

CITY OF RUTLAND, VERMONT
Development Review Board Minutes
Wednesday August 19, 2020

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

Also present: Zoning Administrator Tara Kelly.

At 6:03 PM Chair McClallen called to order the Public Hearing to consider an application from Heartland Development LLC (owners: Heritage Family Federal Credit Union) to allow a new use to be put into the former Tuttle Hall. The Zoning District is Single Family Residential. The use was described as a healthcare-related call center, training facility, and related administrative offices. It was further described as: Occupancy 25+/- employees, Mon-Fri from 9AM - 5PM, with occasional training events after hours with additional attendees. The DRB was asked to consider a Variance to allow this use to be established in accordance with the above.

Chair McClallen explained that following the applicant's testimony the Board will ask questions and then the hearing will be open to the general public for questions.

Anyone wishing to participate in the hearing was given a chance to swear in.

In attendance for this hearing to represent the Variance request were James P.W. Goss, Esq., Attorney for Heartland Development LLC, Nicole Kesselring of Enman Kesselring Engineering, John Weatherhogg of Heartland Development LLC, Elizabeth Glynn, Attorney for the Community Health Centers, and Victoria Hone, Assistant to James Goss.

There were 4 additional members of the public in attendance: James McIntyre, Dorothy Blicharz, Judy Blicharz, and Sandra Harper.

Chair McClallen asked the applicant to present the project. The following testimony was offered by Attorney James Goss:

- Heartland Development LLC is the applicant. Heartland is under contract to purchase the property from Heritage Family Credit Union. They are in the design process for a brand-new, state-of-the art Residential Care Facility. The design process will take several more months.
- The proposed use of Tuttle Hall by the Community Health Center is something that is anticipated to be an interim use prior to any new development.
- The proposed use for approximately 25 employees during the daytime and additional staff trainings will not have any impacts to the neighborhood in excess of what the prior College use generated.
- The 69 parking spaces in the vicinity of Tuttle Hall will be more than sufficient for the anticipated use by 25 employees and occasional training events.
- The City's Zoning regulations do not currently allow this use in the district.
- The prior School Use was permitted. Tuttle Hall has been used for office and assembly uses for a

number of years. The proposal for healthcare administrative offices and training is very similar and the impacts are probably less.

- A Variance is needed due to the definitions within the Zoning Ordinance.
- The City's Master Plan currently anticipates a range of uses for this property and the City is in the process of updating the Zoning Ordinance to be in line with that vision. It is likely the use that is requiring a Variance this evening may be considered a Permitted Use once the Amendment is adopted.

Mr. Goss reviewed the 5 Variance Criteria as presented in the application. The manner in which with property is currently developed makes it unlikely to be able to be repurposed within the confines of the existing regulations. The Variance being requested is the bare minimum necessary to make use of one of the buildings versus having it sit vacant.

Chair McClallen asked if there were any questions from the Board. DRB Member Lorentz asked if the employees are currently part of the Community Health Center's staff and what would happen once the new development was completed by Heartland. Ms. Glynn stated that the Health Centers are seeking to move administrative services out of healthcare facilities to consolidate and to allow more clinical space. There is a possibility that in the future the use would remain in partnership with the new development.

Member Lorentz then asked what would become of the theater in Tuttle Hall. Mr. Weatherhogg stated the theater would remain intact. It may be used for trainings by the Health Center but Heartland was also interested in making it available for public use in the future.

Member Lorentz asked how the parking lot and common areas will be maintained. Ms. Glynn and Mr. Goss indicated there would be an agreement struck between Heartland, HFCU (current owner), the City (lessee of the Athletic Center) and the Community Health Centers about how this will be managed. The parking lot lighting will remain the same as it is now.

There were no additional questions by the Board. Chair McClallen said he would take testimony from the public. He asked each person in attendance for their questions or comments. The following reflects the proceedings:

Mr. McIntyre, 131 Dorr Dr. had no questions at this time.

Ms. Dorothy and Ms. Judy Blicharz, 5 Clement Road, no questions at this time.

Ms. Harper, 3 Clement Road, asked about the proposed Zoning amendment process. ZA Kelly outlined the process which includes a Public Hearing to be held on September 23, 2020 by the City's Planning Commission. Draft will be available 15 days prior to the first hearing on September 23rd. Once the draft is accepted by the Planning Commission it is forwarded to the Board of Aldermen. There is an additional public hearing held by the BOA. Ultimately, the decision to adopt an amendment rests with the Board of Aldermen. It is anticipated that could occur as soon as November 2020 with any specific development proposals subject to additional permitting processes after that point.

Hearing no further questions or comments, Chair McClallen 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