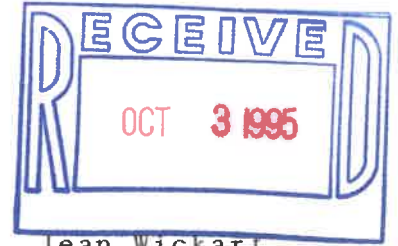


MORRISTOWN BOARD OF ADJUSTMENT
MORRISTOWN PLANNING COMMISSION
P.O. BOX 748
MORRISVILLE, VT. 05661
(802) 888-6373



Minutes of September 28, 1995

ZBOA Members Present: Gary Nolan, Ida Mae Anderson, Jean Wickart, Theresa Breault, and Paul Trudell.

ZBOA Members Absent: Ralph Wiltshire, Francis Willey, and Keith Thompson.

PC Members Present: George Robson, William Bourne, Norman Nepveu, and Jane Greene,

PC Members Absent: Debra Mason, Rich Furlong, and Sam Guy.

Guest: Brian Greenia

The ZBOA meeting was called to order at 7:30 p.m. by Gary Nolan, Chairman.

The Board review a setback waiver request from Jacqueline Baker for a handicap ramp. The Board felt it would be within the area that town plows snow in and should be redesigned. The Board asked the Zoning Administrator to contact Ms. Baker to come up with a better design.

Complaints on Kurt and Mary Jo Salvias for operating a commercial business out of their home, as they have several pieces of excavating equipment are stored their. While the Board has no objection to someone bringing one work vehicle home, when you have several there it is a commercial business. The Board instructed the Zoning Administrator to add this to the enforcement order if the applicant does not complete the required work by October 1, 1995.

JNB, Inc. requests a 4' X 5' stoop be considered an accessory use as it is small and meets all the setbacks. The Board agreed and the Zoning Administrator will issue the permit.

Grand Union request a smaller air filled shopping bag 8' X 15' X 20' without lights. The Board will allow this for 5 days.

ZBOA AND PC MEETING ON ALLOWING GRAND UNION OPENING OCTOBER 6, 1995 WITHOUT ALL REQUIRED WORK COMPLETE.

Gary Nolan excused himself from the hearing. George gave an overview of what lead to the joint meeting of tonight. A draft decision was drawn up by Steven Stitzel attorney for the Boards.

The Board decided to forgo any and all escrow or bond recommendations and will litigate with Grand Union if work is not completed. The Board agreed on the following conditions to be written and signed by Grand Union:

1. Grand Union will agree to pay any and all legal expenses occurred by the Town of Morristown in regards to Fairground Plaza and Northgate Plaza.
2. Grand Union will have a written agreement with the Morristown Police Chief Richard Keith that Grand Union will pay for uniformed traffic control when the Police Chief feels it necessary until a time when the Accesses/Egresses between Fairground Plaza and Northgate Plaza are aliened.
3. On or before November 15, 1995, all work will be completed in Northgate Plaza, with the exception of the top coat of pavement, which is to be done as soon as allowed by AOT in the spring of 1996.
4. All items in Fairground Plaza are completed and conditions one through three are agreed upon and signed by Grand Union before October 6, 1995 the store may open October 6, 1995.

The Hearing was recessed at 9:22 pm.

Respectfully submitted,

Kenneth J. Sweetser, Scribe.