

**Castleton Planning Commission Meeting
Town Offices
263 VT Route 30 North
November 23, 2021 – 7:00 PM**

Members Present –Elizabeth MacKay, Frank Johnson, Michael Holden

Others Present - Jonas Rosenthal, Zoning Administrator

Others Present via Zoom – Allison Harvey

Call to order - Meeting called to order by M. Holden at 7:04pm

Approve Agenda

F. Johnson made a motion to approve the agenda as presented. L. MacKay seconded. All voted in favor. So voted.

Discussion of Meeting Minutes

L. MacKay made a motion to approve the minutes of October 26, 2021. F. Johnson seconded. All voted in favor. So voted.

J. Rosenthal stated there are a number of meeting minutes from the recent past during the changes in recording secretaries that were done by notes, and some were given to Karen Stewart, and he believes there are gaps in approvals and he wants to check on approval of them. He will go over those next week with K. Stewart.

Discussion of Stone Mill Solar LLC Project – 2.2 MW Solar Project

J. Rosenthal stated on July 13, Mr. Geise was here to discuss getting a waiver or a set back variance on two separate parcels for his solar project. He presented an MHT solar project proposal and requested a certificate of public goods, shared copy of site plan, discussed fence and panels. He wanted to put the panels 25 feet from boundary, regulations require 50 feet. L. MacKay recalled that it affected the landowner, not the neighbors. J. Rosenthal stated the other concern of J. Bruno was the screening of the project given the height of the land compared to drive by visibility. The permit itself has now been filed as of November 5, and he believes they need to follow up and file any objections there are with lack of adequate screening and the waiver of the 25 foot setback.

J. Rosenthal was hoping Ed Bove would be present to see what the flow is of the project, what the municipality has for status on the project and how that's affected. Back in July, after an Executive Session, they postponed making a decision. J. Rosenthal will follow up with Ed Bove on what the process is from this point, now that it is officially filed. A year ago, it was a smaller project, but since has become a mega project to bypass municipal input into the project and goes to the State level. The Planning Commission is not sure if the town setbacks are a required or not. F. Johnson asked how the

solar field affects the town, not only aesthetically but financially or job related. J. Rosenthal indicated it is being proposed in an industrial zone, the location off US Route 4 and discussed how visible it would be. Discussion on the affects of solar fields, and the effects of them on the aesthetics of the area, as well as if town did have say or able to regulate, what the regulations may be. Planning Committee members would like to find out what the benefits are for the town to have them in town. Further discussion on solar fields, existing and proposed, and the future of them.

Continue to update Zoning Regulations with Ed Bove

J. Rosenthal stated at the last meeting it was asked about setback distances in the districts. Some are based on lot frontage, some are to property line. He referred to the table of uses in the regulations and reviewed each zone and their setbacks. There also needs to be discussion on setbacks for private roads vs public roads. J. Rosenthal has an application for a property on a private road, which is requesting a variance for the front setback to be half of the regulation.

E. Bove called into the meeting at this time. J. Rosenthal asked about the application for the solar project and when public comment ended and stated that it got the certificate of public good on November 3 and on November 5 was administratively completed. E. Bove stated they would need to comment by December 3 and suggested writing to them and asking to extend the comment deadline. J. Rosenthal stated he would take care of that. Further discussion on the waiver of a setback as a concern and the consensus of the commission is against the project. They also wanted additional screening from US Route 4. E. Bove stated that the Rutland Regional Planning Commission will probably be doing the same thing. M. Holden stated he didn't like the size of the project, it started as small, then increased by three times the size to bypass local input. E. Bove suggested comments be submitted with their concerns. J. Rosenthal stated he was also concerned the town selectboard has not said anything about this project, he doesn't believe the board has even seen the proposal yet. E. Bove stated there is a PUC (Public Utilities Commission) portal to add public comment, and if the town is not signed up on that yet, they could send their comments to the clerk and also by USPS. E. Bove also stated he will send a link to the site to J. Rosenthal so he can sign up, which would be good, as they can also search for projects and file comments through that after it is set up.

In going back to discussion on the enhanced energy plan, they had a map of proposed sites that were eligible for solar sightings, and not sure how they were determined and the town had no input at all. E. Bove stated it generally involves percentage of solar, wind and biomass projects in the town and what percentage they cover. He also stated that certain sites or zones could be called out. In other towns, commercial or industrial zones are eligible, and gave them enough acreage and able to leave out residential zones. J. Rosenthal stated he would be concerned if all industrial is eligible and used for solar, there would be no lands left for industrial businesses to develop. E. Bove indicated they would need to find out the target number, and should find out how many megawatts exist (5 acres/megawatt) applied toward that target number for the town.

It was stated that Sam Carlson wants to attend the next meeting to talk about support of the wind project being proposed, which is December 14. E. Bove stated he will have last draft of the zoning for that meeting as well.

In getting back to the application J. Rosenthal referred to before and the private vs public roads setbacks, the proposal will be 15 feet from road, the setbacks in that zone is 30 feet, so the application will need to be denied and will go to Development Review Board.

8:00 PM Adjourn

F. Johnson made a motion to adjourn. L. MacKay seconded. All voted in favor. So voted.