

MORRISTOWN PLANNING COMMISSION MINUTES
AUGUST 7, 1990

BOARD MEMBERS PRESENT: Alfred Hurley, Chair.; Gary Smith; Norman Nepveu; Adrian West; Jane Greene; Mac Miller and (Debra Mason arrived at 7:45 P.M.).

BOARD MEMBERS ABSENT: N/A

ZONING ADMINISTRATOR: Gloria Wing

TOWN PLANNER: Patti Spear

GUESTS/APPLICANTS: [See attached list]

The meeting was called to order at 7:30 P.M. by Chairman Al Hurley who reviewed the minutes of 07/10/90 and 07/17/90 for amendments/corrections.

07/10/90: Adrian moved to accept the minutes as presented. Norman seconded. All in favor of approving and accepting.

07/17/90: Adrian moved to accept the minutes as presented. Gary seconded. All in favor of accepting the minutes.

GENERAL BUSINESS: Al advised he received a call from Ralph Larson reference "PDR" and he advised there is nothing in the present By-Laws addressing "PDR'S"; that Larson advised he would wait and come back at some future date after the By-Laws have been revised.

There will be a meeting in the Conference Room/PSB on Thursday, 08/09/90 at 10:00 A.M. with Attorney Fred Emigh to discuss issues concerning the Board.

Roy Marble will be requesting variance reference his proposed sub-division off Wabun Avenue. LCPC Dave White and Att. Emigh advise he can do so.

Robert Provost will be here to appeal the \$64,000^{Assessed} fee accessed by the town for a "Major" sub-division development of 64 lots.

Al received a call from Chip Percy reference receiving the Facts of Finding/Denial, inquiring if the Board would reconsider their decision; what can he do to be approved and would he ever be approved. Al polled the PC members reference changing their decision. All advised negative to changing their minds.

7:45 P.M. -- WARNED HEARING/JOHN MONKS, was in attendance reference a two-lot sub-division on Cote Hill Extension. Al administered the sworn oath. Mr. Monks presented complete maps of the proposed project. The lots consist of approximately 18 acres, with the house already on it and the remaining 150 acres that he does not plan to

MORRISTOWN PLANNING COMMISSION MINUTES
AUGUST 7, 1990

develop; that he needs to sub-divide this property for bank mortgage purposes only.

Adrian made the motion to approve this application for a 2 lot sub-division. Mac seconded. Unanimously approved.

FACTS OF FINDING: Based on and examined under Title 24, VSA 4407(5), Page 37, and Morristown's Interim Sub-Division Regulations, Section 230, Page 3, the Planning Commission unanimously approved the application as presented.

INFORMAL DISCUSSION: Robert Provost was in attendance to discuss with the PC the fee requested of \$64,000 being \$100 for each of the proposed 64 lots. Provost advised he interprets the by-laws as this project being one lot, owned by him, rented to mobil home tenants. Mac agreed with Provost. Provost advised he has spoken with Barbara Farr reference his plans; that she advised him his timing for this project is perfect, maybe not the best location for same.

Provost advised he has offered to implement a plan to pay \$1,000 per mobil home lot developed in order to help with the impact on the road system in this area.

The Board, as a whole, were in agreement to wait and seek Attorney Emigh's advise prior to making a decision; that Mr. Provost would have an answer regarding the fees by Friday A.M.

Al advised the Board has already made a decision to identify Provost project as a "Major" Sub-Division.

8:15 P.M. -- **WARNED HEARING/STEVE GUTTERRES**, was in attendance seeking approval of a three-lot sub-division on the Stagecoach Road. A site-walk of the property was conducted prior to this meeting. Al administered the sworn oath to Mr. Gutterres.

Steve presented a summary of the project and complete mapping of the area; also, included was a letter from Lisa Borre, Wetlands Specialist, (attached to and made a part of the original minutes) which in part recommends an eroision prevention plan for Lot #1, as the driveway is within the limits of the wetlands. Also, the covenants and conditions will include these requirements. There will be two (2) approved accesses to this sub-division.

Adrian moved to approve this application contingent upon meeting the requirements as outlined in Lisa Borre's letter, dated 07/27/90, reference the erosion prevention plan for the driveway pertaining to Lot #1. Mac seconded. Unanimously approved.

MORRISTOWN PLANNING COMMISSION MINUTES
AUGUST 7, 1990

FACTS OF FINDING: Based on and examined under Title 24, VSA 4407(5), Page 37, and Morristown's Interim Sub-Division Regulations, Section 230, Page 3, the Planning Commission unanimously approved the application with the conditions being this application is approved contingent upon meeting the requirements as outlined in Lisa Borre's letter, dated 07/27/90, reference the erosion prevention plan for the driveway pertaining to Lot #1, and the deed include covenants stating same as presented to the Board.

8:45 P.M. - WARNED HEARING/BRENT LIBBY & ROGER COTE were in attendance seeking the PC's approval for a two-lot sub-division to be located on Cote Hill. Al administered the sworn oath to Libby & Cote.

An informal meeting was held with Roger Cote, setting forth Conditions of Approval outlined, in which Mr. Cote was in agreement and signed a Road Agreement Contract, which included a 20' wide road; covenants included 'no further sub-dividing of property and the maintenance of the road.

The total acreage is 41.6. The acreage of 10.8 acres is set-aside for development, leaving 30.8 acres not to be developed, without frontage on a public highway. The driveway is approximately 300'. A site-walk was conducted of the property and a conference hearing was held on 07/30/90.

This 10.8 acre lot, located on TH#7 is serviced by a 50' right-of-way, with 10' wide shoulders on either side, will be brought up to almost Town Specs, with a gravel base.

The septage system will be a mound-system located 400' from the house. The warranty deed will include that 'there will be no further sub-division of this 10.8 acre parcel.' The Road agreement was signed by all involved parties.

Bill Moulton advised that no water is allowed to run-off onto a Town Road at any time. Bill asked Roger Cote about the culvert. Roger advised it was a 22' wide culvert; that he was widening the sides by 8' on each side. That they could put in a ditch about 1/2 way down the hill to allow run-off to prevent erosion. It was agreed by all parties that the 'Run-Off Provisions' must be approved by Bill Moulton.

Adrian moved to approve this application, contingent upon the 'Run-Off Provisions' must be approved by Bill Moulton, Road Superintendent. Jane seconded. Unanimously.

FACTS OF FINDING: Based on and examined under Title 24, VSA 4407(5), Page 37, and Morristown's Interim Sub-Division Regulations, Section 230, Page 3, the Planning Commission unanimously approved the application with the conditions

MORRISTOWN PLANNING COMMISSION MINUTES
AUGUST 7, 1990

being this application is approved contingent upon the 'Run-Off Provisions' must be approved by Bill Moulton, Road Superintendent.

NOT A WARNED HEARING

9:00 P.M. -- WARNED HEARING/ONEAL DEMARS: Amendment to Site-Plan on Brooklyn Heights. Al administered the sworn oath to all involved parties in attendance.

Mr. Demars presented his amended site-plan, advising the reasons for the changes in original plans were due to ledges and trees on the property and wanted to save the trees. Al advised he had requested Norm and Mac to review Demars' plans of 04/06/87 and compare them with the proposed amended plans. That the original plans showed 23 garages and there is only 22; the buildings and units are the same size and number. That the post-lights have changed somewhat due to ACT 250 requesting subdued lighting in the project. That on the original plans the exterior lighting showed 17 lights with no lighting on the garages; there are actually 19. There will be 8 lights on the face of the garages, instead of post-lights; that he could install vapor lights on garages, but feels that they might flood the area with light. That the lighting he has installed is on a timer to come on at dusk and off at dawn. That each unit controls their own lights.

THEIR

Don Lambert, President of Condo Association, stated he doesn't believe the proposed plans would be adequate; that the original plans included lights on each unit.

Flo Alexander: #F, advised her lighting is fantastic, but agrees most are not adequately lit.

Pat Westphal: #2C, that when she purchased her unit, she was advised her garage area would be well lighted, but it is hard for her to see to find the key-hole of the door.

Charlie Grandey: #A-1, his lighting is not adequate.

Don Lambert: When he purchased his unit, he was shown the original plans which included lighting; that the lights as indicated on the plans approved by the PC were not installed as indicated; that some units do not need two lights but is a definite need for more lighting; this is dangerous as most are elderly residents, and the present is not a workable plan.

Rose Lambert: That when she takes Ted Lambert, Sr. over to the Condo's at night, she has to turn on the car head-lights in order to see due to inadequate lighting.

Norm advised he and Mac visited the area both during the day and again at night; that lighting is almost non-existent, especially #A & #C. Adrian agrees the area needs more light.

MORRISTOWN PLANNING COMMISSION MINUTES
AUGUST 7, 1990

Al advised the Board was to determine if this project was built in accordance with the plans approved by the Board.

Phil Rochette: Advised his concern is the driveway being too narrow and had believed there was to be a circular driveway.

Debra Mason inquired if the plans were changed due to ACT 250. Mr. Demars advised no, ~~they~~^{we} only recommended dim lighting; that originally there ~~taller~~^{were} post-lights.

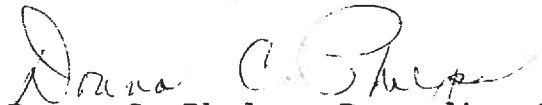
Flo Alexander: Would like driveway by garage widened as it is narrow and dangerous. Mr. Demars advised there is plenty of room to widen, but felt this was a private driveway and to widen it for two lanes of traffic would most likely encourage excessive speed in the area.

Don advised there ^{ARE} is better places to locate the lights, perhaps place them in the center on the grass.

Al advised he felt the Condo Association members should meet with Sonny and come to an agreement. He then asked for a motion to go into deliberative session and explained the process.

Adrian moved to go into deliberative session. Jane seconded. Unanimously approved. (This hearing ended at 9:32 P.M. and the meeting was adjourned.).

Respectively Submitted,



Donna C. Phelps, Recording Secretary
Morristown Planning Commission

/dp