

MORRISTOWN/MORRISVILLE DEVELOPMENT REVIEW BOARD
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Meeting Minutes of July 25, 2013

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

Members Absent: Brian Irwin

Staff: Todd Thomas, Zoning Administrator & Planner

Guests: Tyler Mumley, Ken & Bunny Libby, Patricia McCuen, Betty Blaisdell, Charlie & Charlene King, Brian Parker, Sylvia Dent, Joan Robinson, Robert Audet, Barbara & Henry Walat, Robert Smith, Jeanette & Nancy Sichler, Anne Conway, Helen Schneider, Bob Lindemann, Bill Gordon, Urban Martin, Brian Audet, Roy Marble, Don Ostler, Steven Stewart, Kris Detteben, Darrow Mansfield, Scott Fortnen, Colyn Case, Buckwheat Lowe, Sonny & Peg Demars, Adam Grant, Debra Wickart, Mark Cote, Mickey Smith, Doug & Ben Corrow, Patrick Towne, Richard Brackenbury, Louis Ferris, Mike Paritz & Joni Lanphear

Call to Order & Minutes: Member Breault moved to approve the June 13, 2013 meeting minutes. A vote of 6-0-1 affirmed the motion, with Member Trudell abstaining. Approval of the February 28th meeting minutes were tabled until a quorum of the members at that meeting were present to vote.

WARNED HEARING: Parker Final Plat Approval, 1861 & 1939 Randolph Road

Zoning Administrator Thomas said that the proposed Parker two lot subdivision at 1861 & 1939 Randolph Road had received sketch plan and preliminary plat approval. He said that the intent of the subdivision was to place the existing mobile home on its own two acres. He added that the proposed plan was compliant with the subdivision regulations and recommended that the board vote to approve and endorse the plan. Member Wiltshire moved to approve the subdivision as proposed. A vote of 7 to 0 affirmed the motion.

WARNED HEARING: Green Mountain Woodcarvers, 24 Richmond St, \$630 CU

Mr. Thomas said that Green Mountain Woodcarvers would again like to use the vacant parcel across from the library at 24 Richmond Street to hold a woodcarving demonstration on August 17 from 8 AM to 4 PM. Bob Lindemann, representing Green Mountain Woodcarvers, said that his organization held the same demonstration at the library last year, but that this year the Zoning Administrator was requiring that a permit be obtained. Mr. Thomas said that he was unaware that the event took place last year. Member Breault said that the proposal appeared to be a nice community event. Member Wiltshire moved to approve the requested wood carving demonstration at 24 Richmond Street. A vote of 7 to 0 affirmed the motion.

WARNED HEARING: Patricia McCuen, 540 Vermont Route 15 E, \$630 CU

Mr. Thomas described the proposed change of use requested at 540 Vermont Route 15 E. for a gym to replace an existing nonconforming residential use in the Industrial Zone. Member Trudell recused himself from the discussion because he drew the site plan for the applicant. Applicant Patricia McCuen said that she would like to relocate her Curves gym for women and add a

tanning salon to the subject property currently owned by Sandra & Christopher Moran. Mr. Thomas noted that the proposed gym use on the parcel will make the zoning more conforming and that no development is proposed other than the change of use for the building and an expanded parking area. Member Allen asked about hours of operation. Ms. McCuen replied that her gym would be open seven days a week during the school year and six days a week otherwise. The Kings, abutting property owners with an address of 198 Houle Avenue, requested landscaping along the common property line and questioned if the proposed project would impact a water line that ran across both properties. Chair Nolan asked if any new lighting was proposed with the project. Member Trudell, representing the applicant, said that no new parking lot lights are proposed. Member Breault moved to approve the change of use at 540 Vermont Route 15 E. The Board requested that the standard language about lighting be included in the decision. A vote of 6 to 0 to 1 affirmed the motion, with Member Trudell abstaining.

WARNED HEARING: Vermont airport runway rebuild, §320 FHA, §500 SPA & §630 CU

Kris Detteben of consulting firm CHA and Scott Fortney from the State of Vermont appeared before the board regarding the proposed reconstruction of the Morrisville-Stowe airport runway. Mr. Thomas said that the project entails reconstructing and repaving the runway, which also moves it 90 feet to the south. Mr. Thomas added that the reconstruction and the small change in runway location impacts the §320 Flood Hazard Area. Mr. Thomas said that Rebecca Pfeiffer of the State River Corridor Floodplain Management section of the Department of Environmental Conservation supplied the board with an email dated July 15 stating that the proposed project complies with minimum National Flood Insurance Policy standards. Abutting property owner Steve Greaves asked for clarification on the floodplain work and then stated that he believes the proposed project is actually lengthening the runway of the airport. Member Wiltshire asked about the elevation of the runway. The applicant's representative replied that the proposed elevation was 713 feet above sea level. Member Trudell moved to approve the proposed application. A vote of 7 to 0 affirmed the motion.

WARNED HEARING: G&D LLC, off Brooklyn St, §254.1 Waiver, §500 SPA & §630 CU

Engineer Tyler Mumley of Ruggiano Engineering and Nick Donza of G&D LLC appeared before the board regarding the proposal for a 29 unit multi-family dwelling unit project off Brooklyn Street. Engineer Mumley said that the proposed project would use the existing driveway and 45 foot wide right-of-way from Brooklyn Street to access the site. Engineer Mumley added that the proposed roadway into the Pinsly Manor would be paved, 20 feet wide and be designed to work around existing landscaping-especially large trees. The roadway surface would reportedly transition from pavement to gravel at the genesis of the proposed circular portion of the drive. He added that the applicant is requesting a waiver for the distance from the centerline of road to certain duplexes proposed on the western side of the site, thereby giving these duplexes larger backyards. Nick Donza of G&D LLC said that each unit has a proposed 1250 ft.² of living area. Engineer Mumley said that the project requires a state stormwater discharge permit, a state WW permit, a public water supply permit, a general construction permit and an Act 250 permit. He added that the proposed site would be serviced by municipal water and sewer. Engineer Mumley said that there is minimal lighting proposed on the project's roadway. He added that the traffic analysis completed for the project attributes 5.8 trips per residential unit, which equates to 269 trips per day for the entire project. Engineer Mumley also

said that the project site would be 31% impervious, of which 15% is attributed to building coverage.

Mr. Thomas read abutter letters from Bill Bourne and the Brooklyn Heights Condominium Association into the record. In response to the letter from the Brooklyn Heights Condominium Association, Mr. Donza said that the 29 dwelling units were proposed to be condominiums. An abutter to the project questioned the validity and width of the right-of-way to Brooklyn Street and said that he was opposed to putting more traffic thereon. Mr. Thomas opined that he believes the right-of-way is grandfathered because it existed before zoning. Mr. Donza showed the board an opinion from Sargent law office regarding the validity right-of-way and also noted that the State's truck route right-of-way plans show the Pinsly Manor right-of-way as depicted on the submitted development proposal. Mr. Thomas said that the board was not the proper arbiter of property rights and that any questions about the existence of the right-of-way needed to be addressed by the courts. Mr. Thomas added that he originally warned the hearing for a waiver for the right-of-way, which he now believes to be incorrect. He said that when the hearing resumes he would re-warn the hearing for the correct waiver request for the front yard setback.

Member Nolan and Member Trudell both said that the board should conduct a site walk of the property. Brooklyn Street property owner Deborah Wickart expressed concern about the absorption rate of proposed condo units when so many houses in the Village were for sale. Mr. Donza said that he was providing a different type of housing than the larger older homes in the Village and that he believed the condos he was proposing were more desired by a younger generation. Mr. Donza added that he would likely build the development out over the course of 5 to 8 years. Engineer Mumley said that current plans call for the project infrastructure to be built first, but that final grading would be done when the housing is constructed. Member Trudell asked if sidewalks were proposed. Engineer Mumley said that no sidewalks were proposed, but a trail connection to the Lamoille Valley Rail Trail was included as part of the proposed project. Member Stancliff asked about the grading of the proposed driveway egress. Engineer Mumley said that it was approximately 4%. Elmore resident Mark Cote said that he was concerned about dust during construction, as well as traffic movement on Brooklyn Street. Mr. Thomas said that traffic projections post truck route for this section of Brooklyn Street showed a drop of 80% in volume. Brooklyn Heights resident Richard Brackenbury noted that he has water in his basement sump pump and expected similar conditions on the adjacent property. Brooklyn Heights resident Urban Martin said that there is ledge throughout the area. Member Stancliff asked if any soil borings had been done so the location of ledge could be determined. Mr. Donza said that the decision whether he would be including basements as part of the proposed project would be made once more detailed soil conditions could be evaluated. Member Trudell moved to recess into Deliberative Session to discuss the project and a date for a site walk. A 7 to 0 vote affirmed the motion. During Deliberative Session, the board scheduled a site walk of the proposed Pinsly Manor project at 5:30 PM on Tuesday July 30.

RECESSED HEARING: Grant Autoshop Expansion, 897 Brooklyn St, \$500 SP & \$630 CU

Engineer Tyler Mumley of Ruggiano Engineering and applicant and landowner Adam Grant reappeared before the board regarding the proposed addition to the Xtreme collision autobody shop at 897 Brooklyn Street. Member Trudell recused himself from the discussion because he

drew the applicant's site plan. Mr. Grant said that he has finalized the size of the addition at 75x60. Engineer Mumley described proposed stormwater improvements on the site for the benefit of the board. He said that stormwater will be collected via a swale and catch basin combination system and piped into the municipal stormwater system to the east on Brooklyn Street. Mr. Thomas asked if there is any parking expansion proposed now that the size of the addition has been finalized. Engineer Mumley said that no parking expansion was planned and that if the parking lot was expanded in the future there will still be less than one acre of impervious surface on-site. Abutting property owner Betty Blaisdell expressed a concern about drainage. Engineer Mumley said that the proposed stormwater improvements should ameliorate any drainage problems on or offsite. Member Trudell walked the board through the proposed landscaping improvements on his site plan. Member Stancliff moved to approve the proposed project with the condition that all state permits be in place before a zoning permit issues for the addition. The motion was affirmed by a vote of 6 to 0 to 1, with member Trudell abstaining.

RECESSED HEARING: Sayce, 199 VT Rte 15W, §345 Prime Ag, §500 SP & §630 CU

Roy Marble and Steven Stewart appeared before the Board representing landowner Arthur Stewart and applicant Steven Sayce of McMahon Chevrolet. Mr. Marble said that the landowner and the applicant are still interested in building the proposed satellite parking lot behind Dunkin' Donuts for the use of McMahon Chevrolet. Mr. Thomas provided the board with an update on the work done towards getting the residents of Cadys Falls onto the Village water system, thereby illuminating the need for the Cadys Falls Source Protection Area (on which the proposed parking lot was to be located). Member Stancliff moved to accept Mr. Marble's request to recess the McMahon Chevrolet satellite parking proposal at 199 VT Rte 15W to Thursday September 26, 2013 at 6:30 P.M. to allow for more progress on the proposed waterline from Pinewood Estates to Cadys Falls Road.

RECESSED HEARING: LH&A Realty LLC, 735 Brooklyn St., §500 SP & §630 CU

Mr. Thomas said that the applicant, Louis Ferris, informed him that he no longer wants to raze portions of the existing building at 735 Brooklyn Street and replace it with a new commercial building. Instead, Mr. Thomas added that the applicant wishes to reestablish a car dealership on the site, utilizing the existing parking lot via the same Commercial Use that the current hearing was advertised under. Applicant and landowner Louis Ferris said that he imagines 50 to 100 for-sale cars parked on site for the dealership. Current tenant of 735 Brooklyn Street, Mike Paritz of Leo's Small Engines, said that such a number of for-sale cars on the property would leave his business with no parking. Member Trudell said that the applicant still has not submitted a site plan for the proposal and that he wanted a site plan submitted that shows the requested parking for all the existing and proposed uses on the site, as well as any proposed landscaping and other similar improvements. Member Wiltshire moved to accept the applicant's request to recess the LH&A Realty proposal at 735 Brooklyn Street to Thursday September 26, 2013 at 6:30 P.M. to allow the applicant more time to submit the required site plan.

The meeting adjourned at approximately 8:40 P.M.

Respectfully submitted by Todd Thomas, ZA.