

Mendon Planning Commission Minutes (Draft)
August 13, 2019

Present: Justin Lindholm, Phil Douglas, Neil Langer and Teri Corsones were present. The draft August 5, 2019 minutes were approved as written.

Weinberg Subdivision Application: The following persons were in attendance for the site visit: Applicant Andrew Weinberg, Sloan Weinberg, Robert Butler, Helvi Abatiell, Steve Hicks, Juliana Secches, Jeff Bruso and Attorney Dave Cooper (representing Jeff Bruso).

Members learned that there is a written road maintenance agreement for the Stockbridge Turnpike Path. Persons who indicated otherwise at the August 5 hearing were unaware of the document entitled “Declaration of Covenants for Road Maintenance for Pumpelly Lots 1, 2, 3, 4 & 5 Mendon, Vermont”, dated December 22, 2014 and recorded on December 23, 2014 in book 98 at pages 84-87 of the Mendon land records. Copies of the document were provided to persons in attendance. Helvi Abatiell noted that although she accesses her property via the Stockbridge Turnpike Path (also known as the “Old Stockbridge Path”), she is not a party to the written agreement. The current owners of Lots 1 – 5 referenced in the agreement are Jeffrey Bruso (Lot 1), Aaron Hayes (Lot 2), Steven Hicks (Lot 3), Michael Khilkin (Lot 4) and Andrew Weinberg (Lot 5). The agreement provides that the owners shall be collectively responsible for maintaining Old Stockbridge Turnpike Path.

Mr. Weinberg provided a copy of a Stormwater Permit 7840-9020 dated August 8, 2017 that he received from the Department of Environmental Conservation. Mr. Hicks indicated that he is currently working with the State to obtain a Stormwater Permit and anticipates receiving it soon. Mr. Butler indicated that it’s his understanding from Mr. Lapre of the engineering firm Spencer & Lapre, that he is not required to obtain a stormwater permit for the proposed lot. He indicated that Mr. Lapre will confirm that in writing.

Members walked along the Old Stockbridge Path from its intersection with Route 4 to the subject parcel, to observe the condition of the road in light of questions raised at the August 5 hearing. The property owners in attendance described different improvements that have been made to the road in the past, including the installation of different sized culverts at different locations. They noted a portion of the road in the lower section where repair work is needed along the south roadbed. Members encouraged them to meet to discuss specifics for that work, as well as to discuss the specifics for future maintenance needs in the context of the road maintenance agreement described above. Members emphasized that the road needs to be maintained in adequate condition for

safe year-round use and access by emergency vehicles. Culverts or other drainage facilities should be appropriately sized and located.

Following the site visit, members discussed the stormwater aspect of the proposed subdivision. A written statement from a Vermont licensed engineer should state whether any adverse stormwater impact on adjoining properties will result from the proposed subdivision and construction. It should also state whether any stormwater permits are required for the proposed subdivision and construction. Mr. Butler will contact Mr. Lapre to request the statement as soon as possible. Members were asked to continue the hearing until the following week, in order to review the statement before voting on the application.

Members also noted that although a narrative description of the proposed lot was provided at the August 5 hearing, it did not include a description of the road easement benefitting the subject lot. Mr. Butler will request the easement description.

Justin Lindholm made a motion to require the applicant to: provide a written road easement description; provide a written statement from a licensed Vermont engineer stating whether any adverse stormwater impact will result from the proposed subdivision and construction and whether any stormwater permits are required for the proposed subdivision and construction; and, to continue the hearing until Wednesday, August 21 at 6:00 p.m. so that members can review the road easement description and engineer's statement before voting on the application. Phil Douglas seconded the motion and the motion carried.

The next regular meeting of the Mendon Planning Commission is scheduled for Monday, September 9, 2019 at 5:15 p.m. at the Mendon Town Office, given the holiday conflict on September 2. The continued hearing on the Weinberg subdivision application is scheduled for Wednesday, August 21 at 6:00 p.m. at the Mendon Town Office.

Respectfully submitted,

Teri Corsones