

RUTLAND TOWN PLANNING COMMISSION MEETING MINUTES
THURSDAY, March 2, 2017
7:00 P.M.
RUTLAND TOWN MUNICIPAL OFFICE

Present: Ms. Barbara Pulling, Mr. Dana Peterson, Mr. Fred Nicholson, Mr. Howard Burgess, Mr. Alan Biederman, Mr. Norman Cohen, (Mr. Andrew McKane via Phone).

- Meeting called to order by Ms. Pulling at 7:05 P.M.

Approval of Agenda:

- Mr. Cohen moved to approve the agenda. Mr. Peterson seconded the motion. Motion passed unanimously.

Approval of Minutes February 9, 2017:

- Mr. Peterson moved to approve the minutes. Mr. Nicholson seconded the motion. After discussion and minor amendments Mr. Peterson amended his motion to accept the minutes with the amendments. Mr. Biederman seconded the motion. Motion passed 5-0-2. Mr. Cohen and Mr. McKane abstained from the vote.

Public Comment/Questions:

- There was no public comment.

New Business:

Presentation from Attorney Mr. Jim Goss regarding Key Collision withdrawing their Act 250 Permit to the Rutland Town Select Board 2/21/2017:

- Mr. Peterson who was at the Select Board meeting gave a brief synopsis to the Planning Commission regarding the presentation.
- The Planning Commission viewed Mr. Goss' presentation.
- Mr. McKane signed out of the meeting.

- Mr. Nicholson reported he was at a Legislative breakfast where this subject was brought up and Mr. Nicholson tried to emphasize to them they have to take some responsibility because this enabling legislation has been passed and other agencies have to make the rules who have a vested interest and are not elected.
- Mr. Biederman pointed out that with an Act 250 Permit all it takes is one interested party to appeal and the process starts over again. Mr. Biederman said it is hopeless as the Legislature is aware of the existing issues and then added 9L. Mr. Biederman cited examples of issues that may arise because of 9L. Mr. Biederman said the inclination of the people he deals with on the State level is to be more difficult because of their point of view and what they are committed to. Mr. Biederman said that only corporations with lots of money would be able to develop in Vermont because of legal and permitting fees.
- Ms. Pulling asked if Rutland Town gets impacted with these projects because we are a one acre town. Mr. Biederman said it doesn't matter because everyone is subject to Act 250. Mr. Biederman stated that any State agency can disagree and appeal as with what happened with Key Collision.
- Ms. Pulling stated there is talk in the Legislature about addressing 9L.

Mr. Fred Nicholson-appointment to Planning Commission:

Ms. Pulling informed the Commission that because of Mr. Cohen's living situation in Rutland City the Select Board has decided to make Mr. Nicholson a regular member of the Planning Commission and Mr. Cohen as an alternate.

Old Business:

Act 174 Renewable Energy Plan:

- Ms. Pulling reported there is not a lot of progress with the State regarding guidance on how they want the checklists filled out that were presented on November 1, 2016 but the Rutland Regional Planning Commission (RRPC) is moving ahead with its Regional Energy Plan. Ms. Pulling stated the Energy Committee voted to not put industrial wind into the mix and substitute with smaller scale wind projects. Ms. Pulling stated the vote was 8-1. Mr. Nicholson said he was the one "no" vote because he feels it is too early in the discussion process to eliminate those kinds of projects.

- Ms. Pulling presented the solar map from the RRPC and the Commission reviewed the map.
- Mr. Cohen asked if existing solar projects are counted. Ms. Pulling stated the target list starts with what is already out there.
- Mr. Biederman asked Ms. Pulling about population versus sitings and the logic behind it. Ms. Pulling stated that formula has yet to be determined. Mr. Biederman asked about the chain of command regarding approval. Ms. Pulling stated the RRPC will approve the Town's projects and they will then go to the State level for approval.
- Mr. Cohen expressed his concern regarding how long it could possibly take to get a Renewable Energy Plan in place.
- Ms. Pulling told the Commission the RRPC has a contract with the State to work with pilot towns.
- Mr. Burgess expressed concern regarding Town residents not wanting their land used for a project. Mr. Nicholson stated all the RRPC is doing is looking at land mass and designating where a project has potential. Mr. Nicholson said it is up to the Towns to determine where they want a particular project to be located.
- Ms. Pulling reminded the Commission members can add to the list if they feel it is appropriate.

Mr. Biederman motioned to adjourn. Mr. Peterson seconded the motion. Motion passed unanimously. Meeting adjourned at 8:23 P.M.

