

Morristown/Morrisville Development Review Board
P.O. Box 748 / Morrisville, VT 05661
Phone (802) 888-6373

Meeting Minutes of 27 October 2021

Members Present: Susanna Burnham, Melissa LeBlanc, Gary Nolan (Chair), Christy Snipp (Alternate), Laura Streets, Mary Ann Wilson, and Chris Wiltshire

Members Absent: Paul Trudell (recusal)

Staff: Todd Thomas, Zoning Administrator

Guests: Engineer Tyler Mumley, Architect Paul Trudell, developer Graham Mink, Cristina Mink, Kristin Fogdall, Tommy Gardner, Terry and Michael Alexander

Call to Order: Chair Nolan called the meeting to order at approximately 6:05 PM.

Hearing: Cond. Use & Site Plan for 136 housing units on Gordon Ln (Riverside Village)

Applicant/landowner Riverside Village LLC reappeared before the Board for the recessed hearing for §630 Conditional Use and §500 Site Plan Approval in the High Density Residential Zone for a 136-unit condo/housing development with 146 parking spaces (some underground), a pool, clubhouse, and small “overlook” park, that will all be located off an extension of Gordon Lane (that loops back to Jersey Heights) on Parcels 23-041, 23-042-1, 23-042-2, & 23-042-3. Engineer Tyler Mumley, Architect Paul Trudell, and developer Graham Mink represented Riverside Village LLC at the hearing. Chair Nolan resumed the hearing by noting that the full Board (minus Member LeBlanc) attended a site walk of the subject property at 5PM on Monday October 25th. Member LeBlanc said that she walked the proposed development site two hours before tonight’s hearing with Zoning Administrator Todd Thomas. Chair Nolan said that no testimony took place at the October 25th site walk.

Engineer Mumley provided a more substantial presentation of the proposed project than what took place at the previous DRB meeting on October 13th. Mr. Mumley shared a legal opinion that stated the proposed project would supersede any conditions of approval that were attached to the previous unbuilt subdivision from 2009. Engineer Mumley led the Board through changes made to the site plan since the October 13th hearing, which included making the former subdivision road that accesses Jersey Heights one-way into the development, and a slight reduction in parking spaces (down from 153 to a total of 146). Engineer Mumley said that a natural footpath and trail system would be marked and provided to allow hiking and walking from the buildings down to the lake and overlook park, but the vegetation by the lake would otherwise remain untouched due to State lakeshore requirements, and the desire to shield the back of the proposed buildings from Truck Route views. Mr. Mumley provided line of sight drawings illustrating how the tree canopy screened views of the proposed project, including views from Jersey Heights (which would mainly be screened by other buildings, as well as some new landscaping). Member Snipp asked about proposed sidewalks. Mr. Mink explained that new sidewalks were shown on the plan connecting the development site to the edge of the neighboring Heanue property.

Architect Paul Trudell introduced more refined renderings of the 56-unit buildings, where all the units on the 2nd, 3rd, and 4th floors all have balconies sized at approximately 12 feet by 5 feet. Member Snipp asked if balconies would be afforded to the upper floor units of the proposed 24 unit building as well. Mr. Mink said that he would add them if doing so pleased the Board, but the Board, by consensus, did not feel compelled to require as such. Architect Trudell also described the proposed architecture for the 3-story 24-unit building, which would be located adjacent to the proposed in-ground pool. Architect Trudell provided line of sight analysis that

showed the proposed buildings would be largely screened by other buildings, existing trees, and proposed landscaping. Mr. Mink also explained how the proposed buildings would be largely screened from views from both Lake Lamoille and Jersey Heights / Route 100 by existing topography, existing vegetation, and generously proposed landscaping in the limited areas of the 7.26 acre property that would be developed.

Member Snipp asked about proposed lighting for the buildings, walkways, and parking lots. Mr. Mink said that none was proposed, other than the overhead lights that were required on the proposed balconies by State Building Code. Member Snipp asked if the buildings would include trash chutes. Member Streets asked if the buildings would include garbage disposals. Mr. Mink said that trash chutes and garbage disposals were not planned. Member Streets expressed concerns about the single elevator located at the far end of each proposed 56-unit building, and that if it breaks down (or is being used for someone moving in or out of the building) it will make it difficult for older residents to access upper floor residences. Member Guthmann asked what would happen to the proposed sales/leasing office in Lauren Paine's old house after the new condo/housing buildings were completely occupied. Mr. Mink said that, as part of this permit request, he hoped to keep this space as a long term office for his property management company. Member Streets asked if the stockade fencing requested by neighboring property owners Bob Heanue and Mike Alexander would be provided. Mr. Mink replied that the requested fencing was shown on the plans, and 6 foot tall stockade fencing would be built to the satisfaction of his neighbors. Member Snipp said that she is concerned about the scale of the project, especially when compared to the existing character of the neighborhood. She explained that to her character meant that new structures should be similar in scale and appearance to what already exists in the neighborhood. She added that she is also concerned about traffic impacts from this project. Mr. Mink responded by explaining that the subject property, and surrounding areas, was recently up-zoned to High Density Residential by the Planning Council, and that the proposed project complied with all zoning requirements, and supplies the dense housing (in close proximity to the downtown) called for in the Town Plan. Kristin Fogdall of 285 Jersey Way disagreed, and said the proposed project was out of scale with its host neighborhood, and submitted a letter into the record dated October 27th that further detailed her concerns. Mr. Mink reminded the Board that he recently had to defend an appeal of the Board's approval of the adjacent 16-unit building at 21 Gordon Lane in Environmental Court, and the result of that hearing clearly showed that Ms. Fogdall did not meet the legal requirements to be deemed an Interested Party, and the Board should accordingly discount her testimony and submitted letter.

Member Streets and Member Wilson requested that a traffic study be completed, but a majority of the Board, after Members Nolan and Wiltshire expressed opposition to this request, did not agree to require a traffic study. Engineer Mumley said that a traffic study was not warranted based on VTrans' traffic metrics. He cited pre (2012) and post (2015) Truck Route construction traffic counts conducted by VTrans that showed that traffic on Jersey Heights decreased by 29% as soon as the Truck Route was put into service, which equals 2,176 less cars per day driving by the proposed project. Engineer Mumley also cited a 2020 VTrans traffic estimate for this section of the road that showed less than 5,000 cars per day traveling on Jersey Heights just to the east of the proposed development site. Member Street said that the 2020 traffic study should not be relied upon because it was taken during the portion of the Covid-19 Pandemic when many

people were working from home. Engineer Mumley responded by saying that the proposed project would only generate 567 vehicle trips per day, so Jersey Heights, post Truck Route, had the four times more carrying capacity than the traffic that would be generated by the proposed housing development. Member LeBlanc said that due to fears of internal traffic circulation problems, she wanted the newly proposed one-way road out to Jersey turned back into a two-way road. A majority of the Board did not agree in regards to requiring this plan change after Mr. Mink said he had no means to cut down the trees and trim the hedges on the neighboring Heanue property that were causing the sight distance limitations. Member Snipp contemplated if a right-hand turn lane on Gordon Lane (from the proposed housing development out to Jersey Heights) would help with internal traffic queuing. Member Wiltshire moved to approve the project as proposed. After the motion was seconded and up for discussion, Member Streets moved to amend his motion so as to move the discussion into Deliberative Session. Member Street's motion to amend the initial motion failed to carry by a vote of 3-4. Member Wiltshire agreed to amend his motion to include conditions of project approval that included parking lot screening requirements per Section 505(b) of the Bylaws, sidewalk construction to the Heanue property line, and giving the Zoning Administrator the power to compel the Applicant to construct a right-hand turn-land on Gordon Lane at the intersection of Jersey Heights if the long traffic lines were created by Riverside Village residents trying to exit off Gordon Lane onto Jersey Heights. A vote of 4-3 affirmed Member Wiltshire's motion to approve the project with these newly added conditions (with Members Nolan, Wiltshire, Burnham, & LeBlanc voting in favor, and Members Streets, Wilson, and Snipp opposed)¹.

The meeting adjourned at 8:40 P.M. - Respectfully submitted by Zoning Administrator Thomas

¹ Member Trudell did not sit on this application because he was the architect of the 3 proposed buildings, and accordingly recused himself.