



**DEVELOPMENT REVIEW BOARD
WARNED PUBLIC HEARING
COMMUNITY MEETING ROOM OF THE OLD TEGU THEATER
43 Portland Street in Morrisville, VT 05661
6:00 PM Wednesday, December 11, 2024**

CALL MEETING TO ORDER

APPROVE PRIOR MEETING MINUTES

- p. 2 1. October 23rd meeting minutes

HEARING OF APPEALS AND DEVELOPMENT APPLICATIONS

- p. 3-6 1. Applicant/owner 49 Ace LLC requests §630 Conditional Use & §500 Site Plan Approval on Parcel 07012 in the Low Density Residential Zone to elongate the timeline for the sidewalk construction required by Condition #12 of Permit 2024-147, which approved a new duplex at 49 Miller Bridge Road.
- p. 7-10 2. Applicant/owner Novia & Victor Russell of 274 Golf Course Road requests a §204.4 Waiver of the normally required Minimum Lot Size in the Rural Residential Agricultural Zone for Parcel 12101-1 to be reduced to 1.5 acres in size, which would allow the future creation via administrative subdivision approval of Parcel 12101-6 (also at 1.5 acres in size).

Morrisville/Morristown Development Review Board
P.O. Box 748 / Morrisville, VT 05661
Phone (802) 888-6373

Meeting Minutes of 23 October 2024

Members Present: Donnie Blake, Susanna Burnham, Gary Nolan (Chair), Paul Trudell, Christy Snipp, Mary Ann Wilson, Lenny Wing (Alternate)

Members Absent: Chris Wiltshire, Melissa LeBlanc (unneeded Alternate)

Staff: Zoning Administrator Todd Thomas, A/V operator Ally Olsen

Guests: Town Manager Brent Raymond, Conservation Commission Member Jerry Throne, Engineer Tyler Mumley, Hannah Farda, Anderson Leveille, Charlie Burnham, Michelle LaBarge

Call to Order: Chair Nolan called the meeting to order at approximately 6:05 PM.

Minutes: Member Wilson moved to approve the September 25th meeting minutes. A vote of 5-0-2 affirmed the motion (Members Blake & Wilson abstained as they did not attend this meeting).

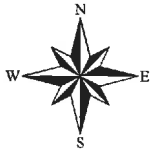
Hearing: §640 Appeal of Subdivision Permit 2023-146 at 336 Cote Hill Rd (Mumley)

Hannah Farda of 248 Cote Hill Road appeared before the Board regarding her §640 Appeal of Zoning Permit 2023-146, which administratively approved the subdivision of 5.46 acre Parcel 07135, owned by Andrea & Tyler Mumley, and located at 336 Cote Hill Road in the Rural Residential Agricultural Zone. Chair Nolan read Ms. Farda's one-page appeal into the record, which relied on the intent of ACT 47 of 2023 and the use of what may be built on the newly created subdivision lot. Chair Nolan opined that such an appeal may be more appropriate for the future building permit on the new subdivision lot, but not the permit that just creates the lot. Ms. Farda responded by explaining that the State Wastewater permit for the new lot was for a duplex use. Property owner Tyler Mumley said that he was unsure what would ultimately be built on his new lot, and that he could always revise this State Wastewater at that time. Member Trudell moved to uphold the appeal. The motion failed to carry by a vote of 0-7.

Informal discussion: Sidewalk condition on Permit 2024-147 for duplex at 49 Miller Bridge Road (49 Ace LLC)

Anderson Leveille, of 49 Ace LLC, appeared informally before the Board regarding the sidewalk construction condition the Board attached to the recent approval of a new duplex at his 49 Miller Bridge Road property (Parcel 07012 in the Low Density Residential). After a brief sidewalk general liability discussion, it was explained that the extension of the adjacent LaPorte Road sidewalk along the frontage of Mr. Leveille's property was required by the Town Sidewalk Policy for multi-family uses. Mr. Leveille said that he wished he could have attended his recent DRB meeting so he could have clarified that he would be building this sidewalk himself. As such, he asked for more time to complete this work than what was allowed by Condition #12 of Permit 2024-147, which required the sidewalk to be constructed within 1-year of the groundbreaking for the new duplex. After some discussion, the Board informally seemed amendable to receiving a permit modification request from Mr. Leveille that would instead require the sidewalk to be complete within 2 years of duplex occupancy (thereby allowing the new rents to cover the cost of this approximately 350 linear feet of upgraded public infrastructure). Zoning Administrator Thomas said that he expected to warn the next DRB meeting for December or January, and he would be happy to include this permit modification of condition request at one of these future warned hearings.

The meeting adjourned at 7:10 PM, submitted by Todd Thomas



49Ace LLC duplex non-conforming

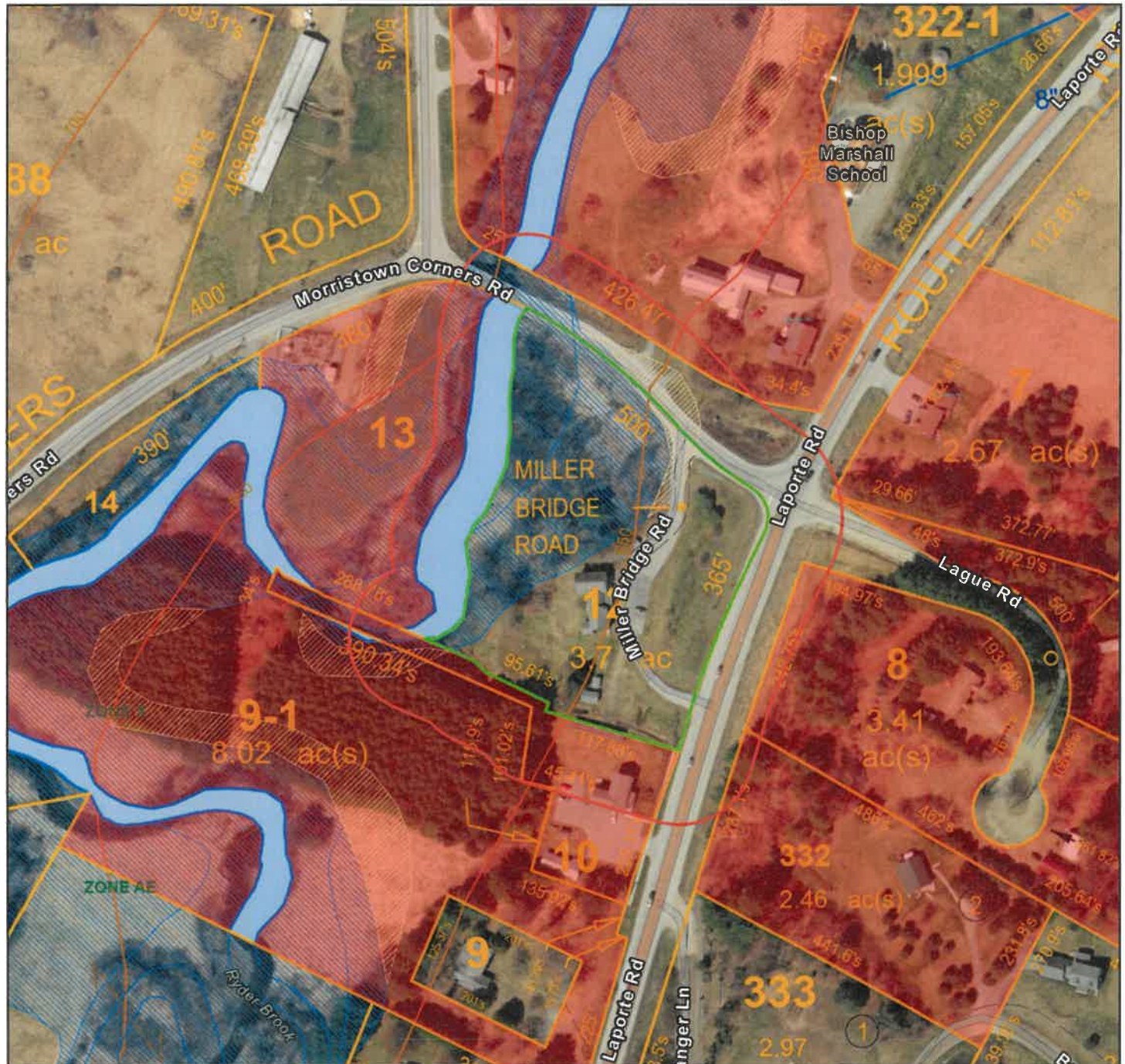
Town of Morristown, VT

1 inch = 200 Feet



www.cai-tech.com

July 2, 2024



PWater	Private Road ROW	366 - 800
Property Line	Property Hook	ZONE AE
Public Road	WaterLines	ZONE X
Right of Way	Water-poly	Water Lines

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

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49ACE LLC
1005 FRAZIER ROAD
MORRISVILLE, VT 05661

CADYS FALLS HOLDINGS LLC
194 CADYS FALLS ROAD
MORRISVILLE, VT 05661-1142

COTE DIANE K REVOCABLE TR
469 ROUTE 12
ELMORE, VT 05661-4475

DEMARS PROPERTIES LLC
PO BOX 1668
MORRISVILLE, VT 05661

GABAREE WILLIAM A
GABAREE CYNTHIA S
106 LAGUE RD
MORRISVILLE, VT 05661

LAGUE ELIZABETH D
230 SAINT PAUL ST APT 410
BURLINGTON, VT 05401-4641

MARCKRES REALTY LLC
780 COBURN HILL
CRAFTSBURY, VT 05826

MARTEL LISA M
MORSE KIMBERLY B
157 BELANGER LANE
MORRISVILLE, VT 05661

MORRISTOWN REAL ESTATE LL
C/O GMM LLC
PO BOX 728
STOWE, VT 05672

MORRISVILLE WATER & LIGHT
857 ELMORE STREET
MORRISVILLE, VT 05661

water & septic, and underground electrical. Per §502(g) of the Bylaws, any propane tank(s) located on the property shall also be placed underground.

8. Prior to Construction (zoning permit and fee): The Applicant must purchase a building permit for the proposed duplex, its porches and decks, prior to the start of construction.
9. Prior to Occupancy (dumpsters): Per §502(h) of the Bylaws, the trash and recycling dumpsters, and any composting totes, shall be screened from views of streets and surrounding properties.
10. Prior to Occupancy (fire protection): Knox boxes shall be installed on both the proposed and existing apartment buildings in locations as directed by Morrisville Fire Department.
11. Within 1-Year of Groundbreaking (landscaping): Any proposed mini-split condensers and meter sockets on the newly constructed duplex shall be screened via the planting of at least 4-foot-tall coniferous bushes. Additionally, 4 street trees shall be located to the east of the proposed duplex to shield it from Route 100 views. The Applicant shall ensure that all plantings exist in perpetuity via proper watering and weeding and shall replace any die-off within the same growing season.
12. Within 1-Year of Groundbreaking (sidewalk construction): A sidewalk that complies with the Morristown Sidewalk policy shall be constructed along the full Route 100 frontage of the subject property (including across its driveway). Said construction shall extend the existing sidewalk that terminates at the common property line with 1072 LaPorte Road to the north, so it provides a connection to Morristown Corners Road. The required sidewalk extension may be located either within or outside the State Highway right-of-way.
13. Within 1-Year of Groundbreaking (site plan revision): An as-built site plan shall be submitted for the Zoning File that incorporates the above conditions of permit approval.

The motion was affirmed by a vote of 6-0-1.

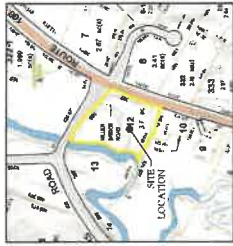
Gary Nolan, Chair

28 August 2024

Date

Condition in question

From DRB Permit 2024-147



SITE LOCATION MAP
NOT TO SCALE

PURPOSE OF PLAN:
PROPOSED DUPLEX ON EXISTING PARCEL WITH
EXISTING 4 UNIT BUILDING
OWNER OF RECORD:

49ACE LLC
1055 RADER ROAD
MORRISTOWN, VT 05661

LEGEND

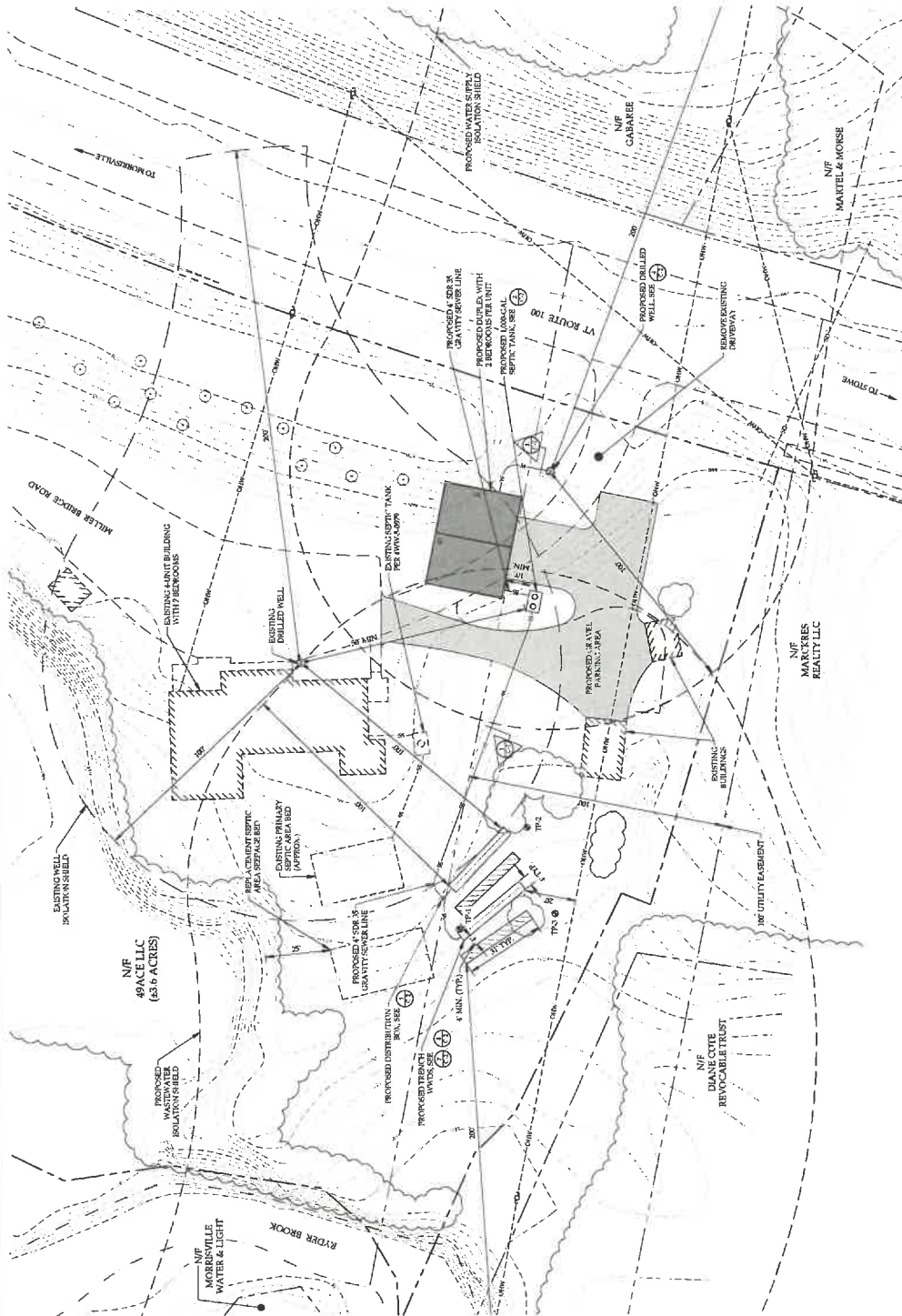
NIP	NOT TO SCALE
PROPOSED UTILITY POOL	PROPOSED UTILITY POOL
PROPOSED DRAINAGE	PROPOSED DRAINAGE
EXISTING TRAIL LINE	EXISTING TRAIL LINE
EXISTING PROPERTY LINE	EXISTING PROPERTY LINE
EXISTING CONCRETE	EXISTING CONCRETE
EXISTING STRAIGHT / WALK	EXISTING STRAIGHT / WALK
EXISTING TERRACE / WALK	EXISTING TERRACE / WALK
PROPOSED GRAVITY SEWER LINE	PROPOSED GRAVITY SEWER LINE
PROPOSED GRAVITY WATER LINE	PROPOSED GRAVITY WATER LINE
ELECTRIC / GRAVITY SEWER LINE	ELECTRIC / GRAVITY SEWER LINE

REFERENCES

- 1) CONSTRUCTION AND OFFSHORE SURVEYING, INC. (COSO) ELECTRONICALLY FROM THE VERMONT CENTER FOR TOPOGRAPHIC INFORMATION ON 06-13-24.
- 2) SITE INFORMATION TAKEN FROM PLATTINUM SURVEY, DATED 11-16-20, ON PLAN 11-16-20, FOR THE PROJECT. THE SURVEY WAS CONDUCTED BY ALAN WHITCOMB / BELOA BELL, PREPARED BY WHEELER ENGINEERING DATED OCTOBER 21, 1994.

NOTES

- 1) THIS DRAWING IS A BOUNDARY LINE INFORMATION SHOWN BASED ON PLATTINUM SURVEY, DATED 11-16-20, FOR THE PROJECT. THE SURVEY WAS CONDUCTED BY ALAN WHITCOMB / BELOA BELL, PREPARED BY WHEELER ENGINEERING DATED OCTOBER 21, 1994. THE SURVEY WAS CONDUCTED BY ALAN WHITCOMB / BELOA BELL, PREPARED BY WHEELER ENGINEERING DATED OCTOBER 21, 1994. THE SURVEY WAS CONDUCTED BY ALAN WHITCOMB / BELOA BELL, PREPARED BY WHEELER ENGINEERING DATED OCTOBER 21, 1994.
- 2) THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING AND DETERMINING THE EXISTENCE OF ANY UTILITIES AND THE DEPTH OF ANY UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING AND DETERMINING THE EXISTENCE OF ANY UTILITIES AND THE DEPTH OF ANY UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING AND DETERMINING THE EXISTENCE OF ANY UTILITIES AND THE DEPTH OF ANY UTILITIES.
- 3) THIS TOPOGRAPHIC SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF "TO GO" SAFETY MARKINGS. SAFETY MARKINGS ARE A NECESSARY PART OF ANY CONSTRUCTION PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING AND DETERMINING THE EXISTENCE OF ANY UTILITIES AND THE DEPTH OF ANY UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING AND DETERMINING THE EXISTENCE OF ANY UTILITIES AND THE DEPTH OF ANY UTILITIES.



SITE PLAN
SCALE 1" = 20'



REVISION 06/2024 - REVISED PROPOSED DUPLEX LOCATION, ADDED UTILITY EASEMENT, REVISED WWDS

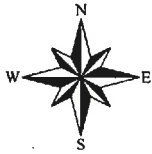
SITE PLAN
49ACE LLC
49 MILLER BRIDGE ROAD
MORRISTOWN, VERMONT

MUMLEY
ENGINEERING, INC.

49 MILLER BRIDGE ROAD
MORRISTOWN, VT 05661
WWW.MUMLEYENGINEERING.COM
CONTACT: 802.453.0000

SHEET NO. **C-1**
1 OF 2 SHEETS

Previously approved site plan



Russell subdivision

Town of Morristown, VT

1 inch = 150 Feet



www.cai-tech.com

November 19, 2024



Property Line	Property Hook	PSS1C
Public Road	WaterLines	
Right of Way	366 - 800	

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

J D ASSOCIATES LP
C/O WM JAREMCZUK
PO BOX 1304
STOWE, VT 05672

NEWELL PAULA S
208 GOLF COURSE RD
MORRISVILLE, VT 05661

RUSSELL VICTOR
RUSSELL NOVIA
274 GOLF COURSE RD
MORRISVILLE, VT 05661

1. DEATHS ARE BASED ON MAGNETIC URETHA 1973
2. DEATHS WERE COMPUTED FROM A CLOSED THEOREM, AS THE DEATHS OF THE SURVEY WITH A SURVIVAL OF 1% TO 100%
3. NO REPRESENTATION IS MADE WITH THE STATE WHEN THE SURVEY IS COMPLETED IN 1973. AT THE U.S. A LATER IN 1973, A REGIONAL REGULATION AFFECTING THE TERMINALS
4. IT IS TAKEN INTO ACCOUNT OF MAY, IS ASSUMED THAT ANY RIGHTS TO THE REGULATION WILL BE A QUANTITATIVE ONLY (TOLL RATES)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 02-15-2001 BY 60322

RICHARD A DREISSIGACKER & PETER D DREISSIGACKER
 BK. 71 PG 77-79
 BARI LANE BK. 71 PG 106-107
 330' E 1/2 W — 332'
 357' ±

PLAN OF LAND
IN
MORRISTOWN, VERMONT
BEING CONVEYED BY
BRENT D. & MONA L. ALLAIRE

SCALE: 1 INCH = 50 FEET
NO. 100
RETA D. WILL
NO. 210
JUNE, 1906

SPEAR SURVEYING INC.
STOWE, VERMONT

THIS PLAY IS BASED ON PHYSICAL EVIDENCE
POLAND, RECORDED RESEARCH, AND INSTRUCT
IONS OF BRANT D. ALLABE.

COMMUNICATION E. Richard Green

Existing Survey

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