

Draft

**WEST RUTLAND, VT DEVELOPMENT REVIEW BOARD (DRB)
Regular Meeting & Public Hearing Minutes, April, 17, 2024
W. Rutland Town Office Conference Room (35 Marble St.)**

DRB Members Present: Michael Moser (Chair & Meeting Recorder), Tim Ponto (V-Chair), Ron Ryan

DRB Member(s) Absent: Deborah Higgins

Also Present: Jeffrey Biasuzzi (Zoning Administrator & Recorder), Lindsey Menard & Karen Flanders (for Application 24-07), Marguerite Salengo & Frank Salengo (for Application 24-09).

Attending Remotely via Zoom/Phone: Nathan Claessens & Darren Desabrais (for Application 24-09).

Call to Order: Chairman Moser called Meeting to Order at 7:00 pm and led the reciting of the Pledge of Allegiance. He introduced the DRB Members and Zoning Administrator (ZA) to the participants.

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: There were no past un-approved Minutes.

Public Concerns & Input: No Public in attendance; no concerns noted.

Open Public Hearing for Application 24-07 from Casella Waste Management Inc.(CWM) Chairman M. Moser opened the Hearing for this Application, which requests a (Conditional) Change in Use to the structure at 440 Casella Lane (part of Parcel I.D. #28-1330442) and to install a detached 10' x 40' x10'h. Accessory Structure.

T. Ponto swore in the Participants to this Hearing.

L. Menard and K. Flanders (CWM Staff members) described the proposed changes to the existing structure, presently permitted for Office and record storage. CWM employee use would increase from 15 to 30, operating between 8:00 am to 6:00 pm. Changes to the building's interior include minor interior wall relocations to provide for a Conference and Classroom area. The current storage bays would be converted to vehicle bays, to provide hands-on training of company employees on the use and maintenance of company refuse/garbage trucks and related equipment. New garage doors, wall-mounted non-illuminated sign, and employee safety facilities would be installed. The exterior "foot-print" will not be changed. The current parking lot would be increased and a detached Accessory Structure for storing maintenance parts and fluids would be installed (per Application Site Plan) is also requested.

After the presentation by the Applicant, Chairman Moser asked for any other question or information by all in attendance. Hearing none, he requested a Motion to close the Hearing. R. Ryan Moved to close the Public Hearing and review the Application in Deliberative Session. All Members approved, the Motion passed, and the Hearing concluded.

Open Public Hearing for Application 24-09 from Carris Reels Inc.(CR) Chairman M. Moser opened the Hearing for this Application for review of the VT mandated construction of a Storm Water Control system for the company's facility at 74 Thrall Avenue (Parcel I.D. #26-0250074). The volume of earthen materials involved in the proposed project exceeds 200 cu. yds.; a Conditional Use under Zoning Section 6(D)(3).

T. Ponto swore in the Participants to this Hearing.

The ZA presented a brief description of the project and deferred to the Company's Agents.

Nathan Claessens and Darren Desabrais, engineers from Otter Creek Engineering (Middlebury VT) assigned to represent Carris Reels in this Application, explained that the project was required under current VT regulations because the property has over three (3) acres of impervious surface. The project would upgrade the existing

drainage system by creating two (2) above grade berms to direct water run-off to two "sediment forebays and one gravel wetland" (each about three feet deep) which would allow the suspended materials to settle out before discharging the water into the existing storm-water canal. The engineers referred to two schematic drawings (included with Application) as Exhibits I & II.

Life-long neighboring property Owners M. Salango & F. Salango at 15 Marble St. expressed their concern that the new drainage system might raise the current water table and/or direct excess water towards their ownership. They relayed past experiences in the 1950-60's when flood waters rose over several feet in their back yard. They stated they currently have a dry basement and asked what assurances Carris Reels Inc. would give that their new storm-water installation will not have a negative impact to their residential property.

J. Biasuzzi asked the drainage canal's flow direction and what was the elevation difference from top of canal to the Salango's yard.

N. Claessen replied that the CR property is on the other side of the drainage canal (which flows north) from the Salango property and the discharge location is down-stream from these neighbors. The engineering has been reviewed and approved by the VT Flood Plain Manager, who concluded that the project would have no negative impact to the current Flood Hazard Area.

M. Salango asked who would be responsible if there is a detrimental impact to her property. F. Salango asked what would happen if the canal were to spill over the top of the canal, and who is responsible for maintaining the canal?

D. Desabrais was uncertain who has canal maintenance obligations. The scope of their project is limited to upgrading the CR storm-water treatment system to conform with newer VT standards. The existing system already drains to the canal, and would be discontinued when the new system was constructed. Otter Creek Engineering will be responsible for an annual inspection of the CR storm water control system, scheduling maintenance as required.

J. Biasuzzi asked about the volume of materials. N. Claessens stated that 1059 cu. yds. would be excavated, 63 cu. yds. used in berm installation, resulting in a net excess of 996 cu. yds, to be hauled off site. The ZA asked where the fill would be deposited, noting that the Town's Water Source Protection District could impose restrictions. N. Claessens stated a deposit site had not yet been determined, and that the Contractor awarded the work would likely be responsible for this.

F. Salango reiterated that the project cannot result in change to their house's drainage or dry basement.

J. Biasuzzi noted that the VT permit was for a five (5) year period, and that Town permits expired if not started within one year of effective date and finished within Two (2) years. The ZA suggested that any Town approval should take into consideration the state's five year period. The engineers mentioned that the VT application had not yet been submitted to ANR.

M. Salango asked if a Site Visit could be scheduled, in order to actually see the work site and its distance to her property. The DRB agreed with this suggestion. R. Ryan made a Motion to conduct a Site Visit at 6:00 pm on Wednesday 5/15/2024, and Continue the Public Hearing to follow at 7:00 pm at Town Offices. All Members approved and the Motion passed.

With this Hearing Continued until 7:00 pm on 5/15/2024, the regular DRB meeting continued.

Other Business: Other Business was postponed to next DRB meeting.

Deliberative Session (DS): T. Ponto made a Motion to enter DS to review Application 24-07 from CWM, with the ZA to stay to provide zoning information as needed. All approved.

T. Ponto later Moved to exit DS, all approved and Motion passed.

R. Ryan made a Motion to approve Application 24-07 from CWM with Conditions, and instruct the ZA to draft a Decision for DRB's consideration All approved and this Motion passed.

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Schedule Next Meeting: On Wednesday 5/15/2024, the DRB will meet at the CR Thrall Ave. facility at 6:00 pm for a Site Visit. The Board will convene at Town Office (35 Marble St.) at 7:00 pm to Continue the Hearing for Application 24-09 and other Business.

Adjourn: R. Ryan Moved to conclude the Meeting. All approved and the Board Adjourned at 9:09 pm.

Respectfully submitted by Jeffrey Biasuzzi.

APPROVED _____ on 5/___/2024
M. Moser, on behalf of the DRB