

**TOWN OF RUTLAND**  
**PLANNING COMMISSION MEETING**  
**AUGUST 5, 2010**

**MINUTES:**

The meeting opened at 7:00 P.M.

Members present: Howard Burgess, Ray Leonard, William Matteson, Andy McKane, Tom Turner and Charles Vajda.

**Review of the July 15, 2010 Minutes**

Mr. Leonard motioned to accept the minutes as written. Mr. Vajda seconded the motion. All were in approval.

**Amanda Place**

Mr. McKane, Mr. Leonard, Mr. Stearns, Mr. Flory and Mr. Matteson went to a site visit at Amanda Place. Mark Alderman had notified the other homeowners and there was a discussion with the homeowners. Their engineer is going to prepare a summary of issues for review by the Planning Commission. The Commission members present felt comfortable with the sub-grade since there have been no problems in seven years. Unless there is something really wrong, the Planning Commission will have no further issues with the Town taking over the road. The Planning Commission will not approve the road officially, just not take any action for the violation of the subdivision permit.

Mr. Matteson said he has warned the Select Board on items such as a retaining wall, land shifts and a hold harmless agreement. The Town Attorney, Kevin Brown, will draft an agreement and the residents of Amanda Place will pay for it. He added that all wells should be checked for a baseline so that the Town would have a "hold harmless" agreement for any contamination due to salt or road run-off.

Mr. Turner stated that he still felt that the Planning Commission should object to taking over Amanda Place.

**Smokey's Bar-B-Q**

Mr. Zingale reported that he feels that Smokey's Bar-B-Q is in violation of Act 250 due to signs in the roadway. The Commission felt that this should be handled by the Act 250 people.

**Miscellaneous**

The Commission has received a hearing recess order. Farrell Distributing does not want the Green Mountain Plaza to erect a barricade to Cop John Drive. Mr. Matteson said he felt the entrance to the Plaza and Cop John Drive were Town owned.

Mr. Zingale said that the proposal to give Farrell Distributing a separate entrance via Cop John Drive was rejected by the State. He added that the connector road proposed behind Hannaford's would allow Farrell's access to their business.

There was a brief discussion on the rail yard relocation. Mr. Matteson reported that the President of Vermont Railway, Mr. Wulfson, said the City and Town need to get together to come to a consensus.

Mr. Matteson asked that Ms. Godette bring payroll forms to the next Planning Commission meeting. The Planning Commission members need to receive back pay from last year's site visits and classes. Mr. Matteson will take attendance for these. In the future, there will be a spreadsheet for off-site attendance.

Mr. McKane motioned to end the meeting. Mr. Leonard seconded the motion. All were in approval. The meeting ended at 7:45 P.M.

  
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William Matteson, Chairman

8-19-10  
Date