



RUTLAND CITY PLANNING COMMISSION

City Hall – 52 Washington St. – Rutland, VT 05701
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Amended Minutes August 8, 2018

Present: Susan Schreibman (SS), Alvin Figiel (AF), Larry Walter (LW), Dave Coppock (DC) and Patrick Griffin (PG).

Also Present: Alderman Mattis, Tara Kelly, Zoning Administrator, and Barbara Spaulding, recording secretary.

SS, Chair, called the meeting to order at 5:30 pm.

- I. ADDITIONS/DELETIONS** – None.
- II. PUBLIC COMMENT** – None.
- III. APPROVAL OF MINUTES** – **June 27, 2018.**

SS suggested changing the word “concrete” to “sidewalk” on page 2, paragraph 10. LW moved to approve the minutes of June 27, 2018 as amended. DC seconded. Motion passed unanimously.

- IV. NEW BUSINESS** – None.
- V. OLD BUSINESS** – **Sign Ordinance Legal Review.**

SS explained that VLCT is unable to perform the legal review of the sign ordinance. She has since contacted Facey, Goss & McPhee, Andrew Costello, Charles Romeo and Gary Kupferer. Atty. Kupferer responded saying he would charge \$100-\$150 per hour and estimated the review would take 10 hours. SS said in further discussions with Tara and Atty. Bloomer, the City has Ryan Smith & Carbine on retainer for these types of reviews. She forwarded the draft sign ordinance to Atty. Romeo yesterday and asked for a timeframe.

SS discussed an email with Dave Cooper of Facey, Goss & McPhee who wrote that it would be a conflict of interest for him to perform the legal review. He also outlined issues he had with the draft including the unpalatable length of the document, stating that a developer should be able to assess what the project requires in two minutes. He also had issues with formatting. SS replied that the document’s table would satisfy the two minute issue and that the document length is similar to other towns and is due in part to the definitions.

SS also discussed a conversation with Alderman Notte who she heard had issues with the draft sign ordinance. He was under the impression the proposed ordinance would not grandfather existing signs. SS assured him that the draft does include grandfathering of existing signs.

It was suggested that legal review wait until comments on the draft could be vetted. SS said the public will have opportunity to make comments during the public hearing process with the Board of Aldermen. The consensus of the PC was to forward the draft for legal review.

Tara explained that following the legal review, the PC would refer the sign ordinance to the Board of Aldermen for consideration. PG suggested offering the sign ordinance presentation to the Community & Economic Development Committee.

Zoning Ordinance Update.

SS said in light of recent proposed plans on North Main Street, it had become apparent that the current zoning does not address issues of access management as strongly as it could. She felt it would be a good exercise to see how the proposed zoning would affect the proposed projects. If necessary the PC could make language changes to the proposed rewrite.

SS distributed copies of "Example Access Management Regulations in Vermont." She had researched the VTrans Access Management Program Guidelines. SS explained that Route 7 is a Class 1 Town Highway and the City has a different system for addressing access that is not clear in the current zoning.

Tara distributed copies of the City's curb-cut ordinance. She discussed the City's "Digging in Ground" ordinance. Currently there is no width written into the DPW Commissioner's informal policy. The Zoning Ordinance reads in Gateway Districts there "should" be 1 curb cut per parcel with consolidation encouraged.

PG said currently the developer is not required to submit the curb cut application until the project is ready to start.

DC suggested the access width be a maximum of 10ft. in [either] each direction.

PG said that VTrans allows for 24-30ft. for two-way traffic and 30-40ft. when vehicle volume exceeds five per hour. He also discussed the 30ft. turning radius for delivery vehicles.

LW said pedestrian safety measures are non-existent in the current zoning and should be added to the proposed zoning.

SS agreed that the proposed zoning needs to add standards for the DRB to address pedestrians, circulation and accesses. The Commission looked at examples of other towns. Discussion continued on how incorporating other town's standards on the recently proposed projects in the City would affect the projects. The more stringent standards

would require projects to request variances or waivers. ~~Alderman Mattis pointed out that the Bennington requirement for accesses to be 150ft. from an intersection is non-existent for gas stations.~~

Tara suggested combining the Bennington example (B) (1) to the proposed zoning language and limit curb-cuts to one unless the additional access is necessary to ensure vehicular and pedestrian safety. Alvin agreed that the DRB needs some discretion so that projects aren't impossible.

PG suggested having Jim Rotondo review the VTrans design standards for highway site access and turning radius in particular:

- Twenty-four (24) to thirty (30) feet of width shall be used for any two-way access (commercial) when the single unit vehicle volume does not exceed five in peak hour.
- Up to a 50 foot equivalent turning radius should be used for an access when multi-unit vehicles or single unit vehicles exceeding 30 feet in length are intended to use the access on a daily basis.
- 1 access per 50 ft. frontage with exceptions cited in Bennington example (B) (1)
- Access design shall provide for the safe and convenient movement of all highway right-of-way users including, but not limited to, pedestrians, bicyclists, and the physically handicapped including those in wheelchairs. Sidewalks may be required where appropriate and when requested by local authority.
- An access shall be located at least 150ft. from an intersection of public road rights-of-way, for all uses except single or two-family dwellings as cited in Bennington example (B) (5).
- Set maximum curb-cut width.

The Commissioners discussed their concerns with the design of the 37 North Main Street application. Tara said the developer received all comments and has not returned yet with a new application. The discussion landed on drive-thrus and how they could be regulated within the zoning.

AF discussed incorporating exact design standards for districts with specific building heights and architectural details.

Tara said that JuliBeth was preparing an annotated version of the proposed zoning for the Planning Commission to review. She suggested at the next meeting the Commissioners could review draft language about tiny houses vs. RVs.

VI. CORRESPONDENCE – The following correspondence was received and filed.

7/10/18 – Facey, Goss & McPhee PC, Howe Center LTD 133.2 kW (AC) Group Net Metering Project;

8/1/18 – Department of Housing & Community Development, successful completion of the Municipal Planning Grant #MP-2017-Rutland City-00004.

VII. ADJOURN.

PG moved to adjourn. AF seconded. The meeting ended at 6:50 pm. The next meeting will be held September 12, 2018.

For the Commission:

Barbara Spaulding, Recording Secretary