

**Rutland City Planning Commission
Meeting Minutes
September 11, 2024**

Present: Rebecca Mattis (RM), Aaron Hildebrand (AH), Patrick Griffin (PG), *Susan Starr-Adams (SA), Rebekah Stephens (RS) and Sarah Roy (SR) via Webex.

Also Present: Andrew Strniste, Planning & Zoning Administrator

Absent: Jacob Pluta

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

I. ADDITIONS/DELETIONS – None.

II. PUBLIC COMMENT – None.

*SR arrived via Webex.

III. DISCUSSION OF ADDITIONAL MEETINGS – Andrew explained he has a conflict with Sept. 19 due to an Aldermanic Committee meeting. He suggested meeting both Sept. 24 and 26 because those were the meetings where the most people were available. He also suggested Oct. 1 and Oct. 17 with a quorum of 4 unless the Commission wants to meet twice a week during a week of their regularly scheduled meetings. The next meeting will be Sept. 26 and at that time the Commission can consider Sept. 30, Oct. 1, Oct. 15 and Oct. 17.

IV. APPROVAL OF MINUTES – August 28, 2024.

RM asked for clarification regarding adding a letter “H” under Old Business. She asked to strike that sentence. PG moved to approve the minutes of August 28, 2024 as amended. AH seconded. Motion was approved 6-0.

V. NEW BUSINESS - None.

VI. OLD BUSINESS – Zoning Bylaws Rewrite - List of High Priority Items

Discussion resumed with whether the Commission should restrict home business endeavors that have a component involving federally controlled substances. Andrew discussed how attracting too many people to a home business, could potentially no longer qualify the endeavor as a home business. RM asked if there is any interest in limiting federally controlled substance in a home business. AH suggested no manufacturing, distribution or retail of federally controlled substance in residential districts including R5, R7 and R10. Andrew said this could be added in the use chart and under Article 3.

Andrew asked whether the Commission would allow cannabis in the Mixed Use District. The Commission agreed to put an “X” for cannabis-related uses in the Mixed Use District.

SA asked about farming and cannabis in residential areas. Andrew said under State statute cannabis has to be allowed somewhere in the City and it is allowed in the Industry and Business Districts.

RM said that the definition of household should not preclude a number of roommates. Discussion followed regarding Rooming & Boarding House that includes 5+ bedrooms. Consensus was to strike the last sentence from the Household definition.

Andrew said he is still waiting to hear back from Brandy regarding the definition of “Handicap or Disability”, as well as, the maximum parking space standards relating to Parking and Loading Areas and the reference to bike guidance under §316.F.

Andrew proposed a definition for Crematories. PG asked for the definition to include animals. The Commission agreed with the definition to include animals.

Andrew proposed to include the sign ordinance in the zoning bylaws and for the zoning administrator to administer sign regulations for the following reasons:

- Everyone already contacts the zoning administrator regarding signs,
- More commonplace to be reviewed by the zoning administrator,
- Zoning Administrator will better execute the process, and
- The stand-alone document does not currently go through Architectural Review.

Discussion followed regarding how the process would work and the timing. RM said there are tweaks needed in the sign ordinance and she asked whether that should happen prior to the zoning bylaws adoption. Andrew suggested adding the sign ordinance as an appendix. The Commission agreed on the basis that after the zoning bylaws are adopted there will be an opportunity to amend both the bylaws and the sign ordinance.

Low Priority Items to revisit after Adoption

There are still some low priority items that need to be addressed by Brandy and Andrew. RM asked if the Commission needs to discuss any of the low priority items at this time. PG said these items will be addressed shortly after. Andrew reviewed the low priority list including cottage housing, lighting, landscaping, development agreements, subdivision review of two-lot subdivisions, DPW review prior to submission to DRB, footprint lots definition and Recreation Vehicle definitions. RM suggested using the definitions for full cut-off and shielded as she presented and corroborated by AH. SR asked how the development agreement would be enforced. Andrew said one way may be through a bond. RM said if the practice already is for the DPW to review applications prior to a DRB hearing, then it should be added into the zoning bylaws rewrite prior to adoption. In regard to Recreation Vehicle definitions the consensus is that the Commission does not want long term living in tents or RVs. Andrew will exclude temporary shelters (tents, tepees and yurts) from the definition. The exemptions will be vacation or recreation purposes for not more than 120 consecutive days per year. Andrew said he will add a sentence that covers tents, tepees and yurts under accessory uses for not more than 30 days. RM suggested changing the sentence from “house family members” to “household.”

Accessory Dwelling Use definition amendment – Andrew said that there is only one accessory dwelling unit to a single-family dwelling unit and therefore does not need to be revisited.

Exterior Modifications to Non-conforming Structures – Andrew suggested the following definition “it will not result in any encroachment further into the setback, the non-conforming structure may be expanded area or volume with a permit from the Zoning Administrator so long as the proposed expansion is not closer to the property line than the closest part of the existing part of the non-conforming building. Any extension beyond an existing dwelling line requires review by the DRB, a non-conforming porch, deck or entryway or similar unenclosed feature may be enclosed and/or converted into condition to building space by a permit from the Zoning Administrator so long as the proposed development conforms to the requirement of this section.” The Planning Commission agreed to the definition.

Light Industry definition – PG suggested revisiting this under low priority.

Nightclub definition – Andrew proposed adding one word to the proposed definition... any establishment that primarily provides music and dancing, and/or entertainment, and “may” serve alcoholic beverages for immediate consumption. The Commission agreed to the amendment.

Open Space for 10 or more multi-unit residences – Andrew proposed that “there must be at least 100 square feet of outdoor open space per dwelling unit that is conveniently accessible to residents, which shall consist of common space or private or semi-private space. Common space shall not be less than 20 ft. in any dimension and may include, but is not limited to, seating areas, passive recreation facilities, landscaping and children’s play areas, private or semi-private outdoor living space like yard patio backyard, terrace, porch, balcony, roof top common area.

Subdivision and Filing Requirements – Subdivisions are approved by the board and signed by the chair of DRB instead of the Zoning Administrator. Andrew updated the information on who may appeal.

Notice of DRB Public Hearing – Zoning Administrator may require applicant to reimburse the City for incurred expenses related to a public hearing.

Tiny Homes definition means a manufactured home.

Andrew recommended striking the conversation regarding merger for non-conforming lots and proceed forward as merged lots. The Commission agreed. PG asked to add this to low priority.

Andrew proposed not creating a definition for condominium for the purpose of zoning.

RM asked AH to review Exterior Renovations exemptions and define his concerns for the next meeting.

VII. CORRESPONDENCE – Green Mountain Power Hazardous Waste Storage Facility permit VTD007939614 renewal.

RM said there were 3 main concerns regarding the hazardous waste facility: that it is next to the sewage treatment plant, Otter Creek and residential development. She asked for volunteers to attend the hearing on Sept. 12 at 6 pm to voice these concerns. AH proposed that the Commission vote not to allow this facility to continue at this site and that it should be moved before 10 years. SA volunteered to attend to provide moral support. RM said she will prepare something on behalf of the Commission. PG suggested writing a letter from the Commission. RM said she will capture the concerns collected from the Commissioners. RM moved that she will represent the Planning Commission to express the concerns provided by the individual Commissioners at the public hearing tomorrow and draft a letter of those concerns. PG seconded. Motion passed 6-0. PG will also attend the hearing.

VIII. ADJOURN – RM moved to adjourn. RS seconded. Motion was approved 6-0. The meeting ended at 7:05 pm. The next scheduled meeting is September 26 at City Hall.

For the Commission: Barbara Spaulding, Recording Secretary