

CITY OF RUTLAND, VERMONT
Development Review Board Minutes
Wednesday October 16, 2019

Development Review Board Members: Stephanie A. Lorentz, Michael McClallen (Chair), Al Paul, Jim Pell, and Steve Wilk. Members present: McClallen, Paul, Pell and Wilk.
Also present: Zoning Administrator Tara Kelly.

At 6:02 PM Chair McClallen called to order the Public Hearing to consider Site Plan approval for a parking canopy with solar panels in the faculty parking lot at 22 Stratton Road (Stafford Technical Center and Rutland High School). Marlene and Philip Allen and Khanti Monro were present from Same Sun to speak about the project on behalf of the property owners. Anne Carpenter was present as a member of the public. Chair McClallen explained the DRB hearing process and swore everyone in.

Public notice had been provided by Same Sun and mailing receipts were presented to the City in accordance with State requirements.

The following testimony was offered by the Same Sun representatives:

- Two parking canopies with solar panels on top are proposed for the faculty parking lot that serves Stafford Technical Center and Rutland High School
- The canopies will be constructed within the existing parking configuration linking the existing landscaped islands
- Traffic flow around the new structures will be the same as what happens at present
- The solar aspect of the project falls under the jurisdiction of the State and has received a Certificate of Public Good (CPG). As part of that permit process, notification was provided to a wide assortment of people, including City officials. During this process Same Sun was informed that City Zoning and Building permits would be required because the structures themselves needed to be reviewed.
- The canopies will be a steel structure with a minimum of 10' clearance from the ground.
- Trees at the ends of the structures will remain but a tree in the center island will be removed.
- The existing fence and other planting will remain.
- The number of parking spaces will remain the same.
- The canopy structures are made to hold the weight of the solar as they are constructed specifically for this purpose.
- City Engineers have not raised any issues with the construction.
- CPG requires that all wiring needs to be completely enclosed and out of reach so it won't be a temptation for anyone to tamper with it.
- Construction is scheduled to begin at the end of the month and be done by the end of the year.
- The project is a 150 KW solar array and is one of a number of projects the school district is doing through Johnson Controls. They are doing a number of efficiency upgrades and some roof top solar on other buildings as well.

- The canopy feature is an important one to this effort because many of the rooftops of the schools are not constructed to hold the weight of the solar arrays.
- Canopies have been used throughout the US, but are relatively new to the colder, snowier climates. They hadn't made economic sense until recently.
- Canopies are made to shed the snow onto the aisles where it can be plowed / removed.
- There is sufficient room for the snow plows to get through the aisles.

DRB member Wilk raised a number of questions and concerns. His questions resulted in the following responses from Same Sun:

- The aisles between the canopies are 22' wide.
- Fire department access to the building will be along the western side of the school buildings along the existing driveway, as they do now.
- Fire trucks would be able to drive down the rows but there isn't sufficient turning radius for them to go all the way around the panels and they could not go under the canopies.
- Fire fighting would need to be done from the exterior of the paneled canopies.
- The steel beams (10" H Beams) for this project are galvanized which should last the life of the project. There is an option to paint, but that would be expensive.
- The solar is wired within the canopy at a minimum of 12' high or otherwise enclosed.
- Between the canopies the electrical goes into a trench below the ground.
- One lamp post will be removed but there will be lighting under the canopy.
- As part of the Certificate of Public Good process, this project was reviewed for compliance with the existing Act 250 permit for the property and received approval.

DRB Chair McClallen asked about visibility for drivers traversing the parking lot.

- At 10' height, drivers will be able to see under the canopies.
- Steel columns will be in line with one another between the cars and won't cause any loss of visibility for moving traffic.
- No parking spaces will be lost as part of this project.
- Columns will not impact ability to park in any of the spaces.

DRB member Wilk raised a concern that the 10' height of the panels as it would not allow larger equipment to get under them.

- Same Sun responded that the school did not foresee the need for school buses to park under these canopies. Just normal vehicles such as cars and pickup trucks.
- The construction is limited to 10' or 14', no heights in between. 14' would have a greater impact aesthetically. So, 10' was selected.
- The solar array will protect the paving to a certain extent.
- The life of the solar project is 25 years though the canopy could last longer.

- It is a stipulation of the Certificate of Public Good that once the solar is no longer functional, the panels must be removed.
- Covering an existing parking lot is considered superior to putting solar on farm fields. So, these types of projects are incentivized by the State.

Ms. Carpenter explained she works at Rutland High. She read about this hearing and, after communicating with Superintendent Wolk, she decided to attend to gather information. She expressed a concern about project timing and its impact on employees. She appealed for better communication with staff so they are more fully informed about the project. She thought she heard parking spaces will be lost. Same Sun confirmed that no spaces would be lost although the parking lot would be inaccessible during the 5 weeks of construction. Mr. Allen apologized for any lack of communication with staff due to the changes in leadership at the school and other factors. He offered his business card and encouraged communication directly with them going forward so they can help to allay any issues. They had hoped to do the project during the summer, when the impact would be less. However, permit timing issues made that impossible.

Chair McClallen adjourned the meeting at 6:31 PM and explained the decision and appeal process.

At 6:43 PM Chair McClallen called to order the Public Hearing to consider a Site Plan application for 153 South Main Street (Kentucky Fried Chicken). Joseph Cross of Summit Properties, General Contractor for the project, attended by phone. No other members of the public were in attendance. Chair McClallen called the hearing to order and explained the DRB hearing process. Mr. Cross was sworn in.

Mr. Cross informed the DRB that his firm was originally hired to perform a building renovation at this site. However, due to the existing conditions and a combination of the Fire Safety, Department of Health, and City Engineer reports the owners have decided to proceed with a total “scrape and rebuild”.

Chair McClallen explained that the public notice provided for the hearing was for “Cosmetic Remodel and parking lot upgrades”. He explained that the change to demolition and rebuild is substantially different than what was noticed. Therefore, they could not proceed due to lack of proper notice.

Mr. Cross agreed to withdraw the application and resubmit with a demolition plan of action and a new set of plans that show the new building footprint and that address issues raised by the various reports, including the City Engineer’s comments relative to overall site configuration.

Mr. Cross explained that feedback had been solicited from the Architectural Review Committee that the City’s preference was for earth tone paint scheme versus the bright red. The DRB members deferred to the ARC’s opinion that earth tones or gray tones are preferable to the red schemes.

ZA Kelly explained to Mr. Cross that once the new plans were ready, the new building design and paint scheme will need to be reviewed by the ARC prior to proceeding to the DRB for their review.

The meeting was adjourned at 6:53 PM.

Respectfully submitted, Tara Kelly