

Mendon Planning Commission Minutes
October 1, 2012

Present: Justin Lindholm, Steve Ellerin, Bill Godair, Ernie Smalley, Neil Langer and Teri Corsones were present. Mendon Zoning Administrator Steve Cosgrove was also present.

Swartz Subdivision Application: Teri reported that Mr. Swartz requested a continuation of his and his wife's subdivision permit application until June, 2013, given the length of time that will be needed in order to obtain aerial photographs that he and the adjoining landowners would like to utilize in order to explore alternative driveway locations for the proposed subdivision. None of the adjoining landowners objected to the request. Ernie Smalley made a motion to resume the continuation of the Swartz subdivision hearing at the June, 2013 meeting, as requested. Bill Godair seconded the motion and the motion carried.

McDonough Subdivision Application: Charles McDonough was present. Adjoining landowners Bernadette Hunt, Steven Dolphin, and Gilbert Rorison were also present. Jerry Bourassa, a relative of adjoining landowner Richard Rose, was also present.

Mr. McDonough had been asked to provide a copy of his source deed. He provided a copy of a deed from Charles Belfore to Maryann B. McDonough, dated March 10, 1982 and recorded in book 26 at page 551 of the Town of Mendon land records, which deed describes a parcel comprising 10 and 1/4 acres, more or less. Maryann McDonough conveyed the property to Mr. McDonough by deed dated May 23, 2003 and recorded in book 75 at page 399 of the Town of Mendon land records.

Mr. McDonough was also asked to provide a copy of the proposed easements associated with the proposed subdivision, including a right of way easement for ingress and egress, a well easement, a septic easement, and a utility easement. Mr. McDonough provided a "Declaration of Easements" which provides that Lot 1, comprising 8.5 acres, plus or minus, will be burdened by the following easements, to the benefit of Lot 2, comprising 1.03 acres, plus or minus:

1. A road access easement twenty feet (20') in width over the roadway leading from the Notch Road to the intersection of the roadway and the driveway serving Lot 2, as shown on the survey entitled "Survey and Site Plan for Charles McDonough, 431 Notch Road" prepared by James Montrone.
2. An underground utility easement twenty feet (20') in width extending from the Notch Road to the point on the property line of Lots 1 and 2 where underground utilities are presently located to serve Lot 2.
3. A water easement permitting the owner of Lot 2 to take water from the well located on Lot 1, accessible through the basement of the residence on Lot 1 to the structure on Lot 2.
4. A septic easement permitting the owner of Lot 2 to share the septic system located on Lot 1, including the right to utilize the leach field on Lot 1.

In each instance of the various easements, the owners of Lots 1 and 2 are to equally share the cost of maintaining, repairing, and replacing the shares resources, and for the owner of Lot 2 to have sole responsibility for any such costs associated with the portion of the easements solely benefitting Lot 2.

Mr. McDonough had been asked to verify whether a storm water discharge permit is required. He provided an e-mail dated August 28, 2012 from Jenna Calvi, an Environmental Analyst with the Vermont DEC Storm Water Program. The e-mail indicated that Ms. Calvi's program does not currently have jurisdiction over Mr. McDonough's property, but that if any structures are built after 2005 that are 5000 square feet and bring the total resulting impervious over one acre, coverage under an operational storm water permit will be required.

A question arose regarding setbacks. Steve Cosgrove will verify the setbacks after the wastewater permit is obtained. Mr. McDonough will contact Teri when the permit is in hand, and the members of the Planning Commission will endeavor to schedule a site visit, if necessary, over a week-end (given members' work schedules and available daylight hours during the work week). Justin Lindholm will also visit the site before the next meeting.

The next meeting of the Mendon Planning Commission is scheduled for Monday, November 5, 2012 at 5:15 p.m. Teri will telephone the adjoining landowners prior to that date to let them know if the wastewater permit has been obtained, and if the McDonough subdivision application hearing will be resumed at 5:30 p.m. on that date.

Respectfully submitted,

Teri Corsones