

RUTLAND TOWN PLANNING COMMISSION MEETING MINUTES  
THURSDAY, May 4, 2017  
7:00 P.M.  
RUTLAND TOWN MUNICIPAL OFFICE

Present: Ms. Barbara Pulling, Mr. Dana Peterson, Mr. Howard Burgess, Mr. Fred Nicholson, Mr. Jerry Stearns, Mr. Alan Biederman

- Meeting called to order by Ms. Pulling at 7:03 P.M.

**Approval of Agenda:**

Ms. Pulling requested changing the wording of “re-appointments” to “election of officers”. Mr. Nicholson moved to approve the change. Mr. McKane seconded the motion. Motion passed unanimously.

**Approval of Minutes April 13, 2017:**

Mr. Nicholson moved to approve as presented. Mr. Peterson seconded the motion. Ms. Pulling pointed out two minor grammatical errors. Mr. Nicholson and Mr. Peterson accepted the changes. Motion passed unanimously.

**Public Comment/Questions:**

There was no public comment.

**Announcements:**

Ms. Pulling informed the Commission of a site visit for the Otter Creek One and Two Solar Projects with the Public Service Board on Monday, May 22, 2017 at 1:30 P.M.

Ms. Pulling asked informed the Commission of a site visit for the service road on Farrell Road on Wednesday, May 31, 2017 at 6:00 P.M. starting at the Holiday Inn and then moving to the site.

**Election of Officers:**

Mr. Biederman moved to nominate Ms. Pulling for Chair and Mr. Peterson as Vice Chair for the Rutland Town Planning Commission. Mr. Stearns made a second to the motion. Mr. Nicholson moved for the nominations to be closed. Mr. Biederman seconded the motion. Motions passed unanimously.

**Old Business:**

**Act 174 Renewable Energy Plan REP):**

Ms. Pulling informed the Commission of an error regarding the summary in which the Town of Rutland and the Town of Shrewsbury's summaries were transposed which has been corrected.

Mr. Burgess cited errors in the "current use" portion of the maps and will give Ms. Pulling the corrections.

Ms. Pulling stated the white areas of the resource maps indicate areas that aren't valid resources and the colors are to be concentrated on with regard to favorable resources.

The Commission discussed the colors on the solar map legend that indicates "potential known constraints" and "possible constraints". Mr. Biederman asked if the Commission has the flexibility to include and exclude sites in the all of the colors of the map. Ms. Pulling said yes and that the Town's map will need to be in the same format at the State's map. Ms. Pulling said all of the maps are designed in the same format.

Ms. Pulling said the Commission has flexibility identifying local constraints and locally preferred areas however the state is requiring data and studies from the Commission for locally constrained areas to support the Commission's decisions.

The Commission discussed different scenarios of designating areas. Ms. Pulling said before finishing the Plan the Commission needs to decide what to add to the plan-preferred areas and unsuitable areas and prove they are maximizing areas with lots of renewable energy potential.

Mr. Biederman asked if the Commission could oppose certain projects in the completed Plan. Ms. Pulling said it would not carry much weight. Mr. Peterson asked what the guiding principle should be. Mr. Biederman said there is none other than to accept what the Rutland Regional Planning Commission (RRPC) has given us as we know it will pass the checklist since the State provided the RRPC with the maps. Mr. Biederman said the Town should look to the RRPC for guidance and when the Commission approves the plan give it to them for presentation. Mr. Burgess said just because the State provided the Commission the maps doesn't mean they are

right. Ms. Pulling said the RRPC will have to double check the “current use” as it is overlapping with “conserved lands”. Ms. Pulling said the Commission can ask the RRPC to not include “current use” or argue that if a land owner wants a project on their land take it out of “current use” to allow the project. Ms. Pulling said constraints are not regulatory or binding.

Mr. Biederman asked about the interplay with the Town Plan and the RRPC regarding View Sheds. Ms. Pulling said that Town Plan is open and she will be talking with the State regarding studies and data for the Commission to argue why projects should not be placed in View Sheds. Mr. Burgess said the Commission should concentrate on designating projects that are not going to affect the View Sheds. Mr. Biederman said that arguing aesthetics is very difficult. Mr. McKane said the View Sheds should be a “known constraint”. Mr. Biederman said the reality is that the Commission can meet the anticipated contribution requirement but it doesn’t mean the Public Service Board (PSB) will approve the Plan as the State is going to tell us how they are going to decide to approve the Plan. Mr. Biederman said more information is needed for the Commission to proceed. Mr. McKane suggested the Commission prioritize the designations and place View Sheds at the bottom of the list.

Mr. Peterson said that once Ms. Pulling obtains more information regarding expectations the Commission can move forward.

Mr. Biederman asked about the timing of the plan with the RRPC and the Town. Ms. Pulling stated it will take until fall of 2017 before the Plan is approved but would like suggestions regarding the maps by June 1, 2017.

Mr. McKane asked what would happen if the Plan is rejected. Ms. Pulling said it would result in no substantial deference however there is an appeal process.

Ms. Pulling informed the Commission of a training session at RRPC Wednesday, May 10, 2017 at 5:30 P.M. to discuss the maps and data distributed to towns.

The Commission discussed having a special meeting on Thursday, May 18, 2017 at 7:00 P.M.

Mr. Peterson moved to adjourn. Mr. Stearns seconded the motion. Meeting adjourned at 8:29 P.M.

