

## MENDON PLANNING COMMISSION MINUTES

**December 2, 2013**

**Present:** Bill Godair, Justin Lindholm, Neil Langer, Phil Douglas and Teri Corsones were present.

**Paquette Property Management & Consulting, LLC:** Nick Paquette and Johanna Staudinger were present on behalf of Paquette Property Management & Consulting, LLC regarding its application for change of use approval in order to convert a portion of the commercial building located at 125 Valley View Drive from office space to a one-bedroom apartment. The Notice of Public Hearing was published in the Rutland Herald and posted in three public places on November 15, 2013. Mr. Paquette provided certified mail receipts dated November 15, 2013 for Nayla, LLC, Marsha Bruce and Vera's Associates, as well as a copy of the letter he had mailed to each of the adjoining landowners.

Mr. Paquette provided a building plan depicting the dimensions of the ten suites which are presently contained in the commercial building. Suite 2 includes approximately 800 square feet, located in the southeast corner of the building. Mr. Paquette indicated that a state septic permit allows 20 persons to occupy the building. At present two employees are present during working hours. He will contact the Agency of Environmental Conservation regarding modification of the permit, to reflect the proposed change of use of Suite 2 from office space to residential space. There are four restrooms in the building, one of which is located in Suite 2. The private septic system features a 1500 gallon septic tank.

With respect to parking, members reviewed section 414 of the Mendon Zoning Regulations and determined that thirty (30) parking spaces would be adequate given the size of the building and the present and proposed use of space. Mr. Paquette indicated that there is ample room for parking, and will depict on the site plan the location of 30 parking spaces, each 8' by 15'.

Justin Lindholm made a motion to approve the application for change of use, subject to the applicant providing a copy of the state septic permit and verification of modification of the permit to reflect the change of use, and subject to the applicant providing a site plan which depicts the location of the thirty parking spaces describe above. Bill Godair seconded the motion, and the motion carried.

**Fred Bagley:** Dr. Bagley discussed with members his proposal that the Town of Mendon work with the State of Vermont and the property owners of five lots located at the junction of the East Pittsford Road and U.S. Route 4 to create a green space dedicated to monuments that celebrate and recognize significant Mendon events. The proposal includes creating an access road that would go west from an L-shaped frontage road to

serve all five of the properties, thereby eliminating the multiple driveway accesses presently situated in the area. The possibility of reducing the speed limit on U.S. Route 4 from 45 mph to 40 mph was also discussed. Dr. Bagley would like the Planning Commission to consider appointing a subcommittee to further discuss the proposal. He will come to the January 6, 2014 meeting for further discussion.

**McDonough Subdivision Application:** Chuck McDonough was present to suggest a modification of the application he submitted at the November 4, 2013 Planning Commission meeting to subdivide an 8.53 acre parcel into a 7.51 +/- parcel and a 1.02 +/- acre parcel. The modification consists of proposing a driveway/private road accessing the 1.02 +/- parcel from the Notch Road, instead of access via the shared roadway, as depicted on the site plan submitted at the November 4, 2013 meeting. Mr. McDonough indicated that he has had a preliminary discussion with Mendon Road Commissioner Bill Ellis about the modification, but has not yet met with Mr. Ellis to review the new location. Members would like the opportunity to discuss the modified access with Mr. Ellis before voting on it. Teri will check with Mr. Ellis as to whether he can attend the January 6, 2013 meeting; the hearing on the application will be continued until that date.

**Swartz Subdivision Application:** The hearing on the Swartz subdivision permit application was continued from June 3, 2013 to December 2, 2013. Mr. Swartz verbally indicated prior to the meeting that he plans to withdraw the application, and sent an e-mail with questions for the Planning Commission. A copy of the e-mail was forwarded to those interested persons who had participated in prior hearings. Mr. Swartz was not able to be present at the meeting, but asked if he could participate by telephone. Harry Ryan was present at the hearing.

Mr. Swartz was asked to confirm in writing his intent to withdraw the application. With respect to Mr. and Mrs. Swartz selling the property and retaining an option to purchase a portion of the property, members indicated that any such arrangement would be up to Mr. and Mrs. Swartz and a subsequent purchaser; the Planning Commission has no authority or jurisdiction to approve or not approve of such scenarios. With respect to the question of whether an applicant can delegate agency authority to a third party to appear at Planning Commission hearings on behalf of the applicant, members indicated that there is nothing in the statute or regulations that would preclude a written delegation of authority towards that end. Mr. Swartz indicated that he would e-mail written confirmation of his intent to withdraw the application within the next several days.

The next meeting of the Mendon Planning Commission is scheduled for Monday, January 6, 2014 at 5:15 p.m. at the Mendon Town Offices. Members will also meet on Thursday, December 5 to continue their review of the updated Mendon Subdivision Regulations.

Respectfully submitted,

Teri Corsones