

**PUBLIC NOTICE - TOWN OF WEST RUTLAND  
PLANNING COMMISSION MEETING**

Town Office 35 Marble St. W. Rutland

*Wednesday August 4, 2021* **6:30 pm**

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**DRAFT      AGENDA**

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**Call to Order**

**Pledge of Allegiance**

**Motion to amend or accept draft Meeting Agenda**

**Approve Meeting Minutes of June 2, 2021**

**Open Meeting for Public Input (time restrictions may apply).**

**Review of proposed amendments to the Zoning Regulations:**

- a. Review revised C.O. language, Section 1107
- b. Work on Farm Animal Section.
- c. Determine any new language or revisions yet to be reviewed.

**Discuss Other & Miscellaneous business**

**Set next Meeting date**

**Adjournment**

**NOTICE: This is an in-person Public Meeting.** Un-vaccinated individuals will be asked to bring & wear face masks and practice social distancing.

If you wish to submit information in advance of the Meeting, USPS mail to **35 Marble St. 05777**, leave in **Night Drop Box** at **Town Office parking lot**, or email [zoning@WestRutlandvt.org](mailto:zoning@WestRutlandvt.org)

Draft  
**West Rutland Planning Commission (PC) Meeting Minutes**  
**July 7, 2021 6:30pm Town Offices, 35 Marble St.**

**Call to Order:**

**Members Present:** : D. Lincoln (Chair), Michael Brzozza (Vice-Chair), Leona Minard, Sean Barrows  
**Others Present:** Jeffrey Biasuzzi (Alternate & Recorder)

The Chairman called the Meeting to Order at 6:47 pm, and led the reciting of the Pledge of Allegiance. The Meeting was not electronically recorded.

**Agenda:** D. Lincoln requested a Motion to accept the draft agenda. S. Barrows so Moved, L. Minard seconded, all approved, and Motion passed.

**Approval of Minutes:** D. Lincoln requested a Motion to accept the draft Minutes of the 5/5/2021 Meeting. S. Barrows so Moved, L. Minard seconded, all approved and Motion passed.

**Public Comments/Input:** No public in attendance; no input submitted.

**Review of proposed amendments to Zoning Regulations:**

Discussion opened with continued review and proposed revision to Section 1019 (Prohibited Uses), with focus on 1019(4) which does not allow transient business activities, including sales from trucks or trailers. This language was to be amended, referring the subject to the Town's Yard Sale/Vender Ordinance. J. Biasuzzi presented draft changes to the current (separate) *Yard Sale & Vendor Ordinance* and application form. Legal Counsel thought that the Town Ordinance could not be extended to national brands, such as Schwan's Foods and Snap-On Tools. This was reviewed and changes suggested to both. J. Biasuzzi to draft a revised version of both Ordinance and application for review by PC at next meeting, and then the Town Manager & Select Board.

D. Lincoln presented a draft Application form for Certificate of Occupancy requests. With Changes to the language in Section 1116, this form would place the burden of obtaining a C.O. on the Property Owner (currently the ZA's obligation, which is time consuming and frustrating). The property Owner would certify that the project was completed as approved by permit. J. Biasuzzi to draft the revised language in Section 1116 for review at August meeting.

J. Biasuzzi submitted list of Standards for Farm Animal regulation, many which follow VT recommendation. D. Lincoln references from internet research on recommended animal density.

S. Barrows asked if the Town Plan addressed control of invasive (primarily vegetative) species. A review of the 2016 Plan did find a specific recommend developing a strategy to manage and eradicate all non-native invasive plants in the Wildlife & Endangered /Unique Flora & Fauna Habitats (page 160).

**Meeting Schedule:** The next scheduled P.C. meeting is for **Wednesday August 4, 2021, at new regular time of 6:30 pm** at Town Office.

**Adjournment:**

L. Minard Moved to conclude the Meeting. S. Barrows seconded, All approved and the Meeting adjourned at 8:45 pm

  
Respectfully submitted by J. Biasuzzi

Approved: \_\_\_\_\_

1. The Owner/Agent, at least Thirty (30) days prior to the Expiration Dates of the initial permit, may submit a written request for a **Permit Extension**, accompanied by the Clerk's recording fee. The extension request must include a reasonable explanation why the project was not completed as required in this Section, and specify the additional time requested. The Zoning Administrator's decision to grant the request on acceptable grounds for the extension, or to deny the request, will be issued within Fifteen (15) days following receipt.
2. The Zoning Administrator may issue one (1) extension to a permit's completion deadline, for up to one (1) additional year.
3. If an extension is not granted, or if preferred, the Owner/Applicant must reapply and obtain another zoning permit, with the full application fee(s) required, to complete the activities as initiated under the original permit.

### **Section 1107: Certificates of Occupancy (C.O.):**

Occupancy of any land or structure or part thereof created, erected, changed, converted or wholly or partly altered or enlarged in its use or structure **shall be permitted only after:**

1. The Owner(s), Applicant, or authorized Agent submits the C.O. Request Form to the ZA, attesting that the completed project is in full compliance with the applicable Permit and zoning regulations. The Request Form shall include copies of all VT & Town required permits or inspections required by the C.O. of the C.O.
2. The ZA shall either grant or deny the C.O, Request Form within 29 days of its receipt, or the C.O. shall be deemed issued on the 30<sup>th</sup> day.
3. If a C.O cannot be issued, notice will be sent to the Owner of record, and copied to any Applicants or Agents identified

The C.O. Request Form and applicable Statue references are on Addendum\_\_\_ of these regulations. (References: 30 VSA Section 51(f) for Residential Building Energy Standards certification, and 24 VSA Section 4303 -Definitions, including but not limited to Paragraphs (8) "Flood Hazard Areas", and Paragraph (11) "Municipal Land Use Permit" with sub-paragraphs (A,B,&D). (Refer to Addendums for and C.O. Form)

### **Section 1108: Violations and Enforcement**

The commencement or continuation of any land development (or subdivision) that does not meet the requirements of these regulations shall constitute a violation. Alviolations shall be pursued in accordance with Act [§§4451, 4452]. Each day that a violation continues shall constitute a separate offense. The Administrative Officer shall institute, in the name of the Town of West Rutland, any appropriate action, injunction or other proceeding to enforce the provisions of