

Morristown/Morrisville Development Review Board
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Meeting Minutes of 25 July 2018

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

Members Absent: Laura Streets, and Andrew Strniste (alternate)

Staff: Todd Thomas, Zoning Administrator

Signed-in Guests: Louis Ferris, Garret Hirschak, and his attorney Jim Mahoney

Call to Order & Minutes: Chair Nolan called the meeting to order at approximately 6:30 PM. Member Allen moved to approve the June 27th meeting minutes. A vote of 6-0 affirmed the motion (Member Breault did not arrive until the Bridge Street hearing).

Hearing: 153 & 191 Stafford expansion, §660 Act 250 Local Review & §500 Site Plan (MSI)

Garret Hirschak and his attorney Jim Mahoney appeared before the Board on behalf of 153 Stafford Ave LLC & 191 Stafford Ave LLC who was requesting §500 Site Development Plan Approval & §660 Local Review of Act 250 Municipal Impacts to renew permit 2014-089 that was for a two-story building with a 47,250 ft² footprint that connected the existing buildings at 153 Stafford Ave & 191 Stafford Ave, parcels 20-014 & 20-015, on a 10.7 acre property that the Board has previously deemed to be in the §210 Commercial Zone. Attorney Mahoney explained that this hearing is for largely the same project that the Board approved in 2014, but that the current proposal was for a single-level 61,000 ft² building. Attorney Mahoney added that the proposed one-story building, which would connect the sawmill and engine house buildings, would be sprinkled a have a building height of approximately 25 feet. Mr. Mahoney spoke to the conditions of approval on the 2014 permit and said that 153 Stafford Ave LLC & 191 Stafford Ave LLC are currently being merged into the same entity. Mr. Thomas recommended that a lot line change be completed by this new legal entity as a condition of approval. Member Trudell asked about landscaping. Mr. Mahoney said that landscaping will be added where feasible due to brownfield and stormwater limitation. Chair Nolan said that the Truck Route side of the property was already sufficiently landscaped. As such, the landscaping discussion focused on the Stafford Avenue side of the property. It was decided that street trees should be added every 60 linear feet along the Stafford Avenue frontage, along with a flower bed on the corner of Stafford Avenue and the Truck Route, in areas that brownfield or stormwater concerns did not limit the feasibility of such plantings. It was also decided that the proposed sidewalk on Stafford Ave shall have a segment added to its east, so it connects with the Truck Route. The Board agreed that the Applicant was free to not build the segment of sidewalk on the west end of Stafford Ave in return.

The Board then segued into conducting the §660 Local Review of Act 250 Municipal Impacts for the proposed project. Mr. Hirschak said that the proposed 61,000 ft² addition would create 15 to 20 new jobs. The Board discussed that Act 250 Criteria 6 (educational services) was not particularly applicable because this was not a residential project and it was more likely than not that the 15-20 new employees would live in a community north of Morrisville due to affordability issues. As such, the Board unanimously found that the proposed project would not cause an unreasonable burden on the ability of the town to provide educational services. The Board discussed the project's very limited impacts to Act 250 Criteria 7 (municipal services). The Board unanimously found that the proposed project would not cause an unreasonable burden on the ability of the town to provide municipal or governmental services

(Act 250 Criterion 7). The Board Act also discussed 250 Criteria 10 (town plan). It was agreed that such an infill industrial project that created more than a dozen new jobs would be the envy of many communities. Mr. Thomas said that the expansion of local businesses, where said expansion relies on existing municipal water and sewer services, was exactly what the Town Plan envisioned. As such, the Board unanimously found that the proposed project is in conformance with the duly adopted Municipal Plan (Act 250 Criterion 10). At the conclusion of the §660 Local Review of Act 250 Municipal Impacts, Mr. Mahoney's request to have Mr. Thomas draft a letter to Act 250 summarizing the Board's findings was approved.

Member Trudell moved to recess the hearing to Deliberative Session. That motion was approved by a vote of 6-0. At the conclusion of the Deliberative Session discussion, the Board unanimously voted to grant §500 Site Development Plan Approval & §660 Local Review of Act 250 Municipal Impacts for the proposed single-story expansion that connected the sawmill and engine house buildings at 153 Stafford Ave & 191 Stafford Ave, provided that the following conditions of approval are met:

1. All new exterior lighting on the project shall be LED housed in downcast fixtures.
2. Once the two Stafford Ave LLCs are merged into a new legal entity, the applicant shall complete a lot line change that merges parcels 14 & 15 into a single lot.
3. Street trees shall be added every 60 linear feet along the project's Stafford Avenue frontage, along with a flower bed on the corner of Stafford Avenue and the Truck Route, in areas that brownfield or stormwater concerns did not limit the feasibility of such plantings.
4. The proposed sidewalk on Stafford Ave shall have a segment added to its east, so it connects with the Truck Route. This sidewalk shall have a receiving area where it meets the Truck Route and its construction shall comply with the Town's sidewalk policy.
5. A Knox box and FDC connection for Morrisville Fire shall be installed adjacent to the sprinkler room door. All smoke alarm heads shall be numbered on the fire panel for ease of identification.
6. A final site plan shall be filed with the Zoning Administrator prior to the zoning permit issuing that allows construction to commence.

Member Trudell moved to approve the project with the aforementioned conditions of approval. The motion was affirmed by a vote of 6-0.

Hearing: 29 Bridge St, §630 CU & §500 Site Plan for law office conversion (LH&A Realty)

Louis Ferris was present representing LH&A Realty for the continued request for §630 Conditional Use & §500 Site Plan Approval to convert the ground floor offices of the former Sargent Law office, at 29 Bridge St, parcel 21-049, into an additional residential apartment contrary to §209.3e of §205 Central Business Zone. Member Allen recused herself from the discussion. Member Breault took her place on the Board for this discussion. Mr. Thomas said that a survey of the property had been submitted and recorded as required by the Board. Mr. Ferris said that the front apartment was remodeled so it can easily flip between commercial or residential. He said that once Sargent Law moved out, he tried for many months to rent the front apartment commercially, but there were no takers. He said that a residential use of this space should be preferable to the Town versus the alternative of a vacant storefront on Bridge Street. Mr. Ferris offered to change out the storefront window in the building to something that looked

more residential as a condition of approval. Member Trudell said that he thinks this front apartment should remain as a commercial space. Member Guthmann asked about the lease for the front apartment. Mr. Ferris said that the lease expires on November 30th. The Board debated if LH&A Realty should be forced to remove the tenant now or after November 30th, which was the alleged expiration of the lease (which the Board requested but never received), in an effort to bring the property back into compliance with local zoning. Member Guthmann reminded the Board that the tenant was an innocent party in this situation. Member Trudell moved to continue this hearing in Deliberative Session. That motion was affirmed by a vote to 6-0. At the conclusion of the night's Deliberative Session discussion, Member Trudell moved to grant that applicant's request to convert the former Sargent Law office space to residential use, provided that the front apartment converts back to commercial use no later than November 30, 2018 and that the tenant shall be notified as such in writing by August 15th (with a copy to the zoning administrator). A vote of 5-1 affirmed the motion with Member Gloss opposed.

The meeting adjourned at 8:00 P.M. - Respectfully submitted by Zoning Administrator Thomas

