

**Mendon Planning Commission Minutes (Draft)**  
**August 5, 2019**

**Present:** Justin Lindholm, Phil Douglas, Neil Langer (by phone) and Teri Corsones were present. Zoning Administrator Steve Cosgrove was also present for the Weinberg subdivision application portion of the meeting. The draft July 1, 2019 minutes were approved as written.

**Weinberg Subdivision Application:** Andrew Weinberg was present regarding his application for approval of the subdivision of a 5.8 acre +/- parcel from a 56 acre +/- parcel he owns at 320 Stockbridge Path in Mendon. A notice of public hearing was published in the Rutland Herald on July 20, 2019 and was posted in three public places in Mendon. Mr. Weinberg provided a written listing of the adjoining landowners whom he notified of the hearing via U.S. mail. The adjoining landowners include: Daniel and Estelle Adams; Vincent Cipriano; David Cooper; Helvi Furlan; Steven Hicks; Michael Khilkin; Marc Latzky; Barry and Nancy Merrill; Methodist Community Church; Skybrooke Enterprises, LLC; Carol St. Pierre; TCM, LLC; and the Town of Mendon.

The following adjoining landowners appeared at the hearing: Steven Hicks; Seward Hawley (on behalf of the Methodist Community Church); Michael Khilkin and Juliana Secches; and Helvi Abatiell Furlan. Ms. Furlan explained that she had another commitment at 6:00 p.m. and was unable to stay for the full hearing. She submitted a written letter detailing her views regarding the application, which will be included in the file.

Jeff Brusio also appeared at the hearing and indicated that he believes that he should have received notice of the hearing as an adjoining landowner. Mr. Weinberg indicated that he requested a list of adjoining landowners from the Mendon Town Office, and Mr. Brusio's name was not on the list. Mr. Brusio indicated that he owns the Stockbridge Path roadway where it meets Mr. Weinberg's property. Teri Corsones indicated that Mr. Brusio was welcome to express his views regarding the application, and he requested that the hearing be cancelled until his attorney, Tina Pollard could attend. Teri indicated that the hearing would go forward as noticed and welcomed Mr. Brusio and Attorney Pollard to review the minutes from the hearing to determine whether they wished to submit any additional information relevant to the application. Mr. Brusio left the hearing before it concluded. Robert Butler, who plans to construct a home on the subject parcel, was also present.

The subdivision application is considered a minor subdivision; it is the first subdivision of the parcel that Mr. Weinberg purchased three years ago. The parcel was otherwise subdivided from a larger parcel in excess of seven years ago.

Members reviewed the site plan that Mr. Weinberg provided at the hearing. The site plan was prepared by Spencer & Lapre, LLP and is entitled "Subdivision of Lands of Weinberg, Old Stockbridge Path, Mendon Vermont". It is dated August 2, 2019 and

depicts Lot #1 comprising 52 acres +/- and Lot #2 comprising 6.0 acres +/- . Mr. Weinberg orally modified the application to comport with the actual acreage as determined by the survey. The site plan includes the requirements set forth in Section 400(B) of the Mendon Subdivision Regulations. A note will be added to the site plan to the effect that Mr. Brusco may also be an adjoining landowner, given his representation at the hearing that he owns the Stockbridge Path roadway at the point where it meets the subject parcel. Mr. Weinberg also provided a written narrative description of the subject parcel.

It is unclear whether the subject parcel is in the Village District or in a Residential 1 District. Mr. Butler provided a site plan depicting the proposed location of the house and septic system, and the location of an existing driveway. The proposed location meets setback and dimensional requirements, whether the parcel is in either district.

Mr. Weinberg addressed questions regarding stormwater issues associated with the Old Stockbridge Path. Mr. Weinberg indicated that he has a stormwater permit for the home he has constructed on Lot #1. He will provide a copy for the file. Phil Douglas suggested a "stormwater assessment" from a licensed engineer to confirm whether there would be any negative stormwater impacts on other properties as a result of the proposed subdivision. Mr. Butler will contact Mr. Lapre to do so.

Adjoining landowners in attendance engaged in considerable discussion about the state of repair of the Old Stockbridge Path. Although there is not presently a written road maintenance agreement, those in attendance appreciate the need for such an agreement and are making efforts to arrive at one. Mr. Weinberg invited members to conduct a site visit so that they can observe first-hand the road so as to better evaluate any issues connected with the roadway and the subject subdivision application. Phil Douglas made a motion to require the applicant to provide a stormwater assessment by a licensed engineer that addresses whether the proposed subdivision would negatively impact other properties from a stormwater perspective, and to continue the hearing until Tuesday, August 13 at 6:30 p.m. so that members can conduct a site visit regarding the roadway. Justin Lindholm seconded the motion and the motion carried.

**Mendon Town Plan Public Hearing:** Amanda O'Connor of the Rutland Regional Planning Commission provided a template for the notice requirements associated with the adoption process of the updated Mendon Town Plan, which the Mendon Town Office staff followed in advance of the Mendon Planning Commission public hearing. The requirements include publication of a Public Hearing Notice, Written Report and solicitation for comments in the Rutland Herald and three public places in Mendon. The same information was provided to the planning commission chairs of adjoining municipalities, the Executive Director of the Rutland Regional Planning Commission and the Department of Housing and Community Development. Copies of the updated Mendon Town Plan were available at the Mendon Town Clerk's Office, at the Mendon Town Garage, and on the Town website.

Three members of the public were in attendance at the public hearing; Anne Singiser, Steve Singiser and Larry Courcelle. Teri summarized the Planning Commission's major goals in updating the Town Plan: clarifying and simplifying the language; re-organizing the content to make it more read-able and user-friendly; updating the data and statistics; highlighting the economic development and recreational opportunities sections, including the inter-relation between those sections; and improving the aesthetics with appealing photos and images. Anne applauded the end result, and also noted the greater attention to historical detail in the updated Plan. Teri reiterated members' appreciation of the tremendous help that Amanda O'Connor, Ed Bove and other RRPC staff provided throughout the process, with the support of a Municipal Planning Grant.

Anne suggested two minor corrections: the word "hall" should be "office" in the 8<sup>th</sup> line and the year "1881" should be "1888" in the 9<sup>th</sup> line of the Historic Sites section on page 2. She also appreciated the several references to plans to seek a Village Center Designation for the Town. Steve asked whether the updated Town Plan is consistent with current zoning regulations and Teri indicated that members believe so and attempted to ensure consistency through the updating process. Larry Courcelle asked that the reference to "horseshoe pits" in lines 5-6 on page 8 be deleted, inasmuch as the pits have been removed. He also recommended that there be on-going and periodic review of the Goals and Actions sections, to ensure that the various recommendations are followed. He also provided additional detail about the Enhanced Energy Plan process that Barbara Noyes Pulling from the RRPC provided at the July 1 meeting.

Justin Lindholm made a motion for the three corrections described above to be made, and for the revised Mendon Town Plan to be submitted to the Selectboard for its review and action following a Selectboard public hearing. Phil Douglas seconded the motion and the motion carried.

**Bridge Subdivision Application:** Steve Cosgrove delivered a mylar for the Bridge subdivision approved at the June 3, 2019 meeting. Teri will sign the mylar as chair and submit it to the Town Clerk for recording.

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. As noted above, the continued hearing on the Weinberg subdivision application is scheduled for Tuesday, August 13 at 6:30 p.m. at the Mendon Town Office, where members will meet to walk to the subject parcel for a site visit.

Respectfully submitted,

Teri Corsones