

Morrisville/Morristown Development Review Board
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Meeting Minutes of 28 August 2024

Members Present: Donnie Blake, Susanna Burnham, Gary Nolan (Chair), Paul Trudell, Christy Snipp, Mary Ann Wilson, and Chris Wiltshire

Members Absent: Melissa LeBlanc (unneeded Alternate) and Lenny Wing (unneeded Alternate)

Staff: Zoning Administrator Todd Thomas, Town Manager Brent Raymond, Media Operator Kaysie Smith & Video Recording Operator Charlie Burnham

Guests: Engineer Tyler Mumley, Graham Mink, Deborah & David Heller

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

Minutes: Member Trudell to approve the July 24th meeting minutes. A vote of 6-0 affirmed the motion (Members Wilson arrived after this vote took place).

Continued Hearing: §435 Non-Conforming Use, §630 Conditional Use & §500 Site Plan Approval for a duplex at 49 Miller Bridge Rd (49 Ace LLC)

Engineer Tyler Mumley reappeared before the Board on behalf of applicant/owner 49 Ace LLC who was requesting §435 Expansion of Non-Conforming Use, §630 Conditional Use, & §500 Site Plan Approval in the Low Density Residential Zone to construct a duplex on Parcel 07012, which would add to the non-conforming multi-family use that currently exist at 49 Miller Bridge Road. Engineer Mumley explained that the proposed duplex maxed out the density of this parcel under the 2023 Zoning Bylaws, and since the prior hearing he had resolved the outstanding MW&L easement issue for the proposed septic system being located within the 100-foot-wide easement of the electric transmission line. Member Burnham commented that the site plan was missing a sidewalk, which was required for multi-family uses by the Morristown Sidewalk Policy. It was ultimately decided that the construction of a sidewalk along the full Route 100 frontage of the property, either within or outside the State Highway right-of-way, would be a condition of project approval - with sidewalk construction being completed within a year of groundbreaking for the duplex. The Board then discussed landscaping, and it was decided that 4 street trees would be located to the east of the proposed duplex to shield it from Route 100 views as a condition of project approval. Zoning Administrator Thomas asked, and the Board acquiesced to including an additional condition of approval requiring that an as-revised site plan be submitted for the zoning file that incorporates the previously discussed conditions of approval. Member Blake moved to approve the project as proposed with the Board's standard and the aforementioned additional conditions of approval. A vote of 6-0-1 affirmed the motion, with Member Wilson abstaining because she arrived after this hearing started.

Hearing: §630 Conditional Use & §500 Site Plan Approval for change of use at 661 LaPorte Rd (CM Real Estate)

Engineer Tyler Mumley and developer Graham Mink appeared before the Board on behalf of applicant/owner CM Real Estate LLC who was requesting §630 Conditional Use & §500 Site Plan Approval in the Commercial Zone to change the use of the existing 9-unit building at 661 LaPorte Road (Parcel 07007-2) from a Dwelling Unit Multi-Family use to a Hotel, Inn, or Motel use, and to delete Condition #14 from Permit 2020-053 which required a new road name for this development (said road name was later deemed to be unnecessary). Member Trudell recused himself from the application because he was the architect of record for the existing building. After Engineer Mumley led the Board through the permit history for this project, including the

previously denied requests for permit relief. Mr. Mink explained that this application was intended to fix the permit issue that had required him to leave the ground-floor 2-bedroom apartment within the existing 661 LaPorte Road apartment building vacant for the last 18 months. He added that the other 8 apartments within the building were occupied with long-term renters with leases and there were no plans to change the use of these apartments over to short term rentals. As to the vacant apartment in question, Mr. Mink said that he may rent it long term or short term if the requested change of use was approved. Member Wiltshire moved to continue the discussion in Deliberative Session (with Town Manager Raymond present). A vote of 6-0 affirmed the motion.

In Deliberative Session, the Board discussed conditions of approval meant to maintain the existing appearance of the building if its use was changed to a Hotel, Motel or Inn as requested. The Board decided that any significant changes to the existing building's footprint, height, and north and east façades (as determined by the Zoning Administrator), would require a full Board review prior to approval. Per Section 635.10 of the Zoning Bylaws, the Board also subjected this permit to future 1, 3, & 5 year Board reviews as a means to potentially attach additional permit conditions if zoning compliance on this property becomes an issue during that time period (with compliance as determined by the Zoning Administrator). At the conclusion of the Deliberative Session discussion, Member Burnham moved to approve the project as proposed with the Board's standard and the aforementioned additional conditions of approval. A vote of 6-0 again affirmed the motion.

The meeting adjourned at 7:45 PM, submitted by Todd Thomas

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