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MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
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Minutes of November 16, 2006

Members Present: Gary Nolan, David Silverman, Paul Trudell, Karyn Allen, Carl Fortune, Theresa Breault

Members Absent: Jean Wickart

Recorder: Mark Leonard, Zoning Administrator (ZA)

Guests: Galen Shaum, Stephen Groff, Joe, Allen, Kevin Amyot, Darrow Mansfield

Chairman Gary Nolan called the meeting to order at 7:35PM. On a motion by David, seconded by Karyn, minutes of the October 26, 2006 meeting were approved.

WARNED HEARING: FARRELL AUTO ELECTRIC, CONDITIONAL USE, CHANGE OF NON-CONFORMING USE, 1328 LAPORTE ROAD

Gary introduced the application, to be reviewed under sections 263, 437, and 630-633 of the zoning and subdivision bylaws. Theresa administered the sworn oath to Galen Shaum and Stephen Groff, doing business as Farrell Auto Electric.

Galen Shaum explained that their business, repair of auto alternators and starters, electrical generators, and some power tools, has outgrown their present Wabun Avenue location. They are seeking to purchase the Leon Kinsley property at 1328 Laporte Road and relocate their business there. There would be no expansion or exterior changes to the existing structures. The property also has two residential dwellings on it.

The ZA reviewed the permit history of the property. Mr Kinsley has operated a heavy equipment repair business at this location since 1980, when he received a home business zoning permit. In 1996, he received Conditional Use approval for a 50x50 (2500sf) addition to the repair building as an expansion of a non-conforming use. In considering how to classify the Farrell Auto Electric application, he determined that the existing use was a non-conforming use, rather than a permitted use (home business). If the applicants were only planning to conduct an equipment repair business, no new permit would be required. However, the applicants indicated they hoped to include limited retail sales of electrical equipment of the type they currently repair. Given this change in the scope of the business, review as a change of non-conforming use was warranted.

Paul asked if the larger structure would allow them to do more on-vehicle work. The applicants said it would.

Carl asked how much business they did on a daily basis. Galen said they might have around 20 customer transactions a day; he expected this would increase at the new location with the business expanding and adding some retail items. They currently have two employees (themselves) and might add one or two more as workload and business increased. Their business hours would remain 7:30am to 5:00 pm, Monday through Friday.

David asked about the proposed retail sales. Galen said they currently sell a small number of replacement alternators and starters for ones that can't be repaired. They would hope to add some high-end power tools, the type that contractors but not the general public would buy, and perhaps electric generators and other similar items.

David said he was concerned about adding a retail sales component to this location. This type of activity would likely increase traffic at the site and, he felt, was not consistent with the Town Plan goals to prevent the commercialization of the Route 100 corridor.

Gary noted that the Planning Commission has reviewed and consistently rejected proposals for zoning changes allowing more commercial uses along Route 100. The DRB has recently rejected similar requests for repair and sales businesses in the area (i.e., Coffin's TV).

Faced with the prospect that the DRB would not approve the application in its current form, the applicants elected to withdraw their request and will continue to look for other suitable locations for their business.

**WARNED HEARING: POWERSHIFT ONLINE SERVICES, CONDITIONAL USE:
ADD ANTENNA TO EXISTING UTILITY POLE, 4462 STAGECOACH ROAD**

Gary introduced the application, to be reviewed under sections 263m, 412.4, and 632 of the zoning and subdivision bylaws. Theresa administered the sworn oath to Joe Allen, representing the applicant.

Joe explained the proposal to install a 3' diameter dish antenna about halfway up an existing 35' utility pole on the Sweezey property on Stagecoach Road, near a previously approved antenna further north of the proposed location. The new antenna would provide additional bandwidth, but would not increase Powershift's wireless coverage area.

The ZA conveyed the concerns of adjacent property owner Michael Sorkin, who in an email said he did not object to the antenna so long as it posed no health risks or caused no interference to electrical systems in nearby homes. Joe said the antenna would face west from Stagecoach, away from any nearby homes, toward a transmitter tower at the Bolton ski area. The signal would be very narrowly focused and would not pose any risks to persons or electrical systems in the vicinity. He presented technical specifications for the equipment to be installed, noting that it would be less equipment than installed on the previously approved antenna nearby.

Theresa moved to approve the application as presented. David seconded the motion and it passed unanimously.

WARNED HEARING: GARY BOURNE, SITE PLAN REVIEW: CONVENIENCE STORE, GAS STATION, & RESIDENTIAL STRUCTURE, 18 BRIDGE STREET

Gary introduced the application, to be reviewed under section 500 of the zoning and subdivision bylaws. He noted that the DRB had recently granted Conditional Use approval for the project, involving tearing down the existing single-story structure housing a convenience store at the corner of Bridge and Portland Streets and building a two-story mixed-use (commercial and residential) structure in its place, but required changes to the site plan to be reviewed before granting final site plan approval. Theresa administered the sworn oath to Darrow Mansfield, representing the applicant. David recused himself due to a potential conflict of interest.

Darrow presented a revised site plan incorporating changes requested at the previous Conditional Use hearings: a guardrail along Bridge Street closing off one of the existing access points, a stormwater drainage plan to channel roof runoff to the street drains via gutters and below grade pipes, and building elevations showing all sides of the building.

The ZA noted the site plan indicated raising the existing sign at the corner of Bridge and Portland Street at the road department's request to improve visibility for motorists turning at that corner. He said he'd spoken to the village road foreman who said he'd like to see this happen, but understood that the sign regulations in the zoning bylaws restrict the height of freestanding signs within the village to a maximum of ten feet, the current height of the sign. Paul suggested raising the bottom of the sign as much as possible without exceeding the ten-foot height restriction to enhance visibility underneath the sign.

Carl moved to grant final site plan approval for the project with the following conditions: exterior lighting shall be down shaded and shielded, the corner sign may not exceed ten feet in height, and the property address shall be changed to Portland Street (in order to comply with the district setback requirements). Theresa seconded the motion and it passed unanimously.

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

Gary introduced the application, to be reviewed under sections 213, 450, 490, 500 and 632-637 of the zoning and subdivision bylaws. He then recused himself, as did David, due to conflicts of interest; Paul assumed the chair. Theresa administered the sworn oath to Kevin Amyot, representing the applicant.

Kevin explained the plan to convert 2700 square feet from the 4000-square foot banquet room at the Charlmont restaurant into a bank branch for the Lyndon Bank. The bank would operate during normal business hours (8:30 am-4:30 pm Monday-Friday), with only drive up service available Saturday mornings (9-12). The branch would have 6-7 employees.

The existing entrance on the east side of the building would be modified to accommodate two drive-up service lanes. Kevin reviewed the proposed internal traffic flow due to this feature and noted that there would be no change to the existing access points onto Route 15.

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Paul said it would be useful to conduct a site walk of the property to get a better understanding of how traffic would flow through the property, noting that the existing restaurant has its service deliveries and employee parking in the rear of the building and that there are several sheds and other outbuildings at the rear of the property. The flow around the back of the building appears to funnel into the entry/exit for the adjoining motel.

Carl moved to recess the hearing until after a site walk could be conducted. Theresa seconded the motion and it passed unanimously.

On a motion by Theresa, seconded by Karyn, the meeting adjourned at 9:20 PM.

Respectfully submitted,
Mark Leonard, Recorder

Minutes approved on: 12/14/06 TB/KA