**LANDGROVE PLANNING COMMISSION**

Minutes of Meeting

January 16, 2020

**Attending:**

Charles Sweetman Mary Licata Harry Lux

Joshua Wengerd Michael Mole Michael Morfit

William Goodwin (Zoning Administrator)

The meeting was called to order at 5:31 pm, with 5 Commissioners and the Zoning Administrator present.

**1. Public Hearing on Application by Sarah Reed and Will Reed** (10 Hapgood Pond Road)

The Landgrove Planning Commission duly warned that it would hold public hearing for the purpose of receiving comments regarding the Conditional Use Application to remove three large pine trees on this property located in the Utley Flats Scenic Overlay District. Detailed information was also available to the public at the Town Office.

The Chair invited Commission members to announce any conflict of interest with this application. None was identified.

Three members of the public attended this hearing, in addition to the applicants (Sarah Reed and John Reed).

In his overview statement, the Zoning Administrator stated that the application raised no issues or concerns on his part. The trees identified for removal are aging and are a potential threat to the power lines. The removal is consistent with the Utley Flats Scenic Overlay requirements.

The Zoning Administrator has received no inquiries from any of the neighbors with contiguous property. The Planning Commission, the Zoning Administrator, the Select Board and Town Clerk have to date received no objections from the public. The members of the public present at the hearing stated that they were there to support the application.

There being no further questions from the Commission and no other abutting property owners or other members of the community present and wishing to speak, the Chair closed this public hearing at 5:41 pm.

The Commission legally has up to 45 days to provide a formal response to this application, but past practice suggests that the applicants will probably receive notice in about 14 days.

**2. Deliberative Session.** The Commission moved into deliberative session at 5:42 pm to discuss this application.

**3. Commission Action.** The Commission came out of deliberative session at 5:46 pm and unanimously approved the application as presented.

**4. Energy Planning.**

The Commission continued its discussion designating specific areas as ‘preferred’ for solar development.

The Chair reported on his recent consultation with staff at the Bennington County Regional Commission. Two specific points were worth noting:

* The Planning Commission has the authority to designate a specific site as ‘preferred’ if it is consistent with the town plan. This designation would have to be part of the published agenda in a publicly-warned meeting. No separate public hearing is required. Any such decision by the Planning Commission would then have to be endorsed by the Select Board as part of the published agenda in one of their publicly-warned meetings.
* Any decision by the Planning Commission to designate a specific site as ‘preferred’ would not prejudice any future decision we may take regarding other preferred sites or an overall master plan for the entire town.

With this information and advice from the Bennington County Regional Commission, at its next publicly-warned meeting the Landgrove Planning Commission will consider designating that part of the town already identified as ‘commercial zone’ in the town plan (primarily along Route 11) as ‘preferred sites’ for solar development. This decision would be consistent with analyses from state authorities that have similarly designated this area as appropriate for solar development.

(We were reminded that ‘preferred site’ pertains to solar installations with a capacity greater than 15 Kw. Installations on individual houses or properties with a capacity less than this do not require Planning Commission review or approval.)

**5. Variance application (Jay Snyder and Kimberley Burke)**

The Commission received additional (revised) materials from Jay Snyder and Kimberley Burke regarding an application for a zoning variance to permit them to divide their jointly owned property on Rte. 11 (Parcel ID 05-00-46).

The Commission will schedule an appropriately warned public hearing to consider this application formally.

**6. Revised Fee Schedule.**

In response to proposals from the Zoning Administrator, the Commission approved a revised fee structure to cover the actual costs incurred by the town. (See attachment.)

These proposed changes will be submitted to the Select Board for their approval.

The Commission adjourned at 6:45 pm, to reconvene at **5:30 pm on Thursday, February 13, 2020.**