

**MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
P.O. BOX 748
MORRISVILLE, VT. 05661
Phone (802) 888-6373
Fax (802) 888-6375**



Minutes of July 22, 1999

Members Present: Tom Paine, David Silverman, Mary Brainard, Gary Nolan, Carol Jennings, and Paul Trudell.

Members Absent: Jean Wickart.

Guest: Darrow Mansfield, Christina Tricomi, Roy Marble, Jim Densmore, John Kristan, Linda Kristin, Paul Plante, Dean Whittemore, Fonda Whittemore, Kirt Perras, Heath Perris, Barbara Adams, Winford Adams, Rod Viex, Mable Twombly, Jeff Spanos, Larua Spanos, Joseph Riley, Howard Manosh, Carol Ostler, Donald Osler and Will Schneider.

The meeting was called to order at 7:30 PM. by Gary Nolan, Chair.

Paul made a motion to approve the minutes of July 8, 1999, as corrected.
David seconded the motion and it passed unanimously.

**WARNED HEARING, MORRISVILLE CONGREGATION OF JEHOVAH'S
WITNESSES, TWO LOT SUBDIVISION LAPORTE ROAD.**

Gary opened the warned public hearing and gave an overview of the application. The application will be reviewed under section 700-890.1 of the Morrisville/Morristown Zoning and Subdivision bylaws. A site walk of the property was conducted prior to tonight's hearing.

Gary administered the sworn oath to Darrow Mansfield.

Mr. Mansfield gave an overview of the proposed subdivision. The Kingdom Hall owns a 10 plus acre parcel and they propose to subdivide the property into two lots. They wish to keep four acres and will be selling to their adjoining neighbors the Miller's six plus acres. The Miller's will construct a new home on part of the lot and the rest will be used with their stable as pasture. No new curb cut will be required as the Miller's will come off the stable's road. The lots will have on site septic and potable water. They have received the state subdivision and Act 250 amendment.

David made a motion to approve this application with our standard conditions.
Tom seconded the motion and it passed unanimously.

WARNED HEARING, PERRAS BROTHERS TRUCKING, 50' x 60' ADDITION, EARL GRAY ROAD.

Gary opened warned public hearing and gave an overview of the application. The application is to be reviewed under Sections 260, 263.a, 450-452, 460-462.7, 500-503.4 and 630-637 of the Morrisville/Morristown Zoning and Subdivision Bylaws. A site walk was conducted prior to the hearing.

Gary sworn in Heath Perras, Kirt Perras, Linda Kristin and John Kristin.

Heath Perras gave an overview of the proposed project. They are not looking to have additional pieces of equipment only a larger shop to work on trucks and trailers. The addition will have the same pitched roof as the existing. The exterior sheathing and roof of the building existing building will be replace to match the new addition. The garage doors for the addition will be insulated overhead doors. The yard in front of the building will be gravel.

Paul asked about narrowing the existing access/egress and adding some landscaping.

Heath and Kirt Perras said it would make it harder to back into the yard and landscaping would hinder their visibility of cars when pulling out of their yard.

Mr. H. Perras said the garage will be used to work on their trucks inside out of the elements, as they have had to work on them outside regardless of the weather conditions.

Mr. Kristin asked about the height of the roof on the addition.

Mr. H. Perras said the pitch will be the same but the addition is tall enough so that they can get their trucks inside. The bylaws allow up to 35' feet tall and they are 24'6' tall.

Ms. Kristin asked about the number of pieces of equipment.

Mr. H. Perris said that they are meeting the settlement conditions and they are not looking to expand the number of pieces of equipment only to have a building addition.

Gary reviewed the settlement and explained they are not asking for more equipment.

Paul made a motion to recess the hearing to a deliberative session to be held on July 29, 1999 at 6:00 PM, in the Town Clerk's Office Building.

Tom seconded the motion and it passed unanimously.

WARNED HEARING, JIM AND JENNIFER DENSMORE, 10' x 16' SHED, REAR SETBACK, WAIVER REQUEST, COCHRAN ROAD.

Gary gave an overview of the application. The application will be review under Sections: 260, 262.F, and 264.1 of the Morrisville/Morristown Zoning and Subdivision Bylaws.

Gary administered the sworn oath to Jim Densmore and Roy Marble.

Mr. Densmore explained that they are selling their house and in doing the title search it was discovered that the shed that was their when they bought the property, had built without a zoning permit. The shed is 11'6" from the property line. There will be no new construction this is to correct the permit record.

David made a motion to approve the 13'6" waiver for the existing shed.

Paul seconded the motion and it passed unanimously.

WARNED HEARING, PAUL PLANTE, ONE YEAR REVIEW, USED CAR SALES AND SERVICE, BROOKLYN STREET.

Gary opened the hearing and gave an overview of the permit. The review will be for compliance of the conditions of the written decision.

Gary administered the sworn oath to Paul Plante.

Gary went over the site walk conducted prior to tonight's meeting. Mr. Plante is not to exceed 45 vehicles and on the site walk there were 51 vehicles. The fence that was supposed to be up has not been constructed.

Mr. Plante said the fence will be going up, but the upper area was all ledge and that they hired Mac Miller to drill holes which he did two weeks ago. They will get the fence up by the end of August.

Gary said he wanted the fence up by August 15th, the car count to not more than 45 vehicles, no work in the shop after 6:00 PM and only paperwork that can be done in the office after 6:00 PM.

Gary explained that Mr. Plante's next review will be on November 11, 1999.

WARNED RECESSED HEARING, HOWARD AND NICK MANOSH, AGGREGATE PROCESSING FACILITY, ROUTE 15.

Gary went over the application and recused himself and left the room.

Paul reminded Mr. Manosh and Ms. Tricomi that they are still under oath.

Paul and Ken explained what they found out on the dust concerns. The town contacted Mr. Joseph Denk of the U.S. Department of Labors Mine Safety and Health Administration. The H.A. Manosh Corp supplied the town with personal data sheets which tie to their gravel pit and rock quarry. Mr. Dink told them the silica is the main concern and the testing has indicated that it is not harmful at the levels they recorded. Asbestos is not a concern due to the make up of the gravel and rock composites.

Paul asked about how dust is controlled on site.

Mr. Manosh said liquid calcium chloride and water.

Ms. Tricomi asked if she could have the hearing recessed as her husband was ill and she is concerned about traffic, dust and noise and that she is unable to understand what is in the noise and dust reports. She asked why the dust sheets were from 1996.

Paul explained that the compositae of the materials has not changed and MSHA has not issued any citations.

Mr. Manosh said they (MSHA) show up and take their reading without warning a couple of time a year.

Paul explained what the Board heard on the site walk and explained the noise report and dust report.

David explained the he feels that a recess should be allowed since they allowed a Mr. Manosh a recess at the last meeting.

David made a motion to recess the hearing to a deliberative session to follow tonight's hearings.

Tom seconded the motion and it passed unanimously.

WARNED RECESSED HEARING, CONTRACTORS CRANE SERVICE, 100' X 300' STEEL FABRICATION PLANT, NORTH COUNTRY ANIMAL LEAGUE, ANIMAL SHELTER, RECONSIDERATION OF CONDITION IN WRITTEN DECISION OF APRIL 22, 1999, LAPORTE ROAD.

Gary opened the hearing and the Applicant failed to show.

Ken said they had called him to asked what time to show up and Ken replied at least 8:00 PM. and if they wanted a better time to ask Gary.

Gary said he had received a message, but had not had time to call them back.

The Board waited until 9:00 PM for the applicant.

David made a motion to recess the hearing to August 12, 1999 at 7:30 PM in the Town Clerk's Office Building and that in a recess memo they be asked to submit the survey to the DRB within one week and get a copy to Don Ostler as well and confirm that they will attend the hearing on August 12th.

Paul seconded the motion and it passed unanimously.

Other Business:

Lawton/Munford Lot line change: Gary signed the final plat.

August 26th meeting will not be held as we do not have any application that need approval.

Demars Properties: Mr. Demars wishes to convert the existing Post Office into four office when they move to their new location. They meeting the parking criteria, are doing landscaping and the only exterior change will be a ramp for handicap accessibility. The Board finds no need to hear it and Ken is to issue change of business for each new tentant.

Brent Tomlinson: Paul explained that he has put up a fence and did not do the plantings and curbs that were part of his approval for the new store. Ken will send a letter asking him to comply with his permit or he can apply for a new permit.

David made a motion to go into deliberative session at 9:20 PM

Tom seconded the motion and it passed unanimously.

Tom made a motion to come out of deliberative session

Carol seconded the motion and it passed unanimously

David made a motion to recess the Manosh Aggregate facility to August 12, 1999 at 7:30 PM in the Town Clerk's Office Building and that Ken send a recess memo stating that the only

issue up for discussion is dust. Mr. Tricomi can rebut the MSHA report, they can hire their own expert to rebut the MSHA report, or submit a written rebuttal on the dust issue.

Tom seconded the motion and it passed unanimously.

Paul made a motion to adjourn the hearing at 10:10 PM

Tom seconded the motion and it passed unanimously

Respectfully submitted,
Kenneth J. Sweetser, Scribe.