

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

Meeting Minutes of September 11, 2014

Members Present: Karyn Allen, Theresa Breault (Alternate), Gary Nolan (Chair), Paul Trudell & Chris Wiltshire.

Members Absent: John Gloss, Susanna Guthmann & Brian Irwin

Staff: Todd Thomas, Zoning Administrator

Guests for the Keily/Reggio, Mud City Loop hearing: Applicants and landowners Philip Kiely & Rebecca Reggio, along with their builder Donnie Blake

Guests for the Green Mountain Distillers, LaPorte Rd hearing: Howie Faircloth & Tim Danahy for Green Mountain Distillers

Guests for the Fred's Energy, Bridge Street hearing: Dennis Percy for Fred's Energy and developer Roy Marble.

Guests for the Fred's Energy, Brooklyn Street hearing: Robert & Zach Audet for landowner LH&A Realty.

Call to Order & Minutes: Member Breault moved to approve the August 14th meeting minutes. A vote of 4-0-1 affirmed the motion, with Member Nolan abstaining.

Hearing: Keily/Reggio, Mud City Loop, §320 FHA, §340 EPA, §500 SPA & §630 CU

Applicants & landowners Philip Kiely & Rebecca Reggio appeared before the Board requesting §630 Conditional Use & §500 Site Plan Approval to develop 40,600ft.² at 1515 Mud City Loop in the §260 Rural Residential Zone for a single-family home, garage and parking area on parcel 06-004, which contains a §320 Flood Hazard Area and a §340 Environmental Protection Area (wetland). Zoning Administrator Thomas said that proposed house and barn would ordinarily be a simple permit for him to grant administratively, but the northern end of the parcel contains a wetland and a flood zone. Mr. Thomas said that the wetland and the flood zone were a significant distance from the development site and that the development site was also significantly upgradient from the unstudied flood zone. He added that the size of the landowners parcel was what triggered the hearing, not proximity to the wetland (as any development site with a wetland thereon requires the hearing). The landowners' builder, Donnie Blake, said that he would use 980 feet of elevation for the lowest floor elevation of the home's root cellar. Mr. Thomas said that an elevation certificate showing that this was done should be a condition of project approval. Member Wiltshire moved to approve conditional use and site plan approval as proposed, provided that the aforementioned elevation certificate was provided to the zoning file after construction. A vote of 5 to 0 affirmed the motion.

Hearing: Green Mountain Distillers, LaPorte Rd, §500 Site Plan Approval & §630 CU

Applicant and landowner Green Mountain Distillers LLC appeared before the Board requesting §630 Conditional Use & §500 Site Plan Approval to construct a 12 foot tall privacy fence running for approximately 100 feet along the side yard / northern lot line of parcel 12-144-2 at 2919 LaPorte Road in the §270 Airport Business Zone. Howie Faircloth and Tim Danahy, of Green Mountain Distillers, said that they would like a side yard privacy fence to separate the

distillery from Foss property. They said that the approximately hundred linear feet of fence may not all be 12 feet tall as it would taper to match the contours in places. They added that the need for the fence, along with some new tree planting, was to provide the distillery customers privacy and to block the security cameras from the neighboring Foss property that are pointed at the distillery. Member Wiltshire moved to grant Conditional Use & Site Plan Approval for the fence as proposed. A vote of 5 to 0 affirmed the motion.

Hearing Fred's Energy, Bridge Street, §500 Site Plan Approval & §630 CU

Applicant & Landowner Fred's Energy appeared before the Board requesting §630 Conditional Use & §500 Site Plan Approval to construct a 4,500 ft.² building on parcel 21-069 under the Business / Professional Office Use at 288 Bridge Street in the §220 Neighborhood Commercial Zone. Dennis Percy of Fred's Energy and local developer Roy Marble presented the project to the Board. Mr. Percy described the proposed site plan and provided building elevations. He added that the front parking lot for customers would be paved, but that the rear of the building would be gravel for work vehicle parking. Member Trudell asked if the landscaping shown on the site plan would be planted as proposed. Mr. Percy said it would be. Member Nolan asked about on-site fuel tank storage. Mr. Percy said there would be no fuel tank storage on-site at this time, but they may look to place a large underground propane tank on the rear of the property in the future. Mr. Percy was asked about exterior lighting. He agreed that all project lighting will be down shielded utilizing cutoff fixtures and LED bulbs, with the exception of the cupola light which will be allowed as proposed to highlight the building's architecture. Mr. Thomas noted that the Fire Chief asked for a more substantial water connection to this building than the existing two inch waterline on Bridge Street. Mr. Percy said that the initial water connection will be on Bridge Street, but that the village plans to upgrade this line in the coming years. The Board was satisfied with his answer. Member Breault moved to grant Conditional Use and Site Plan Approval for the project as presented, with the building size as described in the hearing ad at 4,500 ft.². A vote of 5 to 0 affirmed the motion.

Hearing: Fred's Energy, Brooklyn Street, §500 Site Plan Approval

Applicant & Landowner LH&A Realty appeared before the Board requesting §500 Site Plan Approval, as required by Conditional Use permit 2013-117, for the purpose of adding landscaping to parcel 20-013 at 735 Brooklyn Street in the §210 Commercial Zone as the Snap Fitness portion of the building is being repurposed for temporary office space for Fred's Energy. Robert Audet and his son Zach represented LH&A Realty at the hearing. Mr. Audet said that the current lease to Fred's Energy at 735 Brooklyn Street is a short-term month-to-month lease because Fred's is building a new headquarters on Bridge Street. He added that because this lease is so short-term, LH&A Realty prefers to wait until the entire site is redeveloped to improve the landscaping. Mr. Audet speculated that all structures on the parcel may be torn down and a new building erected next building season. Mr. Thomas said that Conditional Use permit 2013-117 required landscaping upgrades at the site at the time of a "more significant" redevelopment. The Board discussed if the proposed temporary office use for Fred's met the threshold of a more significant redevelopment. Member Trudell said that he wanted the landscaping improved on the site before winter. Member Wiltshire said he didn't think that Fred's temporary leasing of the space was a significant redevelopment. Mr. Thomas suggested requiring landscaping improvements the next time a new tenant comes onto the property, regardless of the development

size. Board members agreed that this was a good solution. Member Wiltshire moved to grant Site Plan Review, provided that the applicant shall plant reasonable landscaping along Brooklyn Street and Stafford Avenue prior to the next tenant taking occupancy in either side of the property (for the sole approval of the Board) and that the applicant obtain a letter from the Vermont Agency of Transportation about his ability to plant trees in the state right-of-way. A vote of 5 to 0 affirmed the motion.

Deliberative Session Vote: Trombley Hill Industrial Park, Preliminary Plat Approval

With Member Trudell abstaining because he was doing architecture work on the site, the Board moved to grant preliminary plat approval for the proposed Trombley Hill Industrial Park subdivision provided that all utilities to the site be underground, including the electric laterals to all lots. A vote of 4 to 0 affirmed the motion.

The meeting adjourned at approximately 8:05 P.M.

Respectfully submitted by Todd Thomas, Zoning Administrator.

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