Rutland City Planning Commission
Meeting Minutes
July 26, 2023

Present: Patrick Griffin (PG), Sarah Roy (SR) and Alvin Figiel (AF).

Also Present: Andrew Strniste Planning & Zoning Administrator, Mayor Doenges, Alderman McCann and John Ruggiero.

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

I. **ADDITIONS/DELETIONS –** None.

II. **PUBLIC COMMENT** – Mayor Doenges said he is concerned with the gateway from Center Rutland, West Street to Meadow Street, having architectural design review. He feels that this stretch is a gateway to the City and the Commission should reconsider the change because the structures there could be repurposed and molded under the design review criteria. He asked the Commission to consider what that area could look like in the future before sending the proposed zoning bylaws to the Aldermen. AF said due to the Route 4 bypass, this area is used primarily by people coming from Castleton and Fair Haven or locals as opposed to tourists. Alderman McCann said that this stretch is not the most efficient way to get into the City and should be zoned as business mixed use with the administrative design review. SR said at the last meeting, that Rebecca suggested the concern be addressed during the Aldermen's review. Mayor Doenges said he is fine with that, he just wanted to Commission to consider the future of the area.

SR asked the Mayor when he would be putting names forward for the vacant seat on the Planning Commission, as well as expanding the Commission. Mayor Doenges said he will request an expansion of the Planning Commission by two seats at the August 21st Board of Aldermen meeting. He will also ask to have one of them be the aldermanic liaison with the ability to vote. SR asked if the appointments will be staggered. Mayor Doenges said he will add that following approval of the change. AF discussed his plans to retire from the Commission following adoption of the zoning bylaws.

III. **APPROVAL OF MINUTES – July 12, 2023.**

SR moved to approve the minutes of July 12, 2023. AF seconded adding that the items removed were already covered by Brandy's proposal. Motion was approved.

IV. **NEW BUSINESS -** None.

V. **OLD BUSINESS – Update by Brandy Saxton on the scheduling of the neighborhood walks.**

Brandy said scheduling the walks has proven to be more challenging than anticipated due to summer vacations and the flooding. Originally the walks were scheduled for a one-week period, but now it will stretch over two weeks and all will be held on week day evenings. She ran through the list as follows:

- Northwest Walk – Calvary Bible Church, Wednesday Aug 30 at 6 pm. Waiting on confirmation from the pastor regarding the date and time.

- Southwest Walk – VT Achievement Center, Thursday Aug 31 at 6 pm. Will need to get approval from the Executive Director who was returning the following day.

- Northeast Walk - Rob Bliss confirmed the elementary school is available for Friday Sept 1 and is free to use, but a weekend day would have a fee. There are forms to complete and the City may need to certify insurance. There were no conflicts as long as the date isn't a holiday or during school hours.

- Southeast Walk – Allen Street School, Wednesday Sept. 6.

- Dana Center, Thursday Sept. 7 the gym component is available to rent, needs confirmation on the date.

Brandy believes she will have the full schedule finalized by the end of the week. PG asked if there is an indoor portion of the walk. Brandy said there needs to be a place where people can arrive and park, but also in case of rain, having the availability to host inside. The plan is a 45-minute walk followed by a 35-minute discussion. SR suggested the option of the Good Shepherd Church in the Northeast section if there is a problem with the school. Alderman McCann asked if a special event permit is needed. SR said no, nothing needs to be closed. SR asked about the Aug 30 date due to being the first day of school and the holiday weekend. Brandy said the Friday date may need to be changed. PG suggested avoiding the holiday week day. SR hopes to have additional commissioners sworn in by the time of the walks; to avoid having to warn a special meeting due to having more than two commissioners present on any given walk. Additional commissioners would allow for each member to attend different walks. PG suggested changing the Aug 30 walk to Aug 29. Brandy said she will have to look at her calendar.

Mayor Doenges asked if he could help getting in touch with people. Brandy said if she can't reach people by Friday, she will contact him for assistance. SR asked if there is a budget for food due to scheduling the walks at dinner time, or would there be beverages for the walks. Brandy said she will provide water and healthy snacks. Alderman McCann asked if the walks will be recorded for people who can't make the scheduled time. Brandy said she will reach out to PegTV for their availability once the schedule is finalized. She also discussed an online story map version of the walks that would be narrated as another option.

Proposed Zoning Bylaws – Chapter 4 Administration.

Andrew suggested starting on page 111 Zoning Administrator. He proposed to add "and ordinances" to the paragraphs 401.A, 402.A, 403.A and 404.A. Andrew informed the Commission that under 401.B the Planning Commission's duties include the drafting of the municipal plan, capital improvement program, corridor studies, as well as anything else outlined under the VT Planning and Development Act. Andrew said Gov-Pilot will allow department heads to submit projects that will allow the City to create a capital improvement plan. Andrew pointed out that under 404.A the Architectural Review Committee must be professionals in the fields of architecture, landscape architectural, urban planning etc. AF said he agreed with this change and he did not feel that either a member of the Planning Commission or RRA would bring any value to the Architectural Review Committee.

Alderman McCann asked if the ARC should be members of Rutland City. AF said he did not feel the residency requirement should be necessary. Andrew recommended that eligible members could be non-residents who are conducting business in the City and have some connection to the City. PG said non-residents should be allowed to serve on the committee. Andrew proposed that committee members should be residents of the City or regularly conducting business in the City. AF asked if this could also pertain to the DRB. Andrew said the makeup of the DRB is dictated in another section of the bylaws, but he would confirm for both the DRB and Planning Commission if there is a residency requirement. Alderman McCann asked about term limits. SR said there are no term limits, but what do you do when someone is unable to fulfill their commitments. Andrew said there are no rules and procedure for each committee and this should be looked at separate to the zoning bylaws. SR suggested discussing the Planning Commission rules and procedures at a future meeting agenda.

Andrew went over the standard verbiage for fees and filing requirements. Alderman McCann asked if the newly approved position in the zoning office would require changing the language in Administration to include assistant zoning administrator. Andrew suggested removing the two "qualifiers" and just say "to act under the supervision of the zoning administrator in administering these regulations." Andrew said some municipalities are taking the position that the assistant has all of the powers as the supervisor, where there is an interdepartmental hierarchy in place.

PG referred to §410.A (4) and suggested removing "applicants contact State Permit Specialist" because they don't exist. Andrew suggested that applicants contact the State regarding potential permits.

Andrew said the powers in 401.A are delegated to the assistant and he will add a delegation clause as 401.E.

PG asked where do all the changes made over the past year or two live. Andrew said he will work on that and create a fresh copy of the proposed regulations for the existing and new commissioners. SR asked if a viewing document could live on the City website and if the commissioners could have official emails as opposed to using their private email. Andrew said he will work on finding a platform for hosting documents.

Andrew said he would like to move toward a use table with all the uses and another with dimensional standards so that people are not going back and forth between different sections.

SR said there is a typo in 410.B(3)(b) in the first line. SR asked if 15 days is sufficient in 410.D. Andrew said that that requirement is in state statute.

Andrew said §411 Acting on a Complete Zoning Permit Application is dictated by state statute. He did explain how the 30-day clock starts on receipt of a *complete* application and how an assistant and digital receipt will affect the process. Discussion followed on the appeal process and the timing of the zoning permit process. Andrew opined the DRB is less of a barrier than the superior court or Department of Environmental Conservation. He also discussed how the zoning administrator should not be involved in the appeal process. Having more people in the zoning department allows someone who is not a party to the appeal help the DRB through the process.

PG suggested reviewing 411.F (1) – (9). Andrew said he will delete 411.F (3) Notification Prior to Use or Occupancy.

Alderman McCann asked if a regular permit lasts for 3 years in 412.C would this discourage temporary permits. PG said Act 250 allows 3 years and that is why the change was made to 3 years. Andrew said currently there is no expiration on zoning permits.

AF asked Andrew if anything in Chapter 4 Administration concerns him and how the Commission could expedite review of this chapter. Andrew suggested reviewing the Administration section as homework and list concerns to expedite the process for the August 23 meeting.

VI. CORRESPONDENCE – SR moved to receive and file the following correspondence. AF seconded. Motion was approved.

7/20/23 – VT District 1 Environmental Commission, land use permit administrative amendment, BRIXMOR SPE 6 LLC, 1R073607.

VII. ADJOURN – SR moved to adjourn. AF seconded. Motion was approved. The meeting ended at 7 pm. The next regularly scheduled meeting is August 23 in the Hub CoWorks.

For the Commission: Barbara Spaulding, Recording Secretary