

Mendon Planning Commission Minutes September 4, 2018

Present: Justin Lindholm, Phil Douglas, Nicole Kesselring, Neil Langer and Teri Corsones were present. Zoning Administrator Steve Cosgrove was also present. The minutes of the August 6, 2018 Mendon Planning Commission meeting were approved as written.

The Trust for Public Land: Kate Wanner, Project Manager for The Trust for Public Land, was present regarding a subdivision application for the subdivision of 7.0 acres from a 319.5 +/- parcel located on the Old Turnpike Road in Mendon. John Cragin has contracted to purchase the 7.0 acres parcel, and was also present.

A notice of public hearing was published in the Rutland Herald on August 17, 2018, and was posted in three public places in Mendon. Ms. Wanner provided a "Letter of Transmittal" from John Wright, certifying that he mailed a copy of the notice and letter to the following adjoining landowners on August 17, 2018: The United States of America, c/o the Green Mountain National Forest office in Rutland; and Elizabeth and Edmond Colleta, Jr. Mr. Cragin also provided two return receipt cards from the Vermont Department of Forest, Parks and Recreation and from Joseph Alberico. No adjoining landowners appeared at the hearing.

Ms. Wanner provided a Subdivision Plat entitled "Lands of the Trust for Public Land to be conveyed to John Cragin", dated August 14, 2018 and prepared by John Wright of Mance Engineering. The plat depicts the 7.0 acre lot adjacent to the Old Turnpike Road, and references the balance of the Trust for Public Land property, consisting of 2,214 +/- acres, 312.5 +/- acres of which are located in Mendon. Ms. Wanner explained that the Trust for Public Land intends to convey the 7.0 acre parcel to Mr. Cragin, and the balance of the property will be conveyed to Green Mountain National Forest as conserved public lands. The subject property is not located in the Rutland City Watershed.

The 7.0 acre parcel presently includes a dilapidated mobile home and camper that Mr. Cragin will remove. He has applied for a wastewater permit, submission #HNG-BJJY-MO7DA, and intends to construct a 14' by 24' seasonal camp on the property within the next year. The deed to the 7.0 acres parcel will contain restrictions that prevent further subdivision and prohibit year-round residential use. Ms. Wanner requested a waiver of the supporting documentation referenced in Section 400(D) and (E) of the Mendon Subdivision Regulations, given the straight-forward details of the proposed subdivision.

Members noted that the subdivision qualifies as a minor subdivision, and that the applicant satisfied the remainder of the requirements set forth in Section 400. The supporting documents referenced in Section 400(D) and (E) were waived. Justin Lindholm made a motion to approve the subdivision permit application, subject to the applicant providing a copy of the finalized deed to the 7.0 acres parcel and Mr. Cragin

providing a copy of the approved wastewater permit when it's issued. Neil Langer seconded the motion and the motion carried.

Cipriano Change of Use Application: Vincent Cipriano was present regarding his application to change the use of his barn located at 2522 U.S. Route 4 from residential storage to a commercial art gallery and comic book store. A notice of public hearing was published in the Rutland Herald on August 17, 2018, and posted in three public places in Mendon. Mr. Cipriano indicated that he sent a copy of the notice and letter via certified mail to the following adjoining landowners on August 27, 2018: TCM, LLC; Andrew and Shannon Weinberg; and Danial Adams, Sr. No adjoining landowners appeared at the hearing.

Mr. Cipriano provided a site plan, existing floor plan, proposed floor plan, electrical plan and door, windows and lighting schedules that he had prepared, dated August 14, 2018. Members reviewed the Site Plan Review criteria set forth in Sections 501 – 503 of the Mendon Zoning Regulations, including parking, loading, vehicular and pedestrian circulation, landscaping and screening, and impacts on adjacent properties from noise, light, odor, water runoff, or excess refuse.

With respect to parking, seven spaces would be required, given the square footage of the business space and given the single full-time employee anticipated for the business. The hours of operation will be 10 a.m. -5 p.m. Wednesday – Friday, and 9 a.m. – 6 p.m. on Saturday and Sunday. The site plan depicts nine parking spaces along the westerly boundary, but it appears that fewer spaces are feasible there. Other locations were discussed, and Mr. Cipriano will re-draw the parking space locations, taking into consideration vehicular and pedestrian circulation, snow removal constraints, and the criteria set forth in Section 414 “Parking and Loading Facilities” of the Mendon Zoning Regulations. Mr. Cipriano also indicated that he has an arrangement with the owner of the Mendon Mini-Golf property to the east, such that the parking lot there may be used for overflow parking, if needed.

With respect to loading, Mr. Cipriano indicated that no tractor trailer deliveries will be made.

With respect to landscaping and screening, the subject property is in the Village District in Mendon. Section 303 of the Mendon Zoning Regulations provides that each lot in the Village District shall have a strip of land at least fifteen feet in width in the front yard and at least ten feet in width in the rear and side yards which shall be maintained as a landscaped area. Mr. Cipriano plans to maintain the existing landscaping.

With respect to impacts on adjacent properties from noise, light, odor, water runoff, or excess refuse, no adverse impacts are expected. Mr. Cipriano will modify the site plan to depict where he plans to install exterior lights, and the details about such lights.

The existing single access point will not change. It was recommended that Mr. Cipriano consult with the Vermont Agency of Transportation regarding the access from U.S. Route

4. It was also recommended that Mr. Cipriano consult with the Agency of Natural Resources Permit Specialist regarding any necessary state permits, including permits associated with septic considerations and fire and safety considerations.

Neil Langer made a motion to continue the hearing until Monday, October 1 at 5:30 p.m., when Mr. Cipriano will submit a revised parking and exterior lighting plan, and report on what he learns from the Agency of Transportation and ANR Permit Specialist. Phil Douglas seconded the motion and the motion carried.

Municipal Planning Grant Application: Elysa Smigielski from the Rutland Regional Planning Commission provided suggested revisions to the two-page “Housing” section of the Mendon Town Plan. She is working on the energy, transportation and community facilities chapters, and will provide them prior to the next meeting.

The next meeting of the Mendon Planning Commission is scheduled for Monday, October 1 at 5:15 p.m. at the Mendon Town Office.

Respectfully submitted,

Teri Corsones