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**MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
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Minutes of December 14, 2006

Members Present: David Silverman, Karyn Allen, Carl Fortune, Theresa Breault, Jean Wickart

Members Absent: Paul Trudell, Gary Nolan

Recorder: Mark Leonard, Zoning Administrator (ZA)

Guests: Roy Marble, Wayne Demar, Kevin Amyot, Cori Hodsdon, Todd Yando

Acting Chairman David Silverman called the meeting to order at 7:30PM. On a motion by Theresa, seconded by Karyn, minutes of the November 16, 2006 meeting were approved.

RECESSED HEARING: MANOSH VENTURES LLC, CONDITIONAL USE APPROVAL & SITE PLAN REVIEW: CONVERT 2700SF OF EXSITING RESTAURANT SPACE TO BANK BRANCH, 116 VT ROUTE 15 WEST

David reviewed the application, to be considered under sections 213, 450, 490, 500 and 632-637 of the zoning and subdivision bylaws. Theresa administered the sworn oath to Kevin Amyot, representing the applicant.

The hearing resumed following a site walk on November 29 attended by Theresa, Jean, Paul; Karyn had separately visited the site. Kevin Amoyet reviewed a revised site plan incorporating board members' suggestions from the site walk. These included placing a retaining wall along the east boundary to better separate the bank parking and drive-through lanes from the adjoining offices next door, planting additional screening trees at the rear of the property, and adding a landscaped berm on the eastern corner of the lot along Route 15.

Carl asked how much additional paved surface was being added. Kevin replied that the drive-through lane around the back of the property, beyond the existing paved parking area, would be paved, and possibly the parking spaces along the lane, either paved or gravel.

Theresa asked whether there would be any lighting in the rear parking areas. Kevin said none was needed as the bank would close at 5:00 PM. He added that the utility poles behind the building were being relocated and that the dumpsters at the back of the restaurant would be fenced off.

Carl asked how many parking spaces were planned. Kevin said there are twelve spaces in front of the building shown on the site plan and an undetermined number shown along the drive-through lane at the rear.

Carl moved to approve the application with standard conditions. Theresa seconded the motion and it passed unanimously, with David abstaining.

WARNED HEARING: INERGY PROPANE LLC, CONDITIONAL USE APPROVAL, EXPAND EXISTING CONDITIONAL USE (BULK FUEL STORAGE) STAFFORD AVE

David introduced the application, to be reviewed under sections 233, 480, and 632-637 of the zoning and subdivision bylaws. Theresa administered the sworn oath to Roy Marble and Wayne Demar, representing the applicant.

Inergy Propane (formerly Ultramar Energy) operates a liquid propane storage facility on approximately one-half acre of leased space in the Industrial district off Stafford Avenue. They have operated on this site for over 20 years. The facility has one 30,000-gallon storage tank with an enclosed pumping station, with empty propane tanks of various sized also stored on the site.

Inergy proposes to add a second identical tank and pumping station alongside the existing tank. Both tanks would be fenced for security. Access to the site would remain as is, with the westerly drive being moved approximately 40-45 feet to the west to accommodate the new tank.

Theresa inquired if there had been any safety or security problems at the site over the years. Wayne said there had not.

Carl noted that the proposal would double the site's storage capacity and asked if any expansion of safety zones or other safeguards was required or contemplated. Wayne said the second tank would fall within the existing safety zones so no expansion of the zones was required. He said the site would comply with all state and federal safety and environmental requirements and that the state Labor & Industry department would monitor the installation of the second tank and operations at the site.

David asked how close the site was to other businesses or industrial users. Wayne estimated that the tanks would be 65' from the fence and another 65-70' from the nearest building, a concrete plant operated by SD Griswold. David asked if there were any berms around the existing tank. Wayne said there was a berm along the northeast boundary with the Stewart property.

Theresa moved to approve the application with standard conditions. Jean seconded the motion and it passed unanimously

WARNED HEARING: OLYMPIA SPORTS, SIGN ILLUMINATION DETERMINATION, MORRISVILLE PLAZA

David introduced the application, to be reviewed under section 476 of the zoning and subdivision bylaws. Theresa administered the sworn oath to Cori Hodsdon, representing the applicant.

Ms Hodsdon explained that the new Olympia Sports store at the Morrisville Plaza wishes to use 'reverse channel' lighting to illuminate its sign on the building façade. She said reverse channel reflects onto the façade, rather than being projected through the sign outward and as such presents a more aesthetically pleasing view than other forms of internal illumination or exterior lighting fixtures.

The ZA reviewed a previous application on behalf of the new Peebles store at the Morrisville Plaza. In that application, the DRB accepted Peebles' representations that, while having an internal illumination source, reverse channel lighting is not internally illuminated in the commonly accepted sense and is therefore not subject to the prohibition on internally illuminated signs now in the bylaws.

David observed that the reverse channel-illuminated Peebles sign does, in fact, have an aesthetically pleasing appearance. He felt that the Peebles decision had set a precedent and suggested that the Planning Commission consider defining 'internal illumination' for the purpose of determining allowable sign illumination when they next revise the bylaws to take into account this type of lighting.

Jean moved to accept the proposed reverse channel lighting of the Olympia Sports sign as not being internally illuminated, provided such lighting did not exceed the illumination level (approximately 7500 lumens) of the Peebles sign. Theresa seconded the motion and it passed unanimously.

OTHER BUSINESS:

David noted the progress being made by Gerry Sutton to remove junk from his property on Bridge Street and encouraged the ZA to continue enforcement action until the property is brought into full compliance with Mr Sutton's Conditional Use permit.

Todd Yando addressed the matter of a residence at 115 Wabun Avenue that had been damaged by fire earlier this year. Several neighbors had contacted him inquiring whether the property owner was obliged to repair or remove the damaged structure.

The ZA said he'd been contacted by neighbors shortly after the fire regarding concerns that the property owner was failing to meet electrical and fire safety codes for rental housing and that that may have been the cause of the fire. The ZA had spoken with the regional Fire Safety Division officer who advised that the owner had been notified that electric service to the property was being disconnected until adequate repairs are made.

The ZA further advised that under section 440 of the bylaws, structures that are "destroyed, demolished, severely damaged, or abandoned" must be removed within 90 days of such occurrences. He noted that this provision has not been regularly enforced and cited the McKinley property at 26 Hutchins Street as one that has remained in a similar status for a number of years following a fire. Any enforcement action on the Wabun Avenue property would require similar enforcement at other properties. He said he would check on the Wabun Avenue property and report back.

On a motion by Theresa, seconded by Karyn, the meeting adjourned at 8:25 PM.

Respectfully submitted,
Mark Leonard, Recorder

Minutes approved on: 1/25/07