

MORRISTOWN BOARD OF ADJUSTMENT -- MINUTES
SEPTEMBER 12, 1990

BOARD MEMBERS PRESENT: Theresa Breault, Chairman; Jean Wickart; Paul Trudell; Ralph Wiltshire; Gary Nolan.

BOARD MEMBERS ABSENT: Rose Lambert & Michael Boudreau.

ZONING ADMINISTRATOR: Gloria Wing

GUESTS/APPLICANTS: [Attached List].

The meeting was called to order at 7:30 P.M. by Chairman Theresa Breault, who reviewed the minutes of 08/22/90 for corrections/amendments. Ralph moved to accept the minutes as presented. Paul seconded. Unanimously approved.

7:31 P.M. -- RECESSED HEARING/MARTHA HARVEY-CITGO STATION, accompanied by John Mitchell of Champlain Oil Company. Martha is requesting a set-back variance of 14'; as zoning requirements are 20' and they have only 6'. They will be installing a canopy over the pumps measuring 28' X 50', with recessed lighting; the canopy will be 14'6" from the ground, with a 34" drop from the canopy. Martha was also requesting a variance for signage of three (3) Citgo signs, totaling 27 sq. ft.; there will be a logo decal and color co-ordinated sign "Ken's Service". The lights will be on only during business hours.

Ralph moved to grant approval of the variance to allow a 6' set-back and the lighted signage, totaling 27 sq. ft. for three (3) signs of 3' X 3' each. Jean seconded. Unanimously approved.

Paul inquired if Martha would install planters/barrels on the corner for flowers. Martha advised she would do this next summer.

FACTS OF FINDING: This application was examined under Title 24, VSA 4468, Page 55, VARIANCES, which was granted approval by the Board based on the information presented.

7:45 P.M. -- RECESSED HEARING/ROY MARBLE -- 2 LOT SUB-DIVISION located off Wabun Avenue, requesting a Variance of the 50' right-of-way, with one lot not having frontage on a public highway. Paul advised that he verified the footage to be 227', with that of the village map; that he did not find any property boundary lines.

Roy advised these lots would be served by off-site sewage and water.

This was examined under Title 24, VSA 4468, 1--5:

- 1) Due to the unique physical lot, prevented Roy from developing the property without a variance;
- 2) There is no possibility of the property being

MORRISTOWN BOARD OF ADJUSTMENT -- MINUTES
SEPTEMBER 12, 1990

developed in strict conformity of the zoning by-laws;
3) The hardships were not created by the appellant;
4) The granting of a variance will not alter the character of the neighborhood; and,
5) This would not be detrimental to public welfare, and represents the least possible deviation of the by-laws.

Roy advised he would include in the covenants that the purchaser would be required to remove the old chicken barn; that both lots are larger than the required minimum lot size.

Ralph inquired what would happen if the By-Pass go through and Roy advised there were several alternatives and explained same. Roy advised the narrowest part of the deeded shared driveway would measure 35' and this would be included in the deed along with the water and sewage.

Gary made the motion to grant a variance ^{of} for 15' ft. set-back for the shared driveway for the free standing single family residence, as per the plans presented. Ralph seconded. Unanimously approved.

FACTS OF FINDING: Based on and examined under Title 24, VSA 4468, Page 55, the BOA granted a variance based on:

- 1) The unique physical lot, prevented Roy from developing the property without a variance;
- 2) There is no possibility of the property being developed in strict conformity of the zoning by-laws;
- 3) The hardships were not created by the appellant;
- 4) The granting of a variance will not alter the character of the neighborhood; and,
- 5) This would not be detrimental to public welfare, and represents the least possible deviation of the by-laws.

GENERAL DISCUSSION/BUSINESS: Gloria advised that Norman Prive has approval of his septic system and expects to have two (2) bays completed by November, 1990; that he has not had any school buses on Sunset Drive, but has had his Coach there, which is allowed. It was the consensus of the Board that upon receipt of any further complaints pertaining to Norman's buses, that the complaint ^{10/2/90} would be requested to come before the Board with the complaint.

Gloria advised that Robert Provost, dba/LandPro, Inc., of Affordable Homes of VT is appealing her decision and that of the PC's denial of their application for a permit. That the Board has 60 days to address this starting from 09/07/90.

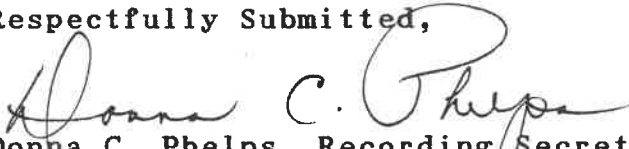
She also advised that the town's by-laws do address mobile homes; that the applicant would have to have 2 acres per dwelling unit, and LandPro's plans do not meet the density

MORRISTOWN BOARD OF ADJUSTMENT -- MINUTES
SEPTEMBER 12, 1990

requirements. Mr. Provost is coming before the PC Board on 09/18/90 for discussion.

Ralph made the motion to adjourn at 8:20 P.M. Theresa seconded. All in favor.

Respectfully Submitted,


Donna C. Phelps, Recording Secretary
Morristown Board of Adjustment

/dp

BoA.

Print

Guests / Applicants

09-12-90

Name

Mailing Address

1 Maria Shaper

RD3 Box 660 Morrisville

2 Robert Kingsbury

Box 103 Warren VT-05674

3 Ray Wright

Wendell

4 Martha Harvey

Main St. Conger, Morrisville, VT

* 5 Norman Prime

Sunset Drive, Morrisville

6

7

8

9

10

11

12

13