

MORRISTOWN BOARD OF ADJUSTMENT MINUTES
JULY 25, 1990

BOARD MEMBERS PRESENT: Theresa Breault, Chair.; Jean Wickart; Gary Nolan; Rose Lambert; Ralph Wiltshire and Michael Boudreau.

BOARD MEMBER ABSENT: Paul Trudell.

ZONING ADMINISTRATOR: Absent (Vacation)

GUESTS/APPLICANTS -- [Attached to original minutes.]

The meeting was called to order at 8:02 P.M. by Chairperson Theresa Breault, who reviewed the minutes of 07/11/90 for amendments/corrections. Ralph made the motion to accept the minutes as presented. Gary seconded. Unanimously in favor.

8:00 P.M. -- WARNED HEARING/VARIANCE: PALMER'S MOBIL. Jim Palmer was present seeking approval of a sign consisting of a total of 25 sq. ft. 'Goodyear' Sign, which would be free-standing and internally lighted with a timer to shut off no later than 11:00 P.M. Jim advised if this sign should be mounted on the building, it will be no higher than either 12' or 16' high.

Theresa advised this Variance would be heard under Title 24, VSA 4468, 1; 2; 3 and 4, on Page 55, which the board examined the criteria and concluded:

1) That due to the unique circumstances or conditions, etc., including the lot dimensions, the sign could not be located other than the indicated location;

2) That the sign can not be located in strict conformity with the zoning regulations;

3) That this unnecessary hardship was not created by the appellant;

4) That a Variance would not alter the essential character of the neighborhood/district;

5) That a Variance will represent the minimum variance that will afford relief and will be the least possible deviation from the zoning regulations and from the plan.

Ralph then made the motion to approve the variance with lighting limited to 11:00 P.M. and that the applicant will provide complete plans to the Board prior to installing the sign & lighting. Jean seconded. All in favor.

FACTS OF FINDING: Based on and examined under Title 24, VSA 4468 . VARIANCES, Page 55, the Board granted approval of the Variance as outlined above.

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8:15 P.M. -- WARNED HEARING/VARIANCE: DAVE HARVEY was in attendance seeking the Board's approval to allow a second sign to measure 2' X 5' to be located on RT 100/Brooklyn Street by the entrance to Harvey's Manufactured Homes. Jean administered the sworn oath to Dave Harvey, who then presented his plans to the Board. The sign would be located 6-8' from the ground; black on white and located to the right of Harvey's Manufactured Homes' sign, 25' to 30' from the roadway. This sign would be for Dave's Accounting & Tax business. The lighted sign would be on a timer and would be set to shut off at 9:00 P.M.

The Board then examined the criteria of Title 24, VSA 4468. Variances, 1--5, and concluded the following:

1) That due to the unique circumstances or conditions, etc., including the lot dimensions, the sign could not be located other than the indicated location;

2) That the sign can not be located in strict conformity with the zoning regulations;

3) That this unnecessary hardship was not created by the appellant;

4) That a Variance would not alter the essential character of the neighborhood/district;

5) That a Variance will represent the minimum variance that will afford relief and will be the least possible deviation from the zoning regulations and from the plan.

Ralph then made the motion to approve the variance with lighting limited to 11:00 P.M. and that the applicant will provide complete plans to the Board prior to installing the sign & lighting. Jean seconded. All in favor.

FACTS OF FINDING: Based on and examined under Title 24, VSA 4468 . VARIANCES, Page 55, the Board granted approval of the Variance as outlined above.

8:30 P.M. -- WARNED HEARING/CHANGE OF USE: Michael & Tim Lowell, did not appear as scheduled before the BOA and did not contact anyone as to the reason for the absence. After discussion, Jean made the motion to allow the Change of Use for an Auto Sales/Repair business. Michael seconded. Unanimously denied.

9:00 P.M. -- RECESSED HEARING from June 27th, 1990/COURTNEY SALVAS for a towing, repair and storage business located on 16.9 acres, on the Randolph Road in area zoned RR/AC. (See the minutes of 06/27/90 for details); a Site-Walk was conducted of the property on 07/07/90 and at that time Courtney was advised to revise his site-plan prior to coming back

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before the BOA; that his plans did not indicate the ravine that is adjacent to the proposed business; that he must be at least 25' from any body of water.

Theresa advised this would be heard under Title 24, VSA 4407 (A)(B)(C), Page 36.

Salvas was advised that he would still have to go back before the PC for their final decision, pending the BOA's decision; he advised he was unaware of this.

Sean Folley was in attendance as an adjoining landowner and also representing the neighborhood, which is opposed to the BOA allowing this proposed business, as he/they feel the business would change the character of the neighborhood; that the driveway is less than 6' from the ravine.

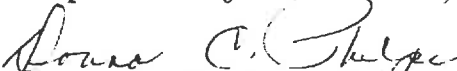
Courtney advised there would be a maximum of six (6) vehicles at a time on the premises; that vehicles would not be there longer than one week. The board questioned this time frame, based on experience with Harvey's Wrecker Service. Courtney advised that he has worked out an agreement to store vehicles at 'Joe's Auto' if necessary, whereby he pays Joe storage fees. That the 30' X 30' building can only store one (1) vehicle and it would be difficult and costly to expand; they plan to plant 6' cedars, 3-4' apart for screening.

Jean made the motion to go into deliberative session. Rose seconded, and then advised she would like to go on another Site-Walk, which was scheduled for Thursday, 08/02/90 at 6:00 P.M. Unanimously approved.

Theresa advised Salvas to prepare a detailed Site-Plan.

Ralph made the motion to adjourn at 9:40 P.M. Gary seconded. All in favor.

Respectfully submitted,


Donna C. Phelps, Recording Secretary
Morristown Board of Adjustment

/dp

Bo A

07-25-90

Guests / Applicant

- * James Palmer RR1 Box 400 Morrisville
- * David & Debbie Fagant RR1 Box 400 Morrisville
- * Sharon & Bill Rowell RR3 Box 870 Morrisville VT.
- * Hilda Breava R[#]3 Box 964 Local
- * David & Nancy Box 824 Morrill, VT.
N. Myer Pk
- * Jay Hall P.O. Box 167 Elmore VT
- * Jan Ceebe P.O. Box 176 Stowe
- * Edith Broad Morrill VT 05661
- * Marshall Pocock
- * Larry & Pat Bliss, Morrill
- * Arlene & Carol Welch Morrill
- * Sean Kelly RD#2 - Box 4877 Morrill
- * Normand Sabar RD#2 Box 4885 Morrill VT, 05661
- * Courtney Sabar RD#2 Box 4885 Morrill VT, 05661