

Mendon Planning Commission Minutes
April 2, 2012

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

Thomas Riffon: At the February 6, 2012 meeting, Mr. Riffon had been asked to provide verification that the two sheds located within the triangular parcel are located greater than 15' from the proposed boundary line. Steve Cosgrove submitted a sketch map dated March 2, 2012 that Mr. Riffon gave him, depicting the location of the sheds relative to the proposed boundary line. The distances exceed 15'.

Richard and Elizabeth Swartz: Richard and Elizabeth Swartz have applied for a subdivision permit to subdivide a 47 acre parcel they own off the Currier Road in Mendon into one 21 acre parcel and one 26 acre parcel. Elizabeth Swartz was present. Also present were adjoining landowners Dirk Steupert, Brian Kerns, Harry Ryan and Bronson Spencer. Attorney Gary Kupferer was present on behalf of Harry Ryan. T.R. Ryan was present as an observer.

A Notice of Public Hearing was published in the Rutland Herald on March 17, 2012, and posted in three public places in Mendon on the same date. Ms. Swartz provided copies of the letters that were mailed to adjoining landowners. A copy of the Notice of Public Hearing was included with each letter. Ms. Swartz will verify whether any properties across Meadlowlake Drive are located within 200' of the proposed subdivision.

The application materials submitted include an Application for Zoning Permit for Subdivision of Land, a draft Reservation of Right of Way and Easement, and a plot plan drawn by Hogg Hill Design, LLC dated March 6, 2012. The plot plan depicts an existing residence and driveway on the proposed 21 acre Lot 1. Members requested that the plot plan show contour lines of no more than ten (10) feet, as required by section 220.1 of the subdivision regulations, the approximate location of the proposed right of way intended to access the 26 acre Lot 2, and the names of the adjoining property owners relative to where the owners' properties are located. Members also requested that a USGS map showing the location of the proposed subdivision be provided, per section 220.15.

The draft Reservation of Right of Way and Easement references a permanent and perpetual easement fifty (50) feet in width in the introductory paragraph, and the construction, operation, maintenance, repair and replacement of a driveway not more than 100 feet in width in the first bulleted paragraph. Ms. Swartz will verify the correct width of the easement.

Members noted that section 317(6) (Standard 6) of the Mendon Zoning Regulations may apply to portions of the proposed right of way, if it is to be built on slopes in excess of 25%. Per the Zoning Regulations, the 25% Slope District is relevant with respect to the construction of private driveways so as to insure safe access for emergency and police vehicles and utility delivery vehicles. Whether the 25% Slope District Standard 6 parameters apply can be better ascertained when the contour lines and right of way location are provided.

Ms. Swartz indicated that Blair Enman of Enman Engineering has done some testing for a septic design for a residence on proposed lot 2. The Agency of Environmental Conservation is responsible for reviewing applications for wastewater permits; adjoining landowners with questions about the proposed septic location were encouraged to contact the Agency of Environmental Conservation.

The proposed subdivision is classified as a Minor Subdivision. Mr. and Mrs. Swartz were asked to provide the following information as detailed above: plot plan with contour lines; approximate location of proposed right of way; adjoining landowners' property locations; USGS map; clarification of right of way width; and clarification of applicability of 25% Slope District parameters. The application hearing was continued until the specified information is provided; Ms. Swartz will notify the Planning Commission as to whether she and/or Mr. Swartz are available for the May 7, 2012 meeting, and persons in attendance for the hearing will be notified via the e-mail addresses they provided of the continuation date.

Snow Angel Tavern: Lance Richard submitted an application to amend the site plan approval for the Snow Angel Tavern located at 6105 U.S. Route 4, in order to build a deck on the north side of the building. Mr. Richard leases the property from Jim Dunbar. Mr. Richard was present, along with Georgi Angelov and Victoria Angelova, who work at the property.

A Notice of Public Hearing was published in the Rutland Herald on March 17, 2012, and posted in three public places in Mendon on the same date. Mr. Richard provided a listing of the names of adjoining landowners to whom he had mailed a copy of the Notice of Public Hearing. One letter addresses to Mark Skwara and Sheri Sumner was returned. The application materials submitted include a property map depicting the location of the building and proposed deck, a sketch of the proposed deck and ramp accessing the deck, a schematic of the deck construction, and a copy of the Division of Fire Safety Construction Permit.

The proposed deck measures 16' by 32' and the ramp connected to the building's main entrance accessing it measures approximately 4' by 15'. No permanent lighting is proposed and the present parking is sufficient to accommodate the increased square footage associated with the proposed deck. Neil Langer made a motion to approve the application to amend the site plan. Justin Lindholm seconded the motion. The motion carried.

The next meeting of the Mendon Planning Commission is scheduled for Monday, May 7, 2012 at 5:15 p.m. at the Mendon Town Office.

Respectfully submitted,

Teri Corsones