

## **Planning Commission Town of Sunderland, Vermont, March 24, 2021**

A meeting of the Planning Commission (Commission) of the Town of Sunderland was called on Wednesday, March 24, 2021 via Zoom pursuant to the Agenda fixing the time and method of the meeting.

Present: Commissioners: Tucker Kimball, Lewis Hebert, Rob Zeif and Michael DeZayas were present. The Commissioners present constituted a quorum of the Commission. Also present was Missy Johnson, Zoning Administrator and Applicant Alex Maier

Commissioner Hebert opened the meeting at 6:27 pm and introductions were made. He then asked if there were any changes to the agenda and noted that the minutes from the November 18, 2020 meeting could not be approved as there was a lack of quorum of commissioners present who were also present at that meeting. Commissioner Zeif moved to approved the minutes as amended. Commissioner Kimball seconded the motion and all voted in favor.

Mr. Maier spoke regarding his recent purchase of a 23-lot subdivision located past the town office on Mountain View Road. He discussed his plans to abandon the subdivision permits and provided a preliminary plan to build a single-family home on the property with the remainder allocated to farming. He also described the efforts that had been made thus far in abandoning state permits including Act 250, and outlined what was needed from the town so that he could continue to work with the state. There was discussion regarding the original permit for the subdivision and it was noted that neither the commissioners nor Mr. Maier had seen the original permit. It was also noted that the current bylaws do not speak to the abandonment of permits.

Ms. Johnson mentioned that a warned public hearing would be necessary to formalize Mr. Maier's requests. It was generally agreed among the commissioners that if the Act 250 permit was abandoned, then the town permit was mute, and Mr. Maier would be starting with a clean slate once a zoning application for the home was submitted for approval. There was also discussion regarding the possibility that Mountain View Road was supposed to be paved prior to any development in the subdivision although there was no documentation available for this assertion. It was mentioned that the town had already adopted Mountain View Road because of the time that had passed since the original permit was issued. Ms. Johnson mentioned that abandoning the permit may negatively effect town interests it currently has under the permit, and that nullifying the potential for such a large subdivision would have a negative effect on the future tax base. Mr. Maier requested to put up a gate at the entrance to his property. It was mentioned that he would need to apply for a permit for such a gate. No vote was taken regarding Mr. Maier's requests. Mr. Maier left the meeting at 6:50 pm.

Ms. Johnson provided the ZA report which included a report of investigation into a complaint received from homeowners in the Burrough Rd. Village District regarding a possible illegal curb cut, junk ordinance violations and the possible operation of an unapproved business on a residential property. A discussion regarding ordinance violations and bylaw violations ensued. Commissioner Hebert provided guidance from the bylaws in regard to home occupations. Comment was made that if the town is going to have rules, they should be enforced, otherwise, they should be taken off the books. Ms. Johnson provided a brief overview of how ordinance violations and bylaw violations are handled in Sunderland. An option regarding the donation of junk cars to charities was discussed as was the donation of items to Toys for Kids.

Mr. Hebert asked for public comment. There being none, Commissioner Zeif moved to adjourn. Commissioner Kimball seconded the motion and all voted in favor. The meeting adjourned at 7:37 pm.

*The next Regular Meeting of the Town of Sunderland Planning Commission and Public Hearing on the abandonment of the Mountain View subdivision is currently scheduled for April 21, 2021 and will be held via Zoom.*

Respectfully Submitted,  
Missy Johnson