

Morrisville/Morristown Development Review Board
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Meeting Minutes of 12 October 2022

Members Present: Donnie Blake (Alt), Susanna Burnham, Melissa LeBlanc, Gary Nolan (Chair), Laura Streets, Christy Snipp (Alt), Paul Trudell, Mary Ann Wilson, & Chris Wiltshire

Members Absent:

Staff: Zoning Administrator Todd Thomas

Guests: Approximately 60 people attending the hearing. The meeting sign-in sheet, with 28 names thereon, is attached to these minutes (which are stored in the Land Records).

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

Minutes: Member Trudell moved to approve the June 8th meeting minutes. A vote of 6-0-1 affirmed the motion with Member LeBlanc abstaining. Member Wilson moved to approve the July 27th meeting minutes. A vote of 4-0-3 affirmed the motion with Members LeBlanc, Trudell, and Wiltshire abstaining.

Hearing: Lot size waiver request for existing duplex at 21 Cross St. (Gagnon)

Applicant/landowner Eric Gagnon appeared before the Board requesting an 11% Waiver per §204.4 of the Bylaws to reduce the lot size that is typically required for the existing duplex at 21 Cross Street, Parcel 21105 in the Medium Density Residential Zone. The waiver, if granted, would allow for the creation a new conforming single-family house lot to the northeast (via a future subdivision request). Mr. Gagnon said that he and his wife currently live on one side of the duplex, and they are hoping to build a single-family home on this new building lot (if the waiver is granted). He added that there used to be a trailer in the same location where his new lot and new house would be located. Mr. Gagnon said that the waiver request would reduce the duplex lot to approximately 8,800 ft² in order to create the conforming 4,000 ft² single-family home lot. Member Trudell successfully calculated the waiver in a different manner and ensured that the request was less than the 25% allowed. Members Trudell and LeBlanc asked the applicant to speak to the §204.4 Waiver criteria. With Mr. Gagnon having successfully done this, Member LeBlanc moved to grant the waiver as requested. A vote of 7-0 affirmed the motion.

Hearing: Conditional Use & Site Plan Approval, multi-family use, 64 W. High St. (Farrell)

Architect Ray Boutin, on behalf of applicants/landowners Jasmine & Ryan Farrell (Trust), appeared before the Board seeking §206 Design Criteria, §630 Conditional Use, and §500 Site Plan Approval to add the Dwelling Unit Multi-Family use to Parcel 23-044 at 64 West High Street in the High Density Residential (HDR) Zone via the conversion of the existing carriage house into a 2-unit apartment building. Architect Boutin added that there would be no changes to the exterior of the carriage house other than the reconstruction of a period appropriate cupola. Member Streets asked about parking availability for the new apartments. Zoning Administrator Thomas said that the 4 spaces shown on the site plan met the minimum parking requirements in the HDR Zone. Architect Boutin confirmed for Member Trudell that all utilities to the carriage house would be underground, and that all lighting would be down-shielded. Member LeBlanc confirmed that the new propane tank would be buried, but the existing propane tanks that serve the house would remain above ground. Abutting property owner and Interested Party Mary West said that she would like the parking between the carriage house and the primary home at 64 W. High Street be screened from views from the rear of her house, which is located at 48 W. High Street. After discussion, the Board agreed to this request. Property owner Jasmine Farrell said

that she only expected 2 cars in this parking area going forward, as one car would be in the garage, but she was amenable to vegetative screening in this area. Member Wiltshire moved to approve the site plan as proposed, with the Board's standard lighting condition, and a condition that the applicants plant a vegetated screen along the property line that is located between the primary home and the carriage house to block views of their parking area from the rear of Mary West's house at 48 W. High Street. A vote of 7-0 affirmed the motion.

Hearing: Conditional Use & Site Plan Approval, multi-family use on South St. (Mink)

Graham Mink and Engineer Tyler Mumley, on behalf of applicant/owner Mink Properties LLC, appeared before the Board seeking §206 Design Criteria, §630 Conditional Use, and §500 Site Plan Approval in the High Density Residential Zone to relocate the existing duplex at 28 South Street to adjacent Parcel 23-080 (the corner of Winter Street & South Street) to create a multi-family use on newly vacated Parcel 23079 (via the construction of a new 8-unit apartment building). Member Trudell recused himself from the application, and the following application, because he is the architect of record for both development proposals. Alternate DRB Member Christy Snipp took his seat for both hearings. Engineer Mumley began the hearing by explaining that 3 properties (28 & 62 South Street, and 105 Winter Street) and 3 parcels (23078, 23079, 23080) would be impacted by this development, and the proposed 8-unit apartment building will have a new address of 34 South Street. Engineer Mumley said that the new apartment building would be sprinkled, and served by village water and sewer. He added that his client was amenable to having these three parcels merged into one lot as a condition of project approval. Engineer Mumley then led the Board through the parking and landscaping plans for the proposed development. Architect Trudell walked the Board through his renderings for the new building. It was explained that the building was designed with a hip roof to reduce its massing, and the apartments, which are all 3-bedroom units, each will have their own private deck or patio. Members LeBlanc and Snipp said they were happy to see 3-bedroom apartments proposed, but questioned if this larger building fits into the character of this smaller scale residential neighborhood. Abutting property owners and Interested Parties Robert Clark and Berta Pykosz questioned if the narrow road width and the poor repair of the sidewalk on South Street were adequate for the increased use that will be created by the new development. After a lengthy discussion, Mr. Mink said that in addition to the newly proposed sidewalk on Winter Street, he would replace the Town's existing 5-foot-wide sidewalk on South Street (from the corner of Winter Street to the existing property line of 62 South Street). Member Wilson confirmed that a 3-point turn was possible at the end of South Street. Peter Bourne, who was representing his brother Ronald, his sister-in-law Randi, and his Mother Juliette (each of whom were granted Interested Party Status), said he was concerned about stormwater, and asked for additional screening along his family's common property line with the proposed development. Abutting property owner and Interested Party Carolyn Clark Brown asked for the project to include more green space. Member Streets asked the Board to focus on the architectural elevation that faced South Street. Member LeBlanc said that that elevation did not comply with §206 of the Bylaws because it was missing a public entrance and a front porch. After hearing from various other town residents that did not qualify as Interested Parties, Member Wiltshire moved to continue the discussion in Deliberative Session. A vote of 7-0 affirmed the motion.

At the conclusion of the Deliberative Session discussion, Member LeBlanc moved to approve the

application as proposed, with the following conditions of approval having to be met prior to occupancy of the new 8-unit apt building at 34 South Street:

1. The Applicant's architect shall submit revised plans for the Zoning Administrator's approval that adds a public (not private) front door and covered front porch (minimum size 8' long by 6' deep) to the proposed building's South Street facing elevation. The new front door shall be shown on the submitted elevation. To accommodate for the limited lot depth, said 8x6 covered front porch (minimum size) may be recessed 2' into the building.
2. The trim boards and for all windows and doors on the new building shall sit proud of the proposed vinyl siding and hide all J-Channel trim.
3. Parcels 23078, 23079, & 23080 shall be merged into a single parcel.
4. All utilities servicing the buildings for this project (including new propane tanks on the 3 subject parcels) shall be located underground.
5. In addition to the proposed sidewalk construction on Winter Street, the Applicant shall rebuild the Town's existing sidewalk on South Street (from the corner of Winter Street to the existing property line of 62 South Street). Said sidewalk shall comply with the Morristown Sidewalk Policy, including continuing through the driveways.
6. The Applicant shall be required to either remove, or pave and formalize the two existing parallel parking spots on the east side of South Street, as all parking spots in the Village for multi-family dwellings require pavement.
7. The existing hedge and or a new stockade fence along the common property line with the Bourne Family shall be extended north to the corner of the structure at 105 Winter Street.
8. The arborvitae trees proposed on the site plan (that flank the opening to each parking lot) shall be replaced with the same number of inkberry bushes, and a single street tree shall be added to each planting location. Furthermore, stockade fencing that is at least 4 foot tall shall be installed parallel to and on the parking lot / west side of the inkberry bushes.
9. An updated site plan shall be submitted to the Zoning Office that reflects the above conditions of approval.

A vote of 7-0 affirmed the motion.

Hearing: Conditional Use & Site Plan Approval, multi-family use on Jersey Hts. (Tolusa)

Matthew Staab, and Engineer Tyler Mumley, on behalf of applicant/owner Tolusa LLC, appeared before the Board seeking §206 Design Criteria, §207 Historic Preservation Criteria, §630 Conditional Use, and §500 Site Plan Approval in the High Density Residential Zone to raze the abandoned home at 377 Jersey Heights / Cheney Lane and replace it with a 9-unit multi-family townhouse use of Parcels 23-025 & 23-025-1. Member Burnham recused herself from the application, because her husband had been hired to review this application on behalf of an abutting property owner. Alternate DRB Member Donnie Blake took her seat for this hearing (alternate Member Snipp was already seated on behalf of Member Trudell who was the architect of record for this hearing). Engineer Mumley led the Board through the revised site plan (newly presented at the hearing) for the 9 townhomes and associated improvements. He spent considerable time explaining the new road, Tolusa Lane, which provides access from Route 100 to the townhomes. Members Wilson, LeBLanc, and Blake, along with various members of the public, discussed the safety and sight distance from this new road. Stormwater treatment for the road and larger development was detailed as well, including structured drainage, a roof gutter system, and a swale that intercepted nearly 100% of stormwater runoff from this project.

Engineer Mumley added that his client is amenable to eliminating the existing internal lot line via a condition of project approval. Architect Trudell then led the Board through the architecture of the proposed townhouses. The trim boards on both buildings would be 8 inches wide, and the building pod closer to the Jersey Heights would receive wood composite siding, with the building pod further from Route 100 would receiving vinyl siding. Member LeBlanc said that she did not think these buildings complied with §206(a) of the Bylaws because, in her interpretation, each townhouse had to be a different architectural building. Architect Trudell disagreed and said the two building pods just needed to be architecturally distinct from each other to comply with §206(a) of the Bylaws (architectural repetition). Attorney AJ LaRosa, noted the letter he submitted into the Board's meeting packet, on behalf of his client Richard Seltzer, who is an abutting property owner and Interested party (two different LLCs). Attorney LaRosa added that the townhouses in the building pod closer to the road all also needed front doors and a sidewalk per §206 of the Bylaws. Engineer Mumley noted that a sidewalk was shown on the site plan for the length of the property's frontage on the opposite side of Jersey Heights. Attorney LaRosa, Land Planner Charles Burnham, and Richard Seltzer expressed concerns about the proposed driveway, parking availability, the character of the neighborhood, and the stormwater treatment for the development site (which was based on the previous site plan). Abutting property owner and Interested Party Bob Heanue asked what the height of the townhomes will be. Architect Trudell said that they would be about 33 feet tall (to the ridgeline). Member LeBlanc agreed with Attorney LaRosa and said that front doors should be added to the architectural renderings of the townhouses that face Jersey Heights. Member LeBlanc moved to continue the discussion in Deliberative Session. A vote of 7-0 affirmed the motion.

At the conclusion of the Deliberative Session discussion, Member LeBlanc moved to approve the application as proposed, with the following conditions of approval having to be met prior to occupancy of any of the proposed townhouses on Tolusa Lane:

1. The Applicant's architect shall submit revised elevation drawings for the Zoning Administrator's approval that add a front door and covered front porch (minimum size 8' long by 6' deep) to each unit of the building pod that is parallel to Jersey Heights. Said 8x6 covered front porch (minimum size) may be recessed 2 feet into each townhouses.
2. Revised elevation drawings shall be submitted to ensure compliance with §206(a) of the Bylaws (architectural repetition) for the facades of the Jersey Heights facing townhouses.
3. The trim boards and for all windows and doors shall sit proud of the proposed siding, and hide all J-Channel trim.
4. Parcels 23025, & 23025-1 shall be merged into a single parcel.
5. All utilities for this project (including any propane tanks) shall be located underground.
6. The proposed dumpster shall be screened using fencing.
7. In addition to the proposed sidewalk construction on the opposite side of Jersey Heights from the project, the Applicant shall build at least a 4-foot-wide sidewalk that connects the conditionally required front doors and porches to Tolusa Lane. Said sidewalk, other than its width, shall comply with the Morristown Sidewalk Policy.
8. An updated site plan shall be submitted to the Zoning Office that reflects the above conditions of approval.

A vote of 7-0 affirmed the motion.

The meeting adjourned at 11:00 P.M. - Respectfully submitted by Zoning Administrator Thomas