

Morristown/Morrisville Development Review Board
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Meeting Minutes of August 9, 2017

Members Present: Karyn Allen, Theresa Breault (alternate), John Gloss, Susanna Guthmann Gary Nolan (Chair), Paul Trudell & Chris Wiltshire

Members Absent: Brian Irwin, & Andrew Strniste (alternate)

Staff: Todd Thomas, Zoning Administrator

Signed-in Guests: Max and Lorraine Paine, Stacy Esteban, Terrence Jones, Mary Teas, Charles Hight, Tom Paine, Sam Lukens, Chris Brutzman, Tell Gregory, Mac Miller, Judy Nepveu, Ron Stancliff, Joie Marshall, Terry Hirschak, Scott and Holly King, Linda & Mac Miller.

Call to Order & Minutes: Chair Nolan called the meeting to order at approximately 6:30 PM. The minutes from the previous June 22nd meeting were affirmed by a vote of 4-0-3.

Hearing: 57 Lawrence Road, §264.1 Minimum Lot Size Waiver (Jones)

Applicant Terrence Jones appeared before the Board requesting a §264.1 Minimum Lot Size Waiver of 12.5% to allow for 3.5 acre parcel 16-030-7 in the §260 Rural Residential Agricultural Zone to be subdivided into two equally sized lots. Mr. Jones said that he unexpectedly had to find housing for his mother and started building her a structure on his property next to his under construction single-family home. He said that he preferred to subdivide his 3.5 acre (net) lot to protect the value of his property for resale and ease of mortgaging. Zoning Administrator Thomas read letters from Vincent Barrone, and Max and Lorraine Paine expressing concern about the waiver request - specifically a subdivision covenant preventing further division of the land. Chair Nolan said that he would like to see this covenant issue addressed before voting on a waiver for a new subdivision lot. He added that the septic permit for the property may not correspond to what is on the ground. Conservation Commission Chair Ron Stancliff said that he was opposed to this waiver request as it might set a precedent for lots smaller than 2 acres in the Town. Board Members discussed other ways to address the situation other than a waiver, such as a lot line change or Accessory Apartment use. Member Wiltshire moved to recess the hearing until September 27th to allow the applicant to work on the covenant and septic permitting issues before the Board takes action on the application. The motion was affirmed by a vote of 7-0.

Hearing: 734 Stagecoach Road, §460 Home Business for doggy daycare (Esteban)

Applicant/landowner Stacey Esteban appeared before the Board requesting §630 Conditional Use to add the §460 Home Business use for dog daycare and boarding inside her home at 734 Stagecoach Road, parcel 07-155-2, in the §260 Rural Residential Agricultural Zone. Ms. Esteban said she previously operated a similar business and that this dog business would be run out of her finished basement. She requested hours of operation from 6 AM to 10 PM for up to 20 dogs at a time. She added that her yard is well landscaped and she cannot see any neighbors. Member Allen asked about the dogs being left outside. Ms. Esteban said that a small fenced in area was available in her backyard and that dogs barking outside will be brought inside. She added that a spare bedroom may be utilized for dogs needing a quiet space. Member Allen moved to approve the project with the stated hours of operation. The motion was affirmed by a vote of 7-0.

Hearing: 987 Cadys Falls Road, §460 Home Business for gunsmithing (King)

Applicant/landowner Scott King appeared before the Board requesting §630 Conditional Use for a §460 Home Business use for gunsmithing inside a 672 ft² bay of his barn on parcel 07-198 at 987 Cadys Falls Road in the §260 Rural Residential Agricultural Zone. Mr. King said that he has no desire to have customers come to his property, but needs to have business hours, and hence this permit, to comply with ATFE regulations. Mr. King said he would like to post hours of 5 PM to 6 PM on Thursday and Friday and 9 AM to 12 PM on Saturday for his gunsmithing business. Board Members discussed if the permit should run with the land or be limited to just the current ownership. Mr. King said that he was okay with letting this permit not run with the land. Mr. King said he had no plans for lighting or signage since he did not want to encourage customers to visit his residence. Member Allen moved to approve the proposed home business application with the stated hours of operation, provided that the permit be nontransferable to heirs, successors or assigns. The motion was affirmed by a vote of 7-0.

Hearing: 212 Summer Street, §460 Home Business for therapy office (Marshall)

Applicant/landowner Joie Marshall appeared before the Board requesting §630 Conditional Use for a §460 Home Business use for a psychotherapy office inside her home at 212 Summer Street, parcel 23-130, in the §250 Medium Density Residential Zone. Ms. Marshall said she would be using a 144 ft.² room in her house for her home business and that she would see patients on Monday through Saturday from 7 AM to 9 PM. Ms. Marshall added that she sees approximately 30 patients in a given week and that no changes to the exterior of her property were planned. Mr. Thomas noted that he received a letter from neighbor Nic Volk supporting the home business application. Audience member Judy Nepveu also supported the project. Member Allen moved to approve the proposed home business application with the stated hours of operation. The motion was affirmed by a vote of 7-0.

Hearing: 70 Cadys Falls Rd, §630 Conditional Use & §500 Site Plan, autobodyshop (Miller)

Applicants/landowners Linda & Mac Miller appeared before the Board requesting §630 Conditional Use & §500 Site Plan Approval for an auto-body shop (no mechanic work) and office space on parcel 07-321-2 within the existing workshop at 70 Cadys Falls Road in the §230 Industrial Zone. Mr. Miller said that he would like to lease his existing workshop that was located adjacent to his house to an autobody business run by Chris Brutzman and Sam Lukens. Mr. Brutzman, Mr. Lukens, and Tell Gregory said that they would like to move the existing autobody shop from Stowe to Morrisville. Work in the shop will consist of typical auto body work, but will not include oil changes, inspections, tire sales or mechanic work. After a brief Board discussion, the applicants were amenable to a condition that all parking shall be screened from the roadside view at all times. Parking would consist of 6 cars inside the shop and maximum of 7 cars outside the shop. The hours of operation for this autobody business would be 7 AM to 6 PM Monday through Saturday. No new lighting was proposed. Member Trudell moved to approve the project with the aforementioned restrictions on mechanic work, tire sales, and parking visibility, provided that a more accurate site plan be submitted showing driveways, screening, plantings, etc. The motion was affirmed by a vote of 7-0.

The meeting adjourned at 8:30 P.M. - Respectfully submitted by Zoning Administrator Thomas