

Mendon Planning Commission Minutes

January 4, 2021

Present: Phil Douglas, Fred Bagley, Justin Lindholm, Gary Sihler 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.

Instructions for accessing the meeting were 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 provided in the form of the following email address: mendonclerk@comcast.net.

The draft December 7, 2020 minutes were approved as written.

Notch Holdings, LLC: John Kalish was present for the hearing noticed for an application to subdivide a 153-acre parcel +/- into four parcels, one comprising 80.4 acres +/-, a second comprising 51.8 acres +/-, a third comprising 6.0 acres +/-, and a fourth comprising 14.8 acres. Adjoining landowner Brian Fitzsimmons was also present.

The relevant Notice of Hearing was published in the Rutland Herald on December 18, 2020 and copies of the Notice were posted in three public places in Mendon. Mr. Kalish indicated that on December 23, 2020 he mailed a copy of the Notice of Hearing and the requisite adjoining landowner letter by depositing the same in the United States mail, first class postage prepaid to each of the adjoining landowners identified and at the addresses listed on the “100 Foot Abutters List Report” he provided, including the City of Rutland; JK Land Company, LLC; Anthony Piana; Notch Holdings, LLC; and Richard, Brian and Colin Fitzsimmons. Mr. Kalish indicated that he would provide a written statement detailing the same following the hearing. Brian Fitzsimmons was the sole adjoining landowner present at the hearing.

Mr. Kalish provided a location map depicting Lot 29 in its present configuration and a “Google Earth” aerial map depicting Lot 29 divided into four lots: Lot 29.1

(80.4 acres +/-); Lot 29.2 (51.8 acres +/-); Lot 29.3 (6.0 acres +/-) and Lot 29.4 (14.8 acres +/-).

The Mendon Subdivision Regulations require submission of a survey plat prepared by a State of Vermont licensed professional engineer, along with the other requirements in Article IV, Section 400 of the Regulations. Mr. Kalish explained that he plans to retain a surveyor in the future, and to submit a complete subdivision permit application at that time. As such, the hearing was conducted as a Pre-Hearing Sketch Plan Review under Article III, Section 300 of the Mendon Subdivision Regulations. The purpose of a Pre-Hearing Sketch Plan Review “is to acquaint the Planning Commission with a proposed subdivision at a conceptual stage in the design process, prior to the submission of a subdivision application.”

Inasmuch as the proposed subdivision involves four lots, it would be classified as a Minor Subdivision when application is made. The distinction between major and minor subdivisions in Section 202 was explained, including the provision that “in determining the number of lots created, any lots created during the seven years prior to the date of application out of the parcel that the present lots are being created from shall be included regardless of whether the current landowner is the same as the landowner at the time of the previously created lots.”

The subject parcel is located in the Wheelerville Zoning District. As such, lots are subject to the dimensional requirements set forth in Section 310(e) of the Mendon Zoning Regulations. The minimum lot size is 5 acres and the minimum lot frontage is 65 feet per acre, but no more than 500 feet per lot.

Mr. Kalish indicated that no structures are currently located on the subject parcel; he owns a camp on Lot 30, located east of Lot 29. The camp is accessed via a logging road. Mr. Kalish plans to use Lot 29.4 for access to Lot 30 when he seeks approval of his subdivision application. There are no easements through Lot 29 at present. Town Highway 16 is depicted as the red line on the aerial map, and traverses Lot 29 in a north/south direction in the westerly part of Lot 29. Lot 29 is largely forested, and a portion of it is enrolled in the Current Use Program. A stream runs east/west near the southerly border of proposed Lot 29.2.

Mr. Fitzsimmons indicated that he contacted Mr. Kalish upon receiving notice of the hearing, and anticipates that he and his brother can discuss any questions about the proposed subdivision with Mr. Kalish. The eventual subdivision application will need to address each of the elements of the Subdivision Application Checklist

found on the Town of Mendon website. Mr. Kalish and Mr. Fitzsimmons indicated they had no further questions at present.

Mendon Zoning Regulations: Teri emailed Amanda O'Connor at the Rutland Regional Planning Commission with the questions listed in the minutes of the December 7, 2020 MPC meeting, and will forward Amanda's responses when received.

Mendon Town Report: Teri relayed the contents of the Mendon Planning Commission Report that she prepared for inclusion in the 2021 Mendon Town Report.

The next meeting of the Mendon Planning Commission is scheduled for Monday, February 1, 2021 at 5:15 p.m.

Respectfully submitted,

Teri Corsones