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**TOWN OF RUTLAND PLANNING COMMISSION
MEETING MINUTES**

DATE: April 1st, 2021

Publicly accessible conference line

OPEN MEETING 6:30 P.M.

Commission Members Present: Chair Barbara Noyes-Pulling, Dana Peterson, Howard Burgess, Sherman Hunter, Andy McKane, Mary Beth Poli, Jerry Stearns and Norman Cohen

Members of the Public Present: Sandy Fogg, Doug Best, Dennis Wilberg, Chris Howland, Andy McMillan, Ernie Seward

Approval of the Agenda:

Mr. Peterson moved to approve the agenda as amended. Mr. Stearns seconded the motion. The motion passed unanimously.

New Business: Public Hearing VELCO Subdivision

1. Representatives from VELCO were present for the hearing.
2. Dennis Wilberg asked what the intention of VELCO was for the land.
 - a. Doug Best said a substation upgrade is needed and is planned for next year. This will include a new control building and a small fence expansion. There are no plans for the property to the east.
 - b. Mr. Wilberg asked about VELCO changing restrictions around its area in the future and is VELCO restricted from constructing anything.
 - c. Ms. Fogg answered the easements are from the 1950s and restrict any construction within the right of way. Some exceptions for roads and gardens have been made but there will be no structures erected. Solar panels were discussed specifically, and Ms. Fogg said it is very unlikely they would ever be erected under the lines for multiple reasons.
 - d. The map showing the proposed subdivision was reviewed.

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- e. Mr. Wilberg asked if the Thomas family would be farming the land. Ms. Fogg was unsure, but VELCO has licensed areas to hay in other areas. No one has asked about this in this area yet.
- f. Mr. Wilberg asked for Ms. Fogg to follow up with him on future agriculture use of the property along the line.
- g. No other comments were made.
- h. Sherman Hunter moved to close the hearing. Andy McKane seconded the motion. The motion passed unanimously.

New Business Commission to Vote on Subdivision Request

1. The final plat, if the subdivision is approved, is due by Wednesday June 30th.
2. There were no questions on the waivers.
3. Mr. Burgess moved to approve the application as submitted. Mr. Peterson seconded the motion. The motion passed unanimously.

New Business Discuss possible helipad/airstrips regulations with John Zicconi, VT

Transportation Board

1. The commission invited Mr. Zicconi to speak to the group.
2. Asked Mr. Zicconi for suggestions on how towns like ours can handle these types of requests, in the absence of zoning.
3. A couple applications a year have been seen statewide over the last several years.
4. The permit process has not been working as it was designed with the lack of land use regulations in towns, which is why proactive communication was sent out.
5. The law has 3 areas of regulation.
 - a. Land use - Local municipal review.
 - b. Safety – State review
 - c. Air Space – Federal review
6. The state will not review an application before it goes through municipal review. If it is denied locally, it will not be considered further. Without land use regulations, the state must assume municipal approval.

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7. The state does attempt to ensure these projects are placed where they make sense and not always where the applicant asks them to be.
8. Having a local ordinance is the best approach to being able to have input into applications.
9. Mr. Cohen asked if model ordinances existed, and Mr. Zicconi said there are not.
10. Mr. Zicconi was not aware of any towns which had an ordinance that did not also have zoning.
11. Discussed discouraging a complete ban on these types of projects, to not deter future development. The creation of the ordinance and its language is important.
12. Discusses adding language to the Town Plan and if this could help with review and approval. Mr. Zicconi stated it would come to do the project receiving municipal approval. The decision would need to be in writing.
13. Mr. Cohen asked if the town issued a decision stating it did not conform to the town plan, how would this be handled, being there are no enforcement provisions in the Town Plan. Mr. Zicconi said that scenario has not come before their board before so there is not a clear answer.
14. Discussed the different agencies involved and some of the typical paths the application process takes.
15. Approximately one-third of Vermont towns have had an application for a landing area.
16. Most of the facilities are for helicopters and do not involve large structures.
17. This topic will be reviewed at future meetings to see what guidelines and regulations should be suggested.

New Business Center Rutland Pocket Park stakeholder groups

1. Work is underway to put out surveying to bid for the park area.
2. There is not a survey if the area currently.
3. Two groups of stake holders, focusing on recreation and historical elements are being created. It will include a variety of people and agencies from around the state.
4. Any members of the commission are welcome to be apart of these groups and discussions.

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New Business Discuss Town Conservation Commission

1. Mary Beth Poli discussed a small grant opportunity available which could be used.
2. These commissions can be used for a variety of things, including land transactions for recreational uses.
3. There are state guidelines for what they can do, and several towns around do have them.
4. Ms. Poli will send more information out to the group.
5. Discussed expanding to volunteers from the community to serve on commissions like this, and others.

Old Business Tabled Town Energy Committee Discussion

There is a Select Board energy committee currently, but it has primarily dealt with application for energy projects. They have not branched out into other aspects of energy as of yet.

Announcements

1. Douglas Richardson made the presentation to the Select Board recently for their proposed housing project. They expect their Act 250 application to be filed within 90 days.
2. Discussed the recent meeting the Select Board had with the owners of the Diamond Run Mall property.

Approval of Minutes for March 11th, 2021:

Mr. Peterson moved to approve the minutes. Mr. Hunter seconded the motion. After some clerical corrections, Mr. Peterson moved to approve the minutes as corrected. Mr. Stearns seconded the motion. The motion passed unanimously. Mr. Peterson abstained from the vote.

Adjournment:

Mr. Burgess moved to adjourn. Mr. Hunter seconded the motion. The meeting adjourned at 8:04 PM.

Respectfully submitted, Bill Sweet

Barbara Noyes-Pulling
Rutland Town Planning Commission Chair