

TOWN OF SWANTON
DRAFT MINUTES
JOINT SELECTBOARD/ VILLAGE TRUSTEE MEETING
Swanton Town Office Building
1 Academy Street, Swanton, VT 05488

Wednesday, September 23, 2015 @ 7:00 p.m.

Present: Daniel Billado, Selectboard Chair; Joel Clark, Selectboard Vice Chair; William "Turk" Thompson and James Guilmette, Selectmen; Andy Larocque and Ed Daniel, Planning Commission member; David Jescavage, Town Administrator; Eugene Labombard, Adam Paxman, and Chris Leach, Village Trustees; Yaasha Wheeler, Secretary; Taylor Newton, Northwest Regional Planning Commission; Henry Lambert, Swanton Enhancement Project; Brian Dubie; Pat Messier; Dustin & Christine Lang; Sarah Ferguson; Mary Ann Duell; Patricia Rainville; John A. Smith; Jeanne Royer; Rita Howard; Ricky Doe; Lane McElree, Channel 16.

A. Call to Order

Mr. Billado called the meeting to order at 7:00 p.m.

B. Pledge of Allegiance

Mr. Billado led those present in the pledge of allegiance.

C. Roll Call

Each member of the boards introduced themselves.

D. Agenda Review

Mr. Jescavage noted that the letter to the PSB had been added to the agenda since its posting. Mr. Clark added Update of Swanton Enhancement Project to Other Necessary Business.

E. Meeting Topics

1. Minutes

a) Joint Board Meeting Minutes of September 16, 2015

Mr. Clark made a motion, seconded by Mr. Guilmette, to approve the minutes as printed. Motion carried.

2. Public Comments

None.

3. Community Development

a) Public Hearing on Revisions of Swanton Town & Village Municipal Plan

Mr. Billado opened the public hearing for the revised municipal plan. He summarized that the first hearing had been held a week previous, and this was the second and, hopefully, the final hearing. Mr. Daniel explained that the Planning Commission had gone through the plan page-by-page, and many changes had addressed water quality, setbacks from waterways, and floodplain. Mr. Newton explained that the revision had been made possible through a Municipal Planning Grant through Northwest Regional Planning Commission, and input from the Community Visit had been included in the plan, as well as the entire Community Visit record as an appendix. Chapter 5 included some specific objectives for the next 5 years, and the plan had been consolidated and made more concise. Mr. Daniel added that one of the upcoming objectives was to consider the downtown/commercial area.

Mr. Clark added that a special meeting had been held with the Planning Commission and Selectboard, and they had specifically considered the letter to the Public Service Board. Both boards had agreed to sign the letter and to apply for a municipal planning grant to study renewable energy in 2016.

Mr. Billado summarized that this plan needed to be approved tonight, to avoid jeopardizing the Town's standing, and he assured the attendees that possible revisions were already being considered.

Mr. Guilmette made a motion, seconded by Mr. Clark, to approve the *Swanton Town & Village Municipal Plan* as written. Motion carried unanimously.

b) Letter to Vermont Public Service Board

The Town of Swanton, the Village of Swanton, and the Planning Commission, with Mr. Jescavage, had put together a letter to the Public Service Board, copies of which were available to the public. Mr. Newton stated that the NRPC's letter to the PSB had been sent as well.

Mr. Thompson made a motion, seconded by Mr. Guilmette, to approve the letter and send it to the Public Service Board. Motion carried unanimously.

4. Correspondence

None.

5. Any Other Necessary Business

Hank Lambert explained that the Swanton Enhancement Project, which had been formed several years ago, had been very informed by the Community Visit. Five task forces had been formed to represent the top priorities identified at the Community Visit as the most critical issues. He presented a handout that described some of the activities done as part of the Swanton Enhancement Project. The Swanton Arts Council was very active and wanted to bring arts into the community in a variety of way. The Substance Abuse Task Force was bringing in people from Rutland to explain how Rutland had tackled substance abuse and the Outdoor Recreation Committee was working on various ways to encourage activities in Swanton. The Traffic Task Force was looking at parking, pedestrian traffic, and more. The Swanton Economic Development Committee asked the boards to fund a full-time or part-time position for a Swanton Economic Development Coordinator, to focus on attracting new businesses, to partner with existing businesses, and to engage in many efforts to enhance Swanton's economy. Mr. Billado thanked all the people involved in those committees.

Mr. Clark reminded the public of the Dam Ducky Derby on October 3rd, which was a raffle in which rubber ducks would be released over the dam, and the winners would receive prizes. The tickets were available at many Swanton businesses and it was a good way to draw attention to Swanton's good qualities.

6. Public Comment

Mrs. Lang asked to know the process for making amendments to the town plan. Mr. Daniel said that the Planning Commission had not worked much on that yet. Mr. Newton said that the grant for looking into renewable energy would probably go into effect (assuming it was approved) by January. The Planning Commission could begin working on a revision with or without NRPC's help.

Mr. Clark encouraged the dialogue to continue. He would like to see the changes regarding renewable energy "sooner rather than later." Mr. Billado seconded that: "This is something we cannot let sit." The public could attend any Planning Commission meetings.

Mr. Leach suggested working on a series of ordinances that would address large-scale renewable energy projects. Mr. Newton agreed that municipal ordinances could be passed regarding solar siting, though not regarding wind energy. Once a grant proposal was in for Swanton, the Town would get a better “road map” concerning these issues. There were several tasks he recommended:

- (1) Review state statute and relevant case law and examples around the state for the 248 process, especially the Cold River decision out of Rutland Town.
- (2) Review energy potential in Swanton, to get a better idea of the best sites, as well as sites not suitable for renewable energy.
- (3) Look at goals and policies of the town plan, to deal specifically with renewable energy.
- (4) Develop ordinances specifically for solar siting. He could work on that with Mr. Jescavage, and there would be some costs involved. Anything over \$8000 would probably require some kind of local match.

Patty Rainville explained that chaos theory predicted that every decision and action could have far-reaching impacts. She asked the board to be sure that all actions were done “the right way.” She added information about the “seventh generation theory,” which came from Native American culture, in which decisions were made with the consideration of how they might affect people to seven generations. “We could be doing something huge right now.”

Mr. Billado replied that everyone involved had done their homework, looking at other renewable energy sites, data, and more. “Why would three people look at this data, and make a decision to impact Swanton?” Ms. Rainville said she had e-mailed a number of people in government.

Mr. Thompson said that two or three years ago, no one thought Swanton would be dealing with this. He asked people to “think about that when you vote in November. Montpelier was the one who screwed this up. They’re the ones that have created this monster... The only way to fix it is to elect different people. I’m not talking about Franklin County, but our friends all over the state.” Ms. Rainville replied that she felt that “we can do something to help those people ahead of us. We can put it on peoples’ radar, so they can think about it.” Mr. Thompson said that there was a place for wind power, and felt that Swanton had no chance of changing this issue. That was why people had to vote in a way to bring change, and return local control. Penny Dubie thanked the Swanton boards for their support, “so we’re going to support you too.”

Mr. Doe asked if the ideas presented by the letter to the editor from Greg Pierce, “does it have teeth?” Mr. Billado replied, “Everything we’re doing here has teeth.” Mr. Clark added that the matter had been discussed with the lawyer, and eminent domain is not possible for that particular application; case law did not support it. The people of Rocky Ridge noted that they had considered the idea of buying the land. Mr. Clark explained that the reality was that the wind turbines were probably so lucrative that selling was not so appealing to the developer.

Mrs. Rainville stated that Mr. Leach’s information about renewable energy’s affects on Swanton’s power should get out into the public. “We need to get other people to know what Chris Leach knows.” Mr. Dustin Lang said that Chittenden County needed to be made aware of the downsides of wind energy.

Mrs. Lang asked if the met tower intervention would be considered. Mr. Billado stated that any fines would be minimal and Mr. Clark added that the town lawyer did not foresee the met tower issue to be an impediment to gaining an approved permit. Mr. Billado said that his understanding of the met tower issue was that the tower indicated that the wind was not sufficient to do what he wanted to do. “And we’re still moving forward?”

Mr. Dubie said that there was a precedent in Ira in which a developer had put up a met tower in a “sloppy fashion” and the PSB ordered the applicant to remove the tower and to reapply. He added that, concerning the support from Swanton’s governing bodies: “We

believe it, we feel it, we're so grateful that you're taking a strong position in what we feel is in the best interest of the community."

7. Executive session

None.

8. Adjournment

Mr. Clark made a motion, seconded by Mr. Guilmette, to adjourn at 7:54 p.m. Motion carried.

Received and filed by:

Cathy Fournier, Swanton Town Clerk

Date