

Morristown/Morrisville Development Review Board
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Meeting Minutes of November 19, 2015

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

Members Absent: Karyn Allen, John Gloss & Theresa Breault (Alternate)

Staff: Todd Thomas, Zoning Administrator

Guests: Kathleen Churchill, Duane Fortier, Marvin Randall, Eleanor Randall, Nancy Reed, Marjorie Ward, Max Paine, Ken Skeer, Graham Mink, Abby Harrington, Howard Manosh & Michelle Parker.

Call to Order & Minutes: Chair Nolan called the meeting to order at approximately 6:35 PM. Approval of the October 22nd meeting minutes was tabled due to **quorum** issues.

Hearing: Mink Properties Child Care Facility at 2649 LaPorte Rd §630 CU & §500 SPA –
Applicant/landowner Mink Properties LLC appeared before the board requesting §630 Conditional Use & §500 Site Plan Approval to add the Family Child Care Facility use and ground floor storage in the existing barn building on a §430 Non-Conforming Lot on parcel 12-141 at 2649 LaPorte Rd in the §270 Airport Business Zone. Graham Mink and Abby Harrington represented Mink Properties at the hearing. Ms. Harrington said that the Family Child Care Facility would be for six or less children. Zoning Administrator Thomas said that the facility had recently opened in one of the existing apartments and this was an after-the-fact permit, but there is plenty of parking available as shown on the submitted site plan. Member Trudell asked about hours of operation. Ms. Harrington replied that the typical hours for a childcare are from 8 AM to 5 PM. Mr. Mink added that he foresees using the ground floor of the barn that is below the three apartments for rental storage space in the future. Member Irwin moved to approve the application as stated in the motion was affirmed by vote of 5 to 0.

Hearing: Manosh Maintenance Shop at 355 Industrial Park Dr §630 CU & §500 SPA –
Howard Manosh appeared before the board on behalf of applicant/landowner Manosh Realty Corp requesting §630 Conditional Use & §500 Site Plan Approval for a new building on parcel 08-083 at 355 Industrial Park Drive in the §230 Industrial Zone under uses Light Industry & Warehouse and Storage Facility. Chair Nolan noted that he works for HA Manosh and that he would therefore recuse himself from the hearing. Mr. Nolan left the meeting room. Mr. Manosh said that the 3,000 square-foot building proposed was wood-framed and for a maintenance shop and that it would be on village water and sewer. Mr. Thomas said that there is more than adequate parking on the submitted site plan. Mr. Manosh said that the building would have exterior lighting, but that they would be LED and comply with the town's lighting requirements. Member Irwin moved to approve the application as stated. The motion was affirmed by vote of 4 to 0 to 1 with member Nolan abstaining.

Hearing: 182 Upper Main St Appeal of Zoning Violation LLC §630 CU & §500 SPA – Ken Skeer appeared before the board on behalf of landowner William Martin who is appealing a

zoning violation stating that the house on parcel 21-005 at 182 Upper Main Street in the §225 Mixed Office Residential Zone is not dilapidated, abandoned & violating §440 of the Town Zoning Bylaw. Member Trudell recused himself from the hearing because he was the architect of the project and was still owed a \$8,000 fee for the work. Mr. Thomas asked the board to look at the zoning violation letter and noted that very little had been accomplished at the site over the last year, never mind in the 90-day maximum time period allowed under zoning for cleaning-up a construction site. Michelle from Pete's Equipment Rental said that Mr. Skeer and Mr. Martin owed her money as well, approximately \$8,500 and questioned the financial and know-how ability of Mr. Skeer and Mr. Martin to finish the work on this property. It was also discussed if Mr. Skeer had any kind of legal claim to the property since it was fully in his partner's name – Mr. Martin. Chair Nolan cited the September date on the zoning violation letter and subsequent appeal and noted that nothing had been accomplished at the property in nearly 2 months since that time. Mr. Nolan said that he thinks the violation is justified. Various neighbors of the project, including Marvin Randall, expressed discontent with the small amount of work that had been accomplished on-site during the last year. Member Irwin moved that the board close the hearing and convene in Deliberative Session. The motion was affirmed by vote of 4 to 0. After a Deliberative Session discussion, Member Irwin moved to uphold the zoning violation. The motion was affirmed by a vote of 4 to 0.

The meeting adjourned at approximately 8:20 P.M.

Respectfully submitted by Todd Thomas, Zoning Administrator.