

Addison County Regional Planning Commission

Act 250/Section 248 Committee

May 20, 2015 Meeting Minutes

1. Call to Order: 11:58

2. Discuss TDI response to ACRPC interrogatories and make recommendations for next steps. Several members commented on the rudeness of the TDI responses to ACRPC interrogatories. Adam then gave a quick rundown of his work researching the tax issue as requested by the committee. He found the original legislative proceedings that resulted in the statute which indicates towns may tax utilities under Lake Champlain. In the original bill that was proposed, only Grand Isle and South Hero would have been eligible to tax power lines. The legislation was changed to reflect all towns could tax lines under the waters of Lake Champlain. Adam estimates a power line total value of \$335 million which would generate as much as \$7 million in tax revenue annually which would be split amongst the host towns. TDI does not want to pay and will probably fight the idea. Adam feels it is in the best interest of our region to continue pursuing the issue. He seeks authority to do so. He feels the benefitting towns may want to aggregate their efforts and he will contact the affected towns to see whether they would be interested.

Motion: to empower staff to continue to explore the tax implications. Motion passes.

On related issues:

- Adam will ask ANR about the possible impacts on the sludge beds left over from the former paper plant.
- He believes all public water supplies will be avoided by at least 1300ft. but will ask that water supply operators be notified prior to any cable construction activities in their area so they can carefully monitor the quality of the water.
- The town vs. landowner ownership of the lakeshore was discussed. At issue was mean high water? Mean low water? Beaching rights vs. ownership?

Holly expressed concern that the committee may be failing to address the charge of the committee in not first determining whether an application meets the substantial regional impact threshold and then looking at those impacts. She is concerned that the possible tax monies may become the driver for ACRPC rather than the items we should look at as indicated in the regional plan.

Steve agreed and thinks ACRPC should operate in an advisory capacity only and then only after substantial regional impact has been determined.

Ron feels that Adam should concentrate on the tax issue and ask the sludge/contamination issues as well.

Adam believes that the section in the regional plan that addresses pass-thru of utilities was written to have the commission determine the costs vs. benefits for an project.

Holly asked whether it was appropriate to pick and choose what the commission wanted to look at or was it better to treat each application with the same critical eye.

Ron felt is it appropriate to pick and choose.

3. Discuss an application received on 5/15 for a 2.2 megawatt solar facility proposed for Field Days Road in New Haven by Green Peak Solar AKA Next Generation Solar. As time was getting short, the committee briefly reviewed this application. This application had also been lightly reviewed at a prior meeting with no specific issues so the committee elected to take no action.

4. Discuss and make recommendations for review of application by Camp Songadeewin for a proposed arts village and bathhouse improvements off West Shore Road in Salisbury. The application was discussed briefly. It was supported by the Salisbury DRB and the committee felt any issues would be reviewed by the appropriate state agency. Motion by Steve, second by Ellen that while this application does meet the standards for Substantial Regional Impact, the committee has decided to not weigh in. Motion passed

5. Staff report of other correspondence received since the April meeting. (ANR testimony and staff research into Rte 22A impacts re: Rivers Edge Vergennes project (Tim reported that he had spoken with VTrans and they indicated that after review of the transportation study, the results seem reasonable and they have no concerns.), 45 day notice for a 500kw solar array off Rte 22A in Addison (just as an FYI that this application will be on our docket soon.)).

6. Adjourn: 1:08