

**MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
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Minutes of September 25, 1997

Members Present: Gary Nolan, Rich Furlong, Theresa Breualt, and Paul Trudell.

Members Absent: Ralph Wiltshire, Jean Wickart, and Tom Bjerke.

Guest: Cindy Grant, David Marvin, Heather Pierce, Charles Pierce, Stan Biasini, and Gloria Wing.

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

Rich made a motion to approve the minutes of September 11, 1997 as written.
Paul seconded the motion and it passed unanimously.

**WARNED HEARING, JEAN WICKART, STANLEY AND DEBRA BIASINI, 2 LOT
MINOR SUBDIVISION, BLISS HILL ROAD.**

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 230-230.7b, 300-300.2, 400-460.3 of the Morristown Subdivision Bylaws.

Theresa administered the sworn oath to Mr. Stanley Biasini

Mr. Biasini gave an overview of the subdivision. Last year they constructed a house on the property and now they are getting the subdivision for ten acres around their house. The ten acres is now located across two parcels held by the Wickart family. The lot choice was determined by soils, runoff, slope and site distances for curb cut. The lot drops off 40 feet in 500 feet.

Rich made a motion to approve this application as presented with our standard conditions.
Theresa seconded the motion and it passed unanimously.

CINDY GRANT, D/B/A TIME OUT SPORTS BAR, 6 MONTH AND 1 YEAR REVIEW.

Gary opened the hearing and asked if anyone had any concerns about the sports bar. No

one responded and no written comments were received. Gary asked Ken if he had received any complaints?

Ken responded that the question came up a biweekly staff meeting, and in checking Cindy had not been in for her 6 month review and he sent her a letter to have come in for tonight's meeting.

Upon hearing no comments from anyone the DRB approved the 6 month and 1 year review of the Time Out Sports Bar.

WARNED HEARING, LARRY MILLER, 2 LOT MINOR SUBDIVISION, FRAZIER ROAD.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 230-230.7b, 300-300.2, 320.1-320.2, and 400-460 of the Morristown Subdivision Bylaws.

Gloria was reminded that she was still under oath from our last meeting on this subdivision.

Gloria gave an overview of the application. The lot is a 4.4 acre parcel out of the 35.3 acre parcel owned by Larry Miller. The lot was forested but has recently been cleared for a building lot. The lot will be served by a seven hundred foot driveway. The lot will have an easement for power, it has not been decided if the power will be ariel or underground. The lot will have onsite water and septic disposal.

Theresa made a motion to approve the application as presented with our standard conditions.

Rich seconded the motion and it passed unanimously.

WARNED HEARING, BUTTERNUT MOUNTAIN FARMS, SITE PLAN REVIEW AND CONDITIONAL USE, INDUSTRIAL PARK DRIVE.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 230, 232.a, 450-453, 500-503.4 and 630-637 of the Morristown Zoning Bylaws.

The Development Review Board had three regular members and one alternate. No other members for the DRB or alternates were available for tonight's meeting.

Theresa made a motion to allow Paul to hear this application even though this firm prepared the site plan.

Rich seconded the motion and passed unanimously

Theresa administered the sworn oath to David Marvin.

Mr. Marvin gave an overview of the project. They propose to build a 24' X 40' office building. They are trying to keep the building in the farm style and the office build will be kind of the farm house. They will have to relocate some of the landscaping and will be adding additional landscaping. Very little public ever comes to the building for many reasons including that they are not set up for sales, it is a food packaging plant, and it interrupts the workers on the line. In the spring some suppliers drop off barrels of maple syrup rather than dropping them off in Johnson. Their retail takes place in Johnson. The hours of operation is 7:00 AM to 4:30 PM during most of the year. During the busy times from September through December they work 6:00 AM to 6:00 PM and an occasional Saturday. They have one to two tractor-trailers a day, and trips from their own trucks, as well as, UPS and RPS.

Theresa made a motion to approve this application with our standard conditions.

Rich seconded the motion and it passed unanimously.

DENNIS SMITH, LOT LINE ADJUSTMENT, BLISS HILL ROAD.

Dennis Smith, lot line adjustment, Mr. Smith owns a 150' X 600' lot on Bliss Hill Road that he purchased from his parents. He now wishes to change the lot to a 300' X 300' lot that is the same 90,000 square feet. His parents land surrounds his lot and by going with the 300' X 300' lot is more practical and what Mr. Smith has been using and this will fit in better with his parents future plan to subdivide their property into building lots.

Gary made a motion to approve the lot line change with the condition that the survey mylar plat is returned to the Board within 90 days for their sign off, and with the \$ 8.00 filing fee.

Paul seconded the motion and it was approved unanimously.

Other Business:

David Silverman: The Board will ask Mr. Silverman to come to the October 9th meeting for an interview with the Board.

Stan Deal: Stan wishes to have a sign for his woodworking business he does on the side. He does not have a permit to operate a business. It was the DRB's feeling that if he has any outside storage or items for sale that he will need to apply for a Home Industry Permit. If every thing is done inside Ken can issue a Home Occupancy permit and a sign permit.

Bianchi Decision where we have to look up on the computer and pull information for title searches on property: Ken reported that this is taking a great deal of time and as a result other things are just not getting done. On today, the 25th of September, Ken spent 5 hrs on pulling items for title searches. It probably averages 2 to 3 hours each day.

VLCT seminar: has topic on Bianchi decision, merging bylaws and how to deal with hostel people. Ken and Rich will be going and possible other members of the DRB and/or Planning Commission.

Enforcing codes on subdivisions: We have been putting conditions on roads and fire pond etc... and then the developer sells all the lots and the work is not satisfactory. What they have been doing (Stoweview & Classic Homes of Vermont) once the last lot is sold is to file the paperwork saying the corporation is defunct. The Courts will not let us go after a defunct corporation, nor do they let us pierce the corporation and go after the people who were in the corporation. The courts are telling us to go after the individuals who purchased the lots as they have been able to utilize the road or fire pond so they have to bring things up to standard. Stitzel, Page and Fletcher is drafting documents to have the developer sign when the application is approved, but before the permit is issued, that will clearly explain who is responsible for initially bring things up to our codes and who is responsible for maintaining them in the future.

The hearing was adjourned at 9:30 PM.

Respectfully submitted,

Kenneth J. Sweetser, Scribe.