Town of Hinesburg
Planning Commission
October 28, 2015
Approved 11/25

Members Present: Maggie Gordon, Aaron Kimball, Joe Iadanza, James Donegan, Jeff French, Kyle Bostwick. Members Absent: Dennis Place, Russell Fox, Rolf Kielman.

Also present: Alex Weinhagen (Director of Planning & Zoning) and Freeda Powers (Recording Secretary).

Public Present: Chuck Reiss.

Joe I. chaired the meeting, which was called to order at 7:35pm.

Agenda Changes: There were none. There were no public comments for non-agenda items.

Solar Siting Standards: Guest Speaker Leonard Duffy joined the Board for this discussion. Some 43 years ago, Leonard was on the Planning Commission, and was on the Board for 10 years. He said it is important to know that currently, towns have no say on industrial scale solar projects. The new legislation does grant party status on some aspects. The current regulations allow party status on screening standards. Projections from the Public Service Board (PBS) energy plan indicates what will be a huge impact on Vermont. Statutory background was provided to the Board. Alex W. explained party status and the state review process. The Board feels that they should have an ordinance in place or address this issue in zoning. Screening standards shall not be more stringent than for other commercial development. But this does not stipulate so it is difficult to apply or determine. Also, the State has setbacks but is the Town allowed to have different setback standards? This is also unclear, Alex said, but the State has the right to request smaller or larger setbacks. He is unsure if they would respond at all to local protection of other resources. Leonard said he feels these projects belong in Industrial Zoning Districts, not in the rural setting. But we could help in setting those standards. He cites as an example, the NRG solar array which is well screened and not visible from the road way for a good part of the year with a mix of coniferous and deciduous trees and adequate setbacks. Compare this, he said, with the arrays along Charlotte Road by the Town Hall driveway. These are close to the road, very little setback, and very poor and inadequate screening. He went on to say that these conditions should be a problem for the developers to solve in the review process.

Aaron K. asked about abutting landowner impacts of industrial scale arrays. Len said some considerations should be: Glare, Aesthetics, Property Value, View shed. Aaron K. said in his view it is a misnomer to call them farms; it is using land for a purpose not necessarily intended for a particular district. Is this part of the issue, he wonders? Len said we should think outside the box, consider possible land use in areas where such arrays would not be disruptive or impacting negatively on these previously discussed factors. Such places as around/near landfills, sand lots, gravel pits, etc. He said it is important to remember that we are truly pro-solar, but we do have concerns with the impact to our state. Aaron K. said that's a good point—we do want solar. This is about siting. Chuck R. shares Leo's concerns, Len said. Len said he is an avid renewable energy advocate, but Ag land is a concern of his. Act 56 offers a small window but as a Town, we could have sizes which trigger different screening, etc. There are opportunities to protect land and advocate for renewables here. How about co-grazing?

Inter-planting? Maybe permits which are good for 25 years and then get reviewed? Kyle B. said there is no doubt that we need renewables but this is no different than any other use of land. Furthermore, he said, we should be looking for opportunities to have solar on existing structures, etc. without occupying more land. He does agree with the idea of siting them around sand/gravel pits etc. He encourages a best use of land approach and one which is less divisive. Len said ultimately, it is all about money; follow the money, he said, and you'll see that it isn't staying in Vermont, except in Montpelier. He said technology and policies are changing and reminded the Board that the expense of these projects is (for now) in the frontend of the projects; the panels will deteriorate and so on. This type of technology and its associated development is relatively slow now, he said, and he encourages some type of escrow found for decommissioning. Chuck R. said the panels' life span is 25 years, but the posts/infrastructure last longer. He said these projects won't need to be decommissioned, since they can be replaced. Also, ownership is an important aspect to consider, said Chuck. A landowner isn't the owner of the project typically; they are leasing, so who to go to becomes tricky.

Joe I. said solar arrays need space, which is what the rural areas offer; whereas commercial districts wouldn't develop out in those areas for its needs would not be met. Len said scale it like Chuck R. suggests. Chuck R. said he questions the town's authority regarding enforcement, too. The Board discussed whether to address this topic as an ordinance or in the zoning. Also, they discussed triggers; should it tie to land coverage? Wattage? They felt this issue does warrant some action and agreed not to put the issue on the long-term list. Aaron K. and Joe I. agreed to collaborate and get some guidance from the energy committee to craft draft ordinance language, due at the 12/9 meeting for further discussion.

Village Rezoning: The Commissioners turned in their individual data collection documents to Maggie G. for her to enter on an excel data sheet.

Minutes from 9/23 & 10/14: Maggie G. **made a motion to approve** minutes of 9/23. Kyle B. **seconded the motion.** The board **voted 6-0.**

Maggie G. **made a motion to approve** minutes of 10/14. James D. **seconded the motion.** Kyle B. abstained. The board **voted 5-0.**

Other Business: The Board discussed their upcoming meeting dates and agreed that Alex W. would email the Commissioners about the rescheduling of the 11/25 meeting and December meetings would be on 12/2 & 12/16.

Starksboro Zoning Revisions meeting hearing on 11/5/15.

Joe I. made a **motion to adjourn.** James D. **seconded** the motion. The meeting adjourned at 9:19pm.

Respectfully submitted,

Freeda Powers, Recording Secretary