

DRAFT

**Town of West Rutland Development Review Board (DRB) Meeting & Hearing Minutes
October 16, 2024 7:00 pm Town Offices (35 Marble St.)**

DRB Members present: Mike Moser (Chair), Tim Ponto (vice Chair), Yvonne Wedin, Ron Ryan
Members Absent: Deborah Higgins

Attending in Person: Jeffrey Biasuzzi, Zoning Administrator (ZA & Recorder), Agent (t.b.d.) for Mountain Girl Cannabis LLC, DeeCliff Farm, Pamela Sokel

Call to Order: Chairman M. Moser called the in-person Meeting to order at 7:05pm. He led the reciting of the Pledge of Allegiance. The Meeting was electronically recorded on Zoom.

M. Moser had DRB Members & ZA introduce themselves

Agenda: M. Moser requested a Motion to approve the Meeting's draft Agenda. R. Ryan so Moved, All approved and Motion passed.

Minutes: No Minutes needing approval.

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

Open Public Hearing for Application 24-35 from Mountain Girl Cannabis LLC (MGC): M. Moser opened the Hearing and swore in participants planning to testify. He asked the ZA to outline the Application.

J. Biasuzzi outlined the application was for a Change of Use to the existing 15,000 sq. ft. Greenhouse structures at 3776 Whipple Hollow Road. This facility was initially constructed to grow hydroponic vegetables, and later used to grow Hemp. These are both agricultural crops and exempt from Town regulation under VT statutes (24 VSA Ch. 117, Section 4413). The VT Agency of Ag. Food & Markets does not recognize Cannabis as an agricultural exemption. West Rutland has not opted to be accept Cannabis retail sales, and Article III of the current Zoning regulations identifies Cannabis Establishments as a Conditional Use in all zoning districts. The application requests approval to grow Cannabis and involve a light manufacturing process to convert the crop into consumer products. The ZA then turned over the discussion to the Agent for MGC.

The AGENT detailed that the greenhouse would be used as a Tier 1 (approved by VT Cannabis Control Board -CCB) Growing Facility. No artificial light, only natural light, would be used in the growing of crops. The plants would be harvested and processed into a Cannabis concentrate in West Rutland. No heat, solvents or chemicals are involved in this process. Active ingredients are extracted by a water & ice process, without fumes or odors. The processing water would be approved by VT Agency of Natural Resources for discharge directly into the environment. This material would then be shipped and stored at the MGC store in Rutland city, where it would be finished into consumer products and sold as concentrates, edibles, flours, smoking product, etc.

M. Moser asked several question of the Agent. The semi-processed Cannabis would be frozen on-site into 90 pound packages, which would be shipped and stored at their Rutland city store. Hours of operation would be 9:00 am to 6:00 pm, mostly weekdays. There will be security measures, including cameras, as mandated by VT CCB. A gate at the entrance with town road would be locked at all times, and no public access would be allowed without Agent permission. No signage would be used. Large trucks would not be needed to receive supplies or transport product. Total Staff for the growing, processing and retail sales operation will be approximately four individuals.

M. Moser if there were questions from the DRB members or ZA. No questions were presented. M. Moser asked for questions from those in attendance. C. Cressey & P. Sokel asked about growing or processing out-of-doors. The Agent replied that no out-door growing was planned.

M. Moser asked for any additional discussion. Hearing none, he requested a Motion for this Application. T. Ponto made a Motion to close the Hearing to testimony on Application 24-35, all approved and Motion passed. The DRB's statutory 45 day Decision window was discussed. The attendees were invited to stay for the regular meeting to follow, none accepted.

Miscellaneous and Other Business: The ZA presented a brief progress update on the Marble Village Housing project, the Casella Waste Inc. Act 250 Hearing scheduled for Training facility on Casella Lane on 10/24/2024, and that All Purpose Storage has not fully complied with conditions of their permit.

M. Moser requested a Motion to go into Deliberative Session (DS). Y. Wedin Moved to have the Board go into DS, with the ZA invited to stay to answer zoning compliance questions. All approved and the Board went into a closed session. D T. Ponto made a Motion to exit Deliberative Session. All approved and the Motion passed, and the regular meeting continued.

The ZA asked Members for their Decision. T. Ponto, Y. Wedin, and R. Ryan voted to approve. M. Moser voted to deny. The majority quorum of the Board was to Approve the application, and the ZA was instructed to prepare a draft Decision for the Board's review.

Next Meeting: The next meeting was set for Wednesday November 20, 2024, at 7:00 pm at Town Office.

Adjournment: T. Ponto Moved to conclude the Meeting, all approved and meeting adjourned at 8:15 pm

Change of Member Vote: However, before the Members left the Town Office, one declared a change in its vote, to deny the application. This would result in a tie in the participating Member's vote. As a tie would also change the Decision from Approval to Denial, the Chair will ask all appointed Members to reopen the Hearing on its next Meeting on 11/20/2024, review the application and applicable regulations further, and revote.

Respectfully submitted by Jeffrey M. Biasuzzi, Recorder, 10/21.24.

Approved: _____