FILE COPY

MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
P.O. BOX 748
MORRISVILLE, VT 05661
Phone (802) 888-6373
Fax (802) 888-6378

Minutes of August 11, 2005

Members Present: Gary Nolan, Carl Fortune, Theresa Breault, Jean Wickart, Carol Jennings, Paul Trudell, Kelly Rogers (alternate)

Members Absent: David Silverman

Recorder: Mark Leonard, Zoning Administrator (ZA)

Guests: Jerry & Joan Salvas, Gary & Susan Sinnott, Kevin Amyot

Gary Nolan called the meeting to order at 7:34 PM. On a motion by Theresa, seconded by Jean, minutes of the July 28, 2005 meeting were approved.

WARNED HEARING: HA MANOSH CORP, CONDITIONAL USE/SITE PLAN REVIEW, COMMERCIAL BUILDING, NORTHGATE AVENUE & MUNSON AVENUE

Gary and Paul recused themselves from hearing this application due to conflicts of interest. Theresa assumed the chair and administered the sworn oath to Kevin Amyot, representing the applicant. Theresa introduced the application, to be reviewed under sections 213, 500-503, 630-635, and 638.

The applicant proposes to construct a 7200-square foot commercial building on a lot on the corner of Northgate Avenue and Munson Avenue. The lot, approximately one acre in size, is part of a 12-acre parcel that includes the Northgate shopping plaza and is located in the Commercial zoning district.

Kevin described the proposed building and reviewed the site plan. The site plan shows 31 parking spaces, with primary access from Munson Avenue and a loading dock accessed from Northgate Avenue. The building would be divided internally to accommodate up to three separate tenants. He said there were no specific tenants identified at this time, but that they were in discussions with both retail light manufacturing businessES. He anticipated no more than 15-20 employees on the premises.

Kevin said that the project required a state storm water permit and an amendment to the Act 250 permit in effect for the property. He explained that they planned to build a small settling pond along the Northgate avenue side of the lot and a stone-lined ditch to address storm water runoff. The property is served by the municipal water and sewer systems.

FILE COPY

Theresa asked about exterior lighting. Kevin said they planned for three 250-watt lights mounted on 12-14' poles around the parking lot and several down-shaded wall-pack fixtures.

Carol asked about landscaping. Kevin said that they planned to retain most of the existing trees along Munson Avenue and would add some new trees along Northgate Avenue.

Carl moved to approve the application with the condition that the applicant provide copies of the approved state permits. Carol seconded the motion and it passed unanimously.

WARNED HEARING: OPEN LAND CORP, PRELIMINARY PLAT APPROVAL, 4-LOT SUBDIVISION, WALTON ROAD

Gary introduced the application, to be reviewed under sections 264, 740, 780, and 810 of the zoning and subdivision bylaws. A pre-application review of the proposal was conducted on July 28, 2005. Theresa administered the sworn oath to Jerry and Joan Salvas, representing the applicant, and adjoining property owners Gary and Susan Sinnott.

Open Land Corporation proposes to subdivide three 5.5-acre lots from a 34.65-acre parcel (tax map #06-060) on Walton Road in the Rural Residential with Agriculture zoning district. Each lot will have its own septic system, designed to accommodate a four bedroom home, and drilled well for potable water. A notional building envelope was identified on the site plan, but Jerry said individual lot buyers may elect to site their homes elsewhere so long as the minimum well and septic system isolation distances are maintained. The three lots would be accessed from Walton Road on a 900-foot long private road.

Theresa asked if the road would be built to town road standards. Jerry said that it would not as under the town road policy any road serving three or fewer homes is considered a private driveway, not a road.

The ZA emphasized that if or when any additional home lots are created, the entire roadway from the intersection with Walton Road up would need to be brought up to town road standards, regardless of whether it remained a private road or not.

Carl noted the zoning bylaw and town road standard requirement that a dead-end cul-de-sac must have a minimum radius of 45 feet (90 feet in diameter).

Gary Sinnott expressed concerns that the new homes would cause storm water runoff and possibly effluent from the leachfields on those lots closest to his to flow onto his property. Jerry noted that the closest leachfield was at least 500 feet from the Sinnott property and was designed to meet or exceed state-mandated isolation distances. He did not feel that any significant amount of storm water runoff would flow onto the Sinnott property.

Gary also asked if there were any restrictions on the times when construction work could take place as he was concerned about noise when the new homes were being built. The ZA replied that there were no such restrictions.

Carl moved to approve the application with standard subdivision conditions and a condition that the dead-end cul-de-sac have a minimum radius of 45 feet. Paul seconded the motion and it passed unanimously.

FILE COPY

WARNED HEARING: BISHOP JOHN A. MARSHALL SCHOOL INC, LOT LINE ADJUSTMENT, 680 LAPORTE ROAD

Gary introduced the application, to be reviewed under sections 219 and 795 of the zoning and subdivision bylaws. Theresa administered the sworn oath to Mark Leonard, acting on behalf of the applicant.

The Bishop Marshall School owns two contiguous parcels of land along Laporte Road (Route 100). Parcel #07-322-1, containing the school building and grounds, is 37 acres. Parcel 07-326, which is undeveloped, is 16.4 acres. The properties are located in the Business Office Park zoning district. The school proposes to redraw the boundary between the two parcels, reducing the school building parcel by 12.3 acres and adding that amount to the undeveloped parcel. The resulting lots will be 24.7 acres and 28.9 acres, respectively.

Jean moved to approve the application as presented. Paul seconded the motion and it passed unanimously.

PRE-APPLICATION REVIEW: DOMINICK DONZA, 2-LOT SUBDIVISION, 2147 STERLING VALLEY ROAD

Nick Donza presented a plan to subdivide a 4.74-acre lot on Sterling Valley Road into two lots of 2.2 and 2.54 acres. Both lots would be accessed by an existing driveway on an adjoining lot via a right-of-way. Both lots would be served by a common septic system located on the upper lot. Paul moved, and Jean seconded, that the proposal meets the requirements of the Town Plan. The motion passed unanimously.

PRE-APPLICATION REVIEW: ROGER MARCOUX, JR & SIRI ROONEY, 2-LOT SUBDIVISION, 453 TINE McKEE ROAD

The ZA, on behalf of Roger Marcoux Jr and Siri Rooney, presented a plan to create a 2.41-acre lot from a 295-acre parcel on Tine McKee Road. The proposed lot contains the applicants' existing home and associated water and waste water systems. Paul moved, and Theresa seconded, that the proposal meets the requirements of the Town Plan. The motion passed unanimously.

OTHER BUSINESS:

Frank Huard asked the board if he could present additional information regarding his application for conditional use approval for his home business. Gary advised him that no testimony could be taken outside of a warned or recessed hearing in which all parties had the opportunity to address the board. He informed Frank that the board would meet in deliberative session to consider whether to reopen the hearing to take any additional testimony or to decide the matter without further input from the parties.

The board met in deliberative session, with alternate member Kelly Rogers participating, on the Huard home business application and decided to reopen the hearing on August 25. 2005 at

FILE COPY

7:00 PM to hear any new information the parties may have to present. Members who had not participated in the previous hearing on this application would be provided copies of the written and audio records of that hearing for review prior to the next hearing. The ZA will notify all parties accordingly.

On a motion by Paul, seconded by Carl, the meeting adjourned at 8:30 PM.

Respectfully submitted,
Mark Leonard, Recorder

Minutes approved on: 8/25/05 TB/JW