**Mendon Planning Commission Minutes**

**April 1, 2024**

**Present:** Justin Lindholm, Fred Bagley, Dick Howe, Lisa Swett, Sarah Buxton, Dennis O’Connell and Teri Corsones were present. Zoning Administrator Steve Ellerin was also present. The draft March 11, 2024 minutes were approved with no changes.

**Smith Subdivision Permit Application:** Howard Smith was present forthe hearing noticed for his application to subdivide an 8.23 acre +/- parcel located at 0 U.S. Route 4 in Mendon, Vermont into five lots including Lot 1 comprising 1.40 acres +/-; Lot 2 comprising 2.12 acres +/-; Lot 3 comprising 1.37 acres +/-; Lot 4 comprising 1.71 acres +/-; and Lot 5 comprising .48 acres +/- with the remaining lands comprising 1.15 acres +/-. Surveyor Mark Courcelle was also present.

The relevant Notice of Hearing was published in the Rutland Herald on March 15, 2024 and copies of the Notice were posted in three public places in Mendon. Mr. Smith stated that he mailed a copy of the Notice of Hearing and the requisite adjoining landowner letter via first class mail to each of the adjoining landowners identified and at the addresses that Mr. Smith submitted prior to the hearing. Adjoining landowners include: Larry Bride; Thomas Rock; Edwin Boutwell; Milos Nemec; T-E-D Associates; Lellos Phocion II; Town of Mendon; Paul McCully; Christopher Page; Jane Walker; Edward Parker; and Kate McLaughlin. Edward Parker, Bonnie Parker, Paul McCully, Tom Krakowka, Bill Ellis and Dennis Charles attended the hearing in response to the notice. Bill and Carol Gates also connected to the meeting.

Mr. Smith provided a survey map entitled “Subdivision of Lands of H.S. Mendon LLC, U.S. Route 4” that depicts Lots 1 – 4 with proposed house, septic and well sites. Mr. Smith explained that he does not intend to develop Lot 5 but instead has contracted to convey Lot 5 to Ed Allen upon approval of the subdivision permit application. The survey map also depicts a 50’ right of way through a parcel located at 165 Cedar Lane and owned by Kate McLaughlin located near the northeast corner of Lot 1. The survey map also depicts two 50’ roadways, one along the northerly boundary of Lot 1 and culminating in a cul de sac with a 100’ diameter at the northwest corner of Lot 2 and the other along the westerly boundary of Lots 1 and 3 and culminating in a cul de sac with a 100’ diameter at the northwest corner of Lot 4. Driveways to each lot will be constructed off of the roadways. Mr. Smith indicated that the roadways will have a gravel surface when constructed.

Because the proposed subdivision results in five lots it constitutes a major subdivision under Section 202 of the Mendon Subdivision Regulations. The property is in the Village District, which requires a one-acre minimum lot size.

Mr. Smith explained that a Homeowners Association will be formed to include a road maintenance component that will govern responsibility for maintenance of the roadways. Power will be installed underground. Mr. Courcelle indicated that preliminary soil testing has taken place but application has not yet been made for the state wastewater system and potable water supply permits that are required before dwellings can be constructed on the lots. The required isolation distances for septic and water will need to be met in order for WW permits to be approved.

Adjoining landowners had questions about where snow would be pushed when the roadways are plowed. Mr. Smith indicated that the 50’ roadways could accommodate plowed snow.

Adjoining landowners also had questions about waterflow along the roadways and the potential impact on adjoining properties. Mr. Smith indicated that he planned to consult with the Mendon Road Commissioner about culvert size and placement, as well as ditching.

Adjoining landowners also had questions about the potential impact the subdivision would have on their existing springs. Discussion ensued about testing of the springs to establish a baseline for water quality.

The hearing was recessed until June 3, 2024. Mr. Smith will consult with Mendon Highway Commissioner Chris Baird to address the questions about water run-off. He and adjoining landowners will also connect to discuss the spring questions and report back on June 3 regarding the outcome of their discussion. Mr. Smith will email his statement as to how and to whom notice was provided for the initial hearing.

**Econolodge:** Mr. Anil Sachdev appeared before the MPC to discuss his recent purchase of the former Econolodge property on Route 4 and his plans for it. As noted in the March 11, 2024 MPC minutes, Mr. Sachdev’s brother Rakesh Sachdev was to meet with representatives of the Department of Public Safety Division of Fire Safety that week. The meeting took place on March 14 with Steve Ellerin and Fred Bagley present. At the meeting, Rakesh Sachdev indicated that he planned to participate in the hotel voucher program.

A Vermont Department of Health Inspection Report dated February 26, 2024 notes that an inspection was requested by Rakesh Sachdev to conduct a walk-through of the facility “planned for operating as transition housing under the VT Economic Services voucher program.” Zoning Administrator Steve Ellerin indicated to Rakesh Sachdev on March 23 that participation in the voucher program would trigger a change of use permit and potentially a conditional use permit. At the MPC meeting, Anil Sachdev stated that he now does not plan to participate in the voucher program. He did not indicate how he would prevent persons from using vouchers at the property or how he would prevent persons using vouchers from staying long-term at the property, however.

A VT Department of Public Safety Division of Fire Safety “Fire Inspection Results” report dated March 14, 2024 lists 17 conditions that must be met before occupancy is permitted. The conditions include documentation from a qualified mold and mildew specialist that the mold/mildew that is throughout the building has been assessed and remediated. This is to be submitted prior to any walls being closed by sheet rock. Mr. Sachdev acknowledged that has not provided the documentation.

The conditions also include a report of findings by a certified water specialist after their evaluation of the water system. Mr. Sachdev acknowledged that he has not provided the report.

The conditions also include documentation from the project engineer certifying that the structural work was done per their specifications. Mr. Sachdev acknowledged that he has not provided the certification.

The conditions also include the electrical inspector inspecting and passing the electrical work. Mr. Sachdev acknowledged that he has not provided the inspection report.

The conditions also include the plumbing inspector inspecting and passing the plumbing work. Mr. Sachdev acknowledged that he has not provided the inspection report.

Mr. Sachdev indicated that he and his brother purchased the property in January 2024. He does not know for certain when hotel operations ceased at the property but believes it was over six years ago. Contrary to what was represented at the March 14 site visit and in the Department of Health Preliminary Inspection Report, Mr. Sachdev stated that he does not plan to participate in the hotel voucher program but rather plans to market the property through the Econolodge franchise. He does not have documentation to that effect but indicates that he is in the process of securing it.

Mr. Sachdev also indicated that he does not intend to offer any food or drink at the property. Although Mr. Sachdev stated that there will be “24/7” coverage at the property, he indicated that no employees will live there.

Current exterior lighting does not clearly define the entrance to the parking lot. Members noted that there are safety concerns associated with the entrance that will need to be addressed.

Mr. Sachdev was asked if he has a parking plan to show where vehicles for the 35 rooms can be parked. Mr. Sachdev indicated he will provide a parking lot schematic.

Mr. Sachdev indicated that he has sufficient Alpine Pipeline ERUs to cover the 35 rooms and 70 occupants and that he will provide documentation confirming the septic capacity.

Mr. Sachdev acknowledged that he will need to apply for a sign permit but he has yet to do so.

Given the inconsistent statements about proposed use and adjoining landowners concerns, Mr. Sachdev indicated that he will attend the next MPC meeting on May 6, 2024 and respond to questions.

Mr. Sachdev also indicated that he will provide the documentation, certification and inspection reports required in the Division of Fire Safety Report Conditions and report on whatever progress has been made to join with Econolodge to operate the property as a hotel versus a property available to persons participating in the voucher program for longer term residency.

The next regular meeting of the Mendon Planning Commission is scheduled for Monday, May 6, 2024 at 5:15 p.m. at the Mendon Town Office.

Respectfully submitted,

Teri Corsones