

**Mendon Planning Commission Minutes**  
**August 13, 2012**

**Present:** Steve Ellerin, Ernie Smalley, Justin Lindholm, Phil Douglas and Teri Corsones were present. Zoning Administrator Steve Cosgrove was also present for the beginning portion of the meeting. The July 9, 2012 Mendon Planning Commission Minutes were approved.

**McDonough Subdivision Application:** Charles McDonough was present, along with Licensed Land Surveyor James Montrone, regarding Mr. McDonough's Subdivision Permit Application. Adjoining landowners Stephen Dolphin, Joshua Mac, Marion Alexander, Bernadette Hunt, Gilbert Rorison and Nils Trahnstrom were also present. Jerry Bourassa, a relative of adjoining landowner Richard Rose, were also present.

A Notice of Public Hearing was published in the Rutland Herald on July 27, 2012 and posted in three public places in Mendon. Mr. McDonough provided a copy of the letter and notice of hearing he sent certified mail on August 1, 2012 to the adjoining landowners. He has applied for a 1-lot subdivision of his property located at 431 Notch Road in Mendon. He asked that the preliminary and final hearing be combined into one hearing. The Mendon Tax Map indicates the property comprises 8.1 acre. The application, dated July 25, 2012, indicates the property comprises 10 acres, plus or minus, consisting of a proposed lot comprising 1 acre, plus or minus, and a proposed lot comprising 9 acres, plus or minus. A survey map prepared by James Montrone, which he indicated is dated August 9, 2012, depicts Lot 1 as comprising 8.5 acres, plus or minus, and Lot 2 as comprising 1.03 acre. Mr. McDonough did not have a copy of his source deed, and was not certain of the acreage reflected in that deed. Mr. Montrone indicated the acreage depicted on the survey map is accurate.

There are presently two structures on the property at issue. One structure is a 4 bedroom primary residence that was constructed in approximately 2006. Mr. McDonough resides in that structure.

It has a "mother-in-law" apartment over the garage that has one of the four bedrooms in the residence. The second structure was constructed in 2012. It is not occupied and does not include any bedrooms. It is connected to the well and septic system serving the primary residence.

The overall property is the subject of Potable Water Supply and Wastewater System Permit WW-1-1257, dated October 27, 2004. That permit approved one 4 bedroom single family dwelling on a 1 acre lot, with the remaining 9 acres to remain undeveloped. The 1 acre lot was approved for an on-site water supply from a drilled well and for wastewater disposal by construction and utilization of the wastewater disposal system depicted on the approved plans. Mr. Montrone indicated he submitted an application to the Agency of Natural Resources last week, seeking approval of Mr. McDonough's new proposed subdivision permit application. He is uncertain how the state intends to treat WW-1-1257 in light of the new application.

Members asked for a copy of the source deed. They also explained that Mr. McDonough should provide for Planning Commission review a proposed deed for the proposed subdivision, describing the necessary easements associated with the subdivision. The easements include a 20' right of way easement over the existing driveway beginning on the Notch Road and crossing the 8.5 acre parcel; a well easement; a septic easement; and a utility easement, each benefitting the 1.03 acre parcel. Members also explained that clarification of the status of the existing WW-1-1257 permit is necessary, given the discrepancies between the permit conditions and the second structure on the property. The clarification should also address whether a stormwater discharge permit is required. They also requested that setbacks be depicted on the survey map.

Adjoining landowners in attendance expressed concerns about water run-off down the McDonough driveway, and across the private road accessing the Rose property. Mr. Bourassa indicated he had met with Mr. McDonough on behalf of Mr. Rose to discuss a possible solution to the latter issue, including some ditching work and the erection of silt fences. Mr. Dolphin has contacted Matt Probasco to inspect the property from a stormwater discharge perspective. Mr. Trahnstrom questioned the well head location vis a vis a stream on the property.

Members inquired as to when Mr. McDonough would have the additional information and documentation described above. Mr. McDonough was uncertain whether he would have the information and documentation before the September meeting, scheduled for Monday, September 10 (the September meeting is one week later than usual given the Labor Day holiday on September 3). He will notify the Planning Commission as to timing after Labor Day, and the Planning Commission will notify the adjoining landowners during the week of September 3 whether a continuation of the hearing will take place on September 10, or will instead take place at the October Planning Commission meeting.

Ernie Smalley made a motion to continue the hearing until the information and documentation described above is provided, subject to the notification process described above. Steve Ellerin seconded the motion and the motion carried.

The next meeting of the Mendon Planning Commission is scheduled for Monday, September 10 at 5:15 p.m. at the Mendon Town Office.

Respectfully submitted,

Teri Corsones