

## Town of Dorset Planning Commission December 6, 2011 Minutes

Members Present: B. Breed (Chairman), B. Herrmann, D. Pinsonault, G. Squire, C. Ferguson, B. Beavin, D. Lawrence, H. Coolidge

Members Absent: T. Dee

Also Present: Tyler Yandow (Zoning Administrator), Jim Salsgiver (Dorset Energy Commission, Jim Hand (Dorset Energy Commission), Jim Sullivan (BCRC)

B. Breed, Chairman, opened the meeting at 7:01 p.m.

### **Approve Minutes of November 1, 2011**

C. Ferguson moved and D. Lawrence seconded to approve the November 1, 2011 minutes as presented. Motion carried 5-0 (G. Squire, B. Beavin & H. Coolidge abstained)

### **Report from the Zoning Administrator**

T. Yandow gave the following report:

**Select Board:** Received minutes of November 15, 2011.

**Planning Commission:** Received meeting minutes of November 1, 2011.

**Town of Winhall:** Received letter inviting comments and participation updating Town Plan.

**Zoning Permits:** Permits were issued to the following parties: Richard Hass, 2868 West Rd, underground propane tank; Sarah Garay, 279 Foote Rd, driveway access permit; Paul Mackson, 179 Squirrel Hollow Rd, new barn; James Deyo, Lane Rd, driveway access permit.

**ZBA:** No minutes received.

**AT&T Cell Tower:** Construction complete. Awaiting service. *It was felt by some Board members that it was unacceptable that AT & T was not forthcoming with information about the turn on date for the cell tower.*

**Permits Issued During the period of 10/26 through 11/29: 2011 - 4; 2010 - 5; 2009 - 5.**

### **Report from the Bennington County Regional Commission**

J. Sullivan handed out a report which included the following topics:

- Town report
- Irene recovery work

- Retirement of Rex Burke (BCRC Director) ~ working part-time until February 2012
- A new program called “Sustainable Community Development” ~ develop local resources and initiatives
- Emergency Management ~ liaison between towns and government agencies
- Energy Planning ~ renewable energy, enforcement of State energy plan & PACE
- Brownfields ~ EPA funding to help contaminated properties be re-used or redeveloped.
- Transportation ~ working with the State transportation agency; Byway planning & Track Three rail service study
- Environmental Planning ~ working on water quality and storm water; forest stewardship
- Economic Development ~ working with task forces and groups to support business, sustainable jobs, and local food groups
- Town Plans & Bylaws ~ help Towns revise Town plans and bylaws
- Development (Act 250) Reviews ~ there have not been many Act 250 reviews
- Solid Waste ~ administer program and getting more involved in programs

B. Breed asked about the build-out study and J. Sullivan responded that J. Henderson is working with R. Gaiotti and a grant application has been submitted. They are awaiting a response about the funding. The zoning of the Town will be reviewed and filters can be applied (wetlands, soil types, mixed use, etc.) to provide the Town with a model.

An invitation has been extended to all Towns/Villages, Chambers of Commerce, etc. to attend a party one week from Friday at the Bennington Station. J. Sullivan recommended that the PC get in touch with the BCRC if they have any specific needs or interests.

### **Report from the Design Review Board**

B. Breed stated that a copy of the DRB minutes of November 29, 2011 has been received and no actions have been taken by the DRB. All items on the agenda were tabled until the next meeting. D. Lawrence moved and H. Coolidge seconded to approve the November 29, 2011 minutes as presented. Motion carried 8-0.

### **Discussion with Energy Committee Regarding PACE District**

J. Salsgiver noted that legislation was approved in the form of the PACE program to help residents finance weatherization and alternative energy projects. Each Town would need to create a PACE District by voter approval. J. Salsgiver and J. Hand have attended presentations to try to get answers to the many questions which arose. J. Salsgiver commented that the program has been made more attractive and easier to use and administer. Efficiency Vermont has agreed to do all the administrative work – application, approval, funding loans and giving the dollar amount to the Towns to add to the resident’s property tax. The Town would then send this money to Efficiency Vermont from tax payments. All costs of the program will be built into the loan and there will be a loan loss reserve held by Efficiency Vermont. The loan will be tied to the property – not the owner so that if the property is sold, the loan is passed on to the new owners. J. Salsgiver stated that the key items were that the administration has been simplified, there is no cost to the Town or residents and the Town is not at risk for non-payment of loans.

The Dorset Energy Commission would like the Select Board to put this on the ballot this year as

it is a benefit with no risk or obligation. Any homeowner project will have to pass Efficiency Vermont's criteria for financing and energy savings. J. Salsgiver expressed that this was a nice program with minimum effect on the Town and provides service to the people.

G. Squire asked how they were going to get the information out to the people and J. Salsgiver replied that they hoped to have an informational meeting in January, write pieces for the newspapers and additional meetings at Town locations. B. Beavin questioned if Efficiency Vermont was completely setup and ready to go and J. Salsgiver answered that they were not giving out any loans before January 2012. Only thirteen Towns have setup districts so far. B. Beavin expressed that if a Town creates a PACE district before they are established, it will take control out of the Town's hands. J. Salsgiver noted that more stringent criteria can be added and the Town can decide to setup a PACE district and never do any loans; also, limiting loan amounts or the number of loans can be done. The district can be setup and the Town can discuss criteria and how they want the program to work. The risk on the loss of a loan is on the bank and not the Town. B. Herrmann asked why the Town has to be involved at all and J. Salsgiver responded that the Town has to create the district. D. Pinsonault expressed concern about fiscal responsibility with people paying increased property taxes and hoped this would not affect the delinquent tax rate. B. Herrmann asked what would happen if people pay their taxes, but not the additional assessed monies for the loan. J. Salsgiver said that the Town was still the collector of taxes and they would have to take it to a tax sale. J. Sullivan asked if there was a mechanism which allowed the Town to withdraw from the created district and J. Hand believed that the Town can say they do not want to loan any more money to the district and amend the agreement. D. Pinsonault commented that it would be good to counsel and inform people before they take any loans and J. Hand pointed out that the total amount financed through PACE plus any outstanding mortgages on the property cannot exceed 90% of the assessed value.

J. Sullivan mentioned the regional energy plan which encourages people to save money with small scale renewable projects and that it was difficult for people to obtain money for these projects. T. Yandow mentioned that, from a preservation point of view, old architecture would benefit from these projects. B. Beavin asked if the jobs generated would be given to locals and J. Salsgiver responded that it would only make sense for local contractors as the jobs would not be huge. D. Lawrence questioned if permits would be needed for solar panels and J. Hand replied that no permits would be necessary, even in historic districts. J. Salsgiver noted that they would like to have everyone on the "same page" in viewing this program as a positive initiative and have it put on the ballot for this year.

J. Salsgiver read a sample of ballot language and B. Breed asked about not having any "tweaks" added to it. J. Hand answered that they would not be added until after the district was created. B. Breed expressed concern about creating a district without specific details included. J. Salsgiver commented that the district could be created and then the Select Board could put in the specifics.

Discussion ensued regarding the 1997 energy efficiency code which is not being adhered to or enforced. Future discussions should take place about enforcement and recording documentation with the Town Clerk.

B. Breed asked J. Sullivan to mail the BCRC minutes to T. Yandow.

**Public Comments Taken**

None

**Other Business**

None

C. Ferguson moved and D. Lawrence seconded to adjourn the meeting at 8:30 p.m.

Respectfully submitted,

Nancy Aversano

Town of Dorset ~ Planning Commission			
Date <u>12/6/11</u>			
Regular Meeting <u>X</u>			
Special Meeting <u>    </u>			
(Please Print) Name	Address	Representing	Testifying (Yes or No)
JIM SALVATORE	743 Newton Hill Rd Dorset	DEC	Yes
JIM SULLIVAN	111 South Street - Suite 203 Dorset, VT	BCRC	
Jim Hand	1705 Morse Hill Rd, VT Dorset	DEC	