

Planning Commission Town of Sunderland, Vermont, April 28, 2021

A meeting of the Planning Commission (Commission) of the Town of Sunderland was held on Wednesday, April 28, 2021 via Zoom pursuant to the Warning and Agenda fixing the time and method of the meeting.

Present: Chair, Ed Bove and Commissioners: Lewis Hebert, Rob Zeif and Michael De Zayas. The Commissioners present constituted a quorum of the Commission. Also present was Missy Johnson, Zoning Administrator; Alex Maier, Steve Bendix, Andrew Weill and Shadow Santelli.

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

Mr. Zeif moved to approve the agenda with the condition that the approval of the minutes be heard later in the meeting. Mr. Hebert seconded the motion and all voted in favor.

Mr. Bove then opened the Public Hearing on the abandonment of a permit previously issued for a subdivision of property located at 0 Mountain View Road. This property was previously owned by Sunderland Hill LLC and it remains undeveloped at the time of this meeting. Mr. Bove provided a brief background on the property. Mr. Maier, the current property owner, then explained his desire to have the property merged into one building lot which would achieve the goal of abandoning the previously issued permit; and, ultimately assist him in achieving abandonment of the State Act 250 permit. He confirmed that he was not requesting a permit for any development of this property at this time.

Owners of neighboring properties were heard. Concerns regarding access to the property from North Road were voiced. It was explained that Mr. Santelli, one of the neighbors, had a right-of-way on Mr. Maier's property via Randall Road. Discussion regarding the access continued with some expressing concerns regarding traffic should Mr. Maier decide to subdivide the property in the future. The neighbors believe the approved access to Mr. Maier's property should be limited to Mountain View Road. The neighbors urged caution in granting Mr. Maier access to the property via North Road/Randall Road stating that traffic could include 20-40 cars and construction vehicles when/if the property is re-subdivided. Mr. Bendix expressed concerns in vacating promises made by Sunderland Hill LLC (the previous owner) when the permit was originally granted for the subdivision, including, the construction of a turn lane onto Mountain View Road. Mr. Maier expressed his need to have a North Road entrance due to the position of the portion of property he wishes to develop first. He stressed that he shared his neighbors' concerns and did not want to see cars or houses from this property. He cited that access from Mountain View Road would be financially burdensome due to its length, and could restrict his preliminary plans for the property. An alternative view point regarding the length of the access from Mountain View Road was heard. Ms. Johnson mentioned that she was not aware of the requirement for the turn lane but that she believed additional conditions may have been agreed to by the previous owner at Select Board meetings. The Town of Sunderland Select Board Policy Regarding Driveway Access to Town Roads was reviewed.

Commissioner Hebert discussed methods available to the neighbors concerned and explained that Mr. Maier will be responsible for obtaining a zoning permit for any development of the property. Should Mr. Maier wish to re-subdivide the property in the future, it would require a public hearing of the Planning Commission wherein concerns regarding access could be further addressed. Discussion continued regarding the requirement of a Curb Cut Permit for the North Road access. Mr. Santelli expressed his concern regarding storm water and wetlands protection. Mr. Bove mentioned that Mr. Maier's proposed permit could state conditions regarding avoidance of wetlands and state protected areas.

Commissioner Bove reviewed the procedure for the permit from this point in time and going forward.

There being no further public comment, The Public Hearing closed at 6:29 pm.

Ms. Johnson provided an update of recent zoning permits and ordinance non-compliance activity and asked the Commission for guidance on a violation of the Town Bylaws on Laver Road. Another matter on North Road just south of Bacon Hollow Road was discussed.

Commissioner Zeif moved to approve the minutes from the September, 2020 and March, 2021 Planning Commission meetings. Commissioner De Zayas seconded the motion and all voted in favor.

There being no further business before the Commission, and no further public comment, Commissioner Hebert moved to adjourn. Commissioner De Zayas seconded the motion and all voted in favor. The meeting ended at 6:58 pm.

The next Regular Meeting of the Town of Sunderland Planning Commission will be held at 6:00 pm on May 26, 2021.

Respectfully Submitted,
Missy Johnson