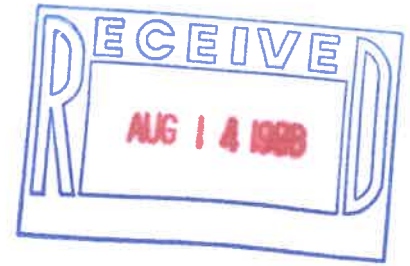


**MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
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Minutes of August 13, 1998

Members Present: Rich Furlong, David Silverman, Tom Paine, Gary Nolan Theresa Breault, and Paul Trudell.

Members Absent: None.

Guest: William Alexander, Hunt Blair, Richard Sargent, Tom Bjerke, Richard Workman, Bill Jeremczuk, Linda Miller, McDonald Miller, Jr., Gene Condon, Kathy Cote, William Danforth, Ann Danforth, Andy Gergerly, and Charles Dunham.

The meeting was called to order at 7:50 PM. by Gary Nolan, Chair.

Rich made a motion to approve the minutes of July 23, 1998, as written.
Theresa seconded the motion and it passed unanimously.

**WARNED HEARING, MARJORIE MILLER-OWNER, MACDONALD MILLER, JR.
AND LINDA MILLER-APPLICANT, TWO LOT MINOR SUBDIVISION, CADYS
FALLS ROAD.**

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 230-233.7b, 300-320.2(4), 400-490.1 of the Morristown Subdivision Bylaws.

Gary reminded the Miller's that they were still under oath

Mr. Miller explained that they wish to subdivide the 12.1 acre parcel into two lots. Lot "A" will be 6.78 acres and lot "B" will be 5.33 acres. Lot "A" contain their residence and two wooden barns, Lot "B" contains the metal barns. Lot "A" has a pre-existing potable water and a on-site septic system and Lot "B" does not have water or septic. Lot "A" is mostly in the flood plain and lot "B" is out of the flood plain.

David made a motion to approve this application with our standard conditions and that the site plans be corrected to show Marjorie Miller as the owner.

Theresa seconded the motion and it passed unanimously.

WARNED HEARING, COPLEY HEALTH SYSTEMS, 47,000 SQUARE FOOT 78 BED LONG TERM CARE FACILITY, COPLEY TERRACE ROAD, CONDITIONAL USE AND SITE PLAN REVIEW.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 270, 273.m, 450-454, 500-503.4 and 630-637 of the Morrisville Zoning Bylaws.

Theresa administered the sworn oath to Tom Bjerke, Dennis Webster, William Alexander, Hunt Blair, Charles Dunham, Kathy Cote, and Richard Sargent.

Dennis Webster gave an overview of the proposed project. Copley Health Systems is proposing to construct a 47,000 square foot long term care facility with 78 beds. This project will be between the employee parking area and Copley Terrace. The building will be compatible with other buildings in the area. They are reconfiguring the existing parking lot and will add two small lots and they will more than meet the requirements. There will be a fire lane around building. They will be relocating one fire hydrant and adding a new one on the western side of the building. The main entrance will be a canopy entrance. There will be a courtyard garden area for the residents and guest. The building will be a two levels on the north side that use the existing land contours. They propose to place a three to four foot berm that will be landscaped and trimmed to allow for screening of this project from the Sargent dwelling while preserving their view of Elmore Mountain. There will be raised planting beds and annuals with a variety of deciduous trees. As many of the existing trees will left and some of the larger trees may be able to be relocated. There will be a side walk along Copley Terrace Road and walk ways from Copley Terrace to this project and around the long term care facility where fire lane is located. They are anticipating a staff of 69 that will include full and part time staff. There will be a series of screened in porch for the residents. The building will have vinyl siding with either wood or vinyl trim and architect shingles on the roof. Colors have not been determined at this time. The foot print of the building will be 37,000 square feet and 10,000 square foot of finished space on the lower level. Storm water will be managed with catch basins and drainage swales to ravine. The exterior lighting will be zero cut off fixture with metal halide bulbs and recessed soffit lights. The building will have a sprinkler system and is served by municipal water and sewer. The propane tank and fuel oil tank will be buried. They are keeping the one acre in reserve between this building and Copley Terrace for addition parking that was require when ambulatory care was approved.

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

Theresa seconded the motion and it passed unanimously.

WARNED RECESSED HEARING, NORTH COUNTRY ANIMAL LEAGUE, ANIMAL SHELTER, ROUTE 100 SOUTH, CONDITIONAL USE AND SITE PLAN REVIEW.

Gary reopened the hearing and gave an overview of the application. The application is to be reviewed under Sections 280-283.d, 450-454, 500-503.4, 630-637 of the Morristown Zoning

Bylaws.

Theresa sworn in Jan Stangel, Ernie Ruskey, Linda Wood, Gene Condon, Bill Jaremczuk, William Danforth Ann Danforth and Gregg Wright, Richard Workman, Richard Sargent.

Gary noted that the Board had a site visit tonight prior to the hearing.

Mr Wright explained that dogs will be audible off site but only minimal.

Ms. Stangel explained that they will use a variety of methods to keep the dogs as quite as possible. The dogs will be out from 9:30 AM to 4:30 PM and possible one night until 6:00 PM. The dogs will be rotated after 15-20 minutes. They will have between two and five dogs out at a time. Part of the time the dogs are out they will have an attendant with them. They are open to the public from 11:00 AM to 4:00 PM and the staff works from 7:30 AM to 4:30 PM.

Mr. Jaremczuk asked about enforcement if there is a problem?

Ken explained that he would check out the complaint and take action State Law gives the violator seven days to correct the problem.

Mr. Jaremczuk asked what if keeps happening?

Ken explained that if the same violation happens with a year the violator does not get another seven days to correct that the town's attorney would take it to the Environmental Court and the fines are \$50.00 per violation per day and each new day constitutes a new violation.

Andy Geregely who was not sworn in nor is an abutter to this proposed project. Objected to the project because of noise.

Mr. Sargent asked if they could here the dogs if the dogs bark outside and the attendant is inside.

Mr. Danforth said he was concerned for the 14 hours when no one is there.

Ms. Stangel said that the dogs do not bark when no one is around.

Ms. Condon asked how many dogs do they have now and your first phase is for 25 dogs?

Ms. Stangel answered 18 and yes.

Ms. Condon is the facility air conditioned and asked if you take all animals given to you?

Ms. Stangel responded yes it is air conditioned and no they do not take all animals offered to them.

Paul asked how many dogs are in the area?

Ms. Condon said she had one and her neighbor to her south has one.

Andy Gergly said he has five dogs around his house.

Mr. Workman said the dogs would be herd and they would be a nuisance. In Burlington if you can distinguish a noise then it is a nuisance. A ten decibel increase is a doubling on the sound.

David asked if they are tax exempt how can they sell items for a profit.

Ms. Stangel said they can sell product provided the fees go back into the operation of the facility. They currently sell collars and leads and they may sell other items in the future.

Mr. Workman said that the audible noise will be noticed. He and his clientele should be afforded consideration for his existing business and any noise is a nuisance.

Mr. Wight said if the dog noise is a nuisance then it is a nuisance, but what you heard tonight was it a nuisance.

David made a motion to recess the hearing to a deliberative session on August 27, 1998 at 7:30 PM after the scheduled hearings in the town clerk's office building.

Other Business:

Sanel's has asked to keep their sign lighted all night for security and that it makes it dark in the area.

The DRB said the sign should be turned off when our regulations say.

Brooks Drugs has asked if they could purchase the blue house on Union Street and use it for employee parking as long as it does not have access/egress on Union Street.

The DRB said it is not possible under the current regulation but they will reconsider this issue when the bylaws amendments are approved.

Green Mountain Landscaping: The neighbors on Geoltz Road are complaining about noise and visibility eyesore he has created.

Ken explained that he has been down a couple of time and can not see any change since the DRB reviewed this issue last year.

The DRB does not feel there has been any new changes.

Ken reminded the Board that Tuesday night the Planning Commission is having a meeting on possible Post Office locations in the village and parking is going to be a concern.

The hearing was adjourned at 10:30 PM.

Respectfully submitted,

Kenneth J. Sweetser, Scribe.