

Town of Shaftsbury  
Planning Commission

Minutes of the Meeting of November 24, 2015

Commissioners present: David Mance, Brie Della Rocca, Mike Foley, Chris Williams

Commissioners absent: David Spurr

Also present: Tim Scoggins, ZA Shelly Stiles

1) Chairman Williams called the meeting to order at 7:12 pm.

Ms. Della Rocca shared **notes from a VLCT Municipal Day** she attended, regarding PSB review of renewable energy facilities. She said the material was relevant to the PC's review of the Plan in the context of the land use regulations because it showed how Towns could acquire some degree over control of siting of such facilities via the Plan. She said workshop presenters indicated that the PSB heeds Town plan recommendations re siting where references to aesthetics, in particular, are made. The PC quickly reviewed the sections mentioning renewable energy and agreed that it appears the Plan encourages it. Ms. Della Rocca said perhaps there are some places where it wouldn't be welcome; though we can't stop renewable facilities, she said, perhaps we can guide it away from places that should be "off limits."

2) **Discussion of Town Plan** as it relates to land use regulations.

Mr. Williams asked each attendee what jumped out at them in their review of the Plan.

- Mr. Foley: water and air quality, groundwater resources, wetlands, drinking water.

[As an aside, a discussion of stream buffers led to discovering that a 50' buffer is required by both the subdivision regulations and 7.2.1 of the zoning bylaw.]

- Ms. Della Rocca: recommends that we ask our attorney to review the Plan's references to renewable energy and especially solar energy to advise how, if at all, the Plan should be amended. We need to clarify our stance re renewable energy siting so we don't have to react to specific situations, which will certainly be controversial, but instead can point to elements of our Plan which reference historic uses, air and water quality, public health and safety, and aesthetics. Mr. Mance said maybe we should consider screening, as in along a highway, as that would result in less of a perceived change for townspeople. Also less glare.
- Mr. Mance: Section 5 recommendations are laudable, but devising instruments to implement them would take a lot of time and expertise. Maybe it would be better to focus on Section 6 recommendations and figure out how to implement them with the zoning ordinance by reviewing permitted and conditional uses in the districts. Mr. Scoggins said the State takes pretty good care of the environment; what we lack in Town is commerce. Mr. Williams said we should make some uses, now conditional, permitted. Mr. Mance suggested proceeding as follows: first review commercial uses, then industrial, and finally residential. The commission

discussed infrastructure in the village center. High speed internet and a place to work might attract parents dropping off their kids at school, as it has done in Manchester. Mr. Foley asked about sewer and water – don't we need those things first? Mr. Mance said we need to clarify mixed use, and that it shouldn't have to go through site plan review. But we need to be careful that our regulations are consistent. For example, for two uses do we require twice the minimum lot size? Mr. Williams said zoning isn't about what we want, but about applying the same rules to everyone. Ms. Della Rocca thought planning might also include marketing: what do we want to attract and how to attract such things, e.g. food trucks?

**3) Minutes of November 10, 2015.**

Mr. Mance moved to approve them. Ms. Della Rocca seconded the motion, which passed 4-0.

**4) Water sampling at TAM transfer station.**

Mr. Mance recused himself and left the table. ZA Stiles and Mr. Williams explained that, as a condition of the permit issued by the Planning Commission at the time, water quality monitoring for contaminants had taken place at the transfer station for eight consecutive years. This year's report from the consulting hydrogeologist, employed by TAM, reported that again, as in the past, no contaminants were found. He recommended that the sampling protocol be amended to: require every other year sampling, or require an annual visual survey of possible sources of contamination, or that all monitoring cease. After discussion, it was agreed that the DRB should decide as the action amounts to a request for a modification of a permit. (The DRB took on such responsibilities after the original permit was issued, when it was the Planning Commission's job to review permits.) ZA Stiles will ask the DRB to review the matter.

The meeting adjourned at 8:45 pm.

Submitted by ZA Stiles