

MINUTES
Workshop Meeting
Sanbornton Planning Board

Meeting Date and Time: Thursday, November 1st, 2018 at 7:00 PM

Meeting Place: Meeting Room, Sanbornton Town Offices

The meeting was called to order by Don Bormes at 7:00 PM

Roll Call

Regular Members present: Will Ellis, Don Bormes, Dick Gardner, Selectman John Olmstead, Jody Slack

Alternate Members present: Debra Schneckloth

Others present at the meeting: Town Planning Assistant, Stephen Laurin

Approval of draft Planning Board minutes from 10/24 – The approval of these minutes was postponed to the next meeting.

New Business

a. Continued discussion of solar energy ordinance revisions – The Board reviewed the draft solar energy ordinance and made several changes. Dick Gardner noted that each page should say “draft” until finalized. He also stated that he doesn’t feel the solar land coverage definition should include buffering. Don Bormes noted that the requirement of ground mounted system higher than 15 feet to be located in only the back yard may be problematic depending on the lot, such as the case with lakefront homes. Debra Scheckloth stated that the draft ordinance reads “rear or side yard” and an applicant could appeal to the ZBA if needed. Will Ellis stated that he does not feel screening should be needed for systems under 15 feet located in the front yard, and Jody slack noted that this could be the only logical place for a system depending on the direction of the sun.

Dick Gardner stated that the formatting of the ordinance should read as that of other ordinances in town. Don Bormes noted that all residential uses of solar energy in this ordinance are exempt from Site Plan Review, and only need to obtain a Certificate of Zoning Compliance, which is stated on page 4. Stephen Laurin noted that this is correct and that the draft ordinance states that only commercial solar energy systems need Site Plan Review. Dick stated that he has researched impervious versus pervious surface definitions related to solar energy systems and found that some municipalities consider just the surface of the solar apparatus that touches the ground to be impervious. Stephen Laurin noted that DES is still working on developing a definition for impervious surface. Don Bormes stated that he wants a sentence in this ordinance explaining that the Planning Board can require additional studies paid for by an applicant if deemed necessary; the rest of the Board agreed.

Dick Gardner stated that the Board should receive some guidance from professionals regarding the buffer and setback requirements in the draft ordinance and feels that some residents may feel that these are too restrictive. Stephen Laurin asked if the bond approval for decommissioning mentioned in the draft would be approved by the Board of Selectmen, as it only states “the Town” now, and Selectman Olmstead responded Yes.

Other Business

a. Forthcoming Commercial Solar Application - Stephen Laurin explained that he has received an application for a commercial solar energy system on Tower Hill and has researched some engineers

that are experienced with large systems like this. Don Bormes stated that he would like an Attorney's opinion on the draft ordinance after the edits made tonight as well as on commercial applications like this one (though this forthcoming application will need to adhere to the existing approved solar energy ordinance adopted by the Town in March 2018). Dick Gardner made a motion for Stephen Laurin to contact Attorney Christine Fillmore of Gardner Fulton & Waugh for her legal opinion on this draft solar ordinance as well as for any future commercial solar applications as required. Jody Slack seconded the motion and the motion passed 4-1 with Selectman Olmstead abstaining.

b. Deadline for Proposed Draft Solar Ordinance – Stephen Laurin explained that December 5th is the deadline to notice a first public hearing regarding the draft solar ordinance, which could take place at the Planning Board's December 20th business meeting.

c. Wetlands Setback – Stephen Laurin asked if anyone on the Board knows the history of the 75-foot setback requirement for wetlands, and explained that he has had to deny CZC permits for several residents based on this. He noted that the State requires a 50-foot setback and that many residents would be able to meet this requirement if Sanbornton adopted it as well. Dick Gardner suggested that he check with LRPC regarding what other municipalities have for their wetlands setbacks.

Meeting adjourned at 9:25pm.

**Respectfully Submitted,
Audry Barriault**