

MORRISTOWN BOARD OF ADJUSTMENT -- MINUTES

December 8, 1993

BOARD MEMBERS PRESENT: Chairman Gary Nolan; Rose Lambert; Theresa Breault; Ralph Wiltshire; Ida Mae Anderson; Jean Wickart and Paul Trudell.

BOARD MEMBERS ABSENT: N/A

ZONING ADMINISTRATOR: Kenneth Sweetser

GUESTS/APPLICANTS: See attached list.

The meeting was called to order at 7:30 P.M. by Chairman Gary Nolan, who reviewed the minutes of 11/10/93 for amendments/corrections. It was moved and seconded to accept the minutes of 11/10/93 as written. All in favor. So accepted.

7:30 P.M. -- WILLIAM PICKENS, representing THE VILLAGE OF MORRISVILLE WATER & LIGHT DEPARTMENT, and presenting an application for the construction of a Pole Garage to be located by Plant #2.

Jean administered the sworn oath to Bill Pickens.

Gary advised this application would be heard under the Village of Morrisville's Zoning By-Laws zoned MDR, Section 253.J and Section 483.

Bill advised their proposed plans to construct a cold storage structure measuring 30' X 60', on a site measuring 80' X 100' owned by the Village of Morrisville Water & Light Dept. The construction cost will be between \$5,000 and \$6,000. The building will be Texture 111 with a tin roof, with Security lights. The power to this building will be accessed from Plant #2. After discussion, Paul was unfamiliar with the site and Ralph moved to recess this hearing and conduct a Site-Walk on December 18th at 08:30 A.M. Rose seconded. All in favor.

7:47 P.M. -- BERNARD MURPHY/MURPHY REALITY, presented an application for the construction of a new Price Chopper Retail Store, to be located on RT 15/Munson Avenue in the Town of Morristown.

Jean administered the sworn oath to all concerned parties.

Gary advised this application would be heard under the Town of Morristown's Zoning By-Laws, area zoned IND/Conditional Use 233.b

John Rahil, of Black River Design explained the up-dated Site-Plan presented, for the new construction measuring 260' X 207' of retail space, to be located on 8.68 acres, with 326 parking spaces. The proposed cost of this project is estimated to be \$1,300,000.00. The plans presented include a proposed drive through retail business at some point in the future; the present application is not requesting approval for the drive-through at this time.

Dick Wheeler, engineer, explained the Septic; Storm Drains and Domestic water plans. They already have State approval of this project regarding the soil in this area, advising the soil is classified as excellent for drainage; Mr. Wheeler advised these are preliminary plans. All storm drains will be on site.

Gary advised due to on-going problems in this area, both the Board of Adjustment and the Planning Commission will require very detailed plans regarding drainage.

Snow removal/storage was discussed. There are a couple of sites on the lot for snow storage and it will also be trucked away and dumped.

Rose inquired about handicapped parking and accessibility and how it will be constructed and enforced. The Board was advised there would be a Fire Lane in front of the store. Curbing will be installed to isolate the handicap parking and fire lane.

Ronald Schleich, of Schenectady, NY, representing Price Chopper's Store, advised the Board that this project would provide employment for at least one hundred (100) more people from this area, full and part-time employment; this would mean about a \$680,000.00 payroll increase in the community. Mr. Murphy advised that all contracts for building would be done by Vermont contractors. Mr. Schleich advised that a shopping survey of Price Choppers customers reveals that they service 24,000 shoppers from the surrounding areas. Their plans consist of increasing the Produce Dept. by 400%, with 40-50% of the items stocked will be perishable items. There will be a small sit-down/take-out restaurant within the store. Also, a Sea Food Dept. and a large Deli.

Bill Moulton and Gary voiced their concern regarding the traffic and water run-off. Bill advised that traffic lights should be installed on Munson Avenue where the Ames Shopping Center would join the Price Choppers Shopping Center, with a light at the intersection of Munson Avenue and Harrell Street, with a larger entrance to both shopping centers. Bill also advised he didn't believe the storm drains, as presently out-lined would satisfactorily service the area.

Gary advised that very detailed plans addressing traffic and storm drainage is requested prior to the Board of Adjustment and the Planning Commission conducting a joint meeting to address this application on January 4, 1994.

Mr. Murphy advised that they planned on Spring ('94) construction, with 28 weeks for construction.

Ken Sweetser advised this application was received prior to the new Zoning Regulations going into effect on November 15, 1993 and would be heard under the old Zoning By-Laws.

Ralph made a motion to recess this Hearing until January 4, 1994 and conduct a Site-Walk on 12/18/93 following the Site-Walk of the Morrisville Water & Light Department, at approximately 09:00 A.M. and to re-open testimony on this application at on 01/04/94 at the joint meeting. Paul seconded. All in favor.

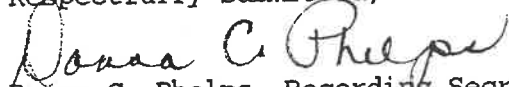
9:15 P.M. -- INFORMAL DISCUSSION: CHRIS POTTER, owner/manager of Munchy's, located on Brooklyn Street came before the Board at Ken's recommendation, as Ken can not find anything in the new zoning regulations that addresses Chris's request to enlarge his business. Under the new regulations, the BOA does not have the option to grant variances.

Chris advised he wishes to enlarge Munchy's by 50', presenting a drawing of his proposed plans for addition of 26' X 50', to allow inside seating, with an open pit BBQ; with a glassed-in seating area. This would provide seating for 50-75 customers; there is adequate parking space, presently having 35 parking spaces. Chris advised that presently he is only able to use the structure/business for 7-1/2 months of the year due to the weather and would like to be open for business full-time. He does not plan at this time to apply for

a Beverage license as the majority of his business is from students. Chris advised that he does not plan to open for business until September, 1994.

Ken advised that the By-Law will be up-dated the first of July, '94 and believes Planning Commission should change the By-Law back to the previous regulations to allow the BOA to address Variances, among other by-laws, as Chris will only be the first of many applications which will be addressed.

Respectfully Submitted,



Donna C. Phelps, Recording Secretary
Morristown Board of Adjustment

/dp

Board of Adjustment

December 8, 1993

Please Sign in

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RONALD H. Schleich
Berward J. Murphy
Peter Murphy
JOHN RATHU
TON GOOD
Richard Wheeler
Bill Moulton
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