

Planning Commission Minutes
Monday February 14 at 4 pm
via Zoom

Meg opened the meeting at 4:02 PM

In attendance Meg Staloff, Chair, Michelle Carlson, Brian Holt, John Lebron at 4:12,
Angela Yakovleff at 4:10

Mike Tuller, zoning administrator, Scott Tucker, Town manager, Gretchen Havreduk,
Economic Development Specialist

Visitors: Sue Westa, (WRC,) Matt Bachler, (WRC,) Charles Siebenberg

Possible Additions to the Agenda

none

Public Comment

none

Approve Minutes from 1/24/2022

Tabled until February 28, 2022 meeting.

**Presentation by Sue Westa and Matt Bachler of WRC on timeline and next steps for the
Bylaw Modernization Grant program. Overview of Steering Committee vs Planning
Commission roles**

Wilmington Bylaw Modernization Grant Project Steering Committee

- Role of the Steering Committee: to Provide input and direction to WRC staff on overall project goals, schedule, planning for public meetings, and draft bylaw revisions.
 - o Help communicate to residents, businesses, and property owners the goals of the project.
 - o Provide recommendations to the Planning Commission.
- Steering Committee Composition
 - Recommend between 5 – 10 members [enough members to be representative of the community but not so many that work is difficult]
 - o Aim for a diverse representation from the community: - Planning Commission members - Development Review Board members - Selectboard members - Municipal staff - Business owners and/or property owners - Realtors - Resort representatives
- Spring 2022 (March – May)
 - o Steering Committee Kick Off Meeting
 - o WRC reviews past planning efforts and existing regulations and presents to Steering Committee on findings
- Summer 2022 (June – August)
 - o 1st Public Meeting: project overview, gathering public input
 - o Additional outreach efforts at community events
 - o WRC researches possible solutions to issues identified and presents findings to Steering Committee
- Fall 2022 (September – November)
 - o WRC drafts bylaw revisions and presents to Steering Committee
 - o 2nd Public Meeting: present draft bylaw revisions
- Winter 2022/2023 (December – February)
 - o WRC revises draft bylaws and presents final recommendations to Steering Committee
 - o 3rd Public Meeting: present final recommendations for bylaw revisions

- Spring 2023 (March - May)
 - o Steering Committee makes recommendation to Planning Commission
 - o WRC available to attend public hearings at the Planning Commission as requested
- Gretchen asked if the steering committee needs to follow open meeting law? Sue Westa thinks it would be up to the town, but will look into it.
- Scott Tucker said it is important to be as transparent as possible at least for the larger group. People may want to come. They may have something to add.
- Meg noted that there will be public meetings. Brian asked if it is really only limited to downtown. He thinks that is limiting. Sue said the grant is for designated downtown, and/or where there is already infrastructure.

Meg asked about the number of meeting times; would there be one initial meeting then a few additional or one monthly? Matt said he thinks one meeting then additional ones as needed, but probably 6 total. We should be respectful of the community and their time.

Sue requested that Meg let them (WRC) know when the committee is organized.

Planning Commission has one other meeting this month to discuss it, talk with Scott. Will we need approval from the Select Board or just present the committee to them? Scott sees it more as advice and consent.

Resume discussion around clarifying language for Solar Installation

- Language needs to be clearer about not being subject to regulations
- Meg thinks the language saying solar arrays primarily in the commercial district should be removed.
- Brian suggested language be simple and clear, less than or equal to 15KW arrays need no permit. He asked if there was confusion. Mike said there is none that he is aware of. Most people go directly to the provider rather than to the zoning administrator.
- PROPOSED CHANGES:

Article 4, Section 421 ADD:

F. Small Solar Energy Systems: roof or ground mounted Solar Energy Systems of 15 kw or less. For further regulations concerning solar installations, see Article 7, Section 732 I.

Add to Article X (Definitions): SMALL SOLAR ENERGY SYSTEMS: A solar energy device of 15kw or less, whether ground or roof-mounted. Pursuant to 24 V.S.A. § 4414(15) these systems are subject to approval of, and regulated by, the Public Service Board.

G. Public Art. For two-dimensional works of art, the piece must not meet the definition of a sign (see Article X, Sign). For three-dimensional works, they must be 150 square feet in size or smaller.

Add to Article X (Definitions): Public Art: Any work of art, whether installed on public or private property, that is visible from a public right of way.

Article 7, Section 730

E (2)

v. Screening & Buffer Areas for Ground Mounted Solar Arrays and Related Unaesthetic Features: When a ground mounted solar array and/or related unaesthetic features create an undue adverse impact on the aesthetics of an abutting property, neighborhood or state, municipal, or private road, screening of the solar array and/or related non-aesthetic features ~~shall be provided~~ **is encouraged**. All reasonable effort ~~shall~~ **should** be made to maximize the visual aesthetics of ground solar development.

For ground installation of solar arrays and related unaesthetic features larger than 200 square feet and within 50 feet of a road or abutting property, a minimum Buffer Area of 10 feet in depth ~~shall~~ **should** be provided.

Article 7, Section 732

I. Solar Projects: Pursuant to 24 V.S.A. § 4414(15) the Public Service Board shall enforce the requirements of this ordinance.

There are no setback requirements for solar development with plant capacity of less than 15 kilowatts.

No solar energy generation land development or facility in excess of 15 kilowatts shall be approved that is not in conformity with the following municipal requirements:

Setbacks Ground mounted solar generating development shall meet these minimum setbacks:

For development plans with a plant capacity of 15 – 150 kilowatts:

- 40 feet from any state or municipal highway, and -
- 25 feet from each property boundary that is not a state or municipal highway, or

For development plans exceeding 150 kilowatts:

- 100 feet from any state or municipal highway, and
- 50 feet from each property boundary that is not a state or municipal highway.

For Screening and Buffer Area ~~requirements~~ **guidelines** see Section 730 (F) “Screening and Buffer Areas for Ground Mounted Solar Arrays and Related Unaesthetic Features”.

All solar installations on residential and commercial Structures shall provide for fire safety, **and comply with existing height limits.**

Solar ground installations are discouraged **in the following locations**: on agricultural lands, in scenic vistas and fields, or in other natural aesthetic settings that contribute to the rural and

agricultural character of the town. ~~Solar installations are encouraged in areas primarily Used for commercial development and on non-residential Structures.~~

DISCUSSION:

Article 7, Section 730

Language will be reworded to provide a clearer document. Brian suggested use of bullets about references to 15 KW systems. He thinks it is important to add wind.

Reordering and adding language about exemptions was discussed (specifically section 421.)

John noted we already have a section on wind turbines. He sees no reason to move things around.

Brian asked if "small in size" refers to size or production.

Mike said an array the size of 15KW is greater than 200 SQ FT.

John said that any greater than 200 SQ FT need a buffer, but Mike thinks this is unenforceable.

Brian noted all regulations by the State are with production.

Meg said it is not the Town's responsibility to notify the abutting property owner. (PUC) In our zoning we can reiterate what the state says.

The document should be simple and user friendly.

John is not for "blowing off" any sort of screening recommendations. Use the language "recommended," rather than "required."

Michele suggested first saying we encourage the use of solar, but 'discourage it on agricultural land' be added after the last paragraph on fire safety.

Meg talked to Tony Tribuno to ask if he would be interested in serving on the steering committee as a Select Board member and a business owner. He is interested.

If Planning Commission members know of people who are interested in serving on the committee, please let Meg know and reach out to them.

NEXT MEETING, February 28, 2022 4:00PM

Respectfully submitted,

Angela Yakovleff, Scribe