

MORRISTOWN PLANNING COMMISSION/BOARD OF ADJUSTMENT -- AUGUST 3, 1988

BOARD MEMBERS PRESENT: Julie Bourne; Don Anderson; Jean Wickart; Michael Boudreau; Theresa Breault; Rose Lambert; Paul Nesky; Mac Miller and Roy Marble.

ALTERNATE BOARD MEMBERS: Andre' Valcour and Dick Snow.

ZONING ADMINISTRATOR: Gloria Wing.

GUESTS PRESENT: [See attached listing].

The meeting was called to order at 8:05 P.M. by Chairman Paul Nesky who reviewed the minutes of the July 20, 1988 meeting for omissions/corrections. Don made the motion to accept the minutes as written. Theresa seconded. All in favor.

8:05 P.M. -- WARNED HEARING/CHILD CARE CENTER OF LAMOILLE COUNTY; UP & ABOUT; FAMILY CENTER, represented by Paul Nesky (who excused himself from the Board, with Theresa being acting Chairperson); Dr. Sarayu Balu and Judy Gear were present seeking approval of a Conditional Use to allow the Child Care Center on RT 100-South, LaPorte Road at the former Don & Helen Anderson residence. (Don also excused himself from the Board, with the alternate Board members sitting in.)

Paul presented one (1) written letter from an adjoining land-owner, advising they have a verbal commitment from everyone else.

The existing structure will be used as a Day Care Center, which will initially serve from 25-30 children, open 12 hours a day, five (5) days a week in the beginning; that they will most likely come back before the board in the future to request approval of expansion for up to 50 children.

The only exterior changes they plan, are a Fire Escape, required by the State and their plans are to move the driveway to a southerly location for better visibility exiting/entering the property. They have hired David Ring to design same; that they will need a State Permit to do this. Paul advised there is ample parking for 30 or more vehicles and the property has 600' of road frontage.

Representatives advised that in the future when they come back before the Board for expansion permits, they will have more expertise and at some future time may have as many as 150 people of all ages there; that they will work with whatever the State criteria requires.

Dr. Balu advised there will be a small sign at the end of the driveway, both driveway and sign will be lighted; the sign will meet the existing zoning criteria as per Town regulations. Paul advised it is their intentions to keep the property looking like it does now and in the future.

Lee Sturtevant, representing the Morrisville Fire Dept., asked that before they opened for business, that MFD is provided a complete floor-plan with the firemen having a walk through of the building, which was agreeable to all.

MORRISTOWN PLAN. COM./BOA MINUTES

AUGUST 3, 1988

PAGE 2

Jean made the motion to approve the application as presented for a Conditional Use. Julie seconded. All in favor.

FACTS OF FINDING: Based on and examined under the Town of Morristown's Zoning By-Laws, ARTICLE II, Section 203.4 (AGR. & RR) (b), Page 5, this application was granted approval as presented.

8:26 P.M. -- WARNED HEARING -- AARON PATTERSON was in attendance seeking approval to allow the construction of a 3rd apartment, a Cond. Use, on property located on RT 12, Elmore Street, zoned MDR, formerly the Scott West/John Eisenhardt, Jr. property. Patterson presented his plans and several photographs depicting his parking for several vehicles, advising there is also a two-car garage on the property. There is presently one (1) downstairs apartment and one (1) upstairs apartment; that he plans to reside in the proposed third (3rd) apartment upstairs.

Rose inquired about the snow-removal and where it would be placed. Michael Boudreau, an adjacent land-owner, stated that parking would be tight but if all tenants parked per Patterson's plans, it could be done and that snow has always been pushed parallel to the cement wall and not caused a problem.

Mac made the motion to grant approval for this Conditional Use as the plans were presented. Rose seconded. All in favor.

FACTS OF FINDING: Based on and examined under the Village of Morristown's Zoning By-Laws, ARTICLE II, MDR, Table 205.2 (9), this application was granted approval as presented.

8:40 P.M. -- RECESSED WARNED HEARING/PATTEN CORPORATION, represented by Craig Ohlson, Paul Savas and David Ring for a Recessed Hearing from March 2, 1988.

Paul advised the Board had done a Site-Walk of the property and had further requested the following criteria for this proposed development:

- a] EXIT/ENTRANCE onto RT 15A;
- b] FIRE PROTECTION PLANS;
- c] ACQUIFER STUDY;

a] Savas presented plans depicting the entrance/exit to RT 15A to this property, advising they have acquired the option to purchase the property from Tony Thompson; that the roadway will access square onto RT 15A, as Bill Moulton staked out where the road was to be and that is exactly where it will be;

b] That a Fire Pond will be put in for a Water supply as requested by the Fire Dept. and Board;

c] That a hydrogeologist conducted a study and there will be NO septic systems installed within the "V" area; all sewage will be pumped to

MORRISTOWN PLAN. COM./BOA MINUTES

AUGUST 3, 1988

PAGE 3

allowable locations.

Jim Fox of the Morrisville Water & Light Dept. was present and responded to the threat to the Village water supply if this project is allowed without further studies, advising that he has requested the State to intervene and Morrisville Water & Light Dept. hired Tisdell Associates to study the ground flow as this is a very serious threat to the Village's Water supply in the future. Mr. Fox read the response from the Tisdell Associates study and also presented copies of same to all concerned (attached and made a part of these minutes).

David Ring stated that as he understood the Zoning By-Laws, and to correct him if he was wrong, that it wasn't the Board's business, concerning the Water Supply and what this or other developments would have on it.

Theresa suggested that Patten Corporation go to ACT 250 first, as she couldn't give this application her blessings when she, herself, has so many unanswered questions and that this proposed project would seriously jeopardize the Village water supply and people's health.

Mr. Ohlson stated that Patten Corp. would prefer to go to ACT 250 with the Board's blessings of their plans.

Roy made the motion to grant Site-Plan approval. There was no second to the motion.

Jean made a motion to RECESS this Hearing until the Morrisville Water & Light Department has all the information to be satisfied with Patten's plans. Theresa seconded. All voted in favor, with the exception of Roy who voted "no". Patten will set a date in the future to come back before the Board.

9:20 P.M. -- SITE-PLAN REVIEW/SUB-DIVISION--DANA WILDE presented plans for 26+ acres of property located off Cottage Street in the Town of Morrisville for seven (7) lots to be developed. The smallest lot will be 2+ acres; the largest being approximately seven (7) acres. There will be approximately 11 acres of open land; 16 acres developed. Wilde advised they are already into the ACT 250 process and have done approximately 50 borings, with the State engineer haven given them tentative approval. There will be no mound systems as all the soil is good.

They do not plan to request the Town to take over any roads, although the Landowner's Association, which will be required by ACT 250, may at some time in the future. Some of the Board members advised they have done a Site-Walk of the property.

Jean made the motion to approve the Site-Plan as presented for development of lots without public road frontage. Theresa seconded. All in favor, with the exception of Roy, who abstained as he advised he has been working with Dana Wilde on this project.

FACTS OF FINDING: Based on and examined under the Town of Morristown's Zoning By-Laws, ARTICLE II, AGR. & RR, Section 203.4, Page 5, MINIMUM ROAD FRONTAGE and ARTICLE IV, SITE-DEVELOPMENT PLAN APPROVAL, Section 401, Page 13, this application was granted approval for the Site-Plan and a Variance to develop lots without required 90' of road frontage as per plans presented.

GENERAL DISCUSSION/BUSINESS: Jean made the motion that Interim Zoning be approved in order to have Sub-Division Regulations. Julie seconded.

After a discussion, Jean and Julie withdrew the motion, Jean making a motion to have LCPC David Pennella bring in a draft of amendments to Town and Village Zoning By-Laws at the next meeting scheduled for 08/17/88 and go over same with the Board, with finalization to be done by Sept. 7, 1988. Julie seconded. All in favor.

Julie made the motion to adjourn. Rose seconded. All in favor. The meeting was adjourned at 10:00 P.M.

Respectfully submitted,

*Donna C. Phelps*  
Donna C. Phelps, Recording Secretary  
Morristown Planning Comm./BOA

/dp

NEXT SCHEDULED MEETING . . . AUG. 17, 1988 @ Public Safety Building

AGENDA . . . . .

# Guests:

Name:

Print

Address:

1. Helen Anderson Morrisville, VT
2. Craig Ohlson Williston, VT
3. DAVID RING MORRISVILLE, VT
4. PAUL SAVAS Williston, VT.
5. John Fox Morrisville, VT.
6. Alan Lawrence Ottumwa, Ia (MSU.)
7. Lee Stuartant MORRISVILLE VT
8. Aaron Patterson - Architect WATERBURY VT
9. Thomas Bado Atlanta, GA.