

Planning Commission
Martin Memorial Hall
5459 Rte 5 Ascutney, VT
Planning Commission Meeting
Monday, April, 11, 2022 6:00 PM

Planning Commission Members Present:

Paul Tillman
Joseph Bublat, Online
Howard Beach
Mike Todd
Tyler Harwell, Online

Tyler Harwell and Joseph Bublat were having internet connection issues. Joseph Bublat drove into the Town Hall for the remainder of the meeting and Tyler Harwell was disconnected at

Attendees: Ryan Gumbart, Land Use Administrator, Jason Rasmussen, Dusty Hodgdon, Colby Hodgdon

1.) Call to Order made by Paul Tillman, Chair at 6:39 pm.

2.) Agenda Review

The following items were removed from the agenda:

#8 Subdivision open space discussion
#9 Setback Requirements

3.) Comments from the Chair and Land Use Administrator

Paul Tillman recognized and thanked Howard Beach for his term as Chair.

4.) Comments from Citizens regarding items on agenda.

None

5.) Approval of Meeting Minutes – March 28, 2022

Michael Todd made a motion to approve the minutes from 3-28-22.
Howard Beach – 2nd
Discussion – no further discussion
Vote – Unanimous

6.) Hodgdon – Sketch Plan Review

Colby Hodgdon presented the sketch plan for a subdivision of Tax Map/Parcel Number 05-03-40. He would like to subdivide out a single 5–7-acre lot for a house as a primary residence. Would like construction to start in August/September 2022. He provide a map to the Planning Commission, however, the property has not been surveyed for the subdivision at time of sketch plan review.

After the property is surveyed, Colby Hodgdon will complete the subdivision checklist, provide the necessary information to the Land Use Administrator and will request a subdivision hearing. A copy of the following was provided to Colby Hodgdon from the Town of Weathersfield Subdivision Regulations for completion:

- Table 2.1 – Application Requirements
- Table 2.2 – Subdivision Review Process Summary

7.) Energy plan discussion

Jason Rasmussen presented the draft of the Energy Plan to the Planning Commission:

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7.7 Energy Goals	
7.7.1	To make efficient use of energy, provide for the development of renewable energy resources, and reduce emissions of greenhouse gases.
7.8 Energy Policies	
7.8.1	Weathersfield has limited potential for utility-scale wind energy development, as areas with sufficient access to consistent wind are generally small in size and more than a mile away from three-phase power lines. The prime wind sites (e.g. Weathersfield Center, Butterfield Hill, Pikes Peak) are relatively close to established residences and/or specifically identified scenic, historic or natural resources in the Town Plan and/or Biologic Natural Areas of Weathersfield. The secondary wind sites (e.g. Skyline Drive, Hawks Mountain, Little Ascutney, Pierson Peak, Mount Ascutney) are largely in scenic or natural resources areas also specifically identified in the Town Plan and/or Biologic Natural Areas of Weathersfield. Development in these areas would have a profoundly negative impact on critical viewsheds throughout the community, as the natural profile of the mountain forms an iconic backdrop from both in-town and rural valley locations. Because no other locations in Weathersfield have suitable wind resource, infrastructure availability, or are free from significant environmental constraints (Figure 6), no utility-scale (100 KW capacity or greater) wind energy facilities should be located in the town. Smaller scale wind projects, including residential-scale turbines (generally less than 10 KW) and turbines that may be installed at farms, residences or small businesses, up to 100 KW, may be appropriate as long as noise from the turbines does not adversely affect neighboring residential properties and as long as they are not prominently visible from any town-identified historic district.
7.8.2	The town particularly encourages solar energy development, of any scale, on building rooftops.
7.8.3	The town strongly supports the development of small-scale (150 KW capacity or less) electricity generation from solar energy at homes, businesses, schools, and other institutions.
7.8.4	The town strongly encourages community solar projects (between 15 KW and 150KW in size) provided they are located on sites identified as having high potential for electricity generation based on solar resource availability and avoid "prohibited areas" as identified below. Moreover, any community solar project located on a site that is not a prohibited/exclusion area shall be considered as being located on a "preferred site" and eligible for all of the regulatory and financial incentives associated with larger scale solar energy installations pursuant to Public Utility Commission Rule 5.100 and 30 V.S.A. Section 248.
7.8.5	Any larger scale solar development (greater than 150 kW capacity) shall be subject to the following Solar Energy Facility Siting Policy and Map, and the Solar Electric Facility Siting Guidelines.
7.8.6	Solar Energy Facility Siting Policy and Map
1	
ENERGY CHAPTER DRAFT 03/28/2022	

Commented [JR1]: Should update the way information is presented on the map

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The Solar Energy Resource Map shall serve as a guide for developers wishing to identify land suitable for larger-scale solar energy generation facilities (greater than 150 kW capacity) within the Town of Weathersfield. This map identifies sites which have been determined by the Town of Weathersfield, through official action of the Select Board, to be suitable for solar facilities and sites which are not suitable due to the presence of constraints. Only sites identified as "preferred sites" (on this map or through the Town of Weathersfield's Preferred Site Policy) or located in a "preferred area" as defined in the Solar Facility Siting Criteria, below, may be developed with solar generating facilities in excess 150 KW of rated capacity.

The Solar Energy Resource Map shall be used in concert with the Town's Screening of Solar Facilities Ordinance and the Solar Facility Siting Guidelines (incorporating the Community Standards and Siting Criteria) included in this section of the Town Plan to direct the development and design of solar facilities. Although solar energy development at these preferred sites and locations is an appropriate land use, all such development shall be carefully planned to limit adverse impacts to neighboring properties and to public viewsheds, giving consideration to The Town's Screening of Solar Facilities Ordinance and Solar Facility Siting Guidelines.

The sites indicated on this map as suitable for solar energy development were selected after a thorough analysis of available geographic data, including an assessment of access to solar energy as well as environmental, aesthetic, cultural, and related regulatory constraints. State-identified environmental constraints are discussed in more detail in the Mount Ascutney Regional Energy Plan, and include the following resource areas:

- a) Class 1 and 2 wetlands, vernal pools, and hydric soils;
- b) Mapped river corridors and FEMA-defined floodways;
- c) Natural communities and rare, threatened, and endangered species;
- d) Federal wilderness areas;
- e) "Primary" and "Statewide" significant agricultural soils;
- f) FEMA-defined special flood hazard areas;
- g) Lands protected for conservation purposes;
- h) Deer wintering areas; and
- i) State-identified high priority "Conservation Design Forest Blocks."

7.8.7 Solar Electricity Facility Siting Guidelines

The term "solar facility" shall have the following meaning: a solar electricity generation and transmission facility with a 150kW (AC) or greater capacity, including all on-site and offsite improvements necessary for the development and operation, and on-going maintenance of the facility.

The Town of Weathersfield has developed community standards and siting standards for the development of solar facilities for reference and use by facility developers and local property owners and for consideration in Section 248 proceedings (30 VSA §248). These standards are set forth below. In addition, the Weathersfield Planning Commission, in consultation with the Mount Ascutney Regional Commission, has

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identified and mapped (Figure 7) those areas of Weathersfield that are most suitable for solar facility development based on facility siting requirements and municipal energy, conservation, and development policies and objectives set forth in the Weathersfield Town Plan.

7.8.7.2 Community Standards

The following community standards are to be considered in undertaking municipal solar electricity projects and programs, in updating Weathersfield's Zoning Bylaws to address solar facilities subject to local regulation, and in the review of any new or upgraded solar facilities in excess of 15 kW capacity, by the Town of Weathersfield and the Public Utility Commission (Section 248 review).

- a) **Plan Conformance:** New solar facilities and proposed system upgrades should be consistent with the Vermont Comprehensive Energy Plan, the Vermont Long-Range Transmission Plan, and utilities Integrated Resource Planning (IRP).
- b) **Benefits:** A demonstrated statewide public need that outweighs adverse impacts to local residents and resources must be documented for municipal support of new solar facilities located within or which may otherwise affect Weathersfield. Facility development must benefit Town of Weathersfield and State residents, businesses, and property owners in direct proportion to the impacts of the proposed development.
- c) **Impacts:** New solar facilities must be evaluated for consistency with community and regional development objectives and shall avoid undue adverse impacts to significant cultural, natural, and scenic resources and aesthetic values identified by the community in the Weathersfield Town Plan and the Scenic Resources Inventory. When evaluating impacts of a proposed solar facility under the criteria set forth in this Town Plan, the cumulative impact of existing solar facilities, approved pending solar facilities and the proposed solar facility shall be considered. It is explicitly understood that a proposed solar facility which by itself may not have an adverse impact may be deemed to have an adverse impact when considered in light of the cumulative impacts of the proposed solar facility and existing solar facilities and pending already approved solar facilities.
- d) **Decommissioning:** All facility certificates shall specify conditions for system decommissioning, including required sureties (bonds) for facility removal and site restoration to a safe, useful, and environmentally stable condition. All hazardous materials and structures, including foundations, pads and accessory structures, must be removed from the site and safely disposed of in accordance with regulations and best practices current at the time of decommissioning.

7.8.7.3 Solar Facility Siting Criteria

Weathersfield supports development of solar energy generation facilities consistent with the policies and guidelines set forth in this plan. It recognizes that financial considerations require projects to be located in close proximity to

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electric power lines capable of distributing the load proposed to be generated and to have convenient access from major transportation networks for construction. However, the town desires to maintain the open landscape and scenic views important to Weathersfield's sense of place, tourism economy, and rural cultural aesthetic. Not all solar facilities proposed can meet this standard. Projects must meet the following criteria in order to be supported by this Town Plan:

- a) **Siting Requirements:** New solar facilities shall be sited in locations that do not adversely impact the community's traditional and planned patterns of growth, of compact village centers surrounded by a rural countryside, including working farms and forest land. Solar facilities shall, therefore, not be sited in locations that adversely impact scenic views, roads, or other areas identified in the Scenic Resources Inventory, nor shall solar facilities be sited in locations that adversely impact any of the following scenic attributes identified in the Scenic Resource Inventory: views across open fields, especially when those fields form an important foreground; prominent ridgelines or hillsides that can be seen from many public vantage points and thus form a natural backdrop for many landscapes; historic buildings and districts and gateways to historic districts; and, scenes that include important contrasting elements such as water. The impact on prime and statewide agricultural soils currently in production shall be minimized during project design.
- b) **Preferred Areas:** The following areas are specifically identified as preferred areas for solar facilities, as they are most likely to meet the siting requirements:
 - Roof-mounted systems;
 - Systems located in proximity to existing large scale, commercial or industrial buildings;
 - Proximity to existing hedgerows or other topographical features that naturally screen the entire proposed array;
 - Reuse of former brownfields;
 - Facilities that are sited in disturbed areas, such as gravel pits, closed landfills, or former quarries;
 - Areas specifically identified as suitable for solar facilities on the Solar Energy Resource Map.
- c) **Prohibited (Exclusion) Areas:** In addition to those areas that do not meet the siting requirements set forth above, development of solar generating facilities shall be excluded from (prohibited within), and shall not be supported by the Town, in the following locations:
 - Floodways shown on Flood Insurance Rate Maps (FIRMs);
 - River corridors as shown in the Town of Weathersfield Zoning Bylaws;
 - Class I or II wetlands;
 - A location that would significantly diminish the economic viability or potential economic viability of the town's working landscape, including

productive forest land and primary agricultural soils (as defined in Act 250 and as mapped by the U.S. Natural Resource Conservation Service);

- Rare, threatened, or endangered species habitat or communities as mapped or identified through site investigation, and core habitat areas, migratory routes and travel corridors;
- Ridgelines: _____
- Steep slopes (>25%)
- Surface waters and riparian buffer areas (except for stream crossings);
- Topography that causes a facility to be prominently visible against the skyline from public and private vantage points such as roads, homes, and neighborhoods;
- A site in proximity to and interfering with a significant viewshed identified in the **Scenic Resource Inventory**;
- A site on which a solar facility project cannot comply with **Weathersfield's prescribed siting and screening standards, including the screening requirements set forth in _____ Screening of Solar Facilities Ordinance**;
- A site that causes adverse impacts to historical or cultural resources, including state or federal designated historic districts, sites and structures, and locally significant cultural resources identified in the municipal plan. Prohibited impacts to historical and cultural resources include:
 - removal or demolition;
 - physical or structural damage, significant visual intrusion, or threat to the use;
 - significant intrusion in a rural historic district or historic landscape with a high degree of integrity;
 - significant visual intrusion into a hillside that serves as a backdrop to a historic site or structure;
 - creating a focal point that would disrupt or distract from elements of a historic landscape;
 - a significant intrusion in a rural historic district or historic landscape that has a high degree of integrity;
 - impairing a vista or viewshed from a historic resource that is a significant component of its historic character and history of use;
 - visually overwhelming a historic setting, such as by being dramatically out of scale;
 - isolating a historic resource from its historic setting, or introducing incongruous or incompatible uses, or new visual, audible or atmospheric elements.

- d) **Mass and Scale:** Except for projects located on preferred sites, solar facilities larger than 10 acres, individually or cumulatively, cannot be adequately

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screened or mitigated to blend into the municipality's landscape and are, therefore, explicitly prohibited.

7.9 Energy Recommendations

- 7.9.1 Consider adopting a freestanding solar screening bylaw under 24 V.S.A. §4414 (15).
- 7.9.2 The Town of Weathersfield may participate in the Public Utility Commission's review of new and expanded generation facilities to ensure that local energy, resource conservation, and development objectives are identified and considered in proposed utility development. This may include joint participation and collaboration with other affected municipalities and the Mount Ascutney Regional Commission for projects that may have significant regional impact. It is acknowledged that the PUC's primary focus is on administering state public policy and regulating actions that are directed at ensuring that utility services promote the general good of the state.
- 7.9.3 The Planning Commission, in consultation with the Select Board, should develop guidelines to direct local participation in Section 248 proceedings related to solar facilities located in Weathersfield or in neighboring communities which may affect the town. The guidelines should reflect levels of participation or formal intervention in relation to the type, location, scale, operation, and magnitude of a proposed project, and its potential benefits, detriments to, and impacts on the community.

There are 7 items that the Planning Commission would like Jason to focus on:

1. GPS locations of scenic views in Town.
2. Map that provides scenic vista locations.
3. Better definition of small scale and large-scale solar power.
4. Jason Rasmussen and Ryan Gumbart are going to look at the State language for solar power.
5. Clarification on river corridor language.
6. Add a screening ordinance.
7. Look at combining 3 sections of the proposed document:
 - a. 7.8.7
 - b. 7.8.7.2
 - c. 7.8.7.3

Jason Rasmussen will return to the Planning Commission in one month to review the marked-up changes.

8.) Bylaw Project Update

Ryan Gumbart, Land Use Administrator presented the following changes to bylaws that will be presented Thursday, April 14, 2022 at the Bylaw hearing.

Please refer to Zoning Bylaw Proposal Draft 2022 for full presentation.

After review, the Planning Commission requested that Ryan add some more definition about the review of Aquifer Overlay. Ryan will also work with Otis at Regional Planning to get the GPOD Zone on a finalized map.

Michael Todd made motion to authorize the Land Use Administrator to complete the Planning Commission Report Form for Municipal Bylaw Amendments according to statute.

Howard Beach – 2nd

No further discussion

Vote - unanimous

9.) Bylaw administration – tabled for future meeting.

10.) Discussion of Items for Future Agenda

- Continued Energy Plan
- Town Driveway Standards

11.) Any other business that can be legally discussed

None

12.) Adjourn

Howard Beach made a motion to adjourn at 8:57pm

Michael Todd – 2nd

No discussion

Vote - unanimous

Bylaw hearing is scheduled for Thursday, April 14, 2022 at 6:30 pm at Martin Memorial Hall.

Next Planning Commission Meeting is scheduled for Monday, April 25, 2022 at 6:30 pm at Martin Memorial Hall.

Respectfully,
Chauncie Tillman
Recording Secretary

Planning Commission

Howard Beach, Vice - Chair

Joseph Bublat, Clerk

Tyler Harwell, Chairperson

Paul Tillman, Chair

Michael Todd, Chairperson