

**MORRISTOWN PLANNING COMMISSION/BOARD OF ADJUSTMENT -- NOVEMBER 16, 1988**

**BOARD MEMBERS PRESENT:** Paul Nesky; Don Anderson; Rose Lambert; Julie Bourne; Theresa Breault; Michael Boudreau; Jean Wickart; Mac Miller and Roy Marble

**BOARD MEMBERS ABSENT:** N/A

**ZONING ADMINISTRATOR:** Dayton Wakefield for Gloria Wing who was on vacation.

**GUESTS PRESENT:** [See attached list].

Linda Henzel of UVM's School of Natural Resource Planning was in attendance, presenting a survey question a survey questionnaire and requesting a consensus of the Board to these questions. These questions will be presented in each Town in Franklin, Lamoille and Chittenden Counties, as well as several towns in New York State.

The meeting was called to order at 7:26 P.M. by Chairman Paul Nesky, who reviewed the minutes of the 11/02/88 meeting for omissions/corrections. Mac moved to accept the minutes as written. Theresa seconded. All in favor.

**GENERAL DISCUSSION:** The Cadys Falls Water Co-Op, with Carol Ostler as the groups spokesman, was in attendance to explain their water system; its operation, history, etc., and a survey done by Natural Resources; that their water supply is served by an aquifer located in the area of RTS 15/100. Ronald L. Parker, M.S., Hydrogeologist with the State of Vermont, Division of Environmental Health, Burlington, VT was also a speaker advising that while he was enroute to this meeting he noticed some of the uses for this area, being Texaco; Mobil Stations; an Auto Body Repair and Paint Shop. Mr. Parker advised that gasoline contains Benzene, which can contaminate drinking water; that each gallon of gasoline contains one (1) pint of Benzene, which cause leukemia.

Mr. Parker advised that the Town Planning Board should be very cautious about what they allow for future development in this area, due to the liability if the aquifer should become contaminated.

Jean advised that the Board recently granted a Permit to allow another gasoline station in this area, being unaware of this area being an aquifer that supplies the water for the Cadys Falls group.

Carol Ostler said the Cadys Falls Group would like to work with the Town Planners to preserve their water supply.

Ron Parker stated that in the case of the water supply becoming contaminated, whoever is responsible is liable.

After further discussion, Carol Ostler presented the Board with a framed map of the Cadys Falls area, including the aquifer.

**8:24 P.M. -- WARNED HEARING/ONEAL DEMAR** was present seeking the Board's approval to allow the construction of four (4) more Condo Units, off of

Brooklyn Street, for a total of twenty-two (22) Units; that one (1) unit is already completed and two (2) others are partially constructed. That he was under the assumption that his Permit of 03/18/87 allowed for construction of all buildings. Demar advised his plans are for a total of six (6) Condo Buildings; that three (3) would consist of six (6) units each and three (3) would have four (4) units each; that his plans are to phase in entire project over a four-year period.

This project is served by municipal water and sewage, with a 17' wide paved private driveway to serve this development; that a section is blocked off for the future By-Pass, which ACT 250 is aware of.

Mac made the motion to grant approval of this application for a total of twenty-two (22) units. Don seconded. Demar stated he would like to have the two (2) garage buildings included in this Permit. Mac amended his motion to also include the two (2) garage buildings. Don seconded Mac amended motion. The Board advised that the terms and conditions will be consistent with the original plans presented. All in favor.

**FACTS OF FINDING:** Based on and examined under the Village of Morrisville's Zoning By-Laws, ARTICLE II, Section 205.2 (MDR), Permitted Uses upon Issuance of Conditional Use Permit --#8, Planned Residential Development, Under Section 402, as the applicant met the criteria outlined, this application was granted approval for a Permit with the Conditions as stated. (Also refer to minutes of 03/18/87.)

**8:32 P.M. -- SITE PLAN REVIEW/DECART COMPANY,** located in the Industrial Park, was represented by John von Behren, who requested the Board's approval to allow a 6' X 8' Accessory Building to be used for storage supplies used in their water-based paints production. von Behren advised they use no toxic substances. This accessory building will be for storage of no more than two (2) 55 gallon drums of Ethanol (Ethyl Alcohol).

von Behren also advised that in the summer of 1989, they plan to double the size of their existing building, which expansion would mostly be used as a warehouse; they wouldn't have their plans completed before the latter part of January, 1989, and would come before the Board during that time frame applying for a Permit for the expansion.

Roy made the motion to grant approval of the small accessory building (6' X 8'). Jean seconded. All in favor.

Don then made the motion to recess this Hearing with Decart Company to the first meeting in February, 1989 for further discussion of the proposed expansion. Jean seconded. All in favor.

**FACTS OF FINDING:** Based on and examined under the Town of Morristown's Zoning By-Laws, ARTICLE III, Section 203.3, Accessory Use (f), Page 4, this application was granted approval by the Board.

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9:05 P.M. -- SITE PLAN REVIEW/NICK DeNOIA was present, advising the Board of his plans for renovations and plans for parking for his dry-cleaning establishment, located on Lower Portland Street, which included a 4' deck off the second floor on the Railroad Street side. After discussion with Mr. DeNoia, he was advised he would need a Variance for the decking, which would require a WARNED HEARING.

Roy made the motion to have Mr. DeNoia apply for a WARNED HEARING, possibly he could be on the agenda 11/07/88 at 8:00 P.M. or on 11/21/88's agenda; that Jean would let Mr. DeNoia know which. Don seconded. All in favor. Paul explained the reasons and procedures to Mr. DeNoia.

GENERAL DISCUSSION: Theresa received a letter from Gloria Wing, which stated she (Gloria) had received a complaint about Norman Prive's storing and washing his buses in a Residential Zone, which is a violation of same. That ground has been broken and the concrete slab has been poured for his bus storage garage located near the Morrisville/Hyde Park town-line.

Bill Moulton advised he felt Norman was keeping his buses at his residence to prevent vandalism to them.

The Board was in agreement that since they had received this complaint, they would have to act on it and Norman Prive would be invited to come before the Board on December 7th, 1988 at 8:30 P.M. regarding this matter.

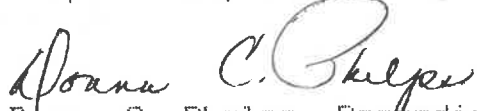
Theresa inquired if Rosaire Levesque's deceased mother's house-trailer has been removed yet. Rose advised she would check on it tomorrow (11/17/88).

Paul discussed the progress David Pennella of LCPC is making on the Zoning Amendments and also certain aspects that must be included.

Also, as the Boards will split in January, 1989, Jean will send notices to all present and newly appointed members as to who is on which Board.

Roy made the motion to adjourn at 10:00 P.M. All in favor.

Respectfully Submitted,



Donna C. Phelps, Recording Secretary  
Morristown PC/BOA

The next scheduled meeting will be DECEMBER 7, 1988 @ 7:00 P.M.  
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Name

Mailing Address

1. FRANCIS FAUREAU LOCAL
2. Carol Ostler Rd 3 Box 2550 Mville VT
3. Don Ostler "
4. Lawrence Despain " 2520 "
5. Nan Nepier Morrisville
6. Deetsurey Morrisville
7. Linda Wenzel ~~Box~~ 273 North St #2 Barre VT
8. Ralph Plutcher RFD 2 Morrisville
9. Ronald L. Parker 60 Main St. Burlington, VT 05401 VT. Dept of Health
10. Mabel Swagley RFD #3 Box 2570 05661
11. Opal Demars RR#1 Box 1060 Plscl.
12. Nanci De Nomi P.O. Box 215 Morrisville
13. R. Vienckowski RR1 Box 1323 Store VT
14. Rod View Cadys Falls, R D #3, Box 2085
15. GARY OSTLER RR #3 Box 2535 MORRISVILLE VT
16. JACK VAN BERTEN / DECAETHE - P.O. Box 309 - Morrisville
- 17.