

Mendon Planning Commission Minutes
November 13, 2024

Present: Justin Lindholm, Fred Bagley, Dick Howe, Sarah Buxton and Teri Corsones were present in person. Dennis O’Connell participated via the GoToMeeting platform. The draft October 7, 2024 minutes were approved with no changes.

Acting Zoning Administrator: Teri indicated that Zoning Administrator Steve Ellerin is temporarily unavailable for medical reasons. Under Section 901(b) of the Mendon Zoning Regulations, the MPC may nominate an acting Zoning Administrator to the Selectboard for appointment under the circumstances. Fred Bagley made a motion to nominate Greg Smith as acting Zoning Administrator and for Susannah Loffredo to continue providing administrative support to the Zoning Administrator. Dick Howe seconded the motion and the motion unanimously carried.

Sachdev Update: Anil Sachdev and his attorney Frank Urso were present in person to provide updated information regarding the conditions for site plan approval referenced in the September 9, 2024 minutes. The update was continued from the October 7, 2024 meeting. Also present in person were David Gouchberg, Karen Gouchberg, Scott Carmichael, Michael Grisofe and Keith Whitcomb. Susannah Loffredo, Brian Gates and Carol Gates were present via the GoToMeeting platform.

Mr. Sachdev indicated that he is making progress regarding the condition requiring compliance with the Rutland City DPW salt/sand mixture requirements for plowing the parking lot. He has yet to retain a commercial plowing firm but when he does retain one he acknowledges that the firm will need to contact Rutland City DPW and comply with Rutland City DPW salt/sand mixture requirements.

Attorney Urso indicated that he contacted Theresa Gilman from the Vermont Agency of Transportation regarding setback requirements for signage along U.S. Route 4. He provided an email dated November 12, 2024 from Ms. Gilman providing that per state statute all on-premises business signs must be located outside the highway right of way. The right of way along the property varies, with 33 feet from center line being the most restrictive to as much as 50 feet from the

center line on the most westerly end of the highway frontage. Ms. Gilman attached an overview of the right-of-way plan and an overview of the state signage law. Mr. Sachdev will incorporate the setback information into the site plan submitted in conjunction with his application for site plan approval. He acknowledged that he needs to submit a separate application for signage approval from the Town.

Regarding contacting the Bus for a safety review for the entrance area, Mr. Sachdev indicated that he does not intend to request the Bus to stop at the property or to advertise to patrons that the Bus is available for transportation. In the event the Bus stops at the property to pick up or deliver passengers, he will immediately contact the Bus for a safety review and will comply with whatever requirements are indicated for pick-up or delivery in the entrance area.

Regarding paving the parking lot, Mr. Sachdev indicated that the parking lot has now been paved. Striping is to be completed on Monday, November 18.

Members confirmed that site plan approval was issued in conjunction with the September 9, 2024 minutes, subject to the conditions referenced in the minutes. Attorney Urso acknowledged that a Certificate of Occupancy is separately required. Section 1006 of the Mendon Zoning Regulations govern Certificates of Occupancy, which are issued by the Zoning Administrator only after an applicant has received all necessary state and local permits, including water and/or wastewater permits from the Vermont Agency of Natural Resources.

Members inquired about the status of the Agency of Natural Resources water safety deficiencies noted in previous minutes. Mr. Sachdev provided an email dated November 13, 2024 from Meredith Maskell, Non-Community Operations Section Supervisor at the ANR. In the email Ms. Maskell approved Mr. Sachdev's request for approval of a 30-day extension to resolve seven safety deficiencies identified in the original sanitation letter. Fred Bagley noted that a protective barrier may be needed around the storage tank cover to prevent disruption in case of an auto accident. The new deadline is December 13, 2024. Mr. Sachdev will report at the next MPC meeting on December 2 regarding the status of the sanitation letter deficiencies at that point in time.

Members also inquired about the status of the Division of Fire Safety permit. Mr. Sachdev indicated that he is working to address the ANR water issues first and will seek Division of Fire Safety permit approval once he has received ANR approval.

Mr. Sachdev repeated his intention to not participate in the hotel voucher program. As stated in previous hearings and documented in previous MPC minutes, participating in the hotel voucher program would trigger a significantly higher level of zoning scrutiny and additional permit requirements.

Zoning Regulations Update: The three MPC members who formed a subcommittee to work on the zoning regulations review have met twice with the RRPC consultant. He recommended that the zoning map be updated to better clarify the boundaries of zoning districts. He also recommended that the Town consider consolidating several of the districts which currently include substantially similar zoning regulations and conditions. Improved mapping would also aid in identifying the Flood Hazard Overlay District and the Ridgeline Overlay District. Updated mapping would also identify roads not currently identified on the zoning map. The RRPC is able to assist with the mapping but it's unclear what the timeline would be.

Other topics discussed included the need for the zoning update to comport with the most recent Mendon Town Plan update and recent changes to Act 250 and other state laws. The subcommittee has refined a list of the zoning topics to be specifically addressed and will provide the list at the next meeting. Teri will inquire of the RRPC before the next meeting as to the timeline for the Municipal Planning Grant being used for the zoning update work.

At the end of the meeting, Michael Grisofe indicated that he is living in a camper adjacent to the Econolodge building while he is working on the property. He was informed that this is not allowed under the Mendon Zoning Regulations given that the construction work is being done for a commercial property versus a residential property. He indicated that he would vacate.

The next meeting of the Mendon Planning Commission is scheduled for Monday, December 2, 2024 at 5:15 p.m. at the Mendon Town Office with a remote GoToMeeting option.

Respectfully submitted,

Teri Corsones