



RUTLAND CITY PLANNING COMMISSION

P.O. BOX 969
RUTLAND, VT 05702

Minutes
February 10, 2021

The meeting was held by teleconference because of the new COVID-19 protocols.

Present: Susan Schreibman (SS), Alvin Figiel (AF), Patrick Griffin (PG), Larry Walter (LW) and Dave Coppock (DC).

Also Present: Alderman Talbott, Tara Kelly, Planning Director and Zoning Administrator, Brandy Saxton of Place Sense, Brennan Duffy and Dave Cooper of the Rutland Redevelopment Authority, Mike McClallen for the DRB, John Ruggiero and Barbara Spaulding, recording secretary.

SS, Chair, called the meeting to order at 5:30 pm.

- I. ADDITIONS/DELETIONS – None.**
- II. PUBLIC COMMENT – None.**
- III. APPROVAL OF MINUTES – January 13, 2021.**

LW moved to approve the minutes of January 13, 2021. AF seconded. Motion passed unanimously.

- IV. NEW BUSINESS – None.**
- V. OLD BUSINESS – Draft Zoning Bylaws with Brandy Saxton.**

SS discussed asking Lyle Jepson and Ed Clark to participate in the draft zoning bylaws discussion to provide additional perspectives. Lyle responded that he was unable to attend but may send Tyler Richardson in his place. Ed Clark was unavailable to attend but was provided a copy of the site standards and asked for his comments. SS asked for other ideas to include more folks in the discussion. She encouraged Stephanie Lorentz and Mike McClellan to offer guidance with regard to the DRB and to make sure they were included in the discussion.

Brandy said tonight's discussion will be on Parts 1 General and 4 Administration. In the annotations for both sections she highlighted where City policy choices needed to be made. The following comments and discussions were made:

Chapter 1 General §101 - §123

§ 102 Purpose – Dave Cooper suggested adding to “ensure, encourage utilization of unproductive properties.” SS asked to replace in (10) rivers, steams and park lands with “natural environment.”

§ 103 Applicability and Relationship with Other Laws – LW asked if boundary line agreements would require plat filing and the costs associated.

General Exemptions § 108.B Overlay Districts – Dave Cooper said it is unclear what is exempt when an applicant needs to find overlay districts. PG suggested teasing out exemptions from those in overlay districts. Brandy discussed exemptions for 1-2 family and non-commercial could be exempt more broadly as it is not mandated.

§ 108.C (4) Interior Alterations – SS asked why interior alterations are exempt only for non-residential use. Brandy discussed how wastewater policies dictate zoning.

§ 108.C (7) (b) Pond Construction or modification – PG said he thought the maximum depth should be 5 ft. the same as a pool. Brandy discussed that ponds are considered less dangerous with a gradual drop off as opposed to a pool.

§ 108.C (8) (b) (iii) Fences or walls – LW asked whether sight distance for vehicle traffic was defined. Tara said it is currently addressed in the sign ordinance and explained the sight triangle.

§ 108.C (12) Swimming Pools – Tara discussed issues with pools in the front yard. Brandy suggested adding standards.

§ 108.C (16) Accessory structures – AF asked for examples. Brandy referred to the annotation. DC suggested adding design standards for exempt accessory structures.

§ 108.C (26) Special Events – Discussion regarding what constitutes a special event and the duration. DC suggested including the word “commercial” to protect charitable events. Dave Cooper said he would not like to see events as he has described be required to have a license.

Prior Applications, Approvals and Uses § 114.C – PG suggested that DRP approvals don’t expire for 24 months instead of 12. SS suggested 18 months. Brandy discussed the “delay of effect” provision.

Discontinued Uses § 118.A – Nonresidential Uses – SS suggested adding “contiguous” for the 12 months. Tara said she needs to compare this section to the building codes.

Abandoned Development § 119.A – LW asked for a definition of “completed.” Brandy suggested adding the word “substantially” which is defined.

Damaged or Destroyed Structures § 120.G Demolished Structures – LW asked if the word “neglect” was defined. Brandy said it is a commonly used term and can be defined as “willful non-maintenance of property.”

§ 121 Nonconforming Structures – Dave Cooper said the document is confusing and overly complicated. Brandy said there are some cross-references throughout the document that need to be made that will help with navigation and make it cleaner.

§ 123 Nonconforming Lots 123.B Merger – LW discussed costs associated with filing a plat. Brandy explained state law and why it has changed. Tara said she is making applicants more aware of the requirement that was not previously enforced.

Chapter 4 Administration §401 - §446

§ 404.A Architectural Review Committee – AF agreed with the section that members of the ARC be professionals. Brandy added that the language is based on statute adding that members did not need to be City residents. Dave Cooper disagreed saying different perspectives are needed. Brandy suggested a review of Title 24 VSA 4433.

Due to the time, discussion will pick up with Fees and Filing Requirements on Feb. 24.

Sign Ordinance Status – Alderman Talbott said the draft sign ordinance as amended by Alderman Mattis was voted out of the Charter & Ordinance Committee and will go to the full board on Tuesday Feb. 16. DC read a statement he prepared on behalf of the Planning Commission that he volunteered to present at the Aldermen's meeting. PG offered to include the table that charted the towns the Commission looked at for comparison. Alderman Talbott asked whether the Commission wanted him to vote in favor of the draft coming out of committee or in favor of an ordinance for the future.

The Commission decided to hold a special meeting on Monday, Feb. 15 to discuss how they will address the Aldermen regarding their opinion of the draft sign ordinance.

VI. CORRESPONDENCE – None.

VII. ADJOURN – PG moved to adjourn. DC seconded. Motion passed unanimously. The meeting ended at 7:11 pm. The next meetings will be held February 15 and February 24, 2021.

For the Commission: Barbara Spaulding, Recording Secretary