

**MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
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Minutes of November 12, 1998

Members Present: Rich Furlong, David Silverman, Tom Paine, Theresa Breault, Gary Nolan and Paul Trudell.

Members Absent: None.

Guest: Carol Jennings, Dorothy Moran, Robert Moran, Larry Lamphere, Judy Rosenthal, Ronald Stanley, Amy Noyes, Don Anderson Robert Gohl, Julie Gohl Tom Bjerke, and Richard Sargent

The meeting was called to order at 7:30 PM. by Gary Nolan, Chair.

Theresa made a motion to approve the minutes of October 22, 1998, as written.
Rich seconded the motion and it passed unanimously.

BRIAN HILL, LOT LINE CHANGE, RANDOLPH ROAD.

Gary opened the hearing and gave an overview of the application.
Theresa administered the sworn oath to Brian Hill.
Mr. Hill is requesting to square up the lot for himself and his neighbor.
Paul asked who owns the well?
The well is owned himself replied Mr. Hill.
David asked if his lot will remain at 2 acre ?
Brian Hill stated the lot will remain at 2 acre he may gain a little land, but very little.
David made the motion to approve the request with our standard conditions.
Rich the motion and it passed unanimously.

BIRCH HILL DEVELOPMENT CO, 11 LOT SUBDIVISION ON CAMPBELL AND RANDOLPH ROADS.

Rich made a motion to recess the hearing to December 10, 1998 as the applicant has requested the additional time have his required materials finalized.
Tom seconded the motion and it passed unanimously.

CUMBERLAND FARMS, WARNED HEARING FOR 50' X 65' BUILDING AND A 26' X 46' CANOPY, CONDITIONAL USE AND SITE PLAN REVIEW, UPPER MAIN AND CONGRESS STREETS.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 205, 207a, 450-453 and 500-503.4 of the Morrisville/Morristown Zoning and Subdivision Bylaws.

Theresa administered the sworn oath to all present.

Tom Bjerke presented the plans for the project. Cumberland's is requesting to remove the existing building and pumps and construct a new building where the present Ferris building is. There will be landscaping and parking changes for a positive effect. Deliveries will be made in the back with the exception of fuel deliveries. The dumpsters will be concealed. The existing fence belongs to the Moran's who have asked that the maple trees not be cut down.

Paul asked how the new canopy will compare to the existing canopy.

Tom Bjerke responded the canopy will be 28' x 46'.

Rich asked how many deliveries are expected per day?

Mr. Bjerke said roughly 20 times per week. Fuel deliveries are expected once or twice per week. The deliveries would be from 7:00 AM to 8:00 PM. Tom Bjerke discussed a list of conditions from the Moran's and Senior Citizen & Legion and a list was presented to the DRB.

Paul asked if the existing pavement will be removed?

Mr. Bjerke replied yes, it will have to be.

Don Anderson stated that there could be a problem with the snow build up between the Cumberland Farms building and the Legion building. There was much discussion regarding the snow removal in that area and how to alleviate the problem.

Gary stated that even though a loader could not get in there to remove snow, a bobcat could.

Tom asked if all the water would drain to Congress & Main?

Mr. Bjerke said, yes.

David asked if a catch basin is needed?

Mr. Bjerke said, no.

Gary Nolan discussed the grade contours which shows a possible low spot.

Tom Bjerke said they will change the grade elevation for better drainage.

Paul asked if the rear and side of the building will also be brick?

Mr. Bjerke replied, yes.

Theresa asked when they are proposing to begin the project?

Mr. Bjerke said, in the spring.

Rich asked how long of a project from start to finish?

Mr. Bjerke said, about 6 - 8 weeks.

Theresa asked if the canopy would be lit 24 hours.

Tom said yes.

Richard Sargent asked about the light out back.

Tom Bjerke stated it will be a security light at the back door, the light will shine down.

Mr. Sargent asked if the canopy will be finished off?

Mr. Bjerke said It will be white metal with an open top not covered.

Mr Sargent stated some conditions the Moran's would like

1. Access to the fence for repairs
2. They would like a maintenance agreement (upkeep of garden area, snow removal, etc.)
3. Do not block Moran's driveway
4. No idling trucks
5. No storage trailers or trucks
6. 7:00 PM. cut off for deliveries
7. A six foot high hedge
8. No access through fence
9. Dumpsters covered
10. Litter from store on their lawn is to be picked up.
11. A post the edge of the drive so delivery trucks will not go on their lawn
12. Post bond for conditions
13. Three month, six month, nine month and one year review.

Theresa asked if deliveries after 7:00 PM could be made in the front?

The Moran's stated that the noise of the trucks would still be a problem.

Mr. Gohl discussed his concern for the Congress Street entrance. There is already loitering and drinking in that area and they are concerned that it will get worse. They would like that side of the building to be kept more residential. They are concerned with people parking there.

Tom Bjerke stated that the parking, loitering and drinking would have to be enforce by the local police.

Rich asked if shoplifting would be a problem with 2 entrances ?

Mr. Bejerke said this will be closely monitored.

Paul asked if the Congress Street door is necessary?

Mr. Bjerke replied there would be better accessibility for the customers.

Theresa asked if the Congress Street door could be an exit only?

Gary stated that the pay phone could block incoming calls.

Don Anderson stated that he would like the foundation wall of the Senior Center shored up when they replace the tanks and during buildings construction.

Mr. Bjerke said that would be fine.

Paul asked if the lighting specifications would be on the future plans.

Tom Bjerke replied yes.

Paul asked if trees could be considered along with the landscaping? This is a prime site for aesthetic improvements for the Village.

Mr. Bjerke said that is a possibility.

David S. made the motion to recess to a deliberative session November 11, 1998 at 7:30 PM., in the Town Clerk's Office Building.

Rich seconded the motion.

David amended his motion to recess to a public hearing to follow with a deliberative session November 19, 1998, at 7:30 PM in the Town Clerk's Office Building.

Rich amended his seconded to allow for the public hearing to be followed by a deliberative session and the motion was approved unanimously.

David made a motion to go into deliberative session on the Ashley and Beverly Madden subdivision application and the North Country Animal League for an animal shelter.

Rich seconded the motion and it passed unanimously.

Tom made a motion to come out of deliberative session.

Paul seconded the motion and it passed unanimously.

David made a motion to approve the Madden subdivision with our standard conditions and that the development road if it serves three or more lot will have to be built Class three road specifications to the point where only two drives are served or Applicant can access lot B off Magoon Road.

Theresa seconded the motion and it passed unanimously.

David made a motion to approve the North Country Animal League application with the twenty conditions outlined the written decision.

Paul seconded the motion and the motion passed four to two. David, Paul, Rich, and Tom voting yes and Gary and Theresa voting no.

Other Business:

Site walks for December 10th will be held on December 5th starting at 9:00 AM.

Gary briefed the Board on the Ron Belvel complaint Gary and Ken will send a response next week.

It was decided that a hearing will be required for Peregrine Parcel to move in to the WLVB building.

The hearing was adjourned at 10:30 PM.

Respectfully submitted,

Maria L. Ward and Kenneth J. Sweetser, Scribes.