Morristown/Morrisville Development Review Board
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Meeting Minutes of August 27, 2015

Members Present: Karyn Allen, Theresa Breault (Alternate), Brian Irwin, Susanna Guthmann & Paul Trudell
Members Absent: John Gloss, Gary Nolan (Chair) & Chris Wiltshire
Staff: Todd Thomas, Zoning Administrator
Guests: Max Paine, Greg Ward, John Kauss, Scott Abbott, Sonny Demars, Patrick Towne, Rob Maynard, Mel Patashnick, Jonathan Mogor, Judy Nepveu, Paul Allen & Louise Allen.

Call to Order & Minutes: Acting Chair Trudell called the meeting to order at approximately 6:35 PM. Member Breault moved to approve the July 23rd meeting minutes. The motion was affirmed by a vote of 4-0-1 with Member Trudell abstaining.

Hearing: Copley Hospital surgical suite, 528 Washington Hgwy, §500 Site Plan Approval
Applicant and landowner Copley Hospital Inc. appeared before the Board seeking §500 Site Development Plan Approval for the construction of a 19,500 ft.² surgical suite addition to the hospital along with parking changes on parcel 24-009 at 528 Washington Highway in the Special Use/Medical Zone under use Health Care Facility. John Kauss, Mel Patashnick and Greg Ward presented the project to the Board of behalf of Copley Hospital Inc. Mel Patashnick explained that the existing surgical suite is outdated and will be replaced by the new addition, which has a projected construction cost of $12.5 million. Mr. Kauss said that 12 new parking spots would be created on the hospital campus as a result of this addition, with many parking spots being relocated to the rear of the existing hospital building. A discussion ensued regarding impacts of the proposed addition on abutting properties. A site plan was shown demonstrating no light pollution across property lines. A longer discussion ensued regarding noise emanating from the existing and new air handling units on the hospital roof. Mr. Kauss said that a small wall could be constructed to fill a gap on the roof to block out where he believe noise is escaping from one of the older air handling units. During construction, which is to last 12 to 18 months, some of the existing air handling units will be replaced with newer models. Zoning Administrator Thomas read abutter letters from Jim Pease and Carol Chanania that noted visual, but mostly noise impacts from the hospital. A picture of a sparse looking arborvitae located on the Chanania property line was shared with the Board. Mr. Kauss proposed treating the arborvitae with coyote urine to keep the deer from grazing thereon. Upon a motion made by Member Irwin, the Board moved to go into Deliberative Session on this project directly following the night's hearings. The motion was affirmed by a vote of 5 to 0. Upon returning from Deliberative Session, Member Irwin moved to approve the project as proposed, provided that the following conditions are met:

1. The arborvitae on the Chanania property shall be treated with coyote urine as needed (at least yearly) and be bolstered by a various mix of additional plantings to help provide full screening by 1 July 2016.
2. The small section of additional roof parapet proposed by the applicant to muffle roof mechanical sounds towards the Chanania property shall be installed by 15 October 2015.
3. Copley Hospital shall contact NEMS and request that sirens only be used when

absolutely needed during nighttime hours in the neighborhood around the hospital.

4. Two additional non-handicapped parking spaces shall be added to the group of four handicap parking spaces located across from the entry to the emergency room.
5. Per §635.10 of the Bylaws, the Development Review Board may require a one year review of the proposed project to ensure that the supplemental landscaping and noise buffering function as intended.

The motion was affirmed by a vote of 5 to 0.

Hearing: Scott Abbott, add bar use to 64 Portland St., §500 Site Plan & §630 CU

Applicant Scott Abbott appeared before the Board seeking §500 Site Development Plan Approval & §630 Conditional Use Approval on land owned by Rob Maynard to add the Bar use to parcel 21-172 at 64 Portland Street in the §205 CB Zone (i.e. relocate Corner Pocket into adjacent building). Mr. Abbott explained his bar's proposed move from 74 Portland St. to 64 Portland St. and the move from the second floor of the old building to the first floor of the new building with proposed access to Portland Street. He requested the same hours of operation, for the bar moving next-door, until 2 AM. Mr. Abbott said that his existing bar has a 59 person capacity and he seldom has live entertainment. Mr. Thomas noted that the Morristown Police requested good lighting and a camera in the alley on the south side of the building if the project were to be approved. Mr. Abbott said that he would enclose the south alley, illuminate it and camera it as requested. Abutting property owner John Mogor expressed serious concerns about the proposal and submitted a letter to the Board detailing such. Mr. Mogor asked for additional security when the bar is open in the form of a bouncer as a condition of any project approval. He also said that he thinks the bar is better off facing out the back of the building towards the municipal parking lot and not towards Portland Street. Neighboring property owner Judy Nepveu asked what Mr. Abbott was doing to curb drug and alcohol abuse at the bar. Mr. Abbott said that he was not responsible for what people did in the parking lot after they left his bar and that he as only responsible for what happened inside the walls of his establishment. Ms. Nepveu said that such an operation should not be allowed to operate in downtown Morrisville. She echoed the request for a bouncer to be posted at the door of the bar. Upon a motion made by Member Irwin, the Board moved to go into Deliberative Session on this project directly following the night's hearings. The motion was affirmed by a vote of 5 to 0. Upon returning from Deliberative Session, Member Irwin moved to approve the project as proposed, provided that the following conditions are met:

1. The sole entrance to the relocated bar shall be from the storefront at 64 Portland Street.
2. The bar shall not have an entrance on the rear of the building to the municipal parking lot.
3. Any rear exit from the bar to the parking lot shall only be used in case of emergencies and be alarmed at all time.
4. There shall be no stairs or pedestrian cut-through from the municipal parking lot to the bar's Portland Street frontage through the property. This prohibition includes closing off the existing two-way pedestrian flow from the parking lot to Portland Street through the south side yard of the building via the covered porch.
5. Both the main alley covered porch area and the alley on the opposite side of the building shall be illuminated and camered to the satisfaction of the police department.
6. The bars hours of operation shall be limit from 8 AM to 1 AM Sunday through Thursday and from 8 AM to 2 AM Friday and Saturday.

The motion was affirmed by a vote of 5 to 0.

Hearing: Patrick Towne, firewood processing business, §500 Site Plan & §630 CU
Applicant and landowner Patrick Towne appeared before the Board seeking §500 Site Development Plan Approval & §630 Conditional Use for a wood-splitting and concrete business on parcel 12-111 at 2670 LaPorte Rd in the §270 Airport Business Zone. Mr. Towne explained that his wood splitting business is done in between concrete jobs and that he hoped to put-up 100 cords this season. He explained that the wood processing operation was currently located in the far corner of his lot and was done without cover, but that he hoped to build a 50' x 25' woodshed within the next year or two, followed by a similarly sized concrete shed. Chair Trudell noted that the size of the proposed buildings precluded the Board reviewing the application has a Home Business and that they instead should review the application in the Airport Business Zone. Upon inquiry, Mr. Towne said that his normal firewood hours are from 6 AM to 6 PM and that his logs are delivered on-site. Mr. Thomas said that he received a complaint about these hours from the neighboring property owner and that Mr. Towne had operating from 8:30 AM to 5:30 PM Monday through Friday and from 9 AM to 1 PM on Saturdays since he was contacted about the complaint. Mr. Thomas thanked Mr. Towne for his compliance. Member Allen asked Mr. Towne why the wood processing was being done so close the property line, at less than 10 feet. Mr. Allen said that this piece of his property is the driest and most easily accessible grade-wise from the curb-cut he received from the State. Neighbors Louise and David Allen complained to the Board that chainsaws and wood splitters operate all weekend and often start as early as 6 AM on various days of the week. He explained that this chainsaw activity was only 60 feet from his bedroom and that noise had become a serious issue. Mr. Allen provided pictures to the Board and questioned the safety of the wood processing operation. Upon a question from the Zoning Administrator, Mr. Towne said there is no exterior lighting proposed for the wood processing operation at this time. Upon a motion made by Member Allen, the Board moved to go into Deliberative Session on this project directly following the night's hearings. The motion was affirmed by a vote of 5 to 0. Upon returning from Deliberative Session, Member Allen moved to approve the project as proposed, provided that the following conditions are met:

1. A 6 foot tall stockade fence shall be constructed by the applicant along his property line with the Allen Family for the length of the firewood operation.
2. Any new stacking of firewood shall take place 45 feet from the side setback line
3. Any new wood processing shall take place on the north side of the new wood-stack.
4. The hours of operation for the wood processing operation shall be from 8:30 AM to 5:30 PM Monday through Friday and from 9 AM to 1 PM Saturday with no Sunday activity.
5. The same hours of operation are applicable for all delivers of wood and no logs shall be delivered to the property outside of these hours.
6. With this approval, the Board approves the as-discussed 50' x 25' woodshed footprint, but requires that an architectural drawing of such shall be submitted to the Board for administrative approval prior to its construction to ensure that the elevation drawing meets the intent of the architectural richness required in the Airport Business Zone.

The motion was affirmed by a vote of 5 to 0.

The meeting adjourned at approximately 8:50 P.M.

Respectfully submitted by Todd Thomas, Zoning Administrator.