

CITY OF RUTLAND, VERMONT

Development Review Board Minutes

Wednesday February 20, 2019

Development Review Board Members: Stephanie A. Lorentz, Al Paul, Jim Pell, Steve Wilk and Mike McClallen.

Members present for hearings: McClallen (Chair), Lorentz, Paul, and Wilk.

Also present: Zoning Administrator Tara Kelly.

HEARING #1 – 50 SOUTH MAIN STREET

At 6:04 PM Chair McClallen called to order the Public Hearing to consider a Variance application for 50 South Main Street to add a 3rd unit (efficiency) to an existing two-family structure. This request was triggered by the fact that the lot size is not sufficient to allow a 3rd unit under the current Zoning for this location.

Chair McClallen explained the DRB hearing process and that participation in the hearing was a prerequisite to the right to appeal. Anyone wishing to participate in the hearing was given a chance to swear in. In attendance for this hearing was the applicant, Robert Marrama Jr. No other members of the public were in attendance.

After swearing in Mr. Marrama, Chair McClallen asked the applicant to explain his request. The following testimony was offered by the applicant:

- Mr. Marrama has owned residential rental properties in Rutland since the early 2000's.
- He lives in Killington but works in Rutland each day.
- He has a significant visual impairment that has been worsening, making it difficult to travel at night via the Bus.
- He would like to make a less than 400 sq ft efficiency for himself in a space over the existing garage so he can have a home office with a space to spend the night when needed.
- The unit would have a separate entrance and exit from the 2 apartments in the main building.
- The State Division of Fire Safety and the City's Building Inspector have reviewed the space and indicated it can be used for a 3rd unit.
- The lot has 4 parking spaces.
- Mr. Marrama does not drive and will not be parking a vehicle at this location.
- He indicated he takes pride in his properties and will be doing quality construction.
- The requested efficiency unit will not have a full oven.
- Mr. Marrama plans to own the property into the future and is not seeking to rent out this space.

The hearing was adjourned at 6:15 PM. Chair McClallen explained the timeframes for issuing a decision and filing for an appeal of that decision.

HEARING #2 – 75 EDGERTON STREET – RECONSIDERATION

At 6:42 PM Chair McClallen called to order the Public Hearing to reconsider a Conditional Use request for 75 Edgerton Street to expand an existing daycare to allow up to 12 children on site at one time.

Chair McClallen explained the DRB hearing process and that participation in the hearing was a prerequisite to the right to appeal. Anyone wishing to participate in the hearing was given a chance to swear in. In attendance for this hearing was the applicant, Mary McDonald who was joined later in the hearing by her husband Brett Woodard.

Other members of the public in attendance were:

- Daniel and Julie Rosmus 72 Edgerton Street
- Peter G. and Kasey Franzoni 87 Edgerton Street
- Pete Franzoni 87 Edgerton Street
- Patrick Canty 78 Edgerton Street

Chair McClallen explained that this hearing is a reconsideration of the request to expand the day care. The discussion should be limited to the proposed parking plan to determine if the applicant has sufficiently addressed how this would be managed if a permit were granted.

After swearing in everyone present, Chair McClallen asked the applicant to explain the request. The following testimony was offered by Ms. McDonald:

- Since the last hearing she has taken a number of steps to alleviate some of the parking concerns raised by neighbors:
 - She purchased two signs and installed them in front of her house to make it clear that no parking is allowed on that side of the street
 - She moved the red truck that had been blocking the sidewalk
 - She created a written policy with rules and regulations about parking that is now a part of her parent handbook. Each of the parents currently engaged with her daycare signed an acknowledgement of the rules.
- Going forward, the majority of her family's personal vehicles will not be parked on-site from 6AM – 5PM as they are used as transportation to jobs.
- She has 2 driveways. Each driveway has room for 4 vehicles. Each driveway is about equidistant to the stairs used to enter the house by daycare attendees.
- She has not yet been able to move the work trailer in the driveway, but intends to do so soon.
- She has future plans of expanding the driveway on the east side to allow for more parking spaces.
- It is important to her family's economic well-being and the success of her business to become licensed. This is a goal she has been working on for years.
- All of the drop-off and pick-up times are scheduled with parents so she knows when to expect them. This helps with traffic flow as well.

Ms. McDonald's husband, Brett Woodard, joined the hearing and offered additional testimony.

- The work trailer on-site is related to their painting business.
- It is normally parked off-site, but he had brought it down in order to make some repairs to it.
- The repairs are now complete, but some graphic work needs to be done before it can be brought to a work site. That work is delayed by cold weather.
- The trailer can be moved right away, if necessary.
- Once the trailer is moved, it will not return to this location in the future.
- He is proud of how hard his wife has worked to build her business. He actively supports it and hopes the board will agree that 4 additional cars making trips to drop off and pick up kids will not pose a burden to the neighborhood.

The neighbors in attendance were given a chance to ask questions or provide comment. The following people participated.

- Daniel Rosmus reiterated a concern about parents parking on the south side of the street and crossing the road with young children
- Julie Rosmus expressed concerns about the historic issues with parking related to this site which have impacted the neighborhood.
- Peter Franzoni said he has seen a huge improvement since the last hearing on this application. He said the signs have helped, including visitors to his home. He said he noticed that parents were no longer parking the wrong way in the road to pick up their kids. He said there has been less problems with day care customers using neighbors' driveways to turn around.
- Pete Franzoni agreed with his son's comments.
- Pat Canty agreed that things have improved. He made a suggestion for moving the trailer to another part of the property so the driveway would be clear. He expressed a concern about the affect adding parking to the east side of the lot might create with existing stormwater problems that could be exacerbated. Mr. Woodard said that if this were to proceed, the work would be engineered.

Ms. McDonald and Mr. Woodard agreed they could designate one of their two driveways for family vehicles and the other for daycare customers. They did not have a strong preference but felt the east driveway may be the best since it had less of a slope.

Hearing was adjourned at 7:48 PM.

Respectfully submitted,

Tara Kelly

Development Review Board Clerk