

MORRISTOWN/MORRISVILLE DEVELOPMENT REVIEW BOARD
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Meeting Minutes of December 20, 2012

Members Present: Karyn Allen, Brian Irwin, Gary Nolan (Chair), Ron Stancliff, Jean Wickart & Chris Wiltshire

Members Absent: Theresa Breault & Paul Trudell

Staff: Todd Thomas, Zoning Administrator & Planner

Guests: As noted on the attached sign-in sheet

Call to Order & Minutes: Chair Nolan called the meeting to order at 6:35 P.M. Member Stancliff moved to approve the November 8, 2012 meeting minutes. A vote of 4-0-2 affirmed the motion, with Members Allen & Irwin abstaining. After the vote on the minutes, Member Stancliff left the meeting room and did not return.

WARNED HEARING: Stockade Fence at 17 Demars Rd, §630 CU (Dorice Lamoray)

Under §255 Low Density Residential Zone, §425 Fences & §630 Conditional Use, Edwin Allaire appeared before the board on behalf of applicant Dorice Lamoray seeking approval for a six foot tall stockade Fence along the Elmore Street frontage of parcel 08-019 at 17 Demars Road. Mr. Allaire explained to the Board that he would like to add a 6 foot tall stockade fence along approximately 175 feet of his property's Elmore Street frontage. The purpose of the fence, as he explained, was to screen his house from headlights coming off of Pope Meadow Drive. Member Irwin moved to approve the requested 6 foot tall stockade fence. A vote of 5-0 affirmed the motion.

WARNED HEARING: 815 VT Rte 15E, §500 SP & §630 CU (Blow & Cote)

Under §230 Industrial Zone, §500 Site Development Plan Approval & §630 Conditional Use, applicant and landowner Marc Cote appeared on behalf of Blow & Cote Inc. who was proposing to construct a 26x20 accessory building under use Accessory Use or Structure on parcel 08-065 at 815 VT Rte 15E. Mr. Cote said that he was actually seeking approval for a 20x30, 3-sided cold storage shed, not a shed with a size of 26x20. Mr. Thomas said that the application was advertised correctly with a shed size of 26x20, but that the shed had apparently already been built on site with a size of 20x30. Mr. Thomas added that the larger shed still met the required setbacks. Mr. Cote said that the construction on the shed is not finished. Abutting property owners Cynthia Lyon-Hill and Mark Hill said that they were concerned about their spring that is in the middle of the applicant's parking lot. Ms. Lyon-Hill said that the water flow from the spring has dissipated over the years and she is concerned about petrol finding its way into the well. She also added that there appears to be significant erosion along the river coming off the rear portion of the applicant's parking lot. Mr. Hill said that they have no concerns with the accessory building that was recently constructed on the site. Member Wiltshire moved to approve the project as presented. A vote of 5-0 affirmed the motion.

WARNED HEARING: 249 Professional Dr, §345 Prime Ag, §500 SP & §630 CU (Sayce)

Under §230 Industrial Zone, §345 Protection of Prime Agricultural Soils, §500 Site Development Plan Approval & §630 Conditional Use, Applicant Stephen Sayce appeared before the Board proposing to create a satellite parking lot via the Commercial Use for up to 60 vehicles for the McMahon Chevy & Buick Dealership on one acre of land owned by At Last Properties LLC on parcel 20-001 at 249 Professional Drive. Appearing before the Board with Mr. Sayce

were his representative Roy Marble and property owner Chuck Jackson from At Last Properties LLC. Mr. Marble said that the proposed satellite parking site for the auto dealership was approximately one acre in size and located to the north of the Vermont Precision Woodworks building and adjacent to MSI. Mr. Marble added that the application may include the addition of rented lighting from Morrisville Water and Light on the existing polls. Mr. Marble also added that additional gravel may be needed for parking if the land proves to be too soft. Member Wiltshire confirmed from Mr. Marble that no auto sales will take place on this satellite parking lot. Chair Nolan confirmed from Mr. Marble that the proposed lighting would be LED with down shielded cutoff fixtures. Member Wiltshire moved to approve the proposed satellite parking lot for up to 60 vehicles with associated lighting. A vote of 5-0 affirmed the motion.

WARNED HEARING: 199 VT Rte 15W, §345 Prime Ag, §500 SP & §630 CU (Sayce)

Under §210 Commercial Zone, §300 Public Community Ground Water Source Protection Areas, §345 Protection of Prime Agricultural Soils, §500 Site Development Plan Approval & §630 Conditional Use, Applicant Stephen Sayce appeared before the Board proposing to create a satellite parking lot via the Commercial Use for up to 60 vehicles for the McMahon Chevy & Buick Dealership on one acre of land owned by Arthur C. Stewart on parcel 20-032 at 199 VT Rte 15W. Appearing before the Board with Mr. Sayce were his representative Roy Marble and Steven Stewart, who was representing property owner Arthur Stewart. Mr. Thomas called the Board's attention to the fact that the proposed parking area was located in the Cadys Falls surface water protection area. Mr. Marble said that this second proposed satellite parking site for the auto dealership would be located directly to the south of Dunkin' Donuts and along the westerly edge of the truck route, just before the new road reached its northern terminus with Vermont Route 15W. Mr. Marble added that there is no lighting proposed for this satellite parking lot, as Dunkin' Donuts already throws plenty of light onto the property. Chair Nolan asked if only new cars will be parked on this satellite parking lot. Mr. Sayce said that no use cars would be parked in this satellite parking lot. Chair Nolan noted the Board's previous denial of an application for athletic fields parking on the Morrisville Water & Light surface water protection area. Mr. Marble called the Board's attention to an e-mail from Kenny Yelsey at the Vermont Agency of Natural Resources, which stated that "from a regulatory standpoint, the Drinking Water and Groundwater Protection program would not be involved in the review/approval of this project." Cadys Falls resident Don Ostler responded that Mr. Yelsey was simply pointing out that he had no regulatory authority over the Board's local zoning decision. Member Allen confirmed from Mr. Marble that the new cars will be driven to this satellite parking area from the dealership after they are unloaded from the trailer at the dealership. Upon a question about the construction of the proposed parking area, Mr. Marble said that the intent for this parking lot was to park on the grass. Cadys Falls resident Don Ostler asked if excavation would be done if gravel is needed. Mr. Marble said that, if this is the case, only the topsoil would be removed. Mr. Ostler asked Mr. Marble where the water table was and if it was at the height of the topsoil. Cadys Falls resident Brian Audet said that the proposed project concerns him due to the permeability and sandy nature of the soil. Mr. Audet added that customers are going to drive old cars (that may be leaking) onto the satellite parking lot to look at the new car inventory. Mr. Ostler gave a PowerPoint presentation to the board regarding the Cadys Falls Source Protection Area. In the presentation, Mr. Ostler explained that the parking lot for Dunkin' Donuts is engineered to be contained so it doesn't discharge any groundwater onto the Source Protection Area. Mr. Ostler

concluded his presentation by asking that the proposed project be denied, unless the homes in Cadys Falls could be hooked up to Village water at no cost to the water co-op members (thereby allowing the Source Protection Area to be abandoned). Chair Nolan suggested that the hearing be recessed until different possibilities are evaluated for hooking the Cadys Falls homeowners up to Village water. Member Irwin moved to recess this hearing to March 14, 2013 at 6:30 PM. A vote of 5-0 affirmed the motion.

The meeting adjourned at approximately 8:30 P.M.

Respectfully submitted by Todd Thomas, ZA

