

**CITY OF RUTLAND, VERMONT**  
**Development Review Board Minutes**  
**Wednesday, October 4, 2017**

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

Members present: Lorentz, McClallen, Paul, Pell, and Wilk. Also present, Zoning Administrator Tara Kelly.

At 6:07 PM Chair Lorentz called the hearing to order. The hearing was to consider an Appeal of a Zoning Permit issued for a Home Occupation at 68 Phillips Street. Ms. Lorentz explained the hearing process and then swore in the property owner, Hurley Cavacas Jr. as well as the Appellant Kevin Sheehy and the other members of the public in attendance Patricia Sheehy, Linda Benson and Cody Bradish. (Ernie Hathaway joined the hearing toward the end.)

Mr. Cavacas explained he has had a bookkeeping practice, including preparing tax returns, for a number of years. His business is expanding and he is now employing others. He has renovated part of his home to accommodate a home office for him and his employees. The majority of their work year-round is done within the office with off-site visits to clients. Outside of tax season, there are only occasional visits to his home office by clients to drop off paperwork. During the summer months he estimated less than one such occurrence per week.

Mr. Cavacas stated he realizes that with the growth of his business the traffic during tax season has become too much for the neighborhood. They now have 600 tax clients. And, he acknowledged it caused disruption in the neighborhood last year. Therefore, he is seeking outside office space to use from the 3<sup>rd</sup> week of January through the 2<sup>nd</sup> week of April. This will provide a space to see clients as well as bring on some additional part-time, seasonal employees.

However, Mr. Cavacas would like the Home Occupation permit to remain in force year-round to allow him and up to 3 employees to work in the home office. Their general hours will be 8AM – 4PM with only occasional visits from clients to drop off paperwork.

Mr. Cavacas explained that he has a large family that often gathers for family meals. Therefore, there are often a number of cars on and around his property, especially in the evenings or on weekends.

DRB member Jim Pell asked how parking for employees would be handled. Mr. Cavacas said his existing driveway is small and only allows 1-2 vehicles to be parked there. But, he is considering re-doing that to accommodate additional cars. Currently his employees park on his front lawn or on the street.

Mr. Sheehy explained the reason for this appeal largely revolved around the untenable amount of vehicles on their otherwise quiet street during tax season. He reported that last tax season cars were parked on people's lawns and across their driveways. He had a major concern when he heard there would be more employees at this location since it seemed that would further

exacerbate the situation. However, if Mr. Cavacas is only having employees at the house year-round and is committed to having a plan for connecting with clients off-site during tax season as well as not holding any meetings on-site throughout the year, he feels the concerns raised by his appeal would be satisfied.

Ms. Benson said she had similar concerns to those expressed by Mr. Sheehy. She stated that the situation was so extreme last year she ended up having to put stakes up to keep cars off of her grass. She also acknowledged that family visits are not an issue for her as a neighbor.

Mr. Hathaway stated he was there to support Mr. Cavacas. Mr. Bradish did not provide any testimony.

Chair Lorentz explained the decision and appeal process to all present.

Hearing adjourned at 6:25 PM.

Respectfully submitted,

**Tara Kelly**  
**Development Review Board Clerk**