

**Thetford Planning Commission
May 17, 2016 –APPROVED Minutes**

Present: Kevin O’Hara, Michael Schunk, Liz Ryan Cole, Jamie Thaxton, Dean Whitlock
(Recording Clerk)

Absent: Patricia Norton, Jason Crance

Guests: None

(Numbers below refer to agenda items.)

1. Kevin called the meeting to order at 7:24 p.m.

2. Public Comment: None

3. Review of the minutes for the 5/3 meeting
The minutes were accepted as amended.

4. Selectboard Report
None.

5. Town Plan

a. Maps Final Update – Dean reported that he had received the final set of maps from Pete Fellows at the Two Rivers Ottauquechee Regional Planning Commission, which he had forwarded to the commission via the listserv. The names of the two swamps referred to as Gillette Swamp has not been completely resolved, but Erhard Frost has provided what appears to be a definitive explanation for how they become known by the same name. There are inconsistencies in other sources, so further research will be needed. Dean will post the maps to the town web site in a separate file from the Town Plan draft since the map file is 9 Mbytes and would greatly increase the download time for people who only wanted to review the text.

b. Thetford Energy Committee request regarding siting of renewable energy generation projects – Michael referred the committee to an email he had sent on May 14. Michael reported that he had researched the status of the legislation regarding this issue and also looked for language in other Town Plans that applied. He gave a quick summary of the history of Vermont’s energy legislation, which sets goals for the proportion that will come for renewables. Every town is expected to play a part in achieving the goals; however, this had the unforeseen consequence of empowering the Public Service Board (PSB) to approve energy projects without considering the development plans and ordinances in the towns. There has been push back from the towns, which resulted in changes in the law that will give the towns a role in the decisions about siting of renewable energy generation projects and more control over siting. Rutland sued to block one project, but the VT Supreme Court ruled that Rutland’s Town Plan wasn’t specific enough about which sites within the town were or were not appropriate for such projects. The Governor set up a commission to provide guidance and the Senate drafted and passed a bill, which the House is

still working on. It's expected that the final guiding language for town plans will not be available until October.

Michael obtained the language that Rutland developed since the court ruling and also received some suggestions from Chris Sargent of the Two Rivers Ottauquechee Regional Commission (TRORC). Rather than wait for the new legislation to be ready, Chris suggested that our best course would be to proceed with our draft Town Plan as is, but with the understanding that it go through the amendment process as soon as the legislation is completed.

There was a discussion about what our Town Plan would require. Michael has adjusted the language from Rutland to make it specific to Thetford, and the Energy Committee now has a copy to review. In addition, there will need to be a new map that indicates the sites in town that are appropriate for renewable energy generation projects. These locations must address view sheds and scenic byways, soils, conserved land, the historic district, and the heights of parcels. Brownfields such as old landfill sites and mines are considered prime locations. Other favored situations include rooftops and the creation of canopies over parking lots. Michael said that the amendment will require inserting quite a bit of narrative and also some new goals, policies, and recommendations. Once this is done, energy project plans will have to be designed from the outset to be ready for the PSB approval process, with the Town as a participant.

Dean suggested that, to give the Town some standing in such decisions for the time being, the commission draft a paragraph in the narrative of the Energy Chapter that explains the situation and need for an amendment, along with a goal and recommendation. There was a brief discussion of how the amendment process would fit into the normal 5-year schedule for updating the Town Plan. The members then drafted a paragraph for the narrative:

"The energy generation siting process outlined in 30 V.S.A. § 248 and in 24 V.S.A. § 4302 is currently being modified by the state legislature based on recommendations from the Vermont Generation Siting Policy Commission. In order to have formal standing in the approval process for siting of such projects, the Town Plan's Energy Chapter must contain specific language regarding the location within Thetford of appropriate sites for renewable energy generation. The language guidelines, which will be included in the Energy Development Improvement Act (Senate bill S.230), are expected to be available in the fall of 2016. As soon as possible after the guidelines become available, the Planning Commission should make whatever additions and adjustments are needed to make the language specific to Thetford's situation, amend the Energy Chapter to include the language, and receive certification from the town's regional planning commission."

Dean moved that the paragraph be inserted into the narrative of the Energy Chapter. Michael seconded the motion. There was no further discussion. The motion passed unanimously.

Jamie pointed out that the first goal in the Energy Chapter already covered the point that the Town should have a say in siting and approving of energy generation projects. The commission then used the approved paragraph as the basis for a recommendation:

"As soon as possible after the energy generation siting guidelines become available, the Planning Commission should make whatever additions and adjustments are needed to make the language specific to Thetford's situation, amend the Energy Chapter to include the language, and receive certification from the town's regional planning commission."

Dean moved that the paragraph be inserted into the narrative of the Energy Chapter. Michael seconded the motion. There was no further discussion. The motion passed unanimously. Dean will insert the paragraph and recommendation into the Energy Chapter, create a new version (9.93) of the Town Plan, and send it to the copy editor. Michael will suggest to the

Energy Committee that they hold off on reviewing the Rutland-based text until we have more information from TRORC or the final guidelines are published.

c. Copy editor schedule and timing of warned hearing – Once Dean sends the new version of the Town Plan to the copy editor, Patricia will confirm that the final editing and proofreading can be completed in time to print copies to accompany the warning. There was a brief discussion of the warning process. Kevin will research the required language and format for the warning, which towns and organizations are required by law to receive copies of the warning and draft plan, and how many copies should be printed for distribution. The goal is to approve the language of the warning and officially publish it at the June 7 meeting.

6. Subdivision update – Kevin referred the members to an email from Zoning Administrator Mary Ellen Parkman on May 12 stating that the Development Review Board had reviewed the draft Subdivision Regulations and approved of the changes, also requesting one final change to the requirement for plat scale ratios in table 2.2. Kevin will make the change to the table. Then the Commission should review the entire document one last time before sending it to the Selectboard and TRORC for their feedback.

7. Other Business (9:10)

1. Sign standards and regulation. The Selectboard discussed the topic of creating an ordinance to regulate signs in town. Instead, they decided that it would be best to have sign standards be included in the Zoning Bylaw. They may send suggestions for sign standards to the Commission or simply ask the Commission to draft some. In any case, they will be included with other updates to the Zoning Bylaw that will be needed once the new Town Plan has been approved.

2. Liz asked if there had been any resolution about how many members are supposed to be on the Planning Commission. Kevin reported that no one had been able to find the minutes where the number was reduced to 5 and we are now assuming that the required number will be 7. There was a brief discussion of why this would be a better number but also harder to maintain.

3. Kevin referred the commissioners to a planning conference coming up. He will send the information to the planning listserv.

The meeting was adjourned at 9:25 p.m.

Respectfully submitted,
Dean Whitlock, Recording Clerk, Thetford Planning Commission