

## June 2, 2015 Minutes Rochester Planning Commission

**Present:** Sandy Haas, John Allen, Eric Bowman, Joan Pontious, Administrative Officer Doon Hinderyckx.

**Guests:** Don & Joyce Jones, Mike Andrews, Marvin & Barbara Harvey, Judy Jensen.

**Call to Order:** Sandy called the meeting to order at 6:20 PM.

**New Business:** Doon presented the following Building Permit application:

>Kevin Dougherty, 817 Bethel Mountain Rd., Greenhouse. Approved.

Doon reported having received an inquiry regarding ongoing rock crushing activity at the property of Randy Andrews on the north side of Rt. 73. In May, Randy appealed a decision by the Act 250 Board that he needed an Act 250 hearing to conduct this activity. When approached by Doon, Randy said he was just "cleaning up" rock that was there. Doon has called the VT Agency of Natural Resources (ANR) regarding jurisdiction; Sandy suggested he also call the enforcement arm of ANR to ask how Randy can be continuing this activity while the appeal is in process. Doon will also send a letter to Randy advising that he is acting without a permit and asking him to apply to the Town for a permit.

Doon reported that someone wishes to donate an outbuilding to the school to use as an equipment shed. Issues to be resolved: who would be responsible, school or town; how would it be anchored, as it would be located in the flood plane.

**Mike Andrews** reported noticing a strong odor near the Mathillot property on Rt. 73 and inquired about the requirement that the owner pump out his holding tank in a timely fashion. This will be referred to the Town Health Officer for follow up.

**Judy Jensen Conditional Use Hearing:** John moved to suspend the Planning Commission meeting and convene as the Zoning Board of Adjustment (ZBA). Interested parties were invited to register as such. Judy Jensen presented her application to operate a pottery studio and gallery in the barn on her property at Rte 100 S. She will make and sell pottery and plans to offer classes in the barn formerly used as a motorcycle repair shop (under a conditional use permit). Questions and comments from the Board and Interested Parties centered around disposal of toxic materials and signage (she will use the signs from her Main Street studio). Sandy reviewed the state standards and noted no anticipated issues with noise, dust, smoke, odor, vibration and public access. Toxic waste was addressed. A review of Town standards found no adverse effect on traffic, character of the area, demand on town services or infrastructure. At the end of comments and questions, the hearing was suspended and the Planning Commission meeting re-opened. In an aside, Judy inquired about erecting a vegetable stand in front of her house; she was advised that it would require a Building Permit.

Marvin and Barbara Harvey: inquiring about changes in lot lines at their North Hollow Road property (formerly the Oliver property) which had been approved for subdivision but never subdivided. Since they were not creating any new lots, they were advised that they could apply for a revision to their original permit but would need a new survey and submission of new lot lines to ANR. A hearing will be required.

Sandy suspended the Planning Commission meeting and re-opened the ZBA meeting for deliberation on the Conditional Use permit application. The ZBA voted to approve the application with a condition

on the safe disposal of toxic waste. The ZBA closed and returned as the Planning Commission.

**Old Business:** None

**Minutes:** John moved to approve the minutes on the last meeting. All in favor; so voted.

**Adjourn:** John moved to adjourn at 7:30 PM, our next meeting to be held on July 7, 2015. All in favor; so voted.

Respectfully submitted,

Joan Pontious, Secretary