

MORRISTOWN/MORRISVILLE DEVELOPMENT REVIEW BOARD
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Meeting Minutes of December 19, 2013

Members Present: Karyn Allen, Susanna Guthmann, Brian Irwin, Gary Nolan (Chair), Paul Trudell & Chris Wiltshire.

Members Absent: Theresa Breault (Alternate)

Staff: Todd Thomas, Zoning Administrator

Guests: Adam Grant, Sandi Schlosser, Johann Jaremczuk, Grace Menard, Alan Hale, Preston Gregory, Tell Gregory, Tom Wawrzaniak, Joe Garbely, Otto Hansen & Chris Galipeau

Call to Order & Minutes: Chair Nolan noted that, with Member Stancliff's resignation from the Board, it was no longer possible for concurrency of the Board to approve the February 28, 2012 meeting minutes. Members Irwin, Trudell & Wiltshire voted to approve the February 28th meeting minutes, being a majority of the members present at this meeting. A vote of 3-0-3 affirmed the motion, with Members Allen, Guthmann & Nolan abstaining. Member Allen moved to approve the September 26, 2013 meeting minutes. A vote of 4-0-2 affirmed the motion, with Members Guthmann & Irwin abstaining.

WARNED HEARING: Ryder Brook Golf Club, 3266 LaPorte Rd, §500 SPA & §630 CU

Applicant Sandi Schlosser and landowner Johann Jaremczuk of JD Associates appeared before the Board seeking §500 Site Development Plan Approval & §630 Commercial Use to add an Accessory Use to the existing Recreation Facility/Outdoor use for a food truck at Ryder Brook Golf Club on parcel 12-081 at 3266 LaPorte Road in the §260 RRA zone. Mr. Jaremczuk said that cross-country skiing, sledding, etc. takes place on the golf course in the winter months and that the proposed food truck is the first step in providing four season amenities to his outdoor recreation facility use. Ms. Schlosser said that the hours of operation for the food cart would be 5 AM to 2 PM in the winter and 5 AM to 9 PM in the summer. Member Trudell asked about lighting for the food truck. Ms. Schlosser said that no outside lights are proposed, but there is a floodlight in the pro-shop that may help illuminate the food truck. The Board discussed the existing parking at Ryder Brook Golf Club and agreed that the parking lot should more than accommodate the proposed demand from the new accessory food cart use. Member Trudell moved to approve the application with the standard conditions, provided that Mr. Jaremczuk would be required to reappear in front of the Board if parking becomes issue due to the success of the food truck. The motion was affirmed by vote of 6 to 0.

WARNED HEARING: Menard, 1869VT Rte 15 E, §430 Non-Conforming Use & §630 CU

Under §240 Rural Residential / Special Industrial Zone, §630 Conditional Use, applicant and landowner Grace Menard appeared before the Board to retain the §430 Non-Conforming use of a workshop in an outbuilding on parcel 08-046 at 1869 VT Rte 15 E under §432.3 Limitations. Mr. Thomas explained that he directed this application in front of the Board because Ms. Menard did not have a proposed use at the time when she applied for a zoning permit to ensure that she did not lose the grandfathered use of the shop building at 1869 VT Rte 15 E. Mr. Thomas added that since this time, Ms. Menard supplied him with a signed lease for the shop for the storage of

vending machine equipment. Mr. Thomas opined that this storage use was the same as the previous use of the shop and that a Conditional Use under §432.3 Limitations was no longer needed. The Board discussed the situation and agreed that a Conditional Use permit was no longer needed for the more definitive use request. The Board closed the hearing and thanked Ms. Menard for attending the proceeding.

WARNED HEARING: Hale, 87 Fairwood Hts, §750 Final Plat 2 Lot Subdivision Permit

Alan Hale, the son of applicant and landowner Lawrence Hale, appeared before the Board for §750 Final Plat Approval for a two lot subdivision of parcel 24-081 located at 87 Fairwood Heights in the §250 MDR Zone. Mr. Thomas said that the proposed subdivision met all Bylaw requirements. He added that the Bylaw's underground power requirement was now noted on the plan, but was at one time an issue during the preliminary plat hearing process. Member Wiltshire moved to approve the subdivision as proposed provided that all utilities are located underground as required. The motion was approved by a vote of 6 to 0.

WARNED HEARING: Gregory, 102 Darling Rd, §750 Final Plat 2 Lot Subdivision Permit

Applicants and landowners Tell & Preston Gregory appeared before the Board for §750 Final Plat Approval for a two lot subdivision of parcel 08-034-4 located at 102 Darling Road in the §260 RRA zone. Member Guthmann started the hearing by disclosing that abutting property owner to the project, Gary Greaves, had contacted her about the subject application, but that she referred him to attend the public hearing. Land designer Tom Wawrzeniak presented the proposed two lot subdivision to the Board. Mr. Wawrzeniak cited the issue with requiring underground utilities to all subdivision lots (as was discussed at the prior hearing). He asked that the Board not require underground power for portions of lot one, due to on-site conditions including a 15% grade and ledge. Member Nolan said that he was open to allowing the overhead utilities as proposed, but only for lot one and that all other lots must have underground utilities. Member Trudell moved to approve the proposed subdivision with the Board's standard conditions, provided that overhead utilities are only allowed for lot one, and all other lots created from this 33 acre parcel must be serviced by underground utilities. A vote of 6 to 0 affirmed the motion.

WARNED HEARING: Crosby, 3210 Elmore Rd, §750 Final Plat 3 Lot Subdivision Permit

Joe Garbely appeared before the Board on behalf of his wife, applicant and landowner Regina Crosby, for §750 Final Plat Approval for a three lot subdivision of parcel 09-001 at 3210 Elmore Road in the §260 RRA Zone. Chair Nolan began the hearing by reading an abutter comment from Elmore Road resident Gary Audy into the record. Mr. Audy asked for screening from the project and noted concerns about negative impacts to his well from the development. Mr. Thomas said that any concerns about drinking water or wastewater had to be addressed to the State Department of Environmental Conservation as they held the sole permit authority for these aspects of land development. Mr. Garbely said that proposed lot one would be developed, but that lot three would remain undeveloped for the foreseeable future. The Board discussed screening, but ultimately decided that Mr. Audy's house was very close to the side lot line and that screening should take place on his parcel. Member Trudell moved to approve the subdivision as proposed with the standard conditions. A vote of 6 to 0 affirmed the motion.

WARNED HEARING: RL Vallee, 33 VT Rte 15 W, §500 Site Plan Approval

Engineer Chris Galipeau appeared before the Board representing applicant and landowner RL Vallee, who was seeking §500 Site Development Plan Approval for an expansion of the existing Motor Vehicle Service Station use in the §210 Commercial Zone via the construction of a diesel pump and canopy with three adjacent truck parking spaces on parcel 20-029 at 33 VT Rte 15 W. Mr. Galipeau, along with Otto Hansen of RL Vallee, presented the application for site plan review to the Board regarding adding a diesel pump and canopy and three truck parking spaces to the existing motor vehicle service station use. Engineer Galipeau said that the new impervious surface created by this proposed expansion had already been accommodated in the stormwater design of the original application. Mr. Thomas clarified that Conditional Use was granted for the previous site redevelopment and that the application before the Board was only for Site Development Plan approval. Mr. Thomas noted that a new segment of sidewalk was shown on the site's Route 15 frontage on the plan. Member Allen asked about snow storage on the site. Engineer Galipeau said that RL Vallee would be required to haul snow off-site. Abutting property owner Adam Grant said that he is concerned that truck movements for the new diesel fuel service will block his right-of-way to the body shop below. Mr. Grant noted existing congestion on lot and a fair amount of cut through traffic avoiding the traffic light. Mr. Grant asked for a condition of approval to ensure that traffic could navigate through the site and not block his right-of-way post development. Mr. Grant suggested additional curbing or painted lanes through the right-of-way. Chair Nolan agreed that the existing traffic congestion was problematic and suggested striping as a solution. Engineer Galipeau agreed that striping and arrows could help traffic flow navigate the site. Mr. Thomas noted that a crosswalk should be added to the plan across the driveway that will see the majority of the truck turning movements. He also said that all sidewalks on site should be required to have receiving areas if crosswalks were built to connect them in the future. The Board spent a considerable amount of time discussing truck turning movements on the site. Chair Nolan said that he wanted to see a revised plan with truck tuning movements thereon. Mr. Grant shared stormwater concerns with the Board. He added that RL Vallee is threatening to take out the catch basin on his property that they installed as part of the Maplefields redevelopment if he does not agree pay shared maintenance for it. Mr. Grant said that this catch basin was installed as opposed to a retaining wall. Engineer Galipeau said that adding a paved berm at the southern lot line of his client's property would help to divert stormwater into existing catch basins and would also act as a speed hump deterrent to cut-through traffic. The Board agreed that installing the paved berm would be beneficial, along with painted arrows and no parking notations on the pavement along the edges of the right-of-way. Member Irwin moved to continue this Site Development Plan approval discussion in Deliberative Session. A vote of 6 to 0 affirmed the motion. It was agreed in Deliberative Session that the Board would require a site walk of the property on Saturday January 4 at 8 AM with the canopy and parking spaces staked to demonstrate the proposed truck turning movements. Member Irwin moved to recess the hearing until January 9 at 6:30 PM. A vote of 6 to 0 affirmed the motion.

The meeting adjourned at approximately 10:00 P.M.

Respectfully submitted by Todd Thomas, ZA.

