

Rupert Planning Commission Meeting 9 November 2020

Commissioners Present: Jed Rubin (Chair), Jean Ceglowski, Kim Davis, Phil Mazzucco, Peter Pelton, Charles Rockwell, Val Almosnino; (Clerk) Zoning Administrator: John La Vecchia
Public: Catherine (Cat) Bryars, Bennington County Regional Commission (BCRC).

Hearing to Adopt Changes to Town Plan called to order @ 7:05 pm by Jed Rubin.

Jed opened floor to public for comment on the proposed changes to the Town Plan.

Cat Bryars gave a short statement regarding the work put in by the Planning Commission and herself to get the chapter on energy written and integrated into the existing Town Plan. She also shared some comments made by Jim Sullivan, Executive Director and Planning Program Coördinator of the BCRC that the Planning Commission might consider. Those comments were:

The village Center discussion (page 80) seems to be looking ahead to a designation, while Rupert and West Rupert already have received their designations. Might be better to mention that, discuss some of the benefits already achieved (e.g., Sheldon's Store), and the ideas for future projects.

Also regarding village areas, the zoning map at the end of the document appears to show a range of "Village" district densities (Village Center, Village Neighborhood, Village Residential) – and I seem to remember working with those districts when doing a West Rupert buildout model a few years back, but the land use discussion and table (Page 77) has different village districts and densities. I think the VC/VN/VR designations may be largely aspirational because of the lack of water/wastewater infrastructure, but they make a lot of sense from a planning and community development perspective. It would make sense, I think, to broaden the discussion of public water and wastewater to note the town might want to pursue a feasibility study (look at the DEC Engineering Advance Programs, for example) to assess innovative small-scale water and/or wastewater solutions for village centers. Such systems would make those densities and mixed-use developments possible. A mention in the plan would help with grant funding.

There is a mention on page 85 of "new" statutory requirements which "go into effect" in 2005 – should be updated or deleted.

There was some advice by Cat to get the changes on the books as soon as possible and that a deeper review/update of the plan should be considered in the near future.

There was also some discussion about how to proceed and delivering the changes to the Select Board.

There being no other public comment, Jed closed the hearing at 7:18 pm.

Jed then moved on to the regular part of the Planning Commission meeting.

John LaVecchia gave the Zoning Administrator Report, only touching on a few items. He discussed the boundary line adjustment between Andrew Marckwald and Sam & Chung Wha Koo. This adjustment will convey approximately 10 acres to the Koos and decrease the Marckwald parcel by approximately 10 acres. He referred the issue to the Design Review Board (DRB) since the resulting change will make the Koo property more developable. He cited Sections 3.04(A)(2) and 7.09(B)(2) of the Zoning Bylaws as his reason for forwarding this to the DRB. The DRB will meet to discuss this boundary line adjustment in December, just before the Planning Commission meeting. Charlie and John will work out when the meeting has to be warned.

John then mentioned Mr. Mestel and his architect have inquired about development/building feasibility options for a single-family residence on Mr. Mestel's property located at the end of Nims Road, both in Rupert and Dorset. Charlie and the project surveyor have been researching the location of the Rupert-Dorset Town Line in this area. Their findings may help address the matter, at least as it relates to any anticipated zoning and conditional use applications. Site planning work is ongoing, and we anticipate, but have not yet received, any applications.

There was some discussion regarding an inquiry by a solar advisor/planner regarding a planned 15 kW ground-mount, net-metered solar installation on the Mithoefer property on RTE 315. The State's permitting process supersedes any local permitting requirements for projects of this nature, so a local zoning permit is not required. The installation would be adjacent to the road, within the 50' setback dimension for accessory structures in the RR District. John advised the installer check the highway Right of Way (ROW) width to make sure the installation is out of the highway ROW.

There are other items on his report which can be obtained by contacting him directly.

Motion made by Peter Pelton, 2nd by Phil Mazzucco to adjourn. Unanimous Meeting adjourned 8:52 pm.

Next Meeting: December 7, 2020 at 7:00 pm

Respectfully Submitted,
Val Almosnino, Clerk