

Approved April 16, 2013

TOWN OF CORNWALL  
SELECT BOARD MEETING  
Cornwall Town Office  
Tuesday, March 19, 2013

**Present:** Bruce Hiland, Abi Sessions, Ben Wood, Sue Johnson

**Guests:** Cornwall Planning Commission: Jim Duclos, Holly Noordsy, Jean Terwilliger, Geoff Demong, Tracy Himmel Isham, Annie Wilson; Jeff Noordsy, Kathleen Grzyb, William Warren, Janet Warren, Sarah Pelkey, Benjamin Marks, Elizabeth Karnes Keefe, John D. E. Roberts, Mary Martin, Randy Martin, Gregg Denton, Colin Kriwox, Sarah Murray

### **TOWN PLAN UPDATE HEARING**

The hearing was called to order at 7:00pm

Cornwall Planning Commission (CPC) Co-chair Tracy Himmel Isham introduced members of the planning commission, who have been working on the Town Plan update for the past year. The CPC was praised and given a round of applause for their diligence and for the quality and readability of the document they produced.

Bruce Hiland reviewed the Town Plan update process. The CPC conducted its hearing on November 14, 2012. Ben Marks has been working with Town Attorney Jim Carroll on wording changes in the energy section, including language regarding energy transmission and distribution in Cornwall, and that updated section is available for review tonight. The purpose of tonight's hearing is to hear and document all comments from citizens. The Selectboard will return the Town Plan along with the comments to the CPC who will review, decide upon and incorporate changes into the Plan. The CPC will then send the updated Town Plan back to the Selectboard for another hearing.

### **Comments**

**Sara Pelkey** feels the Town Plan is an excellent document and very thorough. She suggests adding the Town Green as a resource, with language about how it is used and maintained, adding a goal to ensure that it will be used and maintained in the future, and placing the Town Green on the resource map. Ms. Pelkey would like more specific language about how the Town values trees in the Town Plan. She also suggested that the Lake Champlain Scenic Byway, with its six intrinsic resources, should be added and discussed in the Plan, and added to the transportation map. Ms. Pelkey, who has planning experience and assisted with drafting language for the Town Plan earlier in the process, has drafted language on these suggestions for the CPC to review and incorporate, if they so choose.

**Holly Noordsy** informed the meeting that March 26 is the date of a public hearing to add Route 74 to the byway.

**Sue Johnson** added that in Cornwall, parts of Route 30 were approved by the Town as part of the byway.

**Ben Marks** stated that he has been meeting with homeowners on Route 74 to talk about the Town Plan as a strategic document. Mr. Marks suggested that many people do not pay much attention to Town Plans until a project such as a gas transmission line is proposed in their town. A Town Plan does not trump the authority of the Public Service Board (PSB) but if they were to “blast through it”, they would have to give a really good reason. Amending the Town Plan is one of the least expensive ways to signal to the PSB what is important to this community.

**Bruce Hiland** said that Town officials met and agreed that Cornwall’s preferred route is Option C and wants that route fully explored. Route C was actually proposed to Vermont Gas by the Selectboard in Whiting. Mr. Hiland expressed the opinion that if the pipeline has to go through Cornwall, it should go through a green field route, away from both villages.

**Ben Marks** said there will be an immediate impact on everyone in town during pipeline construction, if going down Route 30 or 74. Emergency responders will be delayed in traveling to and from emergencies, which could have tragic results.

**Bill Warren** stated that VT Gas has said that Option C is beyond their budget. How can this be if the paper plant is paying for the cost?

**Jim Duclos** replied that the project budget is estimated at 69.7 million, and includes up to 10% for increases in cost. It is not an unlimited budget.

**Bill Warren** concluded that the determining factor for the transmission line budget is profit for IP Paper and VT Gas, not the needs and rights of the people of Vermont.

**Geoff Demong** argued on moral grounds that language about setbacks for energy transmission lines should be included in the Town Plan, to protect Town citizens, in the event of leakage or explosion. His research has shown that guidelines for setbacks are not always accurate.

**Holly Noordsy** said that there is no place for our zoning regulations in the Public Service Board Process. Our Town Plan is the only place or document where the Town can delineate its wishes. We have been advised by ACRPC to clearly state in the Town Plan what the Town wants.

**Ben Marks** suggested that setback numbers could be included in a hypothetical example within the Plan to inform on issues of safety. He cautioned against categorical opposition to transmission lines, which may carry solar power in the future.

**Beth Karnes Keefe** handed over petitions related to the pipeline with over 145 signatures of Cornwall citizens and 20 from Middlebury college students (on a separate page). Ms. Karnes Keefe asked - what is role of Regional planning commission when approving our Plan?

**Bruce Hiland** replied that the role of the ACRPC is to make sure Cornwall's Town Plan is consistent with the Town Plans of surrounding towns.

**Ben Marks** added that gas pipelines must be in conformance with the regional plans.

**Bruce Hiland** referred to a letter written by ACRPC in support of "the Addison project" before the scope was fully known and the impact on Addison County towns of Phase Two of the project made clearer. Mr. Hiland said that he would like ACRPC to rewrite the letter in support of Phase One only.

**Mary Dodge** said that she is really interested in the green route for the pipeline. Concern is what roads are we talking about?

**Sarah Pelkey** would like to know who is looking out for Lake Champlain.

**Ben Marks** replied that is the responsibility of the Army Corps of Engineers.

**Kathleen Grzyb** stated that she prefers Option D - no pipeline at all. What about a court fight?

**Ben Marks** said that a discovery dispute could delay things, but the PSB may not tolerate too much of this. If you are a landowner, you can intervene apart from the Town.

**Mary Dodge** said that the map of wind turbines is incomplete. She is aware of at least two that are not on map.

**Jean Terwillinger** replied that the map only shows wind turbines that are registered with the PSB.

**Mary Dodge** asked about page 53, where there are some conflicting statistics about traffic on Route 125.

**Tracy Himmel Isham** replied that the CPC will review page 53 and make sure the wording is consistent.

**Colin Kriwox** is concerned about the housing goal on page 102, that the goal may set the Town up for something not intended, such as a mobile home park.

**Holly Noordsey** replied that mobile homes are single family dwellings and by law must be allowed.

**Jim Duclos** added that while mobile homes are allowed as single family dwellings, mobile home parks are not by right or conditional uses in any zone in Cornwall.

**Colin Kriwox** asked what the school board intends to do with #5 Schoolhouse.

**Bruce Hiland** replied that he has heard that they intend to sell it and it may be moved to another location in Cornwall.

**John Roberts** would like it recognized in the Town Plan that while there may be a decline in actual farms, there is an increase in agricultural economics, especially in Addison County.

**Tracey Himmel Isham** read the portion of the Town Plan that makes reference to this fact.

**Sarah Pelkey** said she was concerned about misconceptions many people have about the pipeline project. For example, they think they will be able to get natural gas to their homes She would like the Town to send information by mail to inform the public that this is not a distribution pipeline being proposed.

**Bruce Hiland** replied that mid April an article about Phase Two will be coming out in the Addison Independent. Meanwhile, if Sarah would like to volunteer to draft something for the Town newsletter, that would be appreciated.

**Bruce Hiland** said he will talk with Adam Lougee and Jim Carroll tomorrow to arrange a meeting with them and Ben Marks.

The hearing concluded at 8:17pm

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## **REGULAR MEETING OF THE SELECTBOARD**

Meeting called to order at 8:19 pm.

### **Organizing Items**

- **Selectboard Chair:** Abi MOVED/ Ben SECONDED a motion to elect Bruce Hiland Chair of the Board. Motion passed.

- **Vice-Chair:** Ben MOVED/ Abi SECONDED a motion to elect Judy Watts Vice-Chair. Motion passed.
- **Clerk of Selectboard:** Ben MOVED / Abi SECONDED a motion to elect Sharon Tierra as Clerk of the Selectboard. Motion passed.
- **Selectboard Meeting schedule:** set as the first and third Tuesday of each month, except for June, July, and August when just one meeting is scheduled on the first Tuesday. All meetings to be held at the Town Hall at 7 pm.

General Fund and Highway Orders - signed.

## **MINUTES**

Minutes February 19 meeting – approval tabled until next meeting due to lack of quorum of attendees of the February 19 meeting.

## **CORRESPONDENCE REVIEW**

- Letter of resignation from David Anderson, Town Health Officer, whose 3-year term is up in March 2014. He is providing one year's notice.
- Packet from John Madden with previously published information about pipeline
- VLCT news
- Notice about the Selectboard Institute
- VT Gas Filing to the PSB for a Certificate of Public Good for Phase One - on CD

**PUBLIC COMMENTS** - none

## **TOWN CLERK / TOWN TREASURER'S REPORT** – Sue Johnson

- Sue presented the annual Humane society contract with payment options for providing shelter for stray dogs. The board agreed with Sue that Option 2, the flat rate of \$550 per year is the best option for Cornwall – has worked well for the Town in past years.
- Town Meeting minutes – Sue will present for approval at the next meeting.
- The Capital Budget and Plan committee will be present at the next two meetings. The two engineering firms bidding to evaluate Town buildings will give presentations. One presentation on the 2<sup>nd</sup> and one on the 16<sup>th</sup>. Quorum is critical for both meetings.
- Problems with the count occurred on election night. There were more ballots than people checked off on the checklist. In future, at end of each shift, she will make copies of checklist and make sure all is ok.
- Sue provided the list of elected and appointed vacant positions and members agreed to make phone calls to recruit citizens.

**ROAD COMMISSIONER'S REPORT** - none tonight

**OLD BUSINESS**

- Pipeline Project: Abi Sessions and Jim Duclos are Cornwall's representatives at a series of 11-12 weekly route-planning meetings, held on Friday mornings and filmed on Middlebury cable TV. Abi reported that she attended the first meeting last Friday. She said that she assumes a positive intent on the part of all parties. Abi advocated several times to have Option C put on the table.

#### NEW BUSINESS

- **Salt Study Chair** - Abi MOVED/ Ben SECONDED a motion to appoint John Roberts as the Chair of the Salt Study Committee. Motion approved.

The meeting was adjourned at 9:10 pm.

Respectfully submitted, Sharon Tierra, Clerk of the Selectboard