

DRAFT
SELECT BOARD MEETING
SPECIAL MEETING
TUESDAY

APRIL 26, 2016

Present: Mr. Josh Terenzini, Ms. Mary Ashcroft, Mr. John Paul Faignant, Ms. Chris Kiefer-Cioffi, Mr. Joe Denardo.

The meeting opened at 6:30 P.M. with the pledge of allegiance.

Questions from the floor/Public Comment:

- Town resident Mr. Jeff Cassarino was present and asked the Board about his liquor license application that was tabled at the last Board meeting on April 19, 2016. Mr. Cassarino explained his establishment will be more of a restaurant than a bar and that he is a former bar owner. Mr. Cassarino said he now works at the Rutland Correctional Center and is trained in security.

Mr. Cassarino stated he had no issues with the bar he previously owned in Rutland City. Mr. Cassarino said he plans to give back to the community by offering fundraisers for scholarships. Mr. Faignant, who made the motion at the last meeting, said that the decision was not a reflection upon Mr. Cassarino, his business, his level of responsibility, or level of citizenship. Mr. Faignant cited the agreement between the Town of Rutland and The Diamond Run Mall regarding law enforcement and told Mr. Cassarino the Mall is abandoning the agreement and the new plan for coverage will be much more limited.

Mr. Faignant said Mr. Kevin Brown is working to rectify the situation while still holding the mall accountable for necessary law enforcement.

Mr. Faignant cited the fact that Chief Dumas spoke very highly of Mr. Cassarino, and that his decision wasn't personal. Mr. Terenzini asked Mr. Faignant if voting to approve the liquor license tonight would be putting the Town in an adverse position. Mr. Faignant said it would since the two attorneys have not finalized an agreement.

Ms. Ashcroft asked if mall management was responsive to Mr. Cassarino. Mr. Cassarino stated they have been cooperative. Mr. Cassarino will attend the next Select Board meeting on Tuesday, May 3, 2016 at 6:30 P.M.

- The Board met with the Rutland Town Planning Commission representatives to discuss the proposed changes to the Town Plan. Planning Commission Chair Woman Ms. Barbara Pulling told the Board that the last Town Plan was adopted in October 2014. She said the map was not updated in 2014.

- Ms. Ashcroft inquired regarding the designation of the Cold River Road. Ms. Pulling said the Cold River area was changed to build up more agricultural, forestry and working lands.
- Mr. Peterson described the process the Planning Commission took in making changes to the Town Plan map. He also explained the Commission's goal of promoting economic development in the Town while keeping the aesthetics. Mr. Peterson stated the Commission re-designated 100 parcels throughout the Town.
- Mr. Biederman stated that in the past residents were allowed to designate their land whatever they wanted. He said the Planning Commission looked at areas rather than individual lots to keep it logical.
- Ms. Kiefer- Cioffi asked for clarification regarding various designations. Ms. Pulling explained the reasons for changing the areas designations.
- Mr. Terenzini questioned Ms. Pulling regarding the AGR 40 District. He questioned how the designation would affect the subdivision of land. Ms. Pulling said a house lot would have to be a minimum of 2 acres. She said the aim is to encourage growth while preserving the scenery.
- Mr. Peterson stated the Commission avoided making designations that would place individuals in a situation where they would not be in compliance. Mr. Peterson said the Commission considered feedback from residents before the hearing, at the hearing, and after the hearing. Some parcels were changed, some were changed back to their original designation, and some were changed to reflect benefits, which the Commission thought would be beneficial to the Town.

Ms. Ashcroft suggested the Planning Commission notify the dozen or so Town property owners whose parcels have been changed, prior to the Select Boards public hearing.

- Ms. Ashcroft cited the designation of her property and the possibility of having non- commercial entertainment or a small business. Mr. Biederman said farming as a stand- alone activity is difficult. He said a farmer can make extra money by operating a small business or offering non- commercial entertainment the uses on their land.
- Ms. Kiefer-Cioffi asked about the R40A, R40B, and RR10 Land Use Districts. Mr. Biederman explained the logic behind it the various districts.
- Ms. Ashcroft asked about a district for affordable housing. Mr. Biederman explained the designation was taken out of the Town Plan because they thought the definition was stigmatized and is better to be qualified as a general land use. Ms. Ashcroft stated the Smart

Growth plan for the route 4 corridor includes smaller housing units and she questioned if the proposed plan would precluding smaller housing. Ms. Pulling said the designation of mixed use allows for residential and commercial. Mr. Biederman said that nothing has been cast in stone and maps can be changed if necessary.

- Mr. Terenzini questioned Mr. Biederman regarding the view sheds. Mr. Biederman said the language in the Town Plan matters, especially in an Act 250 case. Mr. Biederman said that if the language in the Town Plan is not aggressive enough the state can deem it as aspirational and unenforceable.

He said the language was changed to express view sheds as a rule and not a goal. Mr. Biederman said view sheds are considered a Town resource. Mr. Biederman said the Town Plan is not something the Public Service Board (PSB) must consider in an Act 248 application. He said the Town Plan has language which should be taken into account. Mr. Biederman cited the Quechee Lakes Decision, which he said was well developed and understood, and used by the Planning Commission as a guide.

Mr. Peterson said that there are different ways the Town can incorporate appropriate development within the Town with a variety of different land use designations and still make it an attractive place to live, do business, and promote economic prosperity.

- Ms. Ashcroft asked if the Plan would be creating an unintended consequence, by putting the emphasis on views from roads, and not from neighboring properties. Mr. Biederman stated the Town doesn't have zoning and looked at the view sheds as "community property" to the Town, and not the property of Town residents.

Mr. Peterson said the goal of the Commission was to provide a "cohesive whole" in the best interests of the community.

- Town representative to the Rutland Regional Planning Commission, Mr. Fred Nicholson, said there is no location on the map to build a new General Electric Building. Mr. Biederman said if a large business wanted to come to Rutland Town the Planning Commission and Select Board would work with them.
- Mr. Faignant thanked the Planning Commission for all of their hard work and effort in putting together the proposed Town Plan. Mr. Peterson said the Commission has been working on the Plan since April of 2014, and 75% of the meetings have been dedicated to the Plan.
- Mr. Denardo expressed concerns about making sure the new fixtures in the bathrooms in the Rutland Town Hall are ADA compliant. Ms. Ashcroft suggested the architect and the Building Committee meet before the project is complete.

Mr. Faignant made a motion to adjourn. Mr. Denardo made a second to the motion. Motion passed unanimously. Meeting adjourned at 8:30 P.M.