

# **CITY OF RUTLAND, VERMONT**

## **Development Review Board Minutes**

### **Thursday February 21, 2018**

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

Members present: Lorentz (joined at 6:14PM), McClallen, Paul, Pell and Wilk. Also present, Zoning Administrator Tara Kelly.

At 6:08 PM Acting Chair Paul called to order the hearing of a Site Plan Review application submitted by Rexbo Development related to Twisted Steel Automotive and the Sunoco Station at 99 Woodstock Avenue. The application was submitted in light of expanded operations and addition of storage buildings on the property.

Also present to participate in this hearing were the following:

- Jeff Kocsis of Sandri Energy (a division of Rexbo Development)
- Jill and Tim Simonds of Twisted Steel Automotive (tenants of 99 Woodstock Ave)
- Chris Wideawake of 110 Woodstock Ave
- Gilbert Wideawake of 110 Woodstock Ave
- James MacFarlane of 5 Porter St
- Lynne and Scott Holmquist of 3 Porter St

Acting Chair Paul introduced the project under consideration and explained the hearing process. He then swore in anyone wishing to give testimony for this hearing.

Mr. Kocsis, District Manager from Sandri/Rexbo, described the situation. They have owned 99 Woodstock Avenue for a number of years. In 1998 they received a permit to operate an “automobile service station/gasoline filling station” (permit #99-17z). This site has been a challenge for Sandri/Rexbo in recent years as they have had trouble finding an appropriate operator for the gas station. The current tenants, Twisted Steel Automotive, were thoroughly vetted to ensure they had a good plan for operations. The scope of work performed on the Automotive Maintenance side has expanded beyond what they had initially envisioned. They originally thought they’d be doing more mechanical work but they discovered a niche for doing auto body work, especially repair due to salt erosion on vehicles, which is in demand by customers.

According to Mr. Kocsis, the site is tight in terms of space for the expanded operations. But, the tenants are doing a great job and Sandri would like to support their continued success. Twisted Steel has been at the site for 14 months. They have had some growing pains in terms of rapid expansion and trying to keep up with site management in this Gateway Business District. But, they would like to be good stewards of the property and a good neighbor.

One of the biggest challenges has been vehicle storage and storage of materials. To help remedy this, the tenants have put up a wooden shed and two vinyl storage buildings. Some customers end up leaving their vehicles behind because they don’t want to or cannot pay for repairs. This creates a management issue in terms of storing vehicles and managing their movement on the small lot.

Current hours of operation are 24 hours for gas and Mon-Fri, 6AM – 6PM for repair work. Noisiest work (air compressors, grinders etc.) are all done inside the garage. No painting, other than small aerosol cans, is currently done on site. There is a longer term plan to build a spray booth in the 3<sup>rd</sup> garage bay. Painting would be restricted to collision repair. This is going to require investment which is not planned for the immediate future.

They currently park 15 cars in various stages of repair (stacked 5 x 3) on the paved area of the lot. They would like to expand the paved area at the side of the lot closest to 3 Porter Street. Member Lorentz noted that if this were to occur, a plan needs to be presented that shows the extent of paving and/or gravel and how storm water will be managed on site to the satisfaction of the City Engineer.

ZA Kelly noted there have been some complaints from neighbors about noise and fumes as well as the number of cars parked on-site which brought this issue to her attention. Given the expansion of the intensity of use of the lot and buildings erected without permits, she asked the applicants to submit an application to the DRB for Site Plan Review.

Member McClallen asked how many standard parking spaces are on site. This could not be clearly answered due to lack of a measured site plan. It was estimated 12 spots could fit on the current site.

Neighbors in attendance were generally supportive of the operations. They acknowledged that the Simonds try to be good neighbors. There is a fence between the subject site and its neighbor at 3 Porter Street that is in need of repair. Some neighbors mentioned noise being an issue when loud vehicles (especially hot rods) are revved up on site, particularly on weekends or early mornings. There is some concern about tarp covered stock cars which can be an eyesore. And, a general concern about the mitigation of impacts over the long-term as the business continues to operate.

Member McClallen asked if the business could adjust operations so any noise that could impact neighbors doesn't start until 7AM. He suggested vehicles could be brought indoors the night before so there aren't vehicles being moved around any earlier than 7AM.

Member Wilk asked if this use is allowed in this district. ZA Kelly said that is part of why she asked the applicants to come to the DRB so it could be clarified whether or not the expanded use is appropriate at this site.

Mr. Kocsis noted that the temporary vinyl buildings will be removed once the ground thaws.

Member Lorentz noted that the hearing was difficult given the lack of a fully developed site plan showing what the applicants propose to do going forward. Lacking this plan, it is difficult for neighbors and the DRB to understand the plan and for the DRB to issue a decision. She also noted that a change of use (such as adding a paint booth) would need a change of use permit reviewed by the DRB.

The hearing was adjourned at 6:53 PM.

Respectfully submitted,  
**Tara Kelly**  
**Development Review Board Clerk**