

**MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
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Minutes of, August 14, 1997

Members Present: Ralph Wiltshire, Jean Wickart, and Tom Bjerke.

Alternate Members Present: Sam Guy, George Robson, Pat McCulloch

Members Absent: Gary Nolan, Rich Furlong, and Paul Trudell.

Guest: Robert Houle, Delmer Twombly, Richard Cron, Phyllis Fitzgerald, Wendell Peake, Andrew Jensvold, Dick Towns, Darrow Mansfield, Linda Wood, Jan Stangel, and Ernest Ruskey.

The meeting was called to order at 7:30 P.M. by Ralph Wiltshire, Acting Chair.

The minutes of July 10, 1997 were tabled until the next meeting, as there was not a quorum of the members present, who were at the last meeting.

**WARNED HEARING, ROGER COTE, 4 LOT MAJOR SUBDIVISION, COTE HILL
AND WHITE BIRCH ROAD**

Ralph opened the hearing and requested a motion from the Board to grant the Applicants request to recess the hearing until September 11, 1997, as the required paperwork was outstanding.

Tom made a motion to recess the Roger Cote subdivision hearing to September 11, 1997 at 7:30 P.M. in the Town Clerk's Office Building.

Jean seconded the motion and it passed unanimously.

**WARNED HEARING, L.H. & A. REALTY CO., ROUTE 15 & 100, SITE PLAN
REVIEW AND CONDITIONAL USE.**

Ralph opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 210, 213.h, 450-453.3, 500-503.4, 630-637 of the Morristown Zoning Bylaws.

Jean administered the sworn oath to Robert Houle who was representing the Applicant at the hearing.

Mr. Houle gave an overview of the Applicants plans. They plan to increase the existing building by adding a 19' X 60' addition to the building where McMahon's Chevy is located. This will allow McMahon's to increase their repair and parts areas. The addition will meet all of the setbacks as can be seen on the David Peatman survey. There will be no change in the traffic flow. No additional external lighting is planned. No changes in the landscaping are planned.

Ralph asked about the waste oil tank that is located where the addition will go as it can not be located in the 25' setback.

Mr. Houle was unsure what was going to take place with the tank.

Tom asked about the exterior lighting as what was existing and what was installed last year does not meet our requirements for commercial buildings.

Tom made a motion to approve the application with our standard conditions and the condition that all exterior lighting be down shaded cut off fixture with metal halide bulbs

Jean seconded the motion and it passed unanimously.

WARNED HEARING, AUBUCHON HARDWARE, ROUTE 15 & 100, CONDITIONAL USE AND SITE PLAN REVIEW.

Ralph opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 210, 213.a, 450-453.3, 500-503.4 and 630-637 of the Morristown Zoning Bylaws.

Jean administered the sworn oath to Wendell Peake and Andrew Jensvold.

Mr. Peake gave an overview of the proposed project. They wish to take one parking space out and install a 500 gallon propane tank, with a six foot high, locked, double gated fence to refill small propane tanks. There will be bollards around the fence to prevent vehicles from accidentally running into propane tank. There will not be any additional employees. They do not expect an increase in traffic.

Ralph read Adrian West letter into the record with his concerns with respect to propane tank.

Mr. Jensvold of Amerigas said that propane will dissipate within ten feet and will not pose a threat to Mr. West business, Jack's Body Shop. Mr. West heats the body shop with propane as does Aubuchon's, and those tanks are close to the body shop as where the proposed tank is over 200' from the body shop.

Ralph asked what size tanks would they be able to refill? Why not go with just a tank exchange.

Mr. Jensvold said that they will be able to fill both styles of the gas grill tanks, as well as the bigger ones on campers and RV's. The reason for not just a tank exchange is that there are two styles of valves on the small tanks, and that camper and RV's tanks may be different or larger than the tank exchange tanks.

Tom ask Wendell Peake about training on refilling tanks.

Mr. Peake said that Amerigas will be training all of our employees.

George made a motion to approve this application with our standard conditions.

Other Business:

Dick Towns came in for an informal discussion about his truck garage on Route 100 South. Currently Casella Waste Management is occupying the building and it just is not big enough for their needs. Leo's Small engine sales and service wishes to go into the building. Currently Casella's trucks leave at about 4:00 A.M. and are coming and going all day. He feels that Leo's would be less of an impact on the neighborhood than a trucking company would be.

The Board said that Leo's may or may not have a less of an impact than would Casella or another trucking company would have. However the regulations say that a non conforming use can continue indefinitely but, can not change to another non conforming use. Trucks and Truck repair is what has taken place and retail sales would be a different non conforming use. The Board asked Ken to pull the records for Mr. Towns to see what exactly what uses for the property were permitted, for the August 19th PC meeting and for the next DRB meeting.

MTB Builder's final plat for a ten lot subdivision off Goeltz Road, was signed

Theodore Barnett's final plat for a six lot subdivision was signed. Darrow Mansfield ask the Boards feeling if they would allow Mr. Barnett to develop lot "A" before the road is built to town specifications and before the fire pond and dry hydrant are constructed.

It was determined that this would require an amendment to his subdivision permit. The feeling of the Board was that the road and dry hydrant would have to be tested and approved prior developing any of the lots.

North Country Animal League came in to have an informal discussion to determine if it is possible to have a new animal shelter at the Harold Shonio property on Route 100 South. They would keep about 25 dogs in what is the large garage behind the house, and 20 cats and their offices in the house. They hope to be buying some land from Paul Percy adjacent to this property.

The question of noise was raised with dwellings in the neighborhood, the dogs from Lamoille Kennels can be heard a long ways away. The kennels will be quite a ways away from the nearest dwelling and their are about 30 ways to control the noise. Lamoille Kennels use none of the methods to control noise. They would like to eventually build the buildings with a center courtyard to keep the dogs in and they plan to add additional structures, to the property including have a vet on premises. This is why they are interested in purchasing land from Mr. Percy.

It was the Boards feelings that they should pursue a local permit. Since they are a non-profit the kennels it could be call a community facility. The main issues would be noise and traffic.

Sherman V. Allen, Inc. they sent a letter to the Board requesting to scale back their project. They wish to renovate part of the existing structure and remove the rest. They have to move the canopy ten feet further from the road as it currently is in the state highway right of way. They will be replacing tanks, renovating the store moving the canopy, installing catch basin, paving as agreed in their approval, and they propose no changes in signage.

The Board will do a site walk on August 19, 1997 and will hear amendments at their September 11th hearing.

Ken informed the Board that he would be sending letters to Cindy Grant and Fairfield Industries to inform them that they have not scheduled the required reviews. Parkers Parts will be getting a letter informing them that they are to have no junk vehicles outside the building.

Pat made a motion to adjourn at 8:45 P.M.

Tom seconded the motion and it passed unanimously.

The hearing was adjourned at 8:45 P.M.

Respectfully submitted,

Kenneth J. Sweetser, Scribe.