

7/10/17 Select Board Meeting – Attachment 2

Item 4. Zoning Administrator's Report

Anna Scheck stated there were nine permits for the month of May. There was one appeal to a decision she made and a hearing was held; she is waiting results on that item. With regard to Rental and Health Codes, the revenues are \$9,750.00 and the estimated amount to be received was only \$6,000.00. Next year the amount to be received will be \$10,000.00. With the exception of five or so places, we are getting close to full compliance. Ms. Scheck has received a complaint concerning a dog bite and that has been resolved. Ms. Scheck provided the Board budget information for her department. Currently the department is \$10,000.00 under budget for expenses and revenues are up due to changes in the fees. At the next meeting, Ms. Scheck will provide the Board information on hazard mitigation as this has to be updated through the Rutland Regional Planning Commission and has expired. It is important that this be done as it keeps FEMA assistance upgraded. Ms. Scheck that we will need to have a small committee and a few meetings but we do not have all the information together yet because this had just happened last Thursday. Devon Fuller questioned if there are regulations regarding junk issues. Anna Scheck stated there is a description of junk in the land use ordinance. She stated there is one issue on Newton Road that the occupant is working on. Devon went on to ask when the Planning Commission meetings are held. Anna Scheck stated that the regular meetings are held the first Monday of each month at 6:00 PM. Ms. Scheck reported the Planning Commission will be having a special meeting on June 19th in the conference room of the Town Office that will be a training session for Land Use procedures and to discuss the energy changes that the state will be requiring. Doug Bailey asked about the two properties on Maple Street and Walnut Street; Ms. Scheck noted the property on Walnut Street is a legal issue and she was not sure where that stands. Anna Scheck stated that she had looked at this issue again today and the property had been transferred to Citi Bank. She stated that she was trying to get a contact, (at the Bank), through the real estate person that is dealing with the assessment on this property but hadn't heard back yet so the plan was to send a letter to the bank to let them know there are issues at the property that need to be dealt with. Doug stated that we may be able to contact them to find out who the contact was as this is the process once the property goes back to the bank. He said that there is an officer that deals with these situations. Anna Scheck stated that the process was that once the bank owns the property they must wait so many days and then put the clean-up out to bid. But this has not yet happened. Mr. Atherton stated that the Zoning Administrator does have the authority to condemn a property. Anna state that would be only when there was a disaster. Dave stated that he has information on both of these properties that had just come to him this past week. He said he didn't think the complaint on the Maple Street property was active anymore and that the foreclosure was from 2014. Anna stated that the property had already transferred. Dave said that he had checked on that and it hadn't. Dave said he had spoken with a court clerk regarding the Walnut Street property and was advised the insurance company paid someone to clean the property, however it was never done. The Town does not want to take the property until everything is gone and the Town is waiting to see what is going to be done with regard to the contractor that was paid to do the job. Doug asked what the Town needed to do to condemn a property. Ms. Scheck stated her understanding is that she cannot condemn a property unless it is during a disaster. Dave stated that just because a house is empty it is not health

hazard. He said that if they do not pay their taxes we could go after them through tax sale. Seth Hopkins stated neighbors are considering it a problem. Anna stated that she wasn't sure what the process was but we couldn't condemn through the Health Ordinance. Seth asked if this would fall under the States' authority though the Department of Health. I stated that I had contacted them and there wasn't anything that could be done through the health ordinance because this is private property. Bernie Carr asked if this would be considered an attractive nuisance. Ms. Scheck advised this does not fall under the zoning ordinance and one would have to have a separate ordinance for that. Bernie Carr stated that this would be a dangerous situation and he see a child going in there and getting hurt when the house falls in on him. Anna stated that she had discussed with the State and that said that no one should be on private property.

Ray Jobst asked if this is a legal contractor or just a friend. Mr. Atherton stated the person that was hired did not do the job and it is the bank or insurance company that have to take recourse.