

Mendon Planning Commission Minutes (Draft)
January 9, 2023

Present: Phil Douglas, Fred Bagley, Justin Lindholm, Gary Sihler, Dick Howe and Teri Corsones were present. The December 5, 2022 draft minutes were accepted with one correction.

Mendon Zoning Administrator: Fred Bagley shared that he is willing to serve as Interim Mendon Zoning Administrator through April 1, 2023, to ensure that zoning administrator matters can be tended to while the search continues for a permanent zoning administrator. Members expressed their appreciation to Fred for his willingness to so serve. Phil Douglas moved to nominate Fred as Interim Zoning Administrator and Gary Sihler seconded the motion. The motion passed unanimously. Teri relayed the vote to the Selectboard during its meeting that was happening at the same time as the MPC meeting.

Teri noted that 24 V.S.A. 4448 provides that a zoning administrator may hold any other office in the municipality other than membership in the board of adjustment or development review board. It therefore appears that Fred may continue serving on the Planning Commission while serving as Interim Zoning Administrator. Teri will ask the Vermont League of Cities and Towns for confirmation.

Fred indicated that he would like to build upon the many positive changes that Susannah Loffredo implemented during her tenure as Zoning Administrator.

Zoning Regulation Review: Members continued the discussion of zoning regulation review. One area of focus concerns the “permitted uses” listed for each of the zoning districts. Phil noted Mendon residents’ desire to encourage business and economic growth, as evidenced by the various “Mendon on the Move” efforts. He offered to review the current permitted uses with an eye towards updating the various permitted uses accordingly.

Justin suggested reviewing the current provisions pertaining to noise restrictions, to consider how they might be improved. Section 402(1) currently provides: “No noise which is detectable at or beyond the property line and which represents a significant increase in noise levels in the vicinity of the development so as to be incompatible with the reasonable use of the surrounding area shall be permitted.”

Justin also suggested reviewing the provisions regarding nuisances. Section 301 currently provides: “To further the purposes of these regulations, and to further clarify other sections and provisions contained herein, the following uses shall be expressly prohibited in the Town of Mendon: (1) Dumping, storing, burying, reducing, disposing of or burning garbage, refuse, scrap metal, rubber, offal or dead animals, except such as result from the normal use of the premises if not a public nuisance, and except municipal collection sites; . . .”

Justin also suggested reviewing the enforcement provisions. Section 1301 currently provides: “The commencement or continuation of any land development that does not meet the requirements of these regulations shall constitute a violation. All violations shall be pursued in accordance with the Act §§4451,4452. Each day that a violation continues shall constitute a separate offense. The Administrative Officer shall institute, in the name of the Town of Mendon, any appropriate action, injunction or other proceeding to enforce the provisions of these regulations. All fines imposed and collected shall be paid over to the municipality.”

Dick suggested reviewing provisions regarding steepness of driveways. Section 317(6) pertaining to the Ridgeline Overlay District currently provides: “Driveways shall not exceed 12% grade. The development of any land in any district in the Town of Mendon that is otherwise allowed under the zoning regulations shall be subject to review under these regulations if any driveway or road of any length is located in the 25% Slope District. The Zoning Board of Adjustment shall review the length, width, slope, finished grade, storm-water runoff and other impacts with other standards herein. The Zoning Board of Adjustment shall set such conditions on the driveway or road as appropriate with the goals herein, including the following minimum standards:

- The aforesaid driveways or roads shall not exceed at any point a 12% grade and curves shall not exceed at any point a 10% grade.
- The aforesaid driveways or roads more than 1000 feet in length shall have a pull out every 500 feet for emergency vehicle access.
- The finished grade and storm water drainage plan shall be approved by the Town Road Commissioner.”

Dick questioned why similar restrictions regarding the steepness of driveways don't apply outside of the Ridgeline Overlay District.

The next meeting of the Mendon Planning Commission is scheduled for Monday, February 6, 2023 at 5:15 p.m. at the Mendon Town Office.

Respectfully submitted,

Teri Corsones