

Mendon Planning Commission Minutes

April 6, 2020

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 March 9, 2020 minutes were approved as written.

Before the noticed hearings began, Teri read the “Remote Public Hearing Script for Opening a Meeting” that the Vermont League of Cities and Towns has recommended be read 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 was also provided in the form of the following email address:

mendonclerk@comcast.net.

Paquette Property Management & Consulting, LLC: Nick Paquette was present via the “Go to Meeting” platform described above. A Notice of Public Hearing was published in the March 20-21 edition of the Rutland Herald, and was posted in three public places in Mendon. Prior to the hearing Mr. Paquette provided a template of the letter he sent certified mail on March 12, 2020 to adjoining landowners Marsha Bruce, Nayla, LLC and Vera’s Associates. Mr. Paquette confirmed that on March 20, 2020 he sent an updated letter to the adjoining landowners, notifying them of the change to an electronic meeting format. No adjoining landowners were present.

Mr. Paquette presented his application to amend the site plan approval to construct a new 40’ x 100’ storage building at the property located at 125 Valley View Drive off of U.S. Route 4. The application included: a site plan entitled “Lands of Paquette Proposed Self-Storage Expansion” dated September 20, 2017; a floor plan depicting eighteen 10’ x 20’ proposed storage units and eight 5’ x 10’ proposed storage units; and an “as built” visual of the completed storage building. Mr. Paquette explained that the proposed storage building will be identical to the

storage building at the site that was approved by the Mendon Planning Commission on November 4, 2013.

The site plan depicts the location of the proposed storage building as 29' north of an existing storage building at the site, 29' east of the Rutland Town/Mendon boundary line, 25' - 26' south of the applicant's northerly boundary line and 121' – 144' from the applicant's easterly boundary line.

The proposed building will be made of “Duro Steel” situated on an Alaskan slab and covered with a sheet metal roof. The building meets or exceeds setback requirements in the Village District. The building will be used for commercial lease storage purposes, with no water or sewer needs, and no employees or other personnel occupying the building. It will not be visible from U.S. Route 4, nor visible from any adjoining properties. The same driveway approach will be utilized as for the other storage buildings.

In terms of the site plan review criteria set forth in section 501 of the Mendon Zoning Regulations, parking, loading, and vehicular and pedestrian circulation and landscaping are adequate given the intended use and location. No adverse impacts on adjacent properties from noise, light, odor, water run-off or excess refuse are expected.

Fred inquired whether Mr. Paquette would consider using the roof area for solar panels, to help meet Mendon's projected allotment for solar energy sites. Mr. Paquette expressed a willingness to consider that possibility in the future.

Mr. Paquette indicated that the project has Act 250 approval. Justin asked if the Act 250 permit includes the storm water capacity from the impervious surface of the proposed building's roof. Mr. Paquette indicated that he will send a copy to the Town, for verification. Construction will begin as soon as possible after the current suspension of construction projects is lifted.

Fred made a motion to approve the application to amend sit plan approval, subject to Mr. Paquette providing a copy of the current Act 250 permit. Gary seconded the motion and the motion unanimously carried.

Cortina Inn: Manish Saxena was present via the “Go to Meeting” platform described above. A Notice of Public Hearing was published in the March 20-21 edition of the Rutland Herald, and was posted in three public places in Mendon. Prior to the hearing Mr. Saxena provided a template of the letter he sent via regular mail on March 24, 2020 to adjoining landowners Joseph Zazzara, Nayla, LLC,

Uday Dholakia, R & B Investments, Kalbro, LLC, Casella Construction Inc, PMA Killington LLC, Cascade Corp, Michael Lewis, Killington Pico Ski Resort Partners LLC, Robert and Karen Peterson, Birchwood Condo Assoc, Serge and Camille Avakian, Betty Pallis, Michael and Ruth Ventre, Pensco Trust Co, Steven Lupin and Martha Gallo, Katie Gomez, Navah Lemieux, Michael Forster, Bruce Pike and Mindybeth Gutzwiller-Pike, and R4R, Inc. Manjari Bhakta, Sudha Bhakta and Jayesh Patel were also present via the “Go to Meeting” platform. No adjoining landowners were present.

Mr. Saxena presented the application to amend the site plan approval to proceed with Phase II of the project to convert the middle wing of the property formerly known as the Cortina Inn at 5709 U.S. Route 4 to Residential Board and Care use for 16 rooms in total, and Phase III of the project to convert the main wing of the property to Independent Living use for 16 rooms in total. The September 12, 2011 Mendon Planning Commission minutes reflect approval of Phase I of the project, and Phase II approval subject to the applicant providing floor plans which depict the changes to the middle wing as well as any necessary permits.

Mr. Saxena provided a copy of Act 250 Permit Administrative Amendment 1R0212-2B dated March 27, 2020, which authorizes the expansion of the previously permitted residential and memory care facility to full occupancy for a total of 67 residents. Teri noted that the original permit authorized 17 memory care units and 16 assisted living units for a total of 33 units, and the application references 32 additional units, for a total of 65 units. Mr. Maxena indicated that the number of units in Phase I increased from 17 – 18 Memory Care units, and increased from 16 – 17 Assisted Living units, and sought at the hearing to amend the approval for Phase I to include the two additional units.

Mr. Maxena presented an application dated March 6, 2020, page A3 showing alterations to the “Partial First Floor Plan Middle Wing” depicting 11 Memory Care studios in Phase II, page A6 showing alterations to the “Partial Second Floor Plan Middle Wing” depicting 5 Assisted Living Suites in Phase II, page A2 showing alterations to the “Partial First Floor Plan South Wing” depicting 3 Independent Living studios in Phase III and page A5 showing alterations to the “Partial Second Floor Plan South Wing” depicting 13 Independent Living suites in Phase III.

There will be fewer occupants with the change of use than when the property was used as a hotel, so there will be less water and sewage demand. There will also be

less parking demand, given the number of occupants who will not have cars. With respect to the pool the residents' needs will determine whether the owner will re-open the pool for hydro-therapy purposes. Fire sprinklers are installed throughout the building. Phil indicated that the fire suppression system has been updated.

Pursuant to Section 503(a)(3) of the Mendon Zoning Regulations, members inquired about plans for the former tennis court area. Mr. Manesh indicated that the plan is to have that area return to grass. Members referred to Section 412 regarding landscaping and well-kept grassed areas. They suggested at a minimum that the posts and fencing be removed and that the area be seeded and maintained in a healthy and attractive growing condition. Mr. Manesh agreed that this would be an improvement aesthetically, particularly given the area's visibility from Route 4.

Regarding signage, Mr. Manesh indicated that new signage of the same dimensions as the present signage will be planned for the new name "Vista Senior Living". Application will need to be made under the Mendon Sign Ordinance.

Fred Bagley made a motion to amend the September 12, 2011 site plan approval to add the two additional units to Phase I as described above, and to approve Phases II and III conditioned on the removal of the tennis area posts and fencing upon the applicant's completion of Phase I. Phil Douglas seconded the motion and the motion carried unanimously.

Mendon Mountain View: Teri reported on a call she had received on April 4 regarding a request from the Rutland Regional Medical Center to utilize the Mendon Mountain View property on Route 4 for lodging purposes. It was ultimately determined that zoning approval and/or site plan review was not needed, inasmuch as a change of use was not contemplated by the hospital. Persons potentially using it for short term lodging would not be hospital patients, but rather persons who had been discharged from the hospital without the need for clinicians or other medical personnel on site.

Mendon Town Plan: Given the uncertainties surrounding the State of Emergency in effect until April 15, it's unclear whether the Select Board public hearing regarding the Mendon Town Plan scheduled for Monday, April 13 at 6:00 p.m. will be held as planned. Teri will contact Sara to inquire.

AT&T Wireless Communication Facility: Given the same uncertainties surrounding the State of Emergency, Teri will inquire as to the status of the new balloon test dates(s). It's her understanding that the Town is also still awaiting

information that Will Dodge indicated that A T & T would provide following the Joint Select Board/MPC meeting with him and other AT&T representatives on February 27, 2020.

The next regular meeting of the Mendon Planning Commission is scheduled for Monday, May 4, 2020 at 5:15 p.m. at the Mendon Town Office.

Respectfully submitted,

Teri Corsones