

CITY OF RUTLAND, VERMONT
Development Review Board Minutes
Wednesday February 17, 2021

Development Review Board Members: Stephanie A. Lorentz, Al Paul, Jim Pell, Steve Wilk and Mike McClallen. Members present: Lorentz (Acting Chair), Wilk, Paul and Pell.

Also present: Zoning Administrator Tara Kelly.

At 6:03 PM Acting Chair Lorentz called to order the Public Hearing to consider an application from Thomas J. Palumbo and Margaret (Daisy) Lasky. The applicants are seeking a Variance for their property at 33 Cottage Street to allow up to 9 residential units or a combination of residential and office spaces within an existing 8,000+ square foot building.

The owners inherited the building from their parents. They have listed the building for sale and had a number of people interested. Most would like to convert the building to fully residential with at least 8 units. There isn't a clear permit history for the building which has had a number of residential and office spaces in the past. Because of this, the issue of what is permitted defaults to what the Zoning District would allow. The Zoning District is Mixed Residential -1 (MR-1). IN this district the 9,500+ square foot lot would allow up to 5 residential units. In order to create a clearer status for the building and thus facilitate the sale, the owners are asking for a Variance to recognize and allow the more intense use in line with the historic use of the building.

In attendance for this hearing to represent the Variance request was Daisy Lasky. One member of the public, Christopher Voda, was also in attendance. Acting Chair Lorentz swore in the applicant. Mr. Voda stated he was just observing and wouldn't be offering any testimony.

The following testimony was offered by Ms. Lasky:

- The building has 3 floors plus a basement
- Over the years there have been a combination of residential and office spaces in the building
- The building has 10 bathroom
- The building has 9 separately metered spaces
- There is a paved parking lot with 14 spaces
- The applicant has been trying to sell the building and determined that getting the proper permits in place would be the best way to facilitate a sale
- To optimize the potential use of the building, the applicant is asking for the DRB to approve up to 10 units with either residential or office uses being allowed.

A response to the 5 Variance criteria was provided by the applicant.

DRB members asked clarifying questions about the application. The applicant indicated parking would be adequate for full occupancy. There was some discomfort with approving continued use of office space without knowing more clearly what those potential uses would be.

ZA Kelly explained how the application came to be. She noted the current Zoning would allow up to 5 residential units. Office is a Conditional Use in this Zone.

DRB Member Pell asked the applicant if 9 Residential Units would be an acceptable starting point, with the basement being designated for shared use as an accessory use to the apartments. In this scenario, if a future owner wished to pursue retaining and/or converting any part of the building to office, they could do so through a separate Conditional Use permit in the future. The applicant indicated this solution would be acceptable as there seems to be a greater demand for residential spaces close to the downtown at this point in time.

Hearing no further questions or comments, Acting Chair Lorentz adjourned the hearing. The DRB has 45 days to render a decision and if anyone objects they have 30 days to appeal to the Environmental Court.

The hearing ended at 6:27 PM.

Respectfully submitted, Tara Kelly