

LANDGROVE PLANNING COMMISSION

Minutes of Meeting
September 20, 2019

Attending:

Charles Sweetman
Jerald Hassett
Michael Morfit

Mary Licata
Michael Mole

Joshua Wengerd
Harry Lux

The meeting was called to order at 5:30 pm, with 7 Commissioners present, in addition to Catherine Bryars (Bennington Regional Planning Commission).

1. Hal Wilkins.

The Commission members noted with sorrow the recent passing of our colleague Hal Wilkins, who served as the Landgrove Zoning Administrator for the past several years. Dedicated to the work of the town, Hal was greatly appreciated for his great warmth, cordiality and unfailing courtesy. He was always on top of the often complex issues and decisions facing the town and greatly advanced the work of the Commission with careful analysis, clear recommendations and full documentation. We came to rely heavily on his collegial professionalism. Our deepest condolences go out to his wife and family on his untimely passing.

2. Bennington Regional Planning Commission (BRPC) planning grants.

Catherine Bryars outlined a last-minute possibility for BRPC assistance in using end of fiscal year state funds. The BRPC proposal would focus on village districts to identify ways in which town by-laws create constraints and barriers to denser residential zones and more affordable housing.

After some discussion, the Commission concluded that the Landgrove village district does not lend itself to the objectives of this proposed study and decided not to participate.

3. Energy Standards for Municipal Plans.

Catherine Bryars provided a technical briefing on the requirements of Act 174 (2016) regarding energy standards for town municipal plans. This included background information on the objectives and requirements of Act 174; a review of the extensive technical guidance and criteria for incorporating acceptable energy standards in municipal plans; and the example of Sunderland's town plan illustrating the requirements of the new law.

Act 174 is designed to provide practical guidance to town to advance toward the state's declared goal of generating 90 percent of the state's energy from renewable sources by 2050. Although the primary thrust is voluntary, those towns that meet the requirements and standards of Act 174 will receive 'substantial deference'

before the Public Service Board (PSB) with respect to land conservation measures and the siting of renewable energy plants (solar and wind power). Conversely, if municipalities do not meet the requirements and standards of Act 174, the Public Service Board is only required to give 'due consideration' to local preferences – a much lower standard.

The technical requirements of Act 174 are complex and time-consuming, with substantial data requirements. (For example, Sunderland's completed energy plan ran to 18 pages, in contrast to 3 pages devoted to energy in the 2017 Landgrove Town Plan.) Even with technical support and help from BRPC, nearby towns have taken up to two years to complete their plans.

Against these costs, an energy plan that meets Act 174 requirements would reduce the vulnerability of the town to unwelcome decisions by the PSB regarding siting of commercial solar farms or wind turbines.

In Bennington County, about 50 percent of the towns have embarked on this process, although throughout the entire state, we understand that the figure is only about 30 percent.

Following the technical briefing, Catherine Bryars excused herself and the Commission considered the advantages and disadvantages of committing to this process.

It was noted that the PSB only acts upon proposals from private investors. If Landgrove is too small or too poorly situated to be attractive for a commercial solar or wind farm, there may be no such proposals and therefore no need to identify acceptable sites through the Act 174 planning process. On the other hand, meeting Act 174 requirements places the town in a more advantageous position to protect its interests. Also, the Commission agreed that we support the move toward renewable energy sources throughout the state.

No decision was taken at this time, pending further investigation and inquiries about the Act 174 process and the likely interest of possible private investors.

4. Extension of Lux Building permit.

Commission member Harry Lux recused himself from the following discussion.

It was noted that the building permit for the Lux property issued almost a year ago will soon expire. Much of the project has been completed and the work remaining to be done is entirely consistent with the original application. There have been no changes or variations to the application previously reviewed and approved by the Commission. In these circumstances, the Zoning Administrator routinely approves a one-year extension.

In the absence of a Zoning Administrator, the Commission approved a one-year extension of the building permit.

The Commission adjourned at 7:37 pm, to **reconvene at 5:30 pm on Thursday, November 21.**