

PC Members: Francie Caccavo, Co-chair, Pat Palmer, Benjamin Putnam, Peter Rothschild, and Jim Walsh
Absent: Angie and Rob

ORIGINAL

Selectboard members: Carole Hall and Doug Tolles

Visitors: Susan Schaefer, Chris Bray, Dean Percival, Nathan Vandal, Phillip Foy, Dale Hastings, Jessica Whitney, Rita Booska, Ronald, Brian and Robert Hill, John Madden, and Allen Karnatz

PC Staff: Dave Wetmore,

Meeting minutes:

Francie, called meeting to order at 7:00 PM. Dave Wetmore took minutes. The agenda was posted and it is attached.

- I. **1. Adjustments to Agenda-** Francie asked that Susan Schafer be moved to the beginning of the Solar discussions- no objections.
- 2. VISITORS BUSINESS: none**

II. PC BUSINESS

New/Old

Susan Schaefer- Began by stating that she has been a New Haven resident for over 25 years and does not have a particular bias and wants to assist the community with the review of the solar projects. Susan has developed a flow chart for projects before the Public Service Board (PSB) based on the size of the proposed facility. Susan's goal is to assist the Town to gather and manage project information and organize a review process.

1. Discussion regarding solar arrays and review protocol.

Rita Booksa- Asks why are we so attractive to solar developers- Francie, responded that the State and Legislature has set a 2050 goal for renewable energy and this is State priority. Francie has been in contact with the PSB and the Board Clerk expressed that the PSB is seeing 40 applications/week for 150KW size projects. New Haven is not alone. 150 KW projects are approved quite rapidly, and its hard for the Town to have time to review. However, New Haven does have a robust 3 phase infrastructure and good topography for siting solar projects. Francie expressed her own opinion that if we are to meet the 2050 goals New Haven needs to contribute. Rita expressed concern for the project proposed in her back yard. Dave noted that an application had not been received for that facility as of yet. Rita asked can the Town do anything to limit then. Francie responded – very little.

Peter R.- asked if the Town is notified regarding all solar projects. Yes even the small ones.

Francie- Shared comments regarding the ACRPC Forum. It is clear that the Town needs to focus on amending the Town Plan. This process takes time and she suggesting reaching out to work with developers.

Dean P.- Asked about the PSB process. Francie suggests that folks should read the Meshna Solar ruling as it is very telling how the PSB works. Dave stressed that ACRPC comments suggest that the PSB looks hard at the Town Plan, which requires the Town Plan to be a regulatory document rather than a visionary document. Doug T.

noted that regardless of the project the Selectboard has voted to intervene. To date the PC's efforts have been regarded as comments for the PSB to consider.

Chris Bray- explained that there are different levels of review/consideration by the PSB. The Town Plan weighs heavily in the PSB process. Chris shared that the process may need to be reshaped.

Francie- asked if the Town Plan was amended, how can the public have a voice in the process? Should the PC host a forum to get input. The goal should be to get a true picture of resident sentiments. If the Town is to intervene amending the Town Plan is critical and ACRPC feels that New Havens is weak. Chris B. stated that the federal tax credit will expire in 2015. Peter noted that without the tax credit the solar projects are not viable. Francie suggests that it is important for the Selectboard and the PC to be on the same page. Dave expressed that it should be the Town Plan that both the PC and SB rallies around.

Francie- asked about the adoption timeline to amend the Town Plan, can it be done for the Town to vote at Town Meeting in March. Currently the Town Plan should be renewed in 2016. There is not time to amend the entire Plan by March but it might be possible to amend "energy" section for Town Meeting. Dave noted that it would be very difficult to keep to the Town Meeting timeline.

John Madden- asked about the difference between the 10KW and 150 KW projects. Is the PSB process law or procedure? John expressed that the PSB has a record of not following the law. Any person w/grounds can intervene, rule 2.2, intervention is a right. John outlined that the PSB must weigh the negative effects and determine if they are "undue adverse" under the Quechee test. John noted that the Town Plan also speaks of scenic quality. Francie states that that reference has been included with submissions to the PSB. Dave noted that the references are not specific enough for the Board.

Dale Hastings- stated that he and Jess have retained Peter Langrock and the Peter has been clear that the PSB trumps any Town Plan or Bylaw. Their plan is to sue for loss of property value in a nuisance suit. Laws are currently written in favor of the applicants/developers. Suncommon will push ahead and do as they please.

Doug T.- As far as the Town is concerned the SB has decided to intervene in all future PSB solar applications. This will cost the Town money but the SB feels its important.

Francie- asks if there is a way to develop large solar that folks can support? Yes projects should be sited in such a way to have far less/no impact to neighboring properties and unseen from highways. These are commercial/industrial projects often in residential areas. They are not very compatible. Jim W. stated that the 150 KW projects are not going away and are reviewed differently than the large scale projects. Chris B. – expressed that he needs to represent everyone, its important to be fair to another point of view. Telephone and electric service was a huge change to the landscape but it was critically important at that time. I'm sure all new technology is viewed as objectionable by some.

Allen K.- the plane and simple truth is the PSB trumps town zoning and there is a reason for this.

Ron Hill- Their experience is that roof top solar was not feasible, largely because it would be 15 year payback on 20 year roof system. The methane electric is much more reliable and consistent power. They receive .16/KW for the electricity they generate compared to as little as .10/KW for some solar projects. Jim W. asked Hills how much it was to install 3 phase power. There are a lot of variables but the basic cost was somewhere around \$180,000. Francie noted that theirs was considerably less. Brian Hill noted that solar should be able to be sited almost anywhere but the 3 phase would be a direct cost to the developer. The Hills are concerned that these facilities can be sited on prime agricultural land. Chris Bray suggested that maybe it is time for the State of underwrite the extension of 3 phase power if its in the best interest of the States goals. Nathan Vandal spoke that under the

SPEED program the developer pays to upgrade and because it is a competitive bid program the developer needs to limit additional upgrades. That's why they try to locate them adjacent to existing service. Peter R. noted that ACRPC thought that 3 phase power would cost about \$40/ft. Ron concluded that he is concerned that today's solar and wind projects could go the same way California's energy projects of the 70s.

Decommissioning fund- Nathan discussed the current requirements regarding decommissioning. Each project has a separate fund, i.e. letter of credit. The letter of credit for their project is \$100,000. Their project is a 5-6 million dollar facility. Jim asked if the letter of credit grows? Nathan stated yes. Peter R. asked who is responsible for administering the decommissioning fund? The PSB.

Francie- asked do we want to amend the Town Plan? Benj. stated yes but that the timeline was not reasonable. Peter suggests that we should move quickly. It was noted that any amendments to the Town Plan would only impact projects after the Town Plan is approved. Robert Hill notes that the current Town Plan does limit large projects.

Chris Bray wants to know what the message is to take back to Montpelier. He wants to represent the Town's voice. Francie expressed that it is very difficult to track 150 KW projects. They are not available digitally at this time.

Town Plan amendment- Dave suggests a small group work to draft an amendment to be considered. They could work from ACRPC outline. Allen suggests that a draft needs to be ready for PC review at December meeting. Carole suggests that the PC and SB have received a lot of feedback from concerned citizens. Francie would like to hear from supporters as well. Benj. agreed that these projects may very well be supported by the majority of residents. Ron Hill stated that aesthetics and loss of prime agland should be a high priority.

Francie suggests making someone a point person to coordinate efforts. This individual would need to be approved by the Selectboard. Francie suggest that the point person would make sure all parties are notified and involved if they wish. Dave noted that ad joiners to the projects would be notified by PSB. Jim suggests that any Town notification should be sent certified. Benj. expressed concern about establishing a process that may be difficult to follow through on. Jim shared that he has some example of Town Plan that concentrate heavily on "energy". There must be more that could help with the amendment process. A community group should be setup to draft an amendment. Peter supports fast tracking this effort to amend the Town Plan. Benj. suggests that this is a 2-step process, 1st strengthen the Town Plan and 2nd work with Cindy to represent the Town at the PSB.

PC- Will meet on 11/24 at 7:00 PM to review draft amendment to the "energy section" of the Town Plan. Peter agreed to coordinate a working group to draft the amendment. Dave suggests that the group does not include a quorum of either the PC or SB and that too many will make it difficult. Susan Schafer was suggested to be part of the group. Other residents would be good.

2. Budget request for PC 2015- Francie moved to submit the same budget as 2014. Benj. 2nds.

Discussion- It was noted that the current budget includes money for a consultant. The PC hopes that they can use Brandy for review of HC amendments and Town Plan amendments before the end of the year. **Approved 5-yes, 0-no**

3. Signage continued-

1.A.01.A- PC agreed that projects requiring site plan approval should require signs at that time. This needs to be added to section 350.

1.A.01.F- set max sign at 300 sq. ft.

.G- OK as drafted

.H- Put examples (diagrams) at the end of paragraph.

.I- Applicable to NC and HC only. Change speeds to <30 mph, 30-<50 mph and 50 mph or greater.

.J- Have Brandy suggest max limits on sign lighting. PC concerned about internally illuminated signs.

.J.4- Extend time to 90 minutes before and after.

1.A.01.K- PC suggests putting "application requirements" at the beginning of signs between A and B.

.L- Ok as drafted

.M- Ok as drafted

III. MINUTES APPROVAL

1. 10/13/2014 minutes. To be approved next meeting
2. 10/27/2014 minutes. Francie moved as drafted, Benj. 2nds. Approved 4-yes, 0-no, Pat abstained

IV. CORRESPONDENCE PC reviewed correspondence including;

- 11/10/2014- PSB Flow Chart
- BFP article "VT Based solar companies win grants
- 10/31/2014- VT Digger article "NH says no to solar farm plans"
- PSB VT Gas Reply Brief dated 10/31/2014
- 11/7/2014- ACRPC minutes
- 11/09/2014- ACRPC recommendations for Town Plans
- 11/10/2014- Comments to ACRPC Town Plan outline from Peter Rothschild
- John Madden, dated 10/15 and 11/7
- Budget request for PLACE program, Allen Karnatz- Allen spent a couple of minutes discussing this

- V. OTHER** Special meeting- November 24, 2014- Agenda- Review of Town Plan amendment
Regular Meeting -December 8, 2014

VI. Adjournment

Peter moved to adjourn at 10:05 PM, 2nd by Benjamin. Motion approved 5-yes and 0-no

Approved on 12/8/2014

Francie Caccavo

Pat Palmer

Benjamin Putnam

Peter Rothschild

Jim Walsh