budget.
- D. Seizures
- i. Frank Heald reported that there have been an increasing number of seizures in the schools and some people have been concerned that they were due to lead at the Community Center. He said that he had had a 36 point inspection done at the Community Center by the Department of Health. He has a letter from Sarah Voss of the Department of Health saying that there is no reason to believe that lead would be causing the seizures and that no further action is needed.
- E. Planning Commission
- i. Logan Nicoll reported that the Planning Commission has been working on the Town Zoning Regulations and will be holding a public meeting next week on the regulations. They will then forward the draft regulations to the Select Board. They have written up a summary of the changes, many of which are straight out of state models, adapted to fit Ludlow.
- F. Out of Office
- i. Frank Heald advised that he will be out of the office for the most part of the period from September 9 through September 28, 2015.

11. Set Date for Next Meeting

- A. Howard Barton advised that the next regular meeting would be October 5, 2015 at 7:00 p.m.

12. Sign Warrant Orders

- A. Warrant orders have been signed.

13. Possible Executive Session/Personnel/Contracts/Legal Issues

- A. Frank Heald advised that a brief Executive Session is not needed.

14. **Adjourn**

- A. **MOTION by Bruce Schmidt and seconded by John Neal to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 7:51 p.m.

Respectfully submitted,

Lisha Klaiber

Howard Barton, Jr., Chairman

Brett Sanderson

John Neal

Bruce Schmidt

Logan Nicoll