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MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
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Minutes of July 23, 2009

Members Present: Gary Nolan, Ron Stancliff, Jean Wickart, Theresa Breault, Karyn Allen, Chris Wiltshire, Paul Trudell

Members Absent: none

Recorder: Mark Leonard, Zoning Administrator (ZA)

Attendees: see attached list

Chairman Nolan called the public meeting to order at 7:30 PM. On a motion by Theresa, seconded by Jean, minutes of the June 25, 2009 meetings were approved as presented.

WARNED HEARING: T-MOBILE NORTHEAST LLC, CONDITIONAL USE APPROVAL & ACT 250 MUNICIPAL IMPACTS REVIEW, ROOF-MOUNTED TELECOMMUNICATIONS FACILITY, 52 PORTLAND STREET

Gary introduced the application, to be reviewed under sections 208I, 412.4, 632-636, & 660 of the zoning & subdivision bylaws. Theresa administered the sworn oath to attorney Mark Hill (of Paul Franks & Collins, P.C.), representing the applicant. No other interested parties were present.

Attorney Hall explained that cellular phone service provider T-Mobile was entering the Vermont service market and is seeking to establish a network of cell phone antennas around the state. They propose to place three 'sled' platforms, each supporting three panel antennas, atop the Demars building at 52 Portland Street, to enhance T-Mobile's cell phone coverage in and around the Morrisville village center. Supporting electrical equipment would be housed in the building's basement.

Mr Hall reviewed the proposed site plan and building elevations. He noted that the sleds would not be permanently affixed to the rooftop but would be weighed down with ballast sufficient to prevent them from moving or falling off the roof. He said the sleds would be placed close to the edge of the rooftop, where they would be more visible, in order to maximize their coverage. He provided a report on the systems' emissions, stating that the antenna were low-power transmitter/receivers that meet all applicable FCC standards for RF emissions & safety.

Paul asked about the specifications of each sled, in particular the height of each antenna structure. Mr Hall said they would each weigh approximately 1,000 with the antennas mounted

on them and would be approximately 10 feet tall; he referred to the site plans & elevations for more specific details.

Ron asked if there would be any interference with the Powershift antenna already mounted on the roof. Mr Hall said there would not because the two systems operate on different bandwidths. Likewise, he said, there would be no interference with any public safety (police, fire, etc) frequencies.

Theresa asked if there was any risk of the structures falling off the roof. Mr Hall said no, the ballast weights would prevent this even with high winds and/or heavy snow cover. He said he could provide a structural engineer's certification of the rooftop's ability to accommodate the three sleds and their stability as a condition of the Board's approval if desired. Theresa then asked how long it would take to install the antennas; he estimated 2-3 weeks once all permits had been issued and materials delivered and stated the applicant's desire to have the installation completed before the first snowfall this fall.

Paul remarked that the building elevations showed that the antennas would be very visible from the street and surrounding properties. He noted current plans to bury existing utility lines along Portland Street and expressed reservations that this project would work counter to plans to improve the overall aesthetics of the central village.

Chris moved to approve the application as presented, with the condition that a structural engineer's report on the criteria outlined in section 412.4a of the zoning bylaws be submitted prior to any installation work on the rooftop. Theresa seconded the motion and it passed unanimously.

**WARNED HEARING: LH&A REALTY, LP, CONDITIONAL USE & SITE PLAN
APPROVAL, AUTO SALES, 387 BROOKLYN STREET**

Gary introduced the application, to be reviewed under sections 223B, 483. 490.3, 500, and 632-636 of the zoning & subdivision bylaws. Theresa administered the sworn oath to Louis Ferris, representing the applicant, and adjacent property owner Deborah Fagnant. The ZA noted an administrative error in the warning notice; the correct location of the subject property is 387 (not 371) Brooklyn Street, the former 'Munchys' drive-in restaurant.

Louis Ferris explained that, after unsuccessfully seeking a tenant to operate a similar fast-food establishment, he is exploring the option of establishing a used car & truck sales business at this location. The dining room & kitchen areas would be converted into sales and office space. Minor aesthetic changes would be made to the building exterior. No new exterior lighting is anticipated. The parking lot would be used for vehicle displays and parking for customers and staff. He estimated the business would have a staff of 3-4 people, working Monday-Friday and half day Saturdays.

Chris asked if the site would have a vehicle service function. Louis said no; he envisions vehicle sales only with any service work being sub-contracted out to other local shops. He did say that a future user/tenant might wish to add a service bay.

Paul asked about the range of truck sizes that might be included. Louis said pickups and service vehicles, but no tractor-trailer rigs or other similar large trucks.

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Gary tried to recall the Planning Commission's intent when they included 'auto sales' among the conditional uses in the Neighborhood Commercial district. Adjacent property owner Deborah Fagnant of Palmers' recalled several previous used car dealers in the immediate area.

Paul moved to approve the application, with the conditions that any new exterior lighting or expansion of use (to include a vehicle service function) would require review and approval by the Board. Theresa seconded the motion and it passed unanimously.

Gary reviewed and signed the final mylar survey plats for the PENSICO Trust 5-lot subdivision off Randolph Road and the Margaret Reynolds 8-lot subdivision off Cottage Street.

The meeting adjourned at 8:20 PM.

Respectfully submitted,
Mark Leonard, Recorder

Minutes approved on: 9/10/09