

**MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
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Minutes of, December 17, 1998

Members Present: Gary Nolan, Rich Furlong, David Silverman,, Julia Compagna- alternate, Carol Jennings, and Paul Trudell.

Members Absent: Tom Paine, George Robson-alternate.

Guest: Bradley Piper and Tom Bjerke.

The meeting was called to order at 7:48 PM. by Gary Nolan, Chair.

**CUMBERLAND FARMS REQUEST FOR ADMINISTRATIVE CHANGES TO
CORRECT THE HEIGHT OF THE FENCE AND THE REMOVAL OF THE DOOR ON
CONGRESS STREET.**

The board reviewed request for changes. The fence height should have been six as shown on the plans as six feet and not eight feet. Cumberland Farms is requesting the Congress Street side door be eliminated, the side door that the neighbors requested to not be allowed.

David made a motion to approve the administrative changes since they are not significant changes.

Rich seconded the motion and it passed unanimously.

**PIPER'S SMALL ENGINES, REQUEST TO BE ALLOWED TO REMAIN OPEN UNTIL
THEIR HEARING.**

The Zoning Administrator received a complaint the Mr. Piper was operating a commercial business without obtaining a zoning permit. The Zoning Administrator sent Mr. Piper and Mr. Chauvin the land owner a letter requesting that they apply for a permit or cease operation of the business.

Mr. Piper is requesting that he be allowed to stay open until his warned Public hearing scheduled for February 11, 1999 the next opening on the DRB schedule. /

Theresa seconded the motion and it passed unanimously.

WARNED RECESSED HEARING, BIRCH HILL DEVELOPMENT CO., 11 LOT SUBDIVISION, RANDOLPH AND CAMPBELL ROADS.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 740-760.9, 770-782, and 800-870.1 of the Morrisville/Morrisville Zoning and Subdivision Bylaws.

Theresa administered the sworn oath to Darrow Mansfield and Ron Stancliff.

Darrow Mansfield gave an overview of the proposed subdivision. This is phase two of the project where the remaining 212 acres will be divided into eleven lots. One lot will be in the sugar bush off Randolph Road. The other ten will come off the farm road (the old Campbell road). The lots are up on top of the hill. The 3,550 feet of road will be brought up to class three specifications and hopefully will become a town highway. The building lots will be from four acres to almost 90 acres. The building envelopes will be much smaller in the two to three acre size to prevent disturbance of the deer yard. They will build a new fire pond with a dry hydrant on lot nine. All ten lots off Campbell Road will have a fifty foot right-of-way. The lots will be served with underground power, on site wells and individual septic systems that are either on or off lot. The road will have a hammer head rather than a cul-de-sac as preferred by the town. All easement will be shown on the site plans and in the deed covenants. The fire pond is about 1,500 from the end of the proposed fire pond. If the property owners wish to increase the building envelope or cut in the deer wintering area they must get ANR and Act 250 approval. There will be an erosion control plan and storm water will be treated as not to adversely effect and of the lots in the first phase.

Ron Stancliff asked how the storm water will be treated.

Mr. Mansfield said the road will be ditched with culverts and will eventually come out in the fields.

David made a motion to recess the hearing to a deliberative session on December 17th at 6:30 PM in the conference room.

Paul seconded the motion and it passed unanimously.

WARNED HEARING, L.H. & A. REALTY CO., NEW POST OFFICE ON PORTLAND STREET.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 205, 207.f, 450-452, 500-503.4 of the Morrisville/Morristown Zoning Subdivision Bylaws.

Theresa administered the sworn oath to Darrow Mansfield, Louis Ferras, Brian Greenia, Patrick McCulloch, and Lucy Leriche..

Darrow Mansfield gave an overview of the proposed project. They will be removing the wooden part of the Ben Franklin Store. This will get the building back to its original foot print.

They will be putting the building back to an architectural style of the building. The large storefront windows will be replaced to look like the old building did at one time. The loading dock will be in the rear and trucks loading/unloading will come in off Upper Main Street and back up to the dock and exit into the municipal parking lot. The lobby will be off Portland Street and the Post Office boxes will be off the municipal parking lot. You will be able to get to everything at either access/egress. The parking lot entrance off Portland Street will be narrow, marked one way and this landscaped to better control parking. A side walk will be constructed on the north side of the building to Pleasant Street. The Morristown Select Board will be coming in on January 14th for proposed changes to the municipal parking lot. The parking lot will be repaved, reconfigured from 45 degree parking to 90 degree parking, and restriped to increase the number of parking spaces by about 28 parking spaces. Parking will be signed, 10-15 minutes in front of side entrance, 2 hours on the southern half of the parking lot and long term parking on the rest. The parking will be enforced by the Town but not strictly enforced to the point where it hurts rather than helps the merchants. The entrance off Upper Main Street will be signed private property and trucks only. The narrowed and controlled access will make it easier for pedestrians and new sidewalk will allow access off Pleasant Street. The delivery truck usually come twice a day around 5:30 AM and 5:30 PM. Most of the time they use straight job trucks, however, during busy time they use a tractor trailer truck. The loading dock will have lower ramp to bring the floor of the truck level with the floor of the post office. As part of this application the thirteen one room apartments will be vacated. At some point in the future on a separate application the applicant may come back with LHP or someone else for five to six apartments or offices. The facades of the building will be brick and stone of which the state historic preservation will have the final say that the design is architectural correct. The Starfire Jewelry building will be owned by the applicant and will remain and the exterior will be spruced up and painted.

The building will be about 5,400 square feet. The Post Office wanted 6,000 square feet and because they are reusing an historic building the basement can be used for the mechanical room that will give the Post Office its 6,000 square feet of space needed.

David made a motion to approve the application with our standard conditions, the condition that the reconfiguring of the parking lot is approved, and the permit is reviewed after 60 days from opening to see how the loading dock is functioning, this review is in addition to our standard 1, 3, and 5 year reviews of the permit.

Theresa seconded the motion and the motion was approved unanimously.

WARNED HEARING. H. A. MANOSH CORP., AGGREGATE PROCESSING PLANT, CONDITIONAL USE, SITE PLAN, REVIEW, AND WAIVER REQUEST, ROUTE 15.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 240-243.b, 450-452, 485-485.10, 500-503.4 and 650-657 of the Morrisville/Morristown Zoning and Subdivision Bylaws.

Gary Nolan recused himself from the board and asked if anyone in the audience wanted him to stay so that he could answer questions or leave the room. No objections were raised to

having Mr. Nolan stay to answer questions.

Theresa administered the sworn oath to Gloria Wing, Gary Nolan, Chris Tricomi, Santo Tricomi, Jane Draper, Peter Fecteau, Randall Lamare, Monty Lamare, and Linda Basset.

Ms. Wing gave an overview of the proposed project. The Manosh Corp wants to move its gravel processing plant from the Ferland Pit to the former Hankanson Property which is zoned for special industrial use like the Manosh facility. The plant will process material from the Ferland Pit and the Wolcott Quarry. Most of the property is deer yard and/or wetlands and this proposed plant will be on a location out of the buffer zones for the wetlands and deer yards. The plant will be crushing, sifting, sorting, stockpiling and will have three settlement ponds. The old access will be widened and paved, the access to the camp will be relocated and will only be used for the camp's use. A ten foot tall landscaped berm will be constructed along the road and western side of the project for noise and aesthetics. White pine trees will be planted on the berm. The berm is designed to hide the plant from the road. They are asking for 100 round trips per day. They can take up to 40 round truck trips a day from Ferland Pit and 40 truck trips from the Wolcott quarry. The other 20 trips will be from either other firms purchasing materials or Manosh trucking from the stockpiles at the site. Most trucks will be coming in loaded and leave loaded. They will have three settlement ponds where at the end the water left will be pumped to storage tanks to be reused. They hope to bring the water from a well they currently use about a mile away to plant either across the Tricomi property or along Route 15. This will cut the traffic on the Garfield road nearly in half, however some bank run gravel will be sold directly from the Ferland Pit. Trucks will loop around the Ferland Pit Road and Garfield Road. They can process material from April 15th to November 15th and materials may be removed from stockpile between November 15th and April 15th. The plant will be open from 7:00 AM to 5:00 PM Monday through Friday and 7:00 AM to 3:00 PM on Saturday's. The equipment is noisy and the back up alarms will beeping will be the loudest. Route 15 sees about 5,000 vehicles per day according to the State of Vermont Agency of Transportation. The road noise and the berm will mask a lot of the noise. Dust will be controlled by water in the processing of the material and the use of liquid chloride where the trucks will be. Storm water will be absorbed and will either go into the gravel or wetlands eventually.

A question was raised about the depth of the settlement ponds?

Gary Nolan answered The ponds must be above the water table which is about five feet and they will be bermed up to height of six or seven feet above grade and they probably will have a cement bottoms.

Other questions from the neighbors across the road and east of the property were concerned noise processing equipment, beepers, tail gates, trucks loaders and dust.

A question was asked if a noise study had been done?

Ms. Wing said no.

Ms. Wing said materials coming from the quarry will be wet.

A question was asked how much is the Tricomi pit approved for?

The Tricomi's said 50,000 yards annually which is about 20 to 25 road trips per day.

The Board asked how high the equipment will be?

Mr. Nolan responded 25 feet +/- feet.

The Board asked what stages of the processing are noisy?

Mr. Nolan replied all stages.

Mr. Tricomi asked if the trucks were required to be covered and are they.

Mr. Nolan said they are not required, but Manosh trucks have covers on them.

Theresa made a motion to recess the hearing to February 11th 1999, at 7:30 PM in the Town Clerk's Office Building.

David seconded the motion.

Discussion occurred as if the Board should hold a deliberative session to issue a recess memo so they will have something more review for the February 11th meeting. It was decided to have Theresa amend her motion and David his second to meet on January 7th at 7:30 PM in the Town Clerk's Office Building, to do a recess memo and to still hold the warned public hearing as planned on February 11th.

Theresa amended her motion to allow for a deliberative session and to issue a recess memo on January 7th.

David amended his second to allow for a deliberative session and to issue a recess memo to be issued on January 7th.

The motion on the original motion and amended motion were approved unanimously.

Other Business:

Brent Tomlinson: Mr. Tomlinson requested additional time to complete the parking lot improvements that were part of his approval for the new store. The Board extended his time to June 1, 1999.

Paul Plante and Sonny Demars: Questions on Mr. Plante's permit conditions. Mr. Plante was instructed by the Board to send a certified letter to the State of Vermont Department of Motor Vehicles by December 16, 1998 and present to the Zoning Administrator the return receipt of the letter. The letter is to ask when the applicant can expect approval or denial on his used car license, a copy this is to be filed with the Zoning Administrator.

The Board has asked the Zoning Administrator to take photos and notify the applicant of what else need to be corrected to be in compliance with Mr. Plante's permit. Mr. Plant is to come before the DRB to review all of his permit conditions on January 28, 1999, in the Town Clerk's Office Building at 7:30 PM.

Cumberland Farms amendment requests will be done at 6:30 PM on December 17th in the Town Clerk's Office Building.

David made a motion to adjourn the hearing at 11:48 PM

Theresa seconded the motion and it passed unanimously

Respectfully submitted,

Kenneth J. Sweetser, Scribe.