

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

Meeting Minutes of 25 September 2024

Members Present: Susanna Burnham, Gary Nolan (Chair), Paul Trudell, Christy Snipp, Chris Wiltshire, Lenny Wing (Alternate)

Members Absent: Donnie Blake, Melissa LeBlanc (unneeded Alternate), Mary Ann Wilson

Staff: Zoning Administrator Todd Thomas

Guests: Planning Council Member Josh Goldstein, Conservation Commission Member Jerry Throne, Charlie Burnham, Jeff Elbaum, Peter Glowac, Jonathan Mogor, David Nepveu, Dennis Nepveu, Julie Nepveu, David Ring, Evelyn Throne

Call to Order: Chair Nolan called the meeting to order at approximately 6:00 PM.

Minutes: Member Trudell to approve the August 28th meeting minutes. A vote of 5-0-1 affirmed the motion (with Member Wing abstaining because he was not present at that meeting).

Hearing: §630 Conditional Use & §500 Site Plan Approval for a §415 Home Business at 311 Fitzgerald Rd (Glowac) - Peter Glowac appeared before the Board on behalf of property owner Fitzgerald Rd LLC who was requesting §630 Conditional Use & §500 Site Plan Approval for a §415 Home Business use for a landscaping and property maintenance company that would operate on Parcels 13039-1 & 13041-1 at 311 Fitzgerald Rd in the Rural Residential Agricultural Zone. Mr. Glowac said this property was well suited for a home business, as it was completely screened from the road, and his equipment can all be stored in the existing out-buildings. He then listed the equipment that might load onto his 5 pickup trucks on a typical workday as follows: 3 mowers, a small excavator, and a skid steer (all of which will be kept within 50 yards of the existing barn). He added that 1 bay of the existing garage would be used for work related equipment repairs. Member Snipp asked about the hours of operations for the home business. Mr. Glowac said 7:30 AM to 5:30 PM on weekdays and, as needed, from 8:00 AM to 3:00 PM on Saturdays, with odd-hour work as required by snowstorms during plow season. Member Wiltshire asked about lighting. After discussion, it was determined that some of the lights on the property must be swapped out to be compliant with §490 (Exterior Lighting) of the Zoning Bylaws. Zoning Administrator Thomas said ensuring compliant lighting is a standard condition of project approval. Mr. Glowac explained that his employee level was seasonal, oscillating from 3 to 6, with his desired employment size growing to not more than 10. He added that employees would generally not be working on-site, typically just coming to the property to access equipment at the beginning and end of each workday. Member Burnham moved to approve the requested Home Business with the Board's standard conditions of approval, and the following special conditions of approval: The Home Business on this site shall be limited to 10 mostly off-site employees, non-snowplow hours of operating limits of 7:30 AM to 5:30 PM on weekdays and from 8:00 AM to 3:00 PM on Saturdays, and the requirement that a Lot Line change be approved within 1-year to cure the setback violation caused by the property line between Parcels 13039-1 & 13041-1 running directly through the barn. The motion was affirmed by a vote of 6-0.

Hearing: §206 Design & §207 Historic Preservation Criteria, §500 Site Plan Approval & §451 Parking Waiver for 9 Additional Apartments at 82 Portland St (Nepveu) - Property owner Julie Nepveu appeared before the Board requesting §206 Design Criteria, §207 Historic Preservation Criteria, §500 Site Plan Approval, and a §451 Waiver of the parking spaces required for the 9 additional apartments proposed (18 total) at 82 Portland Street, Parcel 21-170

in the Central Business Zone. Ms. Nepveu said the cost to redevelop her family's commercial building could not be paid for with the 9 apartments currently approved, so the 9 additional units and 9 on-site parking space waivers requested were essential for getting 82 Portland Street redeveloped. She added that the small apartments being proposed were also badly needed in Morrisville per the recently released Lamoille County Housing Needs Assessment. Zoning Administrator Thomas said that he updated the overnight parking study for the Copley Municipal Parking Lot since it was redesigned and repaved, and he believed the study's 12 overnight parking spaces were adequate to accommodate the requested development of 82 Portland Street. The Board examined the parking study and agreed that in conjunction with the small apartments proposed, there should be enough overnight parking available to accommodate the proposed project. Neighboring property owner Jonathan Mogor of Magma Properties expressed concerns about daytime parking, complained about the Town not restructuring the parking lot to enable truck deliveries to the brewery loading dock, and for not creating a spot for his business' dumpsters. The Board discussed a potential condition of project approval establishing a maximum of 1 car per apartment in the Copley Municipal Parking Lot. David Nepveu said he was opposed to this condition because 1 apartment may not have a car while another apartment could be inhabited by a couple that needs 2 cars because they work in different directions. Denis Nepveu said that this condition should not be imposed because no other building where parking waivers are available (within 500 feet of the municipal parking lot) has been subject to it. Julie Nepveu noted a United Way transportation study from 2022 that found only 22% of renters in Lamoille County have cars. Mr. Thomas reiterated that the parking study shows 12 overnight parking spots available, which should be adequate to support the redevelopment. Board members discussed the 2023 Parking Committee recommendations, which found that overnight parking in the Copley Municipal Parking Lot is artificially constrained by the Selectboard's winter parking policy. Member Snipp asked if the parking spaces can be assigned. Mr. Thomas responded that Mr. Copley's deed requires that parking be available to the public, and the parking lot operates on a first-come, first-served, basis. The Board ultimately agreed to a condition of approval where the lease to each apartment is required to inform tenants that if there are not enough overnight parking in the Copley Municipal Lot at any time, they should instead seek overnight parking where there is capacity (ex. the Library Park & Ride or at the recently approved overnight parking at Oxbow Park). After noting a project comment letter from adjacent property owner Tyler Mumley, it was agreed to require a sidewalk extension on the south side of Hutchins Street (directly adjacent to the building) but to allow the Zoning Administrator, with written agreement from the Highway Superintendent, to relocate the sidewalk extension to the opposite side of Hutchins Street if warranted prior to groundbreaking. Member Trudell moved to continue the discussion in Deliberative Session. A vote of 6-0 affirmed the motion. At the close of the Deliberative Session discussion, Member Trudell moved to approve the project with the as-discussed conditions of approval, and with the additional condition that this permit can only be extended for 2-years (a 4 year total lifespan), with the Zoning Administrator instructed to not grant further permit extensions unless there is an active construction project underway at 82 Portland Street. The motion was affirmed by a vote of 6-0.

The meeting adjourned at 7:50 PM, submitted by Todd Thomas

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