

DRAFT

**Town of West Rutland Development Review Board (DRB) Meeting & Hearing Minutes
October 18, 2023 7:00 pm Town Offices (35 Marble St.)**

DRB Members present: Mike Moser (Chair), Tim Ponto (vice –Chair), Deborah Higgins, Jon Wallace, Ron Ryan
Attending in Person: Jeffrey Biasuzzi , Zoning Administrator (ZA & Recorder), Alex Marechaux (Applicant)

Call to Order: Chairman M. Moser called the in-person Meeting to order at 7:01 pm, and led the reciting of the Pledge of Allegiance. The Meeting audio was electronically recorded.

Agenda: M. Moser requested a Motion to approve the draft Agenda. D. Higgins so Moved, all approved and Motion passed. The late arrival of Applicant for the warned Public Hearing required the Agenda be amended.

Minutes: There were no past Minutes to approve.

Miscellaneous Public Concerns and Input: There was no Public input.

Miscellaneous and Other Business:

Zoning Administrator Report: J Biasuzzi reported that VT’s Environmental Division (Act 250) has determined the Rutland Housing Trust “Marble Village” project was subject to Act 50 review as the Applicant had developed other housing units (exceeding 9 total) within 5 miles and within 5 years.

The ZA is hosting his Annual Planning Commission & DRB Appreciation Dinner; to be scheduled for Wednesday Jan. 17th, 2024, at Town Hall, starting a 5:00 pm.

Public Hearing for Application 23-25: Alex Marechaux , requesting amendment of Conditions of Permit 20-10.

M. Moser opened the (in-person only) Public Hearing on Application 22-25. He Introduced DRB members and ZA to the Applicant and then swore in the interested parties to the Hearing.

At the Chairman’s request, J. Biasuzzi gave a brief introduction on Application 23-25; a request by the Applicant to amend certain conditions of Permit 20-10 which approved the Applicant’s use of the property for general automotive repair and pre-owned vehicle sales. The Applicant is asking that the existing shipping container (i.e. defined as an accessory structure under 500 sq.ft. in floor area), placed without prior approval behind the DTR Motor’s rented building at 668 Rutland Rd. be allowed to remain. The Applicant did not consult with the ZA in advance of installing the structure. This would require certain Conditions of Permit 20-10, issued to the Applicant in 2020 to be amended. The ZA stated that the Container was located in a FEMA Flood Hazard Area, and that Town regulations could approve small accessory structures under certain conditions, such as being secured/anchored to prevent floatation.

Mr. Marechaux testified that he was aware of the Flood Hazard location, and did not review his existing permit for its conditions. He would adapt the container to comply with the regulations, or remove if required by the DRB.

After answering questions by Board Members, M. Moser asked for any additional testimony. Hearing none he requested a Motion to close the Public Hearing. J. Wallace Moved to close the Hearing, All approved, and Motion passed.

J. Wallace made a Motion to go into Deliberative Session, asking the ZA to remain to provide zoning details as needed. All Members approved the Motion and entered into Deliberative Session.

After deliberating. T. Ponto made a Motion to exit Deliberative Session and vote to decide on Application 23-25. All approved, Motion passed and the regular Meeting resumed. The DRB voted, and the ZA was instructed on what to include in preparing a draft decision on Application 23-25. This to be sent to Members for review.

Schedule Next Meeting: The next regular Meeting was scheduled for 7:00 pm Wednesday November 15, 2023; at Town Office; providing there was business for the Board.

Adjournment

T. Ponto Moved to close the Meeting. All approved and Meeting adjourned at 8:35 pm.

Respectfully submitted by Jeffrey M. Biasuzzi, recorder

Approved:_____