

TOWN OF SHARON  
TOWN PLAN HEARING DRAFT MINUTES  
TUESDAY MARCH 28, 2023  
*(As approved on 4/23/2023)*

Moderator John Roe called the hearing to order at 7:04PM

The Moderator reviewed the Town Plan adoption process. This is the Planning Commission's hearing and the plan will also have a hearing before the Selectboard and be reviewed by the Regional Planning Commission.

Paul Kristensen added that the Town Plan is revised every 4 years<sup>1</sup>. The Planning Commission seeks input from the town and develops a plan. It is an advisory document, and a vision of what Sharon wants its town to be. It is not an ordinance. The State refers to and interprets Town Plans when conducting Act 250 reviews.

Ira Clark noted that in 2016, publicity around the "New Vistas" project motivated Sharon and neighboring towns to reassess their town plans and consider how these plans could anticipate large developments. Additionally, the State passed Act 174, the Regional and Municipal Energy Planning Standards Act. The Planning Commission (PC) rewrote and strengthened the energy chapter in response to this Act.

The Moderator explained that tonight the PC would go through the plan section by section, giving a short overview of major changes. At the end of each section there would be time for questions. At the end of the PC's presentation, the floor would be opened for a longer question and answer period. Town plans are updated regularly, and each plan builds upon the previous versions. The starting point this time was to gather information from the town through a resident survey.

Sue Sellew presented information about this survey process. In 2019<sup>2</sup> a survey was sent to every household in Sharon. 437 surveys were mailed and 169 surveys were completed and returned. This was an almost 40% response rate. The survey asked what makes Sharon a desirable place to live and the responses included the rural environment, proximity to the White River, school choice and wildlife. The

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<sup>1</sup> The Town Plan is updated every 8 years.

<sup>2</sup> The survey was sent out in 2020.

challenges of living in Sharon shared by respondents included the difficulty of walking in the village due to access and safety concerns, the cost of living, and the lack of income opportunity and health care.

Ryan Haac, the chair of the Sharon Energy Committee, presented the energy section of the Town Plan. In 2019 this section was rewritten in cooperation with the Two Rivers Ottauquechee Regional Planning Commission (TRORC) to ensure that it was compliant with the Enhanced Energy Plan. Ryan wondered if TRORC had reviewed this chapter.

Ira Clark said that that review will be a future step of the Town Plan's approval process.

Sydney Steinle of TRORC said that a preliminary review had been done.

Ryan said that the plan was updated to meet targets that the State set for generating renewable energy in the Town. Looking at neighboring towns, Sharon is already doing well and is almost halfway to meeting these targets. Since this chapter was rewritten there have been more solar installations. Ryan touched upon the Renewable Energy Credit (REC) situation. RECs do not always stay with the town they are generated in because the utility makes it cost prohibitive to retain them.

In 2018 Sharon conducted an Energy Survey to gather information on how people heat their homes. This data is included in the Energy Chapter.

Ryan explained that Sharon is required to set aside some amount of land to meet its renewable energy production goals under the Enhanced Energy Plan by identifying specific sites. The Energy Chapter identifies some sites that are not appropriate for renewable energy projects and then says that proposed projects will be reviewed on a case by case basis.

Ira Clark added that the Planning Commission felt it was important to evaluate projects on their merits rather than using a prescriptive approach that singled out specific areas.

John Roe noted that the State mapping strongly focused on the location of three-phase power and hillsides. The Planning Commission felt that it was important to address the issue of project scale to encourage renewable energy production throughout the Town while also preserving the rural environment.

Ira Clark pointed out that the State sets targets based on a town's population and energy use.

Ryan said that the Town Plan survey included a question about whether people were in favor of enhanced energy planning, and it was strongly supported by people who responded.

Ryan also noted that there is a sidebar on the first page of Chapter 5 that is outdated and needs to be corrected.

Susan Root commented that her household is doing net metering and that Green Mountain Power charges them 4 cents per kilowatt hour to keep the Renewable Energy Credit in-state and she feels this penalty does not make sense. She also noted that the Town Plan says that developers “may” be required to set up a decommissioning fund for the removal of defunct photovoltaic. Susan said that the Norwich Solar Technologies project on Rt. 132 was a disaster and that she feels this language about decommissioning should be changed and strengthened to “will” or “shall” otherwise the Town could end up unfairly bearing the cost.

Ryan agreed with Susan about the REC issue and that Norwich Technologies had failed to do a good job with that project.

Walter Radicioni wondered if the installation of solar panels on a roof required approval from the Planning Commission.

Ryan replied that approval from the Planning Commission is not required but permission from the utility to net meter is. A Certificate of Public Good is required for rooftop solar installations which involves some paperwork. Ground mounted solar has the same process for installations below 15 kw. Most residential systems are between 3 to 10 kw.

Ira Clark presented information about changes to the maps in the Town Plan. The Energy maps show the potential for biomass, hydroelectric, wind and solar energy production. The Transportation map was updated to show the Tri-valley Transit route. The Utilities, Facilities and Communication map highlights the three-phase power lines which is a consideration for connecting to renewable energy. The Natural Resources map has been updated to show the quarry on Rt. 14. The Scenic Areas map now shows the Ashby Community Forest and conserved land on the east side of town.

Walter Radicioni asked if there was a map that showed the ridgelines that cannot be developed according to the Town Plan.

Ira pointed to the Natural Resources map which highlights Sharon's steep slopes.

Walter Radicioni felt that there is no definition in the plan of what constitutes a ridgeline and where it begins. How far down the ridge do you have to go to build? The plan is confusing and contradictory. He questioned the language referring to views.

Ira Clark said that he has seen maps from other towns that delineate the boundary of their ridgelines.

Susan Root commented that she thought this pertained to wind towers.

Walter Radicioni responded that he understood it to be all development.

Walter Radicioni asked if the Town Plan is approved will residents be required to come before the Planning Commission for permits and will the plan have an administrator?

Paul Kristensen said that the Town Plan is a vision of the town and has "no teeth"; however, the State will refer to the plan in an Act 250 proceeding.

Ira noted that without the plan, if a large development came in, the town would have no standing under Act 250.

Walter asked if the plan is guide that the town has to try to follow and is it basically the same plan as the town had before with some changes?

John Roe added that this plan is building upon the prior plan- it is not starting from scratch and has not changed the regulatory framework.

A participant asked if the plan makes it easier for people on the south side of town to get approval for building projects?

Walter Radicioni responded that development in the south end of town is affected by the White River.

Kevin Blakeman commented that although he is hearing that the plan is a guide and not regulatory, he is seeing the word "shall" on every page and "shall" denotes something that must be done.

Paul Kristensen pointed out that Kevin served on the PC in the past and helped write prior plans. In the past, the PC was encouraged to be vague in its language

but since that time there have been several Act 250 hearings and the PC has received guidance that it needs to be more specific

Ira Clark added that the PC has received feedback that it needs to be very specific about what it does and does not want. If language is vague, it leaves the door open.

John Roe added that the “shalls” are the PC’s attempt to define what is a rural environment versus scale that is not rural and to get a better definition of the values that the plan is based on.

Kevin Blakeman added that when someone buys a property and they pay taxes and a mortgage, someone else may not want to see that property developed but the owner is the one who has the investment.

John Roe responded that when a person buys property, it is within the context of the rules of the society they live in and there are going to be rules and regulations affecting the property. How do laws, opinions, and town’s vision get balanced? It is not black and white.

Kevin Blakeman said he felt it should be black and white and that if you own it, it is yours.

Walter Radicioni asked if the town plan will become a bylaw in the future?

Paul Kristensen answered that Sharon does not have a zoning bylaw but if it ever does, the intent is to have it come from the townspeople and the plan would inform that process.

Walter Radicioni asked where the Flood Hazard Bylaw came from?

John Roe answered that the Town passed it.

Walter Radicioni asked if the Town voted on it.

Several people responded yes.

Jeff Rice asked when the Town will vote on the Flood Hazard Bylaw again and how will the Town make a change?

John Roe noted that Vermont is top-down state, the State makes laws and the towns have to adjust.

Ira Clark continued to review the plan’s maps. The Habitat and Forest Blocks map shows that Sharon has a lot of unbroken forest on the east side of town and plays

an important role in habitat connectivity in the region. Sharon's forests link the Green Mountains with lands to the north providing wildlife corridors.

Cole Hull wondered how scientists know where animals travel.

John Roe provided some information about the scientific modeling used to determine connectivity.

Ira Clark reviewed the Current Land Use map.

Kevin Blakeman remarked that he has a brook passing through his land and according to the maps  $\frac{3}{4}$  of his field is in the floodplain. He might want to develop this land in the future and it did not flood during Irene. He feels the map is inaccurate.

Ira Clark answered that the mapping comes from the State Agency of Natural Resources and the PC does not have the ability to change it.

Ira Clark highlighted some of the changes to the Future Land Use map which was updated to make it more accurate. The map shows that Sharon has a settlement pattern along existing roads.

John Roe recommended reviewing the plan's maps online because it is easier to adjust the scale.

Sue Sellew presented information on the Flood Resiliency chapter. Vermont requires towns to have a flood resiliency plan. Sue used a map of the White River watershed to illustrate how all 711 acres of the watershed drain to the southeast and pass through Sharon on route to the Connecticut River. This drainage pattern along with the town's steep hillsides make it especially vulnerable to flooding and erosion. Hurricane Irene caused 2.4 million dollars of damage to the town and a 2017 rainstorm caused more damage to Rt. 132.

There are two floodplain mapping systems: the Federal Emergency Management Agency (FEMA) maps and the River Corridor maps created by the Vermont Agency of Natural Resources (ANR). The survey for the ANR's maps began in 2010. Flood Plain regulations are required for people to buy flood insurance.

Sharon's resiliency plan includes river and stream bank plantings, floodplain restoration and protection, property buyouts and culvert replacement and resizing.

Danielle Bird commented that although the Town is resizing culverts, the State is not resizing or cleaning culverts along Rt. 14. This is creating flooding and erosion and is a nuisance for residents.

Selectboard member Kevin Gish responded that if the Selectboard could get a list of specific sites/culverts where this is occurring it could notify the State.

The plan's chapters on Economic Factors and The Village Area were presented by John Roe. The chapter on Sharon's economy has some updated graphs, goals and content. The PC took a closer look at home businesses to define them from commercial businesses and to clarify and support what can be a home business in a rural landscape. The Village Area chapter expresses that it is a concentrated area with historic buildings that should serve Sharon residents. New buildings should be at an appropriate scale and infill of the village is encouraged. New commercial enterprises should go into the Business Enterprise Area.

The final sections of the plan include the Implementation Matrix and a list of capital improvements. Ira Clark explained the Implementation Matrix includes the goals of the plan with priority levels, costs and who moves it forward.

The moderator opened the floor for general questions. The next step is for the Selectboard to review and hold a hearing on the plan. TRORC will also review the plan.

Question: what is the expected timeframe for the plan to move forward to the Selectboard?

John Roe explained that this will happen in one to two months' time.

Kevin Blakeman asked what happens now?

John Roe said that the PC will review the feedback from this hearing and encouraged people to email their comments. The PC will then edit the current draft and submit it to the Selectboard.

Susan Root wondered if the public would have the opportunity to review the updated draft.

Kevin Gish replied that the public will have that opportunity prior to and during the Selectboard's hearing. The Selectboard will then also be able to edit the plan.

Walter Radicioni had a question about a part of the plan that mentioned raising money to buy conservation land and wondered if this would raise property taxes.

John Roe said he thought Walter might be referring to the creation of a fund through which the Town would match money toward conserving land through private easements and not by taking it off the tax rolls.

Paul Kristensen added that survey respondents supported conservation of land.

Walter Radicioni asked when will the river be mapped again?

John Roe replied that it may be in the next few years.

Walter Radicioni expressed his opinion that the landowners should be involved in the process.

Walter also asked what is the micro-organism in the river that the plan refers to?

Paul Kristensen wondered if Walter was referring to the Lyme Seep which is a protected area where rare plants grow.

Susan Root said that the last few Town Plans recommended that the Selectboard preserve all Class 4 roads and this has not happened yet so she wondered how actions are implemented?

John Roe pointed out that this is why the State is requiring an Implementation Matrix- to identify who is responsible for actions. Hopefully the PC will be able to accomplish some.

Sue Sellew recommended volunteering to work on actions you support.

Susan Root supports listing legal trails in the Town Plan.

The hearing was adjourned at 8:48PM.