

**Tinnmouth Planning Commission**  
**February 29, 2016**  
**Minutes**

Members present: Bob Lloyd, Michael Fallar, Amanda Vumbaco, Vito Macaluso, Kim Harbaugh, Grant Reynolds, and Denise (Tess) McGinley

*Absent were Kevin Ruane, Andy Gilmore*

Others present: Gail Fallar, Secretary.

Michael called the meeting to order at 7:30. Agenda was reviewed, no changes made.

Minutes of 1/25/16 were read and approved as written, Bob moved, Tess 2nded, all voted in favor.

Members reviewed map of land protected by conservation restrictions/easements and by the state's Current Use program drawn by Bob Lloyd. Gail advised that the Current Use land was protected from commercial solar development while it was enrolled, but the land could be withdrawn (and a penalty paid) and then developed. Bob read many of the guiding principles from VHCB (Vermont Housing and Conservation Board) with the Vermont Land Trust largely relied upon which in effect said "it depends"; all conservation easements are not equal, many have different aspects to consider. It was also noted that the conserved lands were created/protected privately by individuals and that could ensure those lands not being developed for commercial solar projects. Members discussed how to best use the map for the proposed amendment of the Town Plan – by including it, it may give guidance to potential developers.

Michael noted that the Town needs to plan, as there most likely will be a solar project and there could be a very good place and project. Members discussed having two maps, one showing conserved/current use restricted, and another where projects would be allowed. Could it be done with an overlay zone? Bob volunteered to work on it.

Vito inquired about solar shares being sold out of state, Grant will research. Members discussed REC's (Renewal Energy Credits) being sold out of state – one member said even if Vermont couldn't claim any renewal energy it would put a coal plant out of business somewhere, while another member countered that it also enabled a coal plant to stay in business because they bought REC's.

Members then discussed the work indicated necessary by the (RRPC) Rutland Regional Planning Commission's Enhanced Review – air quality (encourage use of calcium chloride on back roads and encourage owners of outdoor wood stoves to upgrade to less polluting models) – census data-address unemployment; water quality – new requirements for farms; encourage more locally grown produce and meat; and flood resiliency measures.

Members wish to speak with someone from RRPC at their next meeting regarding draft solar amendment for the town plan and the flood resiliency element.

Gail, as Zoning Administrator (ZA), requested advice regarding a proposed boundary adjustment between Phil Hepburn's lot (#7) and the remainder of his mother's farm (Lot #4). Bob Lloyd recused himself as he was involved with the original permit and departed the meeting. Lot 7 was originally created as part of the Hepburn PRD (Planned Residential Development) in 2006. Lot 7's size is 1.44 acres – and considered a conforming lot due to the PRD permit. In order for the arena to rest solely on the farm parcel, Phil needs to deed .06 or so acres to the farm, making his lot smaller and non-conforming. The ZA is not authorized to issue a boundary adjustment if one of the lots becomes non-conforming. After discussion, PC

members concurred with this decision of the ZA and will hold a hearing once an application is received. PC will only review the lot lines – conflicts the Hepburns have with the VLT and its partners in the original permit and conservation will be between them. The PC had dealt with this issue in 2012, issuing a decision with several conditions (including approval from VLT and its partners) that were not met and so that decision became void (as one of the conditions was that all others had to be met or the decision became void.)

Next regular meeting set for March 28, 2016.

Meeting adjourned at 8:50 pm.

Respectfully submitted,

Gail Fallar, Secretary