

*Gloria*

**MORRISTOWN BOARD OF ADJUSTMENT - MINUTES**  
**OCTOBER 23, 1991**

**MEMBERS PRESENT:** Jean Wickart; Gary Nolan, Chairman; Rose Lambert; Ida Mae Anderson; Theresa Breault; Paul Trudell and Ralph Wiltshire.

**MEMBERS ABSENT:** N/A

**ZONING ADMINISTRATOR:** Gloria Wing

**GUEST/APPLICANTS:** [See Attached].

The meeting was called to order at 7:03 P.M. by Chairman Gary Nolan.

**7:03 P.M. -- INFORMAL DISCUSSION--**MAC MILLER, JR. was requested to attend the meeting to discuss the pro-posed use of his chicken barns on the Cadys Falls Road. Mac advised that presently he has four (4) of the barns rented for Commercial Use and has and is getting the area cleaned up.

- a) Stowe Canoe;
- b) Ray Couture, Kindling Business;
- c) George Spence, Storage of Tiles;
- d) Grn. Mt. Sanitation, Repairing Dumpsters and Auto Repair;
- e) John Heuser, Woodworking Shop.

Gary Nolan advised that this property was previously used for AGR/COM. nature.

Gloria advised that the Selectmen will request that signs be erected, "Trucks Entering" and the Auto Repair business will have to be addressed.

Ray Couture has 5 employees working for him presently. Mac advised that he doesn't believe the traffic will be increased from the previous egg business, where they had customers coming and going all day.

Marvin Patnoe advised that GMS equipment will be totally washed and degreased before entering the property as there are no facilities to dispose of the sludge. The trucks/dumpsters will be painted, etc., there, as well as doing brake work and body work. GMS will be his priority customer and will work others in as time permits. Dick Godfrey will take care of any waste oil for his furnace.

It was advised there would be only small individual signs to indicate where each business is located.

It was the consensus of the Board that these buildings should be put to a use. Gary advised that the Board would request applications from each proposed business planning to rent space in the chicken barns in order for the Board to be aware of what type of operation is there. Ray Couture is scheduled to come before the Board in November.

Mac Miller advised the barns are three quarters rented presently and Gloria gave him applications for all renters to complete and forward to

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her for review. Gloria advised she would try to schedule all for the second meeting in November at 7:30 P.M. Mac Miller and Ray Couture are scheduled for 11/13/91 at 8:00 P.M.

Gary reviewed the minutes of 10/09/91. Theresa moved to accept the minutes. Ida Mae seconded. All in favor.

7:30 P.M. - **WARNED HEARING/ROY LANPHERE - VARIANCE** to allow an addition to a garage for storage on Harrell Street. Jean administered the sworn oath.

Mr. Lanphere advised his property is located almost across from the former Concord Manufacturing. That he is applying for a Variance of approximately 20' for an addition measuring 22' X 14'. A letter was received by the Board from Mr. & Mrs. Larry Buker, who have no objection to the approval of a Variance.

Jean moved to grant approval of the 20+' Variance. Rose seconded. All in favor.

**FACTS OF FINDING:** Based on and examined under ARTICLE II, Section 202.5, this application was granted approval, as there was not objection by adjacent property owners.

**GENERAL BUSINESS:** Gary advised it has been brought to his attention that Gerry Audy has not done his landscaping as per his approved application; the Permit was granted on 06/14/89; the landscaping has not been completed as agreed. Virginia Blanchette, a neighbor of Mr. Audy's garage, advised she did not feel his property was an eyesore at all; that it is very neat around there. Gloria will draft a letter for Gary's signature, to Gerry Audy regarding his incomppliance with the Permit.

7:45 P.M. - **WARNED HEARING/VIRGINIA BLANCHETTE - VARIANCE of a SET-BACK.** Jean administered the sworn oath. Virginia advised she previously had a chicken coop and has removed it and has acquired an older building, presently on a trailer, which needs some refurbishing, which she would like to place where the chicken coop was, to be used for storage. It is somewhat wider than the chicken coop; her property abuts the property of the Town Garage. Gloria advised the Town has no objection to Virginia's plans.

Jean made the motion to grant Set-Back approval of a Variance. Ralph seconded. All in favor.

**FACTS OF FINDING:** Based on and examined under ARTICLE II, Section 202.5, this application was granted approval, as there was not objection by adjacent property owners.

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**8:00 P.M. - WARNED HEARING/CONDITIONAL USE FOR A WOODWORKING SHOP - JOHN HEUSER AT MILLER'S CHICKEN BARNS.** Jean administered the sworn oath.

Mr. Heuser advised he would be using 1/2 if the former egg processing plant, consisting of 1,000 sq. ft. to manufacture small wood items, such as canoe paddles for Stowe Canoe and Snowshoes; that he will also accept cabinet work. That initially, he will be working alone, but may in the future take on a partner. He has contacted the State Fire Warden and was advised he needs to install a 5 lb. fire extinguisher, which he will do.

Jean then administered the sworn oath to Fred & Joan Kaiser.

Mrs. Kaiser inquired as to what direction is this building use taking; and, why are they here for Mr. Heuser's application and not for Couture's kindling wood business; he has been burning all summer.

The Kaiser stated they have no objection to Mr. Heuser's proposed plans; their concern is the kindling wood business and the mess and the fires in burning the scrape materials. Mr. Kaiser advised he was concerned over the unsafe work practices in which there are no use of ear and eye protection and no protection guards on the saws. Gloria advised she had checked and found that Couture did obtain a burning permit from the local fire warden.

Gary advised that all tenants will be required to submit individual applications for use.

Mr. Heuser advised there will be no outside storage and only an occasional delivery/supply vehicle, as his business is wholesale only. He doesn't believe noise will be a problem; the building is well insulated, but if there is, he will address the problem, as he wants to be a good neighbor.

Mr. Kaiser advised he believes Mr. Heuser's plans will be an improvement and agreed the buildings should be put to a use.

Mac Miller, Jr. had previously advised he would move the driveway for safety reasons if necessary.

Ralph advised he would like Mr. Heuser to present the BOA with a floor plan of the building he will be using. Mr. Heuser agreed to this.

Ralph then moved to cease further testimony and go to deliberative session, that upon receiving a total Site-Plan of the entire area, that a decision would not be forth-coming until then. That Mac Miller is to present an area Site-Plan on 11/13/91 at 8:00 P.M. Theresa seconded. All in favor.

**8:28 P.M. -- McDONALD'S CORP./TEMPORARY SIGNS, represented by MIKE LEGENDRE.** Jean administered the sworn oath.

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Mr. Legendre advised that he received a letter from Gloria pertaining to the five (5) temporary signs that was erected; that today he drove around the 'block' and noticed that one (1) business had six (6) signs and banners; that various other businesses had temporary signs, etc. That in checking the by-laws, they do not address temporary signs and asked what the Board would like him to do that was acceptable.

Ralph suggested that they make one (1) appropriate place and always advertise in this place only.

Gloria advised that the Board has no authority to make them remove these temporary signs, but people have been complaining about the roof and light pole signs; that they look tacky.

Mr. Legendre advised that temporary signs are useful for approximately 30-60 days; that he did realize some of the signs have been up for as much as five months. That he will address this temporary sign issue and remove the roof and light pole signs.

Gloria then asked the BOA what they want to do with Gerry Sutton's signs. It was agreed she will contact Gerry. That the Selectmen will have to pass an Ordinance pertaining to signs as this is not addressed any where in the Town.

Gloria advised she contacted Real Parras and he refuses to come before the Board; that the boys can if they choose; they thought the Permit was automatically renewed and as far as the back-hoe, they've always had one.

Gerry Audy's Permit was discussed further. Ralph made the motion that Gerry be given the dead-line date of November 15th, 1991 to complete his landscaping and plant the trees, as proposed on his plans for the Permit. Paul seconded. All in favor.

Theresa moved to adjourn at 9:00 P.M. Jean seconded. All in favor.

Respectfully Submitted,

*Donna C. Phelps*  
Donna C. Phelps, Recording Secretary  
Morristown Board of Adjustment

/dp

*Filed 10/28/91*

*NOT Approved*  
*minutes not typed -*  
*? reason*  
*AW*