

**MORRISTOWN BOARD OF ADJUSTMENT -- MINUTES
AUGUST 24, 1994**

BOARD MEMBERS PRESENT: Chairman Gary Nolan; Theresa Breault; Ralph Wiltshire; Ida Mae Anderson; Rose Lambert and Paul Trudell.

BOARD MEMBERS ABSENT: Jean Wickart (Excused).

ZONING ADMINISTRATOR: Kenneth Sweetser

GUESTS/APPLICANTS: Kenneth Harvey, dba/Harvey's Mobile Homes.

The meeting was called to order at 7:30 P.M. by Chairman Gary Nolan, who reviewed the minutes of August 10, 1994 for amendments/corrections. Ralph made the motion to accept the minutes as printed. Paul seconded. The minutes were unanimously approved.

7:32 P.M. -- HARVEY'S MOBILE HOMES/RECESSED HEARING. Ralph made the motion to hear Mr. Harvey's application for the proposed sales of manufactured homes and other related activities and existing fuel oil storage, by relocating his current offices and mobile homes to his property, located on Harrell Street in the Town of Morristown.

Gary advised this application would be heard under Morristown Zoning By-Laws,

#230 -- INDUSTRIAL DISTRICT OF AMENDMENTS, CONDITIONAL USES.

#233 (g): Retail Sales of Manufactured Homes.

Ken Harvey advised that he would be utilizing 9.71 +/- acres of his 25 +/- acre lot, which had 856 feet of road frontage. The proposed cost of the project is \$15,000.00. There will be no permanent structures involved. A manufactured home will be used for offices; a mobile classroom will be used for the utility shop. There will be a two-story modular home on display. ACT 250 has approved his application for up to 40 units. Mr. Harvey advised he doesn't believe he would have that many at one time.

The storage unit will contain siding; doors; windows; PBC Conduit pipes; electrical wiring; sewer pipes for the set-up of the mobile homes they sell.

Currently on the site are three (3) fuel storage tanks. A 20,000 gallon tank for #2 Fuel Oil; a 15,000 gallon tank for Kerosene -K1 and a 9,000 gallon tank for Low Sulphur fuel. Federal laws have been changed and will require that all under-ground tanks will have to comply with the new law by 1998.

Mr. Harvey advised that his proposed plans are to pour a cement slab with a liner, with four (4') foot sides for a containment site and enclose this with steel sides and pitched roof for aesthetic purposes and have all tanks above ground. That upon replacement of his tanks, he plans to have three (3) 10,000 gallon tanks and one (1) 20,000 gallon tank on site.

They plan to basically take care of the road even though it is a Town road as they have in the past. That during heavy storms, they keep it open and when Bill has time, he does plow and sand, but there is only one house on the road and it shouldn't be a priority for the Town Highway Dept.

They will store their pipes and sand between the storage trailers to keep them less visible from the public.

The BOA reviewed the application under SECTION 630 - CONDITIONAL USES:

#632.1 Mr. Harvey has a letter from Jim Fox of Morrisville Water & Light, stating that this project will have no detrimental effect on the Water & Light Department's ability to provide power.

#632.2 Re: Proposed Zoning amendments, this area will be zoned for the proposed use by Mr. Harvey.

#632.3 There will be a different type of traffic, being the mobile homes being moved in and out of the area; that all mobile homes will enter/exit easterly on Harrell Street toward RT 15; that Modular Homes, WHEN NECESSARY, due to heights, may use alternate routes.

#632.4 N/A

#632.5 N/A

#632.6 There will be a 1,000 gallon septic system to serve this project; that it will be larger than required. (15 gallons per employee).
Mr. Harvey will obtain his Sewage Permit from Mr. Sweetser.

** #235.d Must meet the set-back requirements from Water Bodies (Lamoille River) as outlined in the By-Laws.

#633.1 Mr. Harvey advised that everything will be designed to drain to the southerly area of the site and will not cause unreasonable soil erosion. (During construction, a "Silt" fence will be erected around the top of the southern bank of the project.)

An engineered septic design for the project, will be constructed as designed. No waters will infiltrate into the site, per the Engineer.

#634 There will be a Engineered Septic System on site, having no detrimental effect to the area.

#635.1 N/A

#635.2 N/A

#635.3 N/A

#635.4 N/A

#635.5 N/A

#635.6 Signage will not exceed the allowable square footage, and location and size of signage allowed by the Town Zoning By-Laws. Mr. Harvey and the BOA figured the allowed signage and agreed his existing sign could and would be moved to this new

location.

#635.7 Screening of the southerly side will consist of a mixture of trees and will be planted by the applicants; the existing natural vegetation is limited.

#635.8 N/A

#635.9 Any future enlargement or alteration will be reviewed by the BOA or Design Review Board in one year; three years and five years from date of issue of the permit, if so approved.

Ralph made the motion to move to a deliberative session after other general business was conducted by the BOA. Paul seconded. The BOA was unanimously in favor. So moved.

GENERAL DISCUSSION: Ken Sweetser advised that Bob Page, who owns a ten-unit apartment building, located on East High Street, came to inquire about installing a handicap/wheelchair ramp for one of his tenants, who was rushed to the Hospital and had to have his leg amputated; that the tenant is being released from the hospital and doesn't have accessibility to the apartment and Mr. Page is requesting a waiver of the hearing to construct a ramp. Plans were submitted. The ramp will be located beside the fire escape on the back side of the building. The BOA agreed this was an accessory use and would waive the hearing. The Zoning Administrator will issue a permit for the construction of a handicap ramp to be constructed as per the plans presented.

RE-APPOINTMENT OF BOA MEMBERS

In order to have the member's terms staggered, Paul Trudell volunteered to a three (3) year term. Ralph Wiltshire and Ida Mae Anderson were appointed to four (4) year terms each.

The BOA/Design Review Board meetings will be changed to Thursday evenings, beginning the scheduled meeting, following the March, 1995 Town Meeting date.

DELIBERATIVE SESSION - HARVEY'S MOBILE HOMES & FUEL STORAGE

Ralph made the motion to make the following suggestions for approval to the Board of Selectmen that the application be approved with the following conditions

- 1) Add the word "Existing" where application deals with fuel storage;
- 2) Where lot size pertains to the application, to be changed to 25 +/- acres;

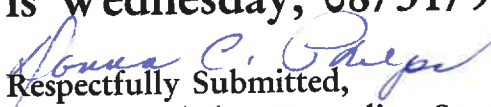
with the following conditions:

- 1) Maximum of 40 manufactured homes on site at any one time;
- 2) All traffic of manufactured homes will use the easterly portion of Harrell Street traveling toward/from RT 15, unless road conditions preclude same;
- 3) Add screening to southerly border area of property with evergreens 4' to 6' in height;
- 4) Sign at present location will be relocated to this site with no changes in size;
- 5) The external storage of building supplies will be located between the storage trailers;
- 6) Any future enlargements/alterations or change of use will be reviewed

- by the BOA or Design Review Board;
- 7) All other local or state permits required will be in place prior to this permit being issued;
 - 8) This project will be reviewed by the BOA or Design Review Board in one (1) year; three (3) years and five (5) years from the date permit is issued;
 - 9) Common erosion control practices to be adhered to, during construction, (i.e., Silt fence along top of southerly boundary)

Theresa seconded the motion. Unanimously approved.

**The next scheduled meeting on the LRSWD Landfill
is Wednesday, 08/31/94 @ 5:30 P.M.**


Respectfully Submitted,

Donna C. Phelps, Recording Secretary/BOA