

**BETHLEHEM PLANNING BOARD
MEETING MINUTES
December 9, 2015
BETHLEHEM TOWN HALL MEETING ROOM**

Present: Mike Bruno, Chris McGrath, Don Lavoie, Andrea Bryant, Dave Wiley, and Jeanne Robillard.

Excused: Sandy Laleme, Marie Stevenson, Steve Gorman

Mike calls the meeting to order at 6:34 and appoints Jeanne as full board member for Steve and Don as full board member for Marie.

The board reviews the minutes from 11/18/2015.

Motion made by Andrea Bryant, seconded by Mike Bruno, to approve the minutes as submitted. Dave Wiley abstains from the vote due to absence and the remaining members vote in favor. Minutes from 11/18/2015 are approved.

David Van Houghton is in to see the board regarding the new solar campaign, Solarize the Ammonoosuc. He would like the Planning Board to support a new solar permit. A discussion ensues whether or not a permit is necessary for solar projects. Dave interjects that he and fire chief Jack Anderson feel having a permit in place is a good idea. Dave Van Houghton will take the matter to the Select Board.

Cheryl Jensen is in to see the board regarding applying for Intervenor Status. She has submitted some sample letters for the board to review, as well as a copy of a letter written by Peter Roth, public council, to Pamela Monroe, SEC Administrator. Cheryl informs the board that the Select Board has voted to apply for intervenor status. The question is asked about a deadline to apply. Cheryl states that the date will not be announced until December 18th.

The board discusses the potential role the Planning Board has in the matter and whether or not they should consider seeking advice in an effort to form a position that helps the board both technically and legally. It is noted that the proposed transfer station is sight specific and sits right at the corner of the proposed Baker Brook project, therefore giving it the potential to have a huge economic impact which would be a great argument for intervenor status. The question is also raised about whether or not the project meets the specifications of the town's aquifer protection ordinance. Cheryl Jensen notes that she has requested that a public meeting be held in Bethlehem.

Motion made by Andrea Bryant, seconded by Jeanne Robillard that the Bethlehem Planning Board files for Intervenor Status in the matter of the Northern Pass. All members vote in favor.

Motion made by Don Lavoie, seconded by Jeanne Robillard to authorize the chair to delegate someone to research the recommended approach to intervenor status from town council. Mike, Dave, Don, Andrea, and Jeanne vote in favor. Chris is opposed.

Don Lavoie would like an update on the Arlington Hotel and the Synagogue progress. Dave informs the board that he is awaiting a permit application from the synagogue for a foundation only, which must meet the specifications of the previous footprint and with occupancy that matches the previous building. That is the only way they can move forward without going to the ZBA. Dave then informs the board that the Arlington currently has a cease and desist on the parking lot and still has not seen an Alteration of Terrain permit. The hotel has been given the green light and the construction has begun, although they will need to see the ZBA for a special exception for the walk-out. The application has been sent, but not returned yet.

The board moves on to review the Landfill section for the Master Plan. Mike believes there is a good chance that the board can find some common ground this evening. The board reviews the two previous versions, one submitted by Andrea, Jeanne and Rita, and the other by Sandy. Jeanne feels strongly that her group tried very hard to remain factual, and because the topic is a "hot bed issue," it deserves what the group presented. Andrea adds that only 2 paragraphs of what was presented are historical. She notes that the survey results indicated that people wanted more information about gas to energy, and so that should be noted. Mike notes he liked the history and appreciated it, however he didn't think the introduction, "Beyond Bethlehem" was appropriate, or important. Don feels the statement, "The Board of Selectmen also exempted NCES, which sits on top of a stratified drift aquifer, from the restrictions of the Town's Aquifer Protection Ordinance. "should be stricken because the aquifer protection ordinance specifically exempted anything existing. The Board of Selectmen did not do that, instead the town voted to adopt it and anything existing was exempt from compliance. Andrea suggests changing "Board of Selectmen" to "Settlement Agreement." Don argues that the settlement only covered expanded areas, and not the existing areas. It is important to be clear that the town voted on the settlement agreement, and it was not a Select board decision. He also has issue with the comment, "after a campaign that promised lower taxes, an end to lawsuits, and permanent closure of the landfill in 8 – 10 years." He feels this is editorial and bias. Dave agrees that it is opinionated and bias.

Mike would like to look at sections where the two sides might agree, such as Landfill Gas to Energy, and see if the board can find a common ground. Don feels this section should be on an equal level to other sections. Chris would like to see it more focused on the future and the

Master Plan survey results. His feeling is all this information is available in the Town Hall for those who want more information on the past events. Don adds that the "Beyond Bethlehem" section is not consistent with the rest of the plan and therefore makes it editorial. The purpose of the Master Plan is to outline the goals to help shape our ordinances. He goes further by stating that the entire section should be re-titled Solid Waste Management because it is a bigger issue. The town has a statutory responsibility to manage solid waste needs. Dave feels the board is walking down a fine line and wonders if they should consult their attorney. Jeanne agrees the section should be renamed Solid Waste Management. Don wonders how the history guides the future planning, and goes further to say it is the town's duty to craft our Master Plan towards that end. Many times the town has voted against operating a town owned landfill, and to go with private facilities. The Solid Waste Plan has to take the survey results into account and look at the town votes, what has the town done in the past, these are our needs, and what do we do to support our needs? We have a statutory obligation to take care of our residents' trash. We have to plan to meet that through private sector facilities. What are those facilities and what will the cost be. The board remains at an impasse. Jeanne comments that she has been taking notes on the requested changes and will bring a revised version to the next meeting.

Don Lavoie leaves the meeting at 8:52.

Motion made by Dave Wiley, seconded by Jeanne Robillard to adjourn at 8:59. All member in favor, meeting adjourned.

Respectfully submitted,

Dawn Ferringo
Planning and Zoning Board Clerk