

Approved August 4, 2015

CORNWALL SELECT BOARD

Regular Meeting
Cornwall Town Hall
July 7, 2015

MEMBERS PRESENT: Ben Wood, Dave Sears, Magna Dodge, Ben Marks, John Roberts

ALSO PRESENT: Sue Johnson, Stu Johnson, Bob Burton, Marian Burton, R.J. Adler, David Anderson, Bobbie Carnwath, Jack Carter, Jamie McKenna, Gary Barnett, Rodney Cadoret, Steven Barnett, Will Amidon Jim Duclos, Katherine Branch, Tim Fisher, Kate Gieges, John Flowers, Barney Hodges III, David Dodge, Jean Terwilliger

The meeting was called to order at 7:00 pm.

AGENDA – Ben M. MOVED /Magna D. SECONDED a motion to approve the agenda as distributed. Motion passed, 5 in favor, 0 opposed.

General Fund and Highway Orders - *signed*

Report on Reconciled Bank Statement – June statement is not yet available and will be reviewed at the next meeting in August.

Ben Wood stated that an audio recording of the presentation by R.J. Adler from Sun Common will be made, by request of a Planning Commission member who could not be present tonight.

MINUTES – June 2, 2015

John R. MOVED / Dave S. SECONDED a motion to approve the minutes as distributed. Motion passed, 5 in favor, 0 opposed.

CORRESPONDENCE REVIEW

- Letter from English, Carroll and Boe, PC – to be signed by the Select Board Chair and Delinquent Tax Collector authorizing the Town Attorney to initiate on the tax sale of specific properties. Document was signed by Ben Wood and Rodney Cadoret tonight.
- Letter from Addison Regional Planning Commission (ACRPC) regarding appointments to the ACRPC transportation advisory committee. Tabled for action until the next meeting.
- State Auditor annual checklist. Sue Johnson has filled out, and Select Board reviewed.

- VT Department of Taxes - Notice of Educational Tax Rates for fiscal year 2016. The Non-residential tax rate is set at 1.4067. The homestead tax rate is set at 1.6337.
- VT Department of Environment Conservation - Notice of increased fees for a variety of State permits.
- VLCT news
- Letter from Deppman and Foley with recommendations about leased lands issues. No action needed.

PUBLIC COMMENTS - none

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

- Received a “Request to cater malt and vinous beverages and spirituous liquors” for a wedding reception on Audet Road. Two Brothers is doing the catering. Ben M. MOVED /Magna D. SECONDED a motion to approve the request. Motion passed – 5 in favor, 0 opposed.
- Received a letter from Pat Ringey with a question about the ownership of a power line to a well on her property. Planning Commission will follow up, as part of current subdivision application review of this property.
- Agreement and standard “fraud inquiries of governance” document from Telling and Associates, auditors, to be signed by the Select Board Chair.
- Letter from property owner asking for reprieve on tax sale – the Board will discuss and decide response at the end of the meeting.

ROAD COMMISSIONER'S REPORT – Stu Johnson

Town roads have no major issues. Stu noted that VTrans filled potholes on the stretch of Route 74 between the intersection of Route 30 and South/North Bingham Street, with little effect in the rough condition of the road.

OLD BUSINESS

- Animal Control Officer Ad – There has been no response to the published ad for an animal control officer. Ben W. will call Whiting to ask about the possibility of sharing their animal control officer.

NEW BUSINESS

- ***Presentation R J Adler from Sun Common (audio-recorded)***
R. J. Adler is here tonight to talk with the Select Board about a proposed community solar array on the property of Stephen Payne, 2838 West Street in Cornwall. Mr. Adler spoke about the mission of Sun Common, a 3-year old firm that operates as a benefit corporation with a triple bottom line of people, climate, and profit. The company has built 12 other projects of this size of 150 kilowatts. After outlining the purpose and scope of the proposed solar array on West Street, Adler provided some information on how it would work, including guidelines for membership (a total of 30 members), benefits for members, returns for investors, responsibility for maintenance, ease of removal of the

panels and steel poles when the project is retired, and ownership of the Renewable Energy Credits (REC) over time.

Adler emphasized that the project is still in the planning stages. Sun Common plans to talk with adjacent landowners and again with the Town. The design may change based on those discussions. The plan for screening the array is not yet developed. Sun Common works with Vermont Edible Landscapes to put in natural screening, if that is what is decided. It is the Public Service Board who has the sole power to approve the project. Sun Common would like to submit an application for Certificate of Public Good (CPG) to the PSB within the next 2-3 weeks and would like to start construction in the fall of 2015.

The Select Board requested from Adler:

- A list of the 12 previous 150 kilowatt projects
- Some visual examples of kinds of screening done on their projects

Concerns expressed tonight:

- *Barney Hodges* - How the project will affect agriculture, that is take out of use soils that could be used for agriculture. Suggested that the project map be underplayed with soil maps, to provide more information.
- *John Roberts* – Concern that the field is currently being hayed, when Adler suggested it was not being used for agricultural purposes.
- *Dave Sears* – Thinks the setback should be more like 200-300 feet off the road.
- *Ben Marks, Magna Dodge* – Concerned that the timeline is too short to allow for the kind of feedback from citizens that the company says it wants. Suggest a more conservative approach for the timeline, if they are serious about engaging the community.
- *Ben Marks* – The company should be perfectly clear with the Town and local citizens about what this project does with the RECs, in light of new rules for RECs.
- *Barney Hodges* – Would like to see a town-wide discussion on solar, not limited to discussion of this project.
- Zoning in LDR does not permit large commercial enterprise.
- *Jim Duclos* – Easement is twice the size of the array (Adler responded that the reason is to allow “wiggle room” for screening.
- Kate – Concerned about the issue of zoning in the LDR. Would the existence of this array on West Street mean that no other array would be allowed? Concerned about the potential to upgrade the power line on West Street and implications.
- *Bob Burton* – Issue of property rights

- *Will Amidon* – Wants respect for Vermont land ethic, and wants a pre-defined screening plan. As a West Street resident, he wants a Line of sight for seeing over the array.
- *Daniel Cooperrider and Elizabeth Searcy* - (abutting neighbors, who sent a letter, as they could not be present tonight) are concerned about precedent, scale, LDR zoning, where the profits go, the ecological value of West Street, and large scale industrial development. These neighbors write that they have a small house with western views and entire view would be taken over by the project if sited according to the present plan.

Ben M. MOVED /Magna D. SECONDED a motion to hold a special Select Board meeting on August 11, to involve more citizens in discussions on this project and the broader issue of energy in Cornwall. The motion passed – 5 in favor, 0 opposed.

- ***Joint Meeting with Planning Commission***
Five members of the Cornwall Planning Commission (Jim Duclos, Jean Terwilliger, Jamie McKenna, Bobbie Carnwath, and David Anderson) are here tonight to meet with the Select Board. The two boards discussed the Planning Commission workload in the past year, the plan to work with the Conservation Commission to develop a conservation fund for Cornwall, and whether the Town might be better served with a different organizational structure to effectively carry out the work of planning land use and quasi – judicial processes. Ben Marks suggested that the next 10 years will be transformative for energy in Vermont and stressed the importance of having a group of people focused on planning for this. Next steps involve discussions with the ZBA.
- ***Update on Delinquent Taxes*** - Rodney Cadoret
Mr. Cadoret said that Attorney Jim Carroll has a copy of the list of properties and will proceed with the tax sale process, once the board authorizes by signing the list tonight. List was signed.
- ***Parking area fence*** - Sue J. said that the rail fence at the Town Hall is about to fall down and needs to be removed. Something (such as a large rock) will need to be put in place in front of the septic pump as a barrier.

Dave S. MOVED /Magna D. SECONDED a motion to adjourn the meeting. Motion passed – 5 in favor, 0 opposed.

The meeting was adjourned at 10 pm.

Respectfully submitted, Sharon Tierra, Clerk of the Select Board