Board of Aldermen Committee Minutes

Date: August 27, 2014 **Chair:** William Notte **Convened:** 5:30 **Adjourned:** 8:00

Committee: Charter & Ordinance

Committee Members Present: Sharon Davis, William Notte, Gary Donahue, Jon Kiernan

Others Present: David Allaire, Chris Siliski, Melinda Humphrey, Charles Romeo, Karl Andeer, Robert Barrett, Brennan Duffy, Matt Bloomer, Kam Johnston, Joe Giancola, Christine Townsend, Perry Townsend, Lynn Johnston, Megan Robertson, Bradley Marriner, Phelippa Hurley

Motions/Discussion: The Charter & Ordinance Committee met for a third time to discuss the request to rezone the Dana School building. The meeting started with the chair running through a list of possible options (attached) that could be taken in regards to this property.

Mr. Giancola spoke about the need to grow small businesses in Rutland City and noted that Dana would be a good location to do so. He stated that he already has tenants lined up, including a laser printer, a large daycare, a non-profit kitchen, and dance studio. He also plans to include a small number of apartments in the building. Mr. Giancola said he has also heard from people with interest in the basketball court and the stage and that the location could also be used as a low cost banquette space. He noted that the property would have new shrubbery, all new windows, restored brickwork, and that it is now on the grand list and taxable for the first time since it was built.

Several neighbors spoke of their concerns of placing a medical clinic (one of the requested uses) in the building. A general consensus seemed to be that while no one wants the property to remain abandoned and in disrepair, there was great concern that placing the wrong type of business into the property could have a negative impact on the neighborhood as a whole.

The group spent some time discussing the differences in the four options, the differences between permitted uses, conditional uses, and variances, and similar points of confusion, for which it was extremely helpful to have City Attorney Romeo and Building Inspector Robert Barrett present to answer questions.

A motion was made by Alderman Davis to find that premature public knowledge of legal guidance on zoning matters will clearly place the city at a substantial disadvantage. This motion passed 3-1. Alderman Davis then made a motion to go into executive session for the purposes of confidential attorney-client communications made for the purpose of providing professional legal services to the committee. This motion also passed 3-1. The executive session consisted of all aldermen present, all city officials and employees present, and Matt Bloomer. The committee went into executive session at 6:57 and came out of executive session at 7:49.

The chair then noted that the committee wished to respect and maintain the integrity of the existing regulatory process and therefore made a motion to recommend to the full Board of Alderman to "take no action" on the request. This motion passed 4-0.

While the committee believes that the Dana property should go through the existing Development Review Board process several aldermen present, as well as Mr. Duffy of the RRA, spoke of their strong desire to see the renovations to the Dana Center completed and the building filled with businesses. The general sentiment was a strong belief that the DRB process should be conducted as quickly as possible to ensure that any business uses that are to receive a conditional use or a variance can be added to the building as tenants as soon as a fairly conducted process allows.