

Mendon Planning Commission Minutes (Draft)
February 1, 2021

Present: Fred Bagley, Justin Lindholm, Gary Sihler, Phil Douglas and Teri Corsones were present via a “Go to Meeting” platform, provided in conjunction with the State of Emergency that Governor Scott has declared, specifically Addendum 6 to Executive Order 01-20 and Act 92, that authorize public bodies to meet electronically. Zoning Administrator Steve Cosgrove was also present in the same manner. The draft January 4, 2021 minutes were approved with one correction, changing “Lot 30” to “Lot 29” at the end of the first sentence in the seventh paragraph in the Notch Holdings, LLC section.

Before the noticed hearings began, Teri referenced the “Remote Public Hearing Script for Opening a Meeting” that the Vermont League of Cities and Towns has recommended be noted at the start of any electronic public meeting. It provides that instructions for accessing the meeting were included in the Notices of Hearing for the meeting, and were also on the Town of Mendon’s website. A mechanism for the public to alert the public body during the meeting if there were problems with access is provided in the form of the following email address:
mendonclerk@comcast.net.

TED Associates, LLC: Edward Allen and Robert Walker were present via the “Go to Meeting” platform described above, on behalf of TED Associates, LLC. A Notice of Public Hearing was published in the January 15, 2021 edition of the Rutland Herald, and was posted in three public places in Mendon. Mr. Walker indicated he had sent the Notice of Hearing and a cover letter first class mail, postage pre-paid on January 25, 2021 to adjoining landowners Siegfried Osowski, Milos Nemec, Arnold Kirbach, High Altitude LLC, HS Mendon, LLC, Phocion Lellos II, and Jonathan Charles. Teri asked that Mr. Walker submit a written statement documenting the same following the hearing. No adjoining landowners were present at the hearing.

Mr. Allen presented application materials to amend site plan approval to construct a new 24’ x 48’ office building adjacent to the storage building located at 1889 U.S. Route 4 in Mendon. The application materials included: a two-page “Application for Zoning Permit” signed by Mr. Allen; a one-page narrative description of the proposed addition; four pages of exhibits to the application,

including page one depicting the location and dimensions of the proposed addition, page two depicting the east view of the proposed addition, entrance door and exterior light location, page three depicting the south view of the proposed addition with window locations, and page four depicting the interior lay-out of the proposed addition, including 30' x 24' office space with moveable partitions, 18' x 24' storage space and 8' x 8' restroom space; and, a Vermont Department of Public Safety Division of Fire Safety document entitled " Fire Inspection Results" which provides that the addition will not require a sprinkler system and that fire department access is sufficient.

Mr. Allen explained that the proposed addition will be bolted to the existing storage building, and will be constructed of corrugated metal, similar to that of the existing storage building. The proposed addition will have the same brown/tan color combination as the existing storage building. The proposed addition will house the four office personnel who presently work in the existing retail store; no new personnel will be added. They will keep the same office hours, from 7:00 am – 5:30 pm, Monday through Friday, with some very occasional week-end work for service personnel. The proposed restroom will meet ADA handicap accessible standards.

The existing buildings are connected to the Alpine Pipeline. One additional unit will be purchased for the restroom in the proposed addition. The water testing area at the business will remain unchanged.

There are 39 parking spaces depicted on the approved site plan. No changes in vehicular or pedestrian circulation are expected in relation to the proposed addition. The parking, loading, and vehicular and pedestrian circulation criteria set forth in Section 501 of the Mendon Zoning Regulations are satisfied. No adverse impacts on adjacent properties from noise, light, odor, water run-off or excess refuse are expected.

Landscaping will consist of a grass area to the side and front of the proposed addition. Bushes approximately 3' in height will be planted in front of the building, similar to the bushes planted in front of the storage building. One small exterior light will be installed near the entrance door, illuminating downward instead of out towards Route 4. There may be a small employee sign on the front of the proposed addition, but no new signage on Route 4. Any new signage on Route 4 will require a signage application and approval by the Zoning Administrator.

The property is located in the Village District. The Dimensional Requirements for structures in the Village District are set forth in Section 303(f) of the Mendon Zoning Regulations. The proposed addition meets the 20' rear yard and the 40' front yard setbacks. The side yard setback is 15'. The site plan depicts a distance of 18' from the southeasterly corner of the proposed addition to the property line boundary. Phil Douglas indicated that the proper method of measurement is from the corner of the building to the property line, but in a line perpendicular to the property line. Given the proximity to the property line, a surveyor or licensed engineer will need to verify the side yard measurement prior to commencement of construction to confirm that the location of the proposed addition meets the 15' side yard setback requirement.

Mr. Walker indicated that he is meeting with Permit Specialist Rick Oberkirch at the Rutland office of the Vermont Agency of Natural Resources to verify what if any state permits might be required. They would like to start the construction in early May.

Phil made a motion to approve the application to amend sit plan approval, subject to Mr. Allen providing confirmation from a surveyor or licensed engineer that the side yard setback requirements are met, subject to Mr. Walker providing written confirmation of the notices to adjoining landowners, and subject to all necessary state permits being obtained. Gary seconded the motion and the motion unanimously carried.

David Cooper: David Cooper was present to inquire as to whether a change of use permit would be needed for property he owns at 2472 U.S. Route 4 in Mendon. The property had received site plan approval for retail space during Mendon Planning Commission hearings held on February 6 and February 9, 2017, when the property was owned by Jeffrey and Theresa Biasuzzi. Mr. Cooper would like to rent the property to a tenant who plans to operate a retail store for skin care and cosmetic services, with two employees and clients primarily by appointment. The hours of operation and number of persons on site will be similar to that approved for the previous business operation at the property.

Mr. Cooper provided the site plan that had been previously approved, as well as a copy of the existing Water Supply and Wastewater Disposal Permit WW-1-0499 dated July 19, 2000. Mr. Cooper re-furbished the handicap access ramp since he has owned the property. He was asked about snow build-up coming off the roof, and indicated that he hasn't encountered that as an issue. There is space between

the front of the building and the ramp. It was recommended that a small sign warning of snow or ice be posted near the ramp entrance.

Members indicated that a change of use permit would not be required, given the similarity of the proposed operation to that which was previously approved.

The next regular meeting of the Mendon Planning Commission is scheduled for Tuesday, March 9, 2021 at 5:15 p.m. at the Mendon Town Office, due to a conflict in scheduling on the usual first Monday of the month because of the March 2 Town Meeting date.

Respectfully submitted,

Teri Corsones