

Planning Commission  
Town of Sunderland, Vermont

July 27, 2016

A meeting of the Planning Commission (Commission) of the Town of Sunderland (Town) was held on Wednesday, July 27, 2016, at the Sunderland Town Offices pursuant to the Warning fixing the time and place of the meeting.

The members present in person were Ed Bove, John Stuermer, Lily Van Haverbeke and Scott York.

Also present at the meeting were Anna Ennis, Paul Ennis, Sr., Deborah Cullinan, John "Cully" Cullinan, Albert Bowen, Martha Bowen, David Mooney representing Moo Canoe LLC and Ondawa LLC (the former Battenkill Inn property), and Richard Jones..

Mr. Bove, Chair of the Commission, called the meeting to order at 6:37 p.m. Ms. Van Haverbeke recorded the minutes of the meeting.

The first order of business to come before the Commission was the approval of the draft minutes of the June 29, 2016 meeting of the Commission. Upon motion made by Mr. Stuermer, seconded by Mr. York, the minutes were unanimously approved.

There being no old business to address, the next item on the agenda was the warned public hearings on the Ondawa LLC property and the Moo Canoe LLC property (the former Battenkill Canoe property). Mr. Bove opened the public hearing on the Ondawa LLC property. Mr. Mooney presented a site plan for renovation of the Ondawa LLC property and noted that a change of use is being requested for the property to convert the building from an apartment building to an inn, which was an earlier use of the property. He noted that the architectural style will stay the same although the proposals must go through Act 250 review and that review may affect the final architectural plans. He also noted that when the building served as an inn it was permitted for 11 guest rooms and the proposed plans provide for 7 guest rooms plus manager's quarters. He also noted that the property contains 6.84 acres of land. He explained that a new deck was proposed for the side of the building as well as an increase in the size of the deck on the back of the building. He also stated that the plans call for 36 parking spaces. He then reviewed the interior renovation plans in detail. He stated that the owners anticipated that once the inn was in operation there would be four employees and that the restaurant may also serve the public as well as inn guests. The Commission then discussed the location of the flood plain on the property and the siting of the parking area. It was noted that since the property is located in the special flood hazard district, the permit application for a change of use must also be forwarded to the State of Vermont National Flood Control Coordinator at the Agency of Natural Resources (ANR), in accordance with 24 V.S.A. 4424, and that no permit can be issued until either 30 days have elapsed following the mailing of the permit application or the ANR has provided comments. Mr Bove asked Mr. Stuermer, as Zoning Administrator, to forward the application to ANR. To allow time for state review, the Commission determined that the hearing

should be recessed and that the hearing should be continued at the next meeting of the Commission on Wednesday, August 24, 2016. Ms. Van Haverbeke made a motion to recess the Ondawa LLC hearing until August 24, 2016, Mr. Stuermer seconded, and the motion was unanimously approved by the Commission.

The next item on the agenda was the warned public hearing for the Moo Canoe LLC property, formerly known as the Battenkill Canoe property. Mr Bove opened the public hearing. Mr. Mooney explained that the applicant was seeking approval to reconstruct the building on the easterly side of Route 7A after demolition. He noted that demolition permits have been received from both the Town and the State of Vermont District 8 Environmental Commission for the buildings on both the westerly and easterly side of Route 7A. He stated the proposed new building will be constructed on the existing foundation but that the foundation will be raised. The building will be used for a recreational business renting and selling canoes, kayaks, snowshoes and other recreational equipment. After discussion on the building reconstruction and the location of the flood plain on the property, the Commission determined that in accordance with Section 3.8.21 of the Town Zoning Bylaws (Bylaws), substantial improvement of 50 percent or more in the flood hazard area shall be treated as a conditional use and may be permitted only by the Zoning Board of Adjustment. The Commission then discussed continuing the public hearing on the property and transferring the application of Moo Canoe LLC to the Zoning Board of Adjustment (ZBA). Upon motion by Ms. Van Haverbeke, seconded by Mr. York, the Commission unanimously approved transferring this application to the ZBA and continuing the public hearing at a joint meeting of the ZBA and the Commission on Wednesday, August 24, 2016 at 6:30 p.m. Mr. Stuermer will also forward this application to the ANR.

The next item of business was an update on current development in the Town. Mr. Stuermer then reviewed Town Zoning permits issued since the June 2016 meeting and Mr. Bove noted that the Town of Manchester has provided the Town with a copy of an Interim Zoning Regulation. The Commission also discussed the the Act 250 permit application amendment by Jake Kolar for property on North Road and options available to the Commission.

The next item of business was the work session on updating the Bylaws. The Commission discussed zoning district designations, requirements of solar panel permitting and reviewed a proposed provision of the Bylaws. The Commission also discussed zoning application requirements.

The next meeting of the Commission will be at 6:30 p.m. on Wednesday, August 24, 2016 and will include a joint meeting of the Commission and the ZBA for the continued public hearing on the conditional use permit for the Moo Canoe LLC property. The meeting will also include the continued Commission public hearing on the Ondawa LLC property. The meeting will take place at the Town offices.

There being no further business to come before the Commission, and upon motion duly made and seconded, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,  
/s/ Lily Van Haverbeke  
Lily Van Haverbeke