

## **Jan 5, 2016 Minutes Rochester Planning Commission (Unapproved)**

**Present:** Dan McKinley, Julie Martin, John Allen, Eric Bowman, David Curtis, Joan Pontious, Administrative Officer Doon Hinderyckx.

**Guests:** Mike Andrews, Greg Ryan, Allyson (Muffie) Harvey, Henry Garzia.

**Call to Order:** Dan called the meeting to order at 6:09 PM and immediately suspended it to open as the Zoning Board of Adjustment (ZBA) for the Andrews hearing. Interested Parties were invited to register as such.

**Conditional Use Hearing:** Dan read the warning. Muffie Harvey, representing Randy Andrews, presented his Conditional Use application to continue to remove gravel from his property at 4995 Brandon Mountain Road. Muffie stated they were not taking in additional material or doing any further screening or processing of material; their intent is just to remove the piles already there. Further, they have no intention of having a gravel business there. She estimated there were 10 cubic yards of top soil and 1500 to 2000 cubic yards of gravel, most of which is probably not roadworthy but could be good as fill.

The Board asked for clarification of conflicting language on the front of the application (“process gravel products and topsoil-trucked in only”) with that on the expanded description on the back of the application (“...load and remove the remaining pile of top-soil (already processed) and then to also remove the remaining pile of gravel...” which may or may not “...require screening”, which would take 3-4 days. She advised that the statement on the back of the application was the accurate one, though reiterated that screening was now complete.

Comments from the Board and Interested Parties included the agreement that all parties wanted the piles of material removed and the site appropriately rehabilitated. Additional concerns about hours of operation, noise, dust, potential for erosion and timely completion of work were presented. Muffie assured the Board that the site would be rehabilitated by grading and planting grass.

Dan reviewed Rochester Zoning Bylaws standards for Conditional Use as well as the applicable State Statutes. There being no other comments or testimony, Dan suspended the hearing and returned to the Planning Commission meeting, noting that closed deliberation will take place at a time that will be announced to the Interested Parties.

**Administrative Officer:** Doon had no new Building Permit applications to present.

**Minutes:** Julie moved to accept the minutes as amended. All in favor; so voted.

**Deliberation:** Dan suspended the regular meeting and re-opened the ZBA for preliminary deliberations. Possible conditions were discussed. A draft will be written and the ZBA will resume deliberations on Monday, January 11, 2016 at 1PM. Interested Parties will be notified by mail. Deliberations were suspended; the regular meeting re-opened.

**Adjourn:** Julie moved to adjourn at 8:56 PM. Next regular meeting will be February 2, 2016.

### **Deliberations Jan 11, 2016.**

**Present:** Dan McKinley, Julie Martin, John Allen, David Curtis, Eric Bowman, Joan Pontious.

**Call to Order:** Dan called the meeting to order at 1PM and resumed the ZBA deliberations, The Board voted unanimously to approve the Conditional Use permit with conditions.

**Adjourn:** Julie moved to adjourn at 1:47 PM. All in favor; so voted.

Respectfully submitted, Joan Pontious, Secretary

