

**MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD**

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Minutes of July 28, 2005

Members Present: Gary Nolan, Carl Fortune, Theresa Breault, David Silverman Jean Wickart, Kelly Rogers (alternate)

Members Absent: Carol Jennings, Paul Trudell

Recorder: Mark Leonard, Zoning Administrator (ZA)

Guests: Charlie Burnham, Jerry Salvas, Eric Montminy, Kirt Perras, Heath Perras, Adam & Ruth Weselow

Acting Chairman David Silverman convened a deliberative session on the application by Frank Huard for conditional use approval for a home business on the property of Gert Lepine on Gallup Road. A warned public hearing on the application was held on July 14, 2005, with members David Silverman, Jean Wickart, and Theresa Breault and alternate member Kelly Rogers forming the necessary quorum. Those same members conducted a site visit of the property this evening, with the applicant, property owner, and several adjoining property owners present.

Theresa moved, and Jean seconded, to approve the application with the condition that operation of power equipment in the firewood processing business be restricted to between 8:00AM-5:00PM Monday through Friday and 9:00AM-3:00PM Saturdays, and not permitted on Sundays or holidays. The vote was three in favor and one opposed to the motion. As the motion failed to receive a majority vote of the seven members of the DRB, no action on the application was deemed taken (see 24 VSA section 4461a). The full board will review the application as permitted under the provisions of the Municipal Administrative Procedures Act (MAPA) at a later date.

Gary Nolan called the meeting to order at 8:00 PM. On a motion by Carl, seconded by Jean, minutes of the June 23, 2005 meeting were approved. On a motion by Theresa, seconded by Jean, minutes of the July 14, 2005 were approved.

**WARNED HEARING: GREAVES FARM CORPORATION, PRELIMINARY PLAT
APPROVAL, 2-LOT SUBDIVISION, WASHINGTON HIGHWAY**

Gary introduced the application, to be reviewed under sections 239, 740, 780, and 810 of the zoning and subdivision bylaws. A pre-application review of the proposal was conducted on

July 14, 2005. Theresa administered the sworn oath to Sharon Rowell, representing the applicant.

The applicants propose to subdivide a 1.16-acre lot from their 19-acre parcel on Washington Highway. The property lies in the Special Use District. The existing 19-acre parcel is undeveloped and currently used as farmland. The new lot will be served by village water and sewer services and will be accessed from the road leading to Copley Terrace, off Washington Highway. Sharon did not address possible uses of the proposed new lot.

David moved to approve the application with standard subdivision conditions. Jean seconded the motion and it passed unanimously.

WARNED HEARING: GREY GOOSE FARM LLC, 9-LOT PLANNED RESIDENTIAL DEVELOPMENT, RANDOLPH ROAD

Gary introduced the application, to be reviewed under sections 264, 510-515, 740, 780, and 810 of the zoning and subdivision bylaws. A pre-application review of the proposal was conducted on May 12, 2005 and a site walk of the subject property attended by Gary, David, Theresa, and Jean preceded tonight's hearing. Theresa administered the sworn oath to Charlie Burnham, representing the applicant and adjoining property owners Kirt & Heath Perras, Adam & Ruth Weselow, and Eric Montminy.

Charlie Burnham described the project, which is being reviewed as a planned residential development (PRD) as three of the proposed nine lots are less than the minimum two acres required in the Rural Residential with Agriculture zoning district where the property is located. Grey Goose Farm LLC owns a 46.7-acre parcel (tax map #13-162) along the east side of Randolph Road. They propose to create nine single-family home lots ranging in size from 1.5-acres to 10.3 acres. The parcel has an existing four-bedroom single-family residence, an open meadow (approximately 20 acres), a former gravel pit/construction equipment yard (~3 acres), 15+/- acres of hard woods, and a 1.25-acre pond.

Each lot has a designated building envelope in which houses must be located. Each lot will have its own septic system, sized for up to four bedrooms, and drilled well for potable water, with primary and replacement leach field sites for all lots located in three community sewage easement areas on Lot 1. The open meadow will be available to all property owners while the underlying land will be owned by the individual lot owners. Covenants will prohibit further subdivision of any of these lots.

The existing driveway at 2029 Randolph Road to the single-family home on Lot 1 will be abandoned and a new private road will be built approximately 625 feet to the south. Lots 1, 2, and 6 will be accessed directly from the development road, with the remaining lots having deeded rights-of-way to use the roadway. The road will be built to town road standards, with underground utility lines located within the right-of-way. A homeowners association will be responsible for maintaining all common features (road, community septic disposal systems, dry hydrant, etc).

The project does not require an Act 250 permit and has received a state wastewater system and potable water supply permit (WW-5-3187). The project complies with the state construction general permit for stormwater discharge.

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Heath Perras said that he and his family, who own an adjoining 200-acre parcel, have no objection to the proposed subdivision, but are concerned that future home owners in the development might complain about flight activities at their state-approved private airstrip and their trucking business, which is approved as a home business. He presented a letter to the board outlining the family's concerns, which Gary read into the record. He asked that some procedure be put in place that would provide prospective lot owners full disclosure of the activities on their property.

Adam Weselow, who owns and operates a sawmill across Randolph Road from the proposed PRD, had no objection to the proposal on its own but did not want new homeowners to be able to restrict his operation, which is a pre-existing non-conforming use.

Charlie responded to these concerns that any realtor working with potential buyers would be obliged to disclose these uses on the surrounding properties. He acknowledged that disclosing them would not guarantee that future homeowners would not raise objections to them.

David said he believes the project is well designed and takes care to preserve the open space for the common use of the lot owners. He moved to approve the application with standard subdivision conditions and a condition that no further subdivision of the lots be permitted. Theresa seconded the motion and it passed unanimously.

OTHER BUSINESS:

Jerry Salvas presented a proposal for a three-lot subdivision for pre-application review. Open Land Corporation proposes to subdivide three 5.5-acre lots from a 34.65-acre parcel on Walton Road. David moved, and Carl seconded, that the proposal meets the requirements of the Town Plan. The motion passed unanimously.

Final survey plats for the Gregory-Covatta and Nicholls-Mayo lot line adjustments and the Winford & Carmen Small 2-lot subdivision were reviewed and approved.

On a motion by Jean, seconded by Theresa, the meeting adjourned at 9:00 PM.

Respectfully submitted,
Mark Leonard, Recorder

Minutes approved on: 8/11/05 TB/jw