

DRAFT

WEST RUTLAND, VT DEVELOPMENT REVIEW BOARD (DRB) 2nd Revision
Meeting & Public Hearing Minutes, August 16, 2023
W. Rutland Town Office Conference Room (35 Marble St.)

DRB Members Present or Participating: Michael Moser (Chair), Tim Ponto (V-Chair), Deborah Higgins (via Zoom), Jon Wallace, Ron Ryan

Also present and participating in Hearing for Application 23-19: Jeffrey Biasuzzi (Zoning Administrator & Recorder); Russell & Ellen Green (Property Owners); Roy Schiff (P.E., SLR International Corp.); Teddi Lovico (Abutting Property Owner), Sean Barrows (Town Highway Department).

Call to Order: Chairman Moser called the Meeting to Order at 7:10 pm and led the reciting of the Pledge of Allegiance.

Approval of Agenda: M. Moser asked for a Motion to approve the draft Agenda.
T. Ponto Moved to accept the draft Agenda. All Approved and Motion passed.

Approval of Minutes: M. Moser asked for a Motion to approve the (amended) DRB Minutes of 7/24/2023. J. Wallace Moved to accept Minutes. All Approved and Motion passed.

M. Moser introduced the Board Members and outlined the Hearing's procedure. He first asked participants that were to give testimony to take the Oath, as recited by T. Ponto.

Public Hearing: M. Moser asked for a Motion to open the Public Hearing for Application 23-19. J. Wallace so Moved, all approved, and Motion passed.

M. Moser asked the Zoning Administrator to describe the Application. J. Biasuzzi stated that the Project proposed was to remove a failed dam on Youngs Brook that had been the Town's water supply in the early 1900's, and restore the Brook's channel. While federal & state approvals were already in place; this Hearing was for Town review of the Project under its Zoning regulations. This included Sections 901 (fill), 1016 (site improvement), 1020 & 1021 (vegetation disturbance along streams) and Article 16 (Flood Hazard Area).

The Project's consulting engineer, Roy Schiff then discussed that the US Army Engineering Corps and VT Agency of Natural Resources had issued various approvals over several years of design and permitting effort.

M. Moser asked about the work schedule. R. Schiff replied that the Project is ready to go out to Contractors for Work Bids as soon as possible, in the hopes that this winter could allow for site preparation excavation, with the major work to remove the 40 ft. high earth & concrete dam and restore the area done in the (permitted) operation period of June to October 2024.

M. Moser asked who oversees the Project. R. Schiff replied that SLR International Corporation would be responsible for supervision and permit compliance.

M. Moser asked about the materials being removed. R. Schiff stated an estimated 20,000 cu.yds. would be involved. The gravel would be sorted and stock piled; to be used to stabilize the restored stream bed. Other fills would be used on site, and excess earthen material trucked off premises. It was estimated that the maximum number of truck trips (in & out) could be 50 per day.

M. Moser asked about hours of operation. J. Biasuzzi stated that the Town has a Noise Ordinance prohibiting construction noise from 9:00 pm through 7:00 am. R. Schiff noted that the excavation Contractor would be setting operation schedules, yet to be determined.

Asking for any questions from Others, S. Barrows noted that FEMA was likely funding part of this project, as a pre-emptive measure to reduce flooding risks.

Neighboring Owner T. Lovico asked which direction the trucks removing materials would travel. The engineer replied this would depend on the destination for the fill. Several area quarries or pits might accept the material for recycling or reclamation purposes; but nothing had been determined yet.

M. Moser asked for any other questions or comments. Hearing none from the Board or participants, he asked for a Motion to Close the Hearing. R. Ryan Moved to close the Public Hearing and go into Deliberative Session on Application 20-19, and invited the Zoning Administrator to stay to provide zoning information.

After deliberating, T. Ponto made a Motion to exit Deliberative Session. All approved and Motion passed.

R. Ryan then Moved to issue Permit 23-19 with Conditions, and instruct the Zoning Administrator to prepare a draft written decision for the Member's review. All Approved and Motion passed.

M. Moser requested a Motion for Members (only) to reenter Deliberative Session on Application 23-09, which had been continued on 7/24/2023 to this date, time & place.

After deliberating, T. Ponto made a Motion to exit Deliberative Session. All approved and Motion passed.

M. Moser then asked for each Member's decision on Application 23-09, which resulted in three Members in favor and two Members opposed to the application for the proposed Multi-Family Housing Project on Main Street. The majority approved Application 23-09 with Conditions, and the Zoning Administrator was instructed to prepare a draft decision for final review and signature.

Miscellaneous & Other Business: M. Moser submitted a "Draft DRB Rules of Procedure" document for Members to review and discuss at the next regular Meeting.

Schedule for Next Meeting: The next regular Meeting will be on Wednesday September 20, 2023, at 7:00 pm at Town Offices (35 Marble St.)

Adjournment: T. Ponto made a Motion to end the Meeting, all approved, and the Meeting adjourned at 9:30 pm.

Respectfully Submitted by J. Biasuzzi.

APPROVED: _____