

Morristown/Morrisville Development Review Board
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Meeting Minutes of 22 September 2021

Members Present: Susanna Burnham, Melissa LeBlanc, Gary Nolan (Chair), Christy Snipp (Alternate Member for Bridge Street hearing only), Laura Streets, Paul Trudell, Mary Ann Wilson, and Chris Wiltshire

Members Absent:

Staff: Todd Thomas, Zoning Administrator

Guests: Village Trustee Bob Heanue, Village General Manager Penny Jones, Conservation Commission Chair Ron Stancliff, Attorney Jim Mahoney, Garret Hirschak, Engineer Tyler Mumley, Graham Mink, Mike Reeve, Kane Plant, Robert Audet, Michelle Audet, Bob Provost, and Jesse Hursh.

Call to Order: Chair Nolan called the in-person meeting to order at 6:00 PM.

Minutes: Member Trudell moved to approve the July 28th meeting minutes. A vote of 6-0-1 affirmed the motion, with Member Streets abstaining.

Hearing: Permit relief request & split zone determination for Trombley Hill Rd (MW&L)

Applicants/landowners Morrisville Water & Light appeared before the Board requesting to modify Condition #3 of DRB subdivision Permit #2014-151 that required sewer connections for the subdivision of Parcel 08-114 (inclusive of the following sub-parcels: 08-114-1, 08-114-2, 08-114-3, 08-114-4, 08-114-5, 08-114-6, & 08-114-7), and §630 Conditional Use approval for a §201.3 split zone determination for Parcels 08-114-2, 08-114-6, & 08-115-7, which are located along Center Road, partially in the Industrial Zone and partially in the Low Density Residential Zone. Village Trustee Bob Heanue and Village General Manager Penny Jones, representing MW&L, explained to the Board that the once envisioned industrial park on Trombley Hill Road was never built because the Village Trustees instead developed the large solar array thereon. Ms. Jones said that the Village was now looking to sell Parcels 08-114-2, 08-114-6, & 08-114-7 on Center Road, but the DRB's previous permit requirement that these lots must be served by a village sewer line would need to be deleted first, as the construction of this sewer line was not economically feasible. Ms. Jones added that it would currently be most beneficial to the ratepayers of MW&L if these lots could be served by individual septic systems and be sold for residential uses. Ron Stancliff, speaking on behalf of the Conservation Commission, said that he was supportive of the Applicant's request. Member Wiltshire moved to approve the request to eliminate Condition #3 of MW&L's Trombley Hill subdivision permit regarding the required municipal sewer hookup, and to also grant the split zone request per §201.3 of the Zoning Bylaws, thereby determining that the zoning for the aforementioned parcels would be Low Density Residential. A vote of 7-0 affirmed the motion.

Hearing: Permit relief for sidewalk, village water&sewer hookup (704 Lake Lamoille LLC)

Applicant/landowner 704 Lake Lamoille LLC appeared before the Board requesting §630 Conditional Use & §500 Site Plan Approval in the Industrial Zone to delete certain conditions of DRB Permit #2015-078 at 704 Bridge Street (the old Green Mtn Arena / Parcels 07-301-1, 07-301-2, & 07-301-3) that required both the extension of village water and sewer to the property, as well as the requirement that the existing sidewalk on Bridge Street be extended westward to the property when it is further developed. Attorney Jim Mahoney and Garret Hirschak, representing 704 Lake Lamoille LLC, said that numerous rental inquiries for the mezzanine level

of the old arena had been lost due to the uncertainty if an expensive water and sewer extension to the property would be required when the concrete was poured for the floor of the mezzanine. As such, Attorney Mahoney requested a modification of Condition #8, and deletion of Conditions #9 & #10 of DRB subdivision permit #2015-078. Zoning Administrator Thomas noted that the Village Trustees, via their meeting minutes, submitted comments on this application, which included approval for pouring the floor for the mezzanine level of the old arena building without requiring municipal water and sewer connections. Ron Stancliff, speaking on behalf of the Conservation Commission, said that he was supportive of the Applicant's request. Member Wiltshire moved to grant MW&L's request to delete certain sidewalk, and village water and sewer requirements, by changing the word "development" to "additional building constructed" in Condition #8, and deleting the entirety of Conditions 9 & 10. A vote of 7-0 affirmed the motion.

Hearing: Site Plan Approval for 19-unit apt. building at 201 Bridge St. (243 Bridge LLC)

Applicants/landowner 243 Bridge LLC appeared before the Board requesting \$500 Site Plan Approval in the Central Business Zone to raze the existing homes at 201 & 215 Bridge Street and replace them with a 19-unit multi-family apartment building on Parcel 21-058 (by modifying Permit 2021-005 which was for a previously approved 9-unit building at 211 Bridge St). Member Paul Trudell recused himself from the hearing because he was the architect of record for this project. Alternate DRB Member Christy Snipp took his seat for the hearing. Engineer Tyler Mumley, representing 243 Bridge LLC, explained that abandoning the previously approved 9-unit building that was to be located in the rear of the site, and replacing it with the currently proposed 19-unit building that would be located adjacent to the sidewalk on Bridge Street, worked better for the site by allowing for more parking, more room to push snow, and more green space for the residents. Engineer Mumley noted that, site-wide, 72 parking spaces were provided for 67 total housing units. Member Streets requested a sidewalk be constructed between 201 & 221 Bridge Street connecting the parking lot to the existing sidewalk on Bridge Street. Mr. Mink said that such a sidewalk was not needed as all tenants had free-flow access to and from the front and rear doors of the proposed building. Upon a question from Member Burnham, Mr. Mink noted that the current location of the trash, recycling, and storage sheds would be moved as part of the proposed development of the proposed 19-unit building at 201 Bridge Street. Member Streets asked about composting. Mr. Mink said that none is provided on site, but his tenants were free to compost inside their apartments. Member Streets asked if the Fire Chief had signed off on the new building. Mr. Thomas said that the Fire Chief approved the proposed building, but had also informed Mr. Mink that he would oppose adding additional buildings or additional dwelling units to the complex until a secondary access to Bridge Street was provided (preferably at the southern terminus of Brooklyn Street). Architect Paul Trudell walked the Board through the proposed architecture for the building. He clarified the proposed building would consist of (10) 1-bedroom apartments, (8) 2-bedroom apartments, and (1) 3-bedroom apartment. Member Snipp suggested that the 4 basement level apartments should have patios, or some screening planted for privacy purposes. Member Wiltshire commented that, with #201 Bridge Street likely being the final building in this development, that the site-wide landscaping was lacking. Mr. Mink said that none of the landscaping on the site was planted yet, but he hoped to plant it all in the spring, in conjunction with the construction of this project at 201 Bridge Street. Conservation Commission Chair Ron Stancliff asked the DRB to condition this permit so as to create a moratorium on building permits being issued for Mr. Mink for the next

year. Various DRB Members explained that instituting such a moratorium was not within their purview, and it was contrary to the real and urgent need for housing in the community. Member Wiltshire moved to approve the project as proposed, provided a revised site plan is submitted that shows 3 additional tree plantings, and a bike rack. A vote of 7-0 affirmed the motion.

Hearing: Home Business for a dog daycare & boarding at 836 Fitzgerald Rd (Plante)

Applicant/landowner Kane Plant appeared before the Board requesting §630 Conditional Use & §500 Site Plan Approval for a §415 Home Business use for doggie daycare and boarding on Parcel 13-146-2 at 836 Fitzgerald Rd in the Rural Residential Agricultural Zone. Mr. Plante said that his wife Shania runs the business, which consists of 6-9 dogs a day for daycare, and a variable number of dogs for overnight boarding. He added that a new driveway, kennel building, and fenced-in dog run were recently constructed for this home business. Member LeBlanc asked if the business included any outside employees. Mr. Plante said that it did not. The Board spent a generous amount of time debating if the fenced in dog-run counted towards the maximum business size per §415(c) of the Zoning Bylaws. Member LeBlanc moved to approve the application as proposed, provided that a revised site plan is submitted by October 15th that shows a maximum area of 2,246 ft² being allocated to requested Home Business, and that the site plan notes any fencing changes for the existing dog-run in order to comply with the 25% maximum business area allowed by the Zoning Bylaws. A vote of 7-0 affirmed the motion.

Hearing: Home Business request for plowing & mowing at 1764 Cadys Falls Rd (Audet)

Applicant/landowner Robert Audet appeared before the Board requesting §630 Conditional Use & §500 Site Plan Approval for a §415 Home Business use to relocate Robert & Sons mowing & plowing to his house on Parcel 07-256 at 1764 Cadys Falls Road in the Rural Residential Agricultural Zone. Mr. Audet was accompanied by his wife Michelle, and Bob Provost (the prospective buyer of Mr. Audet's existing work-yard at 587 LaPorte Road). Mr. Audet said his main objective was to move his 40x30 salt and sand bunker from LaPorte Road to a location behind his garage at his Cadys Falls Road home, which would allow him to continue to operate his business while he looked to purchase a larger work-lot in a Commercial Zone. Mr. Thomas noted that he received a project comment letter from Jim Wilkinson-Ray expressing concerns about this request. Upon a question from Member Wiltshire regarding hours of operation, Mr. Audet said that he and his son Zach would be the only people loading salt, and that they would be respectful towards their neighbors by loading their trucks the night before a storm. It was decided the hours of operation for the Home Business would be from 7am to 5pm, 7 days a week regarding employees coming to the property, with this hour limitation also enforceable for salt and sand delivery to the bunker. It was also agreed that salt and sand would not be sold to customers from the Home Business site, that the permit would be subject to a one-year DRB review, and that the permit shall expire with Robert Audet's ownership of 1764 Cadys Falls Road. Member LeBlanc moved to approve the project with the aforementioned conditions. A vote of 7-0 affirmed the motion.

The meeting adjourned at 9:05 P.M. - Respectfully submitted by Zoning Administrator Thomas