

Shaftsbury Planning Commission Meeting
November 10, 2015
Minutes

The meeting was called to order by chair Chris Williams at 7 pm. Also present were commissioners Dave Mance, Brie Della Rocca, Mike Foley, and David Spurr. Select Board chair Tim Scoggins attended as a guest. ZA Shelly Stiles took notes.

The October 27 minutes were reviewed. Mr. Mance moved to approve them. Ms. Della Rocca seconded the motion, which passed 4-0-1, with Mr. Spurr abstaining. Mr. Scoggins reminded the group that the state's open meeting law required commissions to post their minutes within 5 days following the meeting.

Ms. Della Rocca reported she'd attended a recent Municipal Day in Montpelier sponsored by VLCT. She will share her notes at a later date, especially regarding the presentation and discussions on solar facilities and Act 248. She noted she thought the net metering law had been changed to be less generous to enrollees. Mr. Spurr noted that solar arrays are sprouting in Rutland County, even on farmland (where they may have little long term impact). Mr. Scoggins reminded the group that BCRC had done an energy study, and reported that its base assumptions included a 50% decrease in energy use by 2050, which Mr. Scoggins thought was unlikely unless price controls were applied to energy. Mr. Williams noted that of the three ways we use energy – thermal, electrical, and transportation – the latter has barely been addressed. Ms. Della Rocca noted with chagrin the recent abandonment of the proposed Albany/SW VT rail line in favor of a line to Rutland.

Forestry and land conversion: Mr. Williams reminded the group that the PC had been working on two issues: controlling invasives on land enrolled in Use Value, an issue over which it might have some authority; and land conversion as in the removal of trees to enhance a parcel's sale-ability. He admitted he couldn't figure out how to address the latter, especially. Mr. Mance asked how either would be enforced – who would be the person to review invasives treatments or confirm a certain portion of the native vegetation remained after construction? He said he thought education might be a better solution. He also asked: what is the benefit to the town of either policy in terms of the public health, safety, and welfare. Mr. Williams said that would be hard to quantify, and could be very small. Mr. Mance noted that requiring invasives control would mean farms (as contrasted to forest land) would have to produce management plans going forward, where they don't have to now, and may only require to self-certify that remain eligible for Use Value going forward. Mr. Mance said he thought the draft language was perhaps too broad, and reiterated that it would be better to educate people and help them implement change.

Mr. Spurr suggested a way to control invasives at least early on, by requiring proof of treatment before a C of O is issued. Mr. Scoggins and Mr. Mance noted that some species are beyond controllable.

The Commission agreed that education re invasives was a worthy task for the group. Mr. Foley suggested a video on invasives to be shown at Town meeting. Others suggested reaching out to students, and through them their parents; seasonal press releases to the Banner; and the Town website.

Land use regulations re-write: Mr. Williams thought it would be useful to learn from the Town attorney what cases had come before him over the years evincing ambiguities in the regulations. Mr. Scoggins thought we might ask the DRB what they find confusing; if possible survey residents with the same question; and ask for legal advice as a last step. Mr. Mance suggested flow diagrams, Mr. Williams matrices – a kind of “zoning at a glance.” Mr. Spurr suggested asking residents specific questions, Mr. Mance DRB exit interviews. It was agreed that at bottom the purpose of the land use regulations is to implement the Town plan.

Mr. Williams will talk with Mr. Huncharek on the DRB. Mr. Mance will try to get paper copies of the Bennington, Pownal, and Manchester regulations. Everyone will review the first four chapters of the Town Plan to learn where the regulations do NOT address its recommendations and policies.

Mr. Mance suggested Paran Acres might be rezoned from RR 40 to a village designation.

The meeting was adjourned by acclamation at 9:10 p.m.