

Mendon Planning Commission Minutes (DRAFT)

September 29, 2025

Present: Justin Lindholm, Fred Bagley, Dick Howe, Sarah Buxton and Teri Corsones were present in person. The draft September 15, 2025 minutes were approved with no changes. Mendon Zoning Administrator Greg Smith was also present in person.

Zoning Regulations Update: Rutland Regional Planning Commission consultant Logan Solomon was present in person. Before the zoning review work resumed Logan and members discussed the timeline for the MPC and selectboard public hearings to be held in order for the Town to be able to vote on the amended zoning regulations at Town Meeting Day 2026. Given the number of new regulations being proposed, members felt that a longer public hearing (greater than 2 hours) would be beneficial to afford residents ample opportunity to comment. Members also felt that meeting on a Saturday would be preferable to a longer meeting during an evening. Saturday, November 15 from 9 am – 12 noon was proposed as the MPC public hearing date. The MPC could then finalize the draft at its November 17 supplemental meeting, the Selectboard could receive the draft at its November 24 meeting and could notice its public hearing the week of December 8. A second selectboard public hearing could be scheduled the week of January 5 if needed. Sarah will relay this proposed timeline to the selectboard. An executive summary of the proposed amendments will be prepared in advance of the MPC public hearing for the convenience of residents. Teri will provide to Logan language for requesting an extension of the MPG. The request is due the end of November.

Greg Smith will look into a question that Fred has about the validity of a temporary sign vis a vis the sign ordinance.

Members had the following comments or questions regarding the following sections of the regulations, working from the July 28, 2025 draft posted on the Town website:

Section 616. Structures in Sensitive Development Areas. Logan clarified that when the flood zone maps are updated he does not believe that we will need to amend the zoning regulations; he also indicated that the update is not expected at this point until the Spring of 2028. Logan will also correct the current duplicative reference to subsection (b)(2)(G).

Section 619. Short Term Rentals. Logan will confirm whether there are state occupancy limits for short term rentals.

Section 703. Restrictions and Regulations. Logan clarified that he proposed deleting 14(A) based on a reading of a U.S. Supreme Court case Reed v. Gilbert. He will check on the specific guidance in the case.

Article VIII. Planned Unit Developments. Logan clarified that PUDs generally allow more flexibility regarding density considerations. The changes that he proposed reflected changes in the zoning districts. In Section 803(l) members suggested deleting the proposed second section. In Section 805(b)(4) the reference to Vermont Green Building Council will be removed inasmuch as that entity no longer exists.

Section 1006. Certificates of Occupancy. Greg prefers “within 21 days” versus “within 10 days” for greater flexibility. He also recommends that the timeline only begins after an applicant submits a complete application, versus an incomplete application. The current sentence with the reference to “notification” in subsection 1006(b) should be revised to provide: “Within 21 days after an applicant has submitted an application for a Certificate of Occupancy, including paying the fee therefore, and all relevant conditions specified in subsection (a) have been satisfied, it shall be the duty of the Administrative Officer to make a final inspection and issue a Certificate of Occupancy if the land, building, structure or part thereof is found to conform with the provisions of these regulations.” Sarah pointed out that the reference to the Department of Labor in subsection 1006(a)(2) is in error because the Division of Fire Safety now has jurisdiction. The reference to Rutland City permits should also be removed. Logan will determine if there is an agency overseeing plumbing and electrical requirements and insert the relevant agency. Subsection (c) should be revised to provide: “If after such final inspection the Administrative Office refuses to issue a Certificate of Occupancy, the Administrative Officer shall state the reason for such refusal and cause thereof in writing (etc.) “ The reference to the Vermont Fire Prevention Code should be revised to Vermont Fire Building & Safety Code.

Section 1007. Zoning Permit Expiration. Delete because this is already referenced in Section 1005(b).

Section 1101. Administrative Officer Actions. Updated to reference state statute. Add “or the appellant does not have standing” to subsection (2).

Section 1102. Interested Persons. Changed to comport with state law. Add “Interested persons are defined in 24 VSA 1446(b), as may be amended.” Brian Gates remotely interjected a comment at this point and was admonished to not speak until the public comment period.

Section 1103. Notice of Appeal to Zoning Board of Adjustment. Reference to state statute added.

Section 1104. Appeals to Environmental Court. Any references to “Environmental Court” should be revised to provide; “Environmental Division of the Vermont Superior Court”.

Section 1105. Successive Appeals; Request for Reconsideration. Added to comport with 24 VSA 4470a.

Section 1201. Variance Criteria. Subsection 6 added.

Section 1202. Variances – Renewable Energy Structures. No changes.

Section 1203. Variances within Flood Hazard Area. No substantive changes.

Article XIII. Violations and Enforcement. No changes.

Section 1401. Public Notice. Subsection 4 added to comport with state statute.

Section 1402. Hearings. No changes.

Section 1403. Decisions. Subsection 4 added to comport with new state law.

Section 1501. Recording Requirements. No changes.

Article XVI. Definitions. Accessory Dwelling Unit. Clarifying sentence added.

“Conform with the most current Mendon Town Plan” will be removed from the definition section and included in Section 102.

Parking Space was updated to reflect a change in state statute.

There is a conflict for October 20, which would be the next supplemental zoning review date. An alternate date will be determined at the October 6 MPC meeting.

Public Comment: There were no public comments.

The next regular meeting of the Mendon Planning Commission is scheduled for Monday, October 6 at 5:15 pm. The next meeting of the Mendon Planning Commission dedicated to the zoning review work will be determined on October 6.

Respectfully submitted,

Teri Corsones