

TOWN OF RUTLAND  
PLANNING COMMISSION  
MINUTES  
12-17-15

Commissioners Present:

Howard Burgess, Barbara Pulling, Norman Cohen, Dana Peterson and John Snee

The meeting opened at 7:04 P.M.

Commissioners reviewed the 12-3-15 minutes. Mr. Peterson made a motion to approve the 12-3-15 minutes as corrected. Mr. Cohen made a second to the motion. Commissioners and Town Administrator Mr. Joseph Zingale discussed the minimum number of Commissioners needed to approve a motion.

Mr. Zingale said any motion before the Commission needs a minimum of four votes to pass and not a majority of those present at the meeting. Mr. Zingale will get the Commission a legal opinion on the matter. The motion passed unanimously.

Ms. Pulling informed Commissioners that she would like to add "Questions from the floor" to the Commission's regular agenda. Commissioners were in agreement.

Town resident Mr. Jim Goss met with the Commission regarding a proposed two lot subdivision request. Mr. Goss presented a map and answered questions raised by Commissioners.

Mr. Goss told Commissioners that he wants to divide the one 7.7 acre lot into two separate lots. The lot with the existing home to be 3.4 acres and the back undeveloped lot would be 4.3 acres in size. He said he plans to swap the new 4.3 acre lot with his neighbor in exchanged for receiving land from his neighbor.

Mr. Goss said his proposed 4.3 acre lot would not be land locked if it is sold to an abutter landowner. He said access would be through the abutters' property. Mr. Goss said the Commission could place a condition on his approval stating the approval is conditioned upon conveyance to an abutter unless an amendment is obtained. He said if the lot is not sold to an abutter it would be sold with the house lot as one.

Mr. Burgess cited the fact that there is a complete traverse survey all around lot #1, complete with bearings and distances. He said lot # 2 has bearings and distances that are not identified on the map. Mr. Goss said he knows that the back corners of lot # 2 are monumented, however he said they are not show on his map. Mr. Goss said he would have the requested information added to his map.

Commissioners reviewed the list of property abutters to the Goss parcel. Mr. Goss said he would send the required subdivision notice to abutters and would submit certification that he has done so.

Mr. Peterson made a motion to accept the map as a Sketch Plan. Mr. Burgess made a second to the motion. The motion passed unanimously. Mr. Peterson moved to warn the Jim Goss subdivision for January 21, 2016 at 7:00 PM. Mr. Burgess made a second to the motion. The motion passed unanimously.

Mr. Cohen said the Commission needs to develop permit language for a condition that the land can only be sold to an abutter.

Commissioners reviewed a letter submitted by Ms. Sally Timmons regarding her concern for a wet area near her home and the commercial land designation of a nearby parcel.

The Commission reviewed a reply letter prepared by Mr. Zingale. Mr. Burgess made a motion to send Mr. Zingale's letter with corrections. Mr. Peterson made a second to the motion. The motion passed unanimously.

Commissioners discussed the propose Working Lands definition. Mr. Peterson made a motion to bring the minimum lot size for Working lands up to 10 acres. Mr. Burgess made a second to the motion. Mr. Cohen made a motion to table Mr. Peterson's motion. Mr. Snee made a second to the motion. Mr. Peterson made a motion to withdraw his motion. Ms. Pulling said the motion is withdrawn.

Commissioners discussed and edited proposed View Shed amendment to the Town Plan prepared by Commissioner Biederman. Commissioner Biederman participated via telephone.

Mr. Cohen moved to close the meeting. Mr. Peterson made a second to the motion. The motion passed unanimously.

Approved this \_\_\_\_\_

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Barbara Noyes Pulling  
Chairperson

