

Gloria

MORRISTOWN BOARD OF ADJUSTMENT -- MINUTES
AUGUST 28, 1991

'91 AUG 30 14:58

MEMBERS PRESENT: Theresa Breault; Jean Wickart; Gary Nolan, Chairman; Rose Lambert; Ida Mae Anderson and Paul Trudell.

MEMBERS ABSENT: Ralph Wiltshire (Excused).

ZONING ADMINISTRATOR: Gloria Wing

GUESTS/APPLICANTS: [See Attached List].

The meeting was called to order at 7:35 P.M. by Chairman Gary Nolan, who reviewed the minutes of the AUGUST 14, 1991 meeting for amendments/ corrections. Theresa moved to accept the minutes as written. Jean seconded. All in favor.

7:36 P.M. -- WARNED HEARING/VILLAGE LINCOLN-MERCURY, dba/Patriot Motors, represented by Mr. Canton. Jean administered the sworn oath. Mr. Canton came before the board seeking approval for a temporary free-standing sign, which measures 45" X 18" advertising "Buy Here/Pay Here" Used Cars; that he operates presently from an office trailer in back of the car wash; presently he has 8-12 cars and doesn't plan on more vehicles than this. Mr. Canton advised he plans on relocating his business by December of this year ('91) in Morrisville and most likely would then want a permanent sign at the new location. It was the consensus of the BOA that the sign was under the allowed 10 sq. ft., and therefore no action necessary by the Board regarding this temporary sign.

GENERAL BUSINESS: Theresa, speaking on behalf of Ralph Wiltshire, inquired if the BOA would be interested in meeting with all interested parties for an informational meeting regarding the Duhamel Pit. After discussion, it was agreed to discuss the idea with Gloria and the possibility of setting a date of Sept. 25, 1991 at 8 or 8:15 P.M.

7:45 P.M. -- WARNED HEARING/LAMOILLE VALLEY BROADCASTING (WLVB), represented by Bill Riley was in attendance seeking the BOA approval to erect a tower on Lot #114.2 on Cote Hill; a Conditional Use in RR/AG zoned area. Jean administered the sworn oath to all concerned parties.

Bill advised this location has a Right-of-Way to access the tower location; that a Site-Walk was conducted this evening at 6:30 P.M.; there will be less tree cutting; the tower elevation will be 1200 ft. above sea level and believes the reception/signal will be better. They plan to purchase this parcel of land from Cotes, dba/RER. A small utility building will be constructed; there will be no lights; power to the tower will be off of one or two poles. Everything remains the same as his previous application, with the exception of moving the location up the ridge.

#1 - John Monks, advised he lives at the very end of Cote Hill Road, approximately one mile from the tower site, asked if this was a Conditional Use or an Amendment. Gary advised it was a new

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application and was warned.

Monks referred to Section 505.1 - Conditional Uses, advising he believes this proposal would adversely affect this residential area and is not appropriate and would reduce the value of his residence/property, as it will be an eyesore.

Monks then presented a letter on behalf of John Murray and John McDonald, who live on Fontaine Hill Road and were unable to attend this meeting, opposing same. Jean read the letter to all.

#2 Glenn Waller, adjacent property on ridge, stated he believes he will be able to see the tower from his house and that he is concerned about health problems arising from the transmitter.

Bill Riley presented a letter he received from FCC which in part states that milliwatts would be equivalent to the use of a hair dryer at a height of 141 feet above the ground. That no noise will be generated from this project.

#3 Bill Henchy inquired what Mr. Riley's long range plans are, will they eventually include a 300' tower at some point for increased coverage.

Mr. Riley advised there will be no change or addition within the next 10 years and additional power signal would come from within the building/station to be located at the Needle Eye Road/RTS 15/100 location. This station will primarily serve Lamoille County.

#4 Tom Ekbert asked if Mr. Riley had considered alternative types of towers and was advised yes, but this type and location was the only one feasible to deliver a strong enough signal.

Mr. Riley advised the tower sight was moved due to Tony Cote and Angela Cote's concerns and this sight is approximately 1,000 feet from previous site. That they have FAA Permit/Clearance for the present site.

John Monks inquired if Mr. Riley had knowledge this project would not effect the surrounding property values and feels that Mr. Riley should have knowledgeable persons come before the Board in order that questions could be asked and concerns could be addressed and a future meeting. Mr. Riley replied he has discussed the matter with an appraiser and was advised negative, but agreed to have appraiser(s) come to meeting to answer questions, along with an engineer.

Mr. Ekbert asked what guarantees they had there would be no lights and no higher tower or any other changes to this project in the future.

Chairman Gary Nolan advised if this application were to be approved, there would be undoubtedly be conditions imposed and any changes to the permit at some point in the future would require the station

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owners/representatives to come back before the Board for approval.

The question of how this FM station may affect present reception of radio and TV's in the area arose. Mr. Rily advised that it will not in any way affect the present reception; they are not allowed to interfere per FCC regulations.

Cindy Yerrick asked if they could petition for a Continuance of this Hearing in order to allow all parties to present more information.

After discussion, it was agreed to conduct another site-walk and present mock-up tests of the tower, etc.

Mr. Ekburt advised he was concerned children might attempt to climb the tower as it would be an attractive nuisance. Mr. Riley advised this could be fenced it.

Chairman Gary Nolan closed the testimony at 8:30 P.M.

Rose asked if Mr. Riley/Ken Squires sold this station, would it have to go through FCC and was advised yes and published legally to approve the transfer of the license.

Gary requested Jean to read a letter received from Richard Cote and Howard Manosh, he received; the letter stated their approval of this project.

Theresa moved to recess this hearing to 09/11/91 at 7:45 P.M. Jean seconded. All in favor.

Jean made the motion to adjourn the meeting at 8:47 P.M. Theresa seconded. All in favor.

Respectfully submitted,

Donna C. Phelps, Recording Secretary
Morristown Board of Adjustment

/dp

*Rec'd 8/30/91
GAZ*