

PROSPECT PLANNING BOARD
PROSPECT COMMUNITY CENTER
THURSDAY, SEPTEMBER 11, 2025

4:15 PM

PRESENT: KATHLEEN JENKINS, LOIS GIANNI, LAURIE JONES, ARLINE LAMARCHE, ALFRED REYNOLDS, BECKY AMES

ABSENT: HENRI GIGNOUX

Jenkins called the meeting to order at 4:15 pm.

READING AND APPROVAL OF MINUTES OF REGULAR MEETING FOR AUGUST 28, 2025:

Minutes from the meeting were sent to all members. Gianni made a motion to accept the minutes as read. Reynolds seconded the motion. All others approved.

1. COMMUNICATION:

a. Potential Buyers of Lot 15-1 in Prospect:

There have been two inquiries about a property in town, lot 15-1, Matt Chaney and Daniel Little. Jenkins emailed both individuals noting the suggestion from the attorney about submitting a complete application and consulting with a building professional, etc., and inviting them to a Planning Board meeting. Matt Chaney reached out to Jenkins and thanked her for the information.

b. Mary Szatkowski and John Hopeck – Decide on Aquifer Map – Jones report from LUC :

Jenkins asked if the Land Use Committee had decided on what map they wanted. Jones said she posted all the available maps on the Land Use Google drive for the Committee to look at. They will meet on the 27th and thought more contours on the map would help as well as places where runoff hits because there needs to be protection from contaminants. Jenkins asked if Szatkowski and Hopeck zoomed in at the next meeting if it would be of help to the Committee. Jones said it was decided the Planning Board would decide on the map and the LUC would provide the narrative. Jones thought Jenkins could possibly reach out to them and see if they can develop the map for the presentation to the Town.

The next PB meeting will also be a Zoom meeting, September 25, 2025 commencing at 5:15 pm with Szatkowski and Hopeck, if available, after the 4:15 meeting with the Municipal Officers.

c. Response/No response from Municipal Officers Attendance Planning Board meeting September 25, 2025:

Jenkins will follow up on this. The only person that got back to her was Shoults who wanted to know what the term “taking” meant. Jenkins will follow up about the Solar Array Ordinance language. Ames mentioned we are all concerned that individuals won’t understand the term “taking”. It was agreed that the Planning Board not recommend anything that the Attorney does not approve.

Jenkins reiterated that having no Solar Arrays and the issue of Right of Ways are big issues in Town. The Public Hearing and the Municipal Officers let the Planning Board know how they wanted us to write the Ordinances. The Planning Board also needs to adhere to the Lawyer’s advice and any other legal issues.

Ames said we may want to consider that some farmland may have PFAS and they can’t farm it and may only be able to put a solar array on the land. It is something to consider. Ames said there are two confirmed sites of PFAS in Prospect.

Jones mentioned there could be rolling brownouts if we have any AI buildings that could possibly be built in the Town.

Gignoux suggested we have a moderator for any future meeting with the Town.

At our meeting with the Town, we should start with the Minimum Lot Size Ordinance and the Right of Ways and definitely take into consideration the advice of the Attorney.

Planning Board members referenced Section VIII, Appeal, a. undue hardship, #4 change or (typo) *to of* but that section could be reviewed on behalf of a landowner as well as b. *removing not* and changing of (typo) *to or*. The Planning Board wanted the Public to know there was an Appeal process available.

It would be convenient to have some type of bulletin board or whiteboard for the next meeting and the Town meeting.

On 9/25/25:

**Minimum Lot Size Ordinance
(Setbacks)**

- 1 – Attorney advises 15-20 feet
- 2 – Why – Safety
- 3 – Future Expansion
- 4 – Preserve the Rural Character of the Town
- 5 – Imminent Domain

6 – State Law Requirements

Your land is yours but reference where structures should be setback.

Solar Array Ordinance (Commercial)

The Attorney recommends no complete prohibition of commercial solar.

This could constitute a taking – (Jones will get a definitive definition of taking)

If we violate the Attorney’s advice, and the Ordinance states no Commercial Solar Array then that sets up the possibility of liability, attorney’s fees, punitive damage, loss of qualified immunity, personal liability for the Municipal Officers and the Select Board, and it takes a lot of time to go through the legal process.

2. NEW BUSINESS:

N/A

3. OLD BUSINESS:

a. Review Sangerville and Morrill Commercial Solar Array Ordinances and Revise to Meet the Town of Prospect’s Needs:

It was agreed by the Planning Board at the last meeting that we would use the Town of Sangerville Solar Array Ordinance as a template and reference the Town of Morrill Solar Array Ordinance as well. The Planning Board started a review of the Sangerville Ordinance and Jones made changes to the document on her computer copy. At this meeting the Planning Board mentioned that they preferred the language in the Town of Morrill Solar Array Ordinance so Jones brought it up on Google Docs and will revise as we go through the document at the meeting. The Ordinance can be reviewed by all members of the Planning Board in Google Docs.

b. Date for Workshop with Attorney:

Jenkins will contact the Municipal Officers and the Town Attorney regarding a timeline for the work the Municipal Officers have tasked the Planning Board with completing.

- **September 11, 2025** – Review Sangerville and Morrill Solar Ordinances, revise them to meet the town of Prospect’s needs
- **September 25, 2025** – Invitation to Municipal Officers to attend the Planning Board meeting to discuss the Solar Array Ordinance and the changes to the MLSO and to understand the suggestions by the Town Attorney so that both Boards are clear on her legal advice and how to move forward
- **October 9, 2025** – The Planning Board will hold a Public Hearing on Rights-of-Way with the Town Attorney attending per Zoom

4. OTHER BUSINESS:

N/A

5. MOTION TO ADJOURN MEETING:

Jenkins adjourned the meeting. All approved. The meeting was adjourned at 6:05 pm.

The next meeting of the Planning Board will be Thursday, September 25, 2025 at 4:15 pm at the Prospect Community Center.