Town of Panton Chartered 1761

3176 Jersey Street • Panton, VT 05491-9331
Ph: 802.475.2333 • Fax: 802.475.2785

Panton Planning Commission and Development Review Board

Thursday, March 14, 2024, Meeting Minutes

In attendance: DRB/PC Chair, Mary Rudd, DRB/PC Member, Gretchen Bailey, and Annie Hopper. Selectboard Chair, Howard Hall, PELS Study: Dubois & King, Dan Mallach and Community Liaison, Jim Gish, Freepoint Solar, David Hazel, Suneast Development, Reed Wills, and VHB Michael Willard. Panton Residents; Matthew Jerry, Kevin Sullivan, and Sarah Stradtner, Kevin Cook, Cindy Cook, Charles Kenneth, Joe Marszalkowski.

Via Zoom: DRB/PC Secretary, Bethanie Brady Farrell, DRB/PC Member Catharine Hays and Zoning Administrator, David Martini, PELS Study: VTran, Faith Ahearn Dall and Panton Residents, Ed Rivers and Sharon Ashcraft.

DEVELOPMENT REVIEW BOARD MEETING

1. DRB/PC Chair, Mary Rudd called the meeting to order 6:01 p.m.

2. Approval of the minutes of the January 11, 2024, DRB meeting
   a. Bethanie moved to accept the minutes as written, Gretchen seconded. All in favor; the motion passed.

3. Public Comment – None

4. Monthly Report from the Zoning Administrator – David reported he sent a certified letter on March 13th to Bryan Giroux, Rt. 22A to state that they were in non-compliance with the rebuild of a barn and lean-to. The letter stated they have seven days to comply and remove the lean-to or subject to fine of $200 a day.

Permit #	Action Date	Parcel #	Applicant	Address	Request	
24-08	17-Jan	05500000	Tyler O'Leary	262 Turkey Lane	84'x44' garage	

5. Final Plat Hearing - Matthew Jerry of 644 Panton Road met for final review of an application for a two-lot subdivision of an existing improved lot, Parcel # 031700000 which consists of 14.4 acres lot with existing house, and a 6.0-acre lot for future development. The parcel is zoned R-5 and has approximately 427 lot frontages. The entrance is on Panton Road and borders Otter Creek on the rear.

   a. The DRB discussed the need to maintain the driveway drainage and to raise the elevation 2-3 feet with the runoff toward Jerry's existing ravine. The Road Foreman will need to approve the 50' curb cut. Neighbor Ed Rivers voiced his concern with the driveway run off as well as the curb cut and was satisfied

with the DRB recommendations. The wastewater permit is in order. Mary entertained the motion to approve the by-right minor subdivision with condition the driveway drainage be maintained through existing ravine and culverts as necessary. Gretchen Bailey made a motion, Annie seconded, all in favor, the Board approved to grant the subdivision. A formal approval letter will be mailed within 45 days.

6. Preliminary Plat Review – Kevin Sullivan and Sarah Stradtner of 141 Stove Pipe City LLC met for preliminary review of their proposal to minor subdivide a 10.38-acre lot Parcel #060213000 into a 2.32-acre lot with the existing dwelling and 8.06-acre lot. With an easement for the existing driveway. Wastewater permits are in order. This has been warned for the April meeting. Mary requested a Mylar map of the property.

7. Adjournment
    a. Gretchen moved to adjourn the DRB meeting. Annie seconded. All in favor, the meeting adjourned at 6:19 p.m.

Panton Planning Commission and Development Review Board

Thursday, March 14, 2024, Meeting Minutes

In attendance: DRB/PC Chair, Mary Rudd, DRB/PC Member, Gretchen Bailey, and Annie Hopper. Selectboard Chair, Howard Hall, PELS Study: Dubois & King, Dan Mallach and Community Liaison, Jim Gish, Freepoint Solar, David Hazel, Suneast Development, Reed Wills, and VHB Michael Willard. Panton Residents; Kevin Cook, Cindy Cook, Charles Kenneth, Joe Marszalkowski.

Via Zoom: DRB/PC Secretary, Bethanie Brady Farrell, DRB/PC Member Catharine Hays and Zoning Administrator, David Martini, PELS Study: VTran, Faith Ahearn Dall and Panton Residents, Ed Rivers and Sharon Ashcraft.

PLANNING COMMISSION MEETING

1. DRB/PC Chair, Mary Rudd called the meeting to order 6:19 p.m.

8. Approval of the minutes of the January 11, 2023, DRB meeting
    a. Gretchen moved to accept the minutes with one minor correction, Annie seconded. All in favor; the motion passed.

2. Public comment – No public comment received.

3. Old Business – PELS Study
    a. Dan Mallach presented the Vergennes Planning and Environment Linkage Study, Land Use Visioning. This is a follow-up to the November meeting to briefly update the Planning Commission. The Survey Report is available at https://vergennespel.com/public-outreach/.

b. Dan reported 900 people responded to the survey, 5,345 direct mailers and over 375 email blast. The key takeaways were the desire to maintain agricultural land and protect working farms, the desire to maintain open space and protect and enhance outdoor recreation via walking trails, paths, etc. Within Vergennes there is interest in increasing development adjacent to already developed areas to strengthen economic vitality of Main Street and concerns about impact to wildlife and natural resources, along with concerns of safety on new route intersections with existing roads.
c. Members of the DRB stated their concern over the disruption of the Otter Creek mobile home community. Faith Dall, who replaced Catharine Otto, said VT State would not mandate any change. In such a scenario, VT State would work with any displaced residence through a relocation process if such a rare occasion occurred. Jim Gish noted there is strong sentiment within the policy committee to protect the mobile park and ensure the best interest of this community.
d. Dan noted If a route would move forward, it would take at least ten years before there would be construction due to additional studies. The PELS study is in its third year and looking to wrap things up and give recommendations to VT State by 2025. Faith Dall reported there would be additional public hearings after the PELS study is complete.

4. New Business - Proposed Solar Power Installation Introduction
   a. Reed Wills of SunEast Development introduced the team and spoke of the other two utility-scale solar projects in Fair Haven and Shaftsbury. In Shaftsbury they executed a host-town agreement and negotiated tax benefits and other developments important to the town. They also entered agreements with several state agencies including Natural Resources: Agricultural, Food & Markets and the Division for Historic Preservation. Panton is their third project.
   b. The Virdis Project overview for Panton is a 50MW-ac solar project on 300 acres of private land along West Road and Slang Road. Reviews by VELCO and New England grid manager were completed in 2021, no systems upgrades are required, and they met with town officials in 2022 to discuss the Town Energy Plan. The new location will benefit from extensive natural screening due to its current valley location in and adjacent to Panton's preferred solar energy development area. They are requesting the Town of Panton to modify their Energy Plan to incorporate the southern portions of the project. This would be their biggest project in Vermont.
   c. Velco runs the transmission system (like GMP, as a distribution company) they deal with the wholesale level and can tie in at a higher voltage. Freepoint stated they need to get land control from parties to move the project forward before they can receive authorization to construct.
   d. Mary reported Panton has already met the State's enhanced energy goal for their 2050 Energy Plan by 200%. An appendix was added in 2019 which enhanced the plan. Panton's Planning Commission looked at the whole town and marked an area on the map for solar energy. The Virdis Project plan

DRAFT

only sets on 1/3 of this area and the other 2/3 sets on agricultural fields not marked for solar energy.

e. David Hazel answered the following questions for the Panton Planning Commission:
    1. A formal interconnection agreement was completed with VELCO in 2021. It is not yet determined who will be buying the power. They could sell out of state if needed. VHB has done a natural resource assessment for a portion of the project and will make it available to the Town of Panton when all sites are complete. A CPG is not a requirement by the State. Freepoint agreed to cover the costs to the Town of Panton for updating its energy plan, including paying legal or other consulting fees that may be needed for such an update. Freepoint also agreed to put aside or put in escrow funds for the Town to hire an attorney or other expertise to help the town understand the proposal and participate in the PUC CPG proceeding. A preliminary archeological study has been completed for the project but not DHB yet.
    2. Freepoint has begun their plan process and have spoken with some of the adjoining landowners and dialed into the Selectboard meetings. A 45-day notice for the project has not been scheduled. They have not applied for a certificate of public good. They have discussed the transmission with Ferrisburgh and have begun fieldwork consultations, finalizing preliminary reports with natural resources such as Department of Public Service, Agency of Natural Resources, Agency of Agricultural, Food & Markets, Division of Historic Preservation. They have not talked with Dead Creek WMA, but it is on the list. They've taken photographs of Jersey Street and other viewing sites. Freepoint stated they would find it challenging if this project were required to stay within the chosen solar area in the Town Plan. There is no relationship with Maple Broadband.
    3. David Hazel will be Panton's point of contact. Updated information for residents and this presentation can be found at https://www.freepoint.com/. The Planning Commission and the Selectboard would have public meetings to inform residents.
    4. Panton was selected because the infrastructure supported access to put power on grid access to Vergennes' substation and because of the access to open land. The poles used to run the lines would be around 30' to 40', some would be underground. Construction would take approximately 18 months. Freepoint said they will have to put a decommissioning plan together to describe and estimate the cost of removing all the underground wiring and metal posting and all the solar panels from the site. There is a lot of detail in how to manage agricultural soil(s) that would be disturbed and placed back in, and they put up financial insurances so if it doesn't happen the State would have financial access to do this.

DRAFT

Town of Panton Chartered 1761

3176 Jersey Street • Panton, VT 05491-9331
Ph: 802.475.2333 • Fax: 802.475.2785

5. Freepoint has other projects with Green Mountain Power and is open to advocate with GMP for this project. The intention is for FreePoint to be the owner of the business and they would be responsible for the esthetics of the site, landscape, health, and safety and maintain the project for its lifetime; it would not be a staff site, webcams, etc. would be used. During construction they would attempt to hire local contractors if feasible.

5. Adjournment
    a. Annie moved to adjourn the PC meeting. Gretchen seconded. All in favor, the meeting adjourned at 8:42 p.m.

Respectfully submitted, Suzanne Snyder, Assistant Town Clerk

DRAFT