

Planning Commission Town of Sunderland, Vermont, August 28, 2019

A meeting of the Planning Commission (Commission) of the Town of Sunderland was called on Wednesday, August 28, 2019 at the Sunderland Town Offices pursuant to the Warning fixing the time and place of the meeting.

The members of the commission present were: Ed Bove, Rob Zeif, Lewis Hebert and Tucker Kimball, The Commissioners present constituted a quorum of the Commission. Also present at the meeting was Missy Bell-Johnson, Zoning Administrator.

Also, in attendance were Clyde Baker, Nina Mooney and John Cullinan

Mr. Bove opened the meeting at 6:00 pm and introductions were made.

Mr. Hebert motioned to approve the agenda as written. Mr. Zeif seconded the motion and all voted in favor.

Mr. Hebert motioned to approved the minutes from the June, 2018 meeting. Mr. Zeif seconded the motion and all voted in favor.

Mr. Kimball motioned to begin the Public Hearing on Moo Canoe's request to extend a previously granted permit for building a two-story commercial structure on the site of the former Battenkill Canoe building. Ms. Mooney presented an elevation of the building which had not previously been submitted. No changes from the previously granted permit are being requested. The project is expected to begin in the spring of 2020. Questions were asked and answered. It was determined that the building would be handicapped accessible, the color is expected to be light grey with white trim and the parking area will not be paved. When all questions were determined to have been answered by Ms. Mooney, Mr. Hebert motioned to close the public hearing. Mr. Kimble seconded the motion and all voted in favor.

Ms. Bell-Johnson began the Zoning Administrator's Update by re-introducing Mr. Baker and providing an overview of his properties and his immediate and midterm plans for the land. She explained that the review of the properties was made more complicated by the lack of historical documentation available in the zoning files and that the missing information should not be detrimental to Mr. Baker's zoning requests. She asked the Commission for assistance in assuring Mr. Baker's past, current and future plans for the land could be placed in synch with the Town of Sunderland Bylaws. She asked for permission from the Commission to grant Mr. Baker's application for a barn on one of the properties. She explained that Mr. Baker was completely receptive to the town's requests and that he had recently, and very quickly, brought the properties into compliance with the Town Ordinances. Mr. Baker further described the properties and provided some background information regarding past, current and future development of the properties. He welcomed the Commission to a site visit of the properties so that some of the challenges could be visualized. There was discussion and questions were answered. It was agreed that Ms. Bell-Johnson would grant Mr. Baker's request for a permit for the barn after it was determined the location was not in a flood zone or river corridor. Mr. Zeif expressed concern that the Town Ordinance violations were being brought into the zoning permit process. He explained linking the two process together could have a chilling effect on residents that could lead to development without a permit. Ms. Bell-Johnson explained that the reason for the dual effort in this case was to get the properties completely compliant with both the ordinances and the bylaws because some of the land will be subdivided and sold in the future and a Certificate of Compliance could be necessary.

Mr. Bove proposed the Commission meet at a warned site visit on September 25, 2019 at 5:00 pm at 0 Schoolhouse Road. All were in agreement.

Mr. Cullinan arrived at the meeting and expressed some concerns with the Moo Canoe reapplication request. As the public hearing for Moo Canoe had ended, the Commission could not comment or act on the concerns.

Ms. Bell-Johnson continued the administrator's update and commented about the increase in volume of applications received in the last month and noted that the applications received had been for decks, garages and accessory buildings with no major development currently planned.

Mr. Bove distributed updated draft copies of the Bylaws. He asked the Commission and Ms. Bell-Johnson to review the document for final comments before the September Planning Commission Meeting. Mr. Bove outlined the approval procedure and discussed the format of the document. Mr. Zeif expressed concerns regarding potential subjectivity in assigning development a category for review. Mr. Bove explained the purpose for that approach.

There being no further business, Mr. Hebert motioned to end the meeting and Mr. Zeif seconded the motion and all voted in favor. The meeting ended at 7:24 pm.

The next meeting of the Town of Sunderland Planning Commission will be on September 25, 2019. A 5:00 pm site visit is scheduled as mentioned above. The regular meeting and a Public Hearing on a Conditional Use Permit will commence at 6:00 pm at the Town Office building.

Note: The meeting proposed by Mr. Bove for September 25, 2019 at 5:00 at 0 Schoolhouse Road was later postponed.