

MORRISTOWN PLANNING COMMISSION/BOARD OF ADJUSTMENT -- JULY 20, 1988

BOARD MEMBERS PRESENT: Michael Boudreau; Theresa Breault; Don Anderson; Julie Bourne; Rose Lambert; Paul Nesky; Mac Miller; Roy Marble and Jean Wickart.

BOARD MEMBERS ABSENT: N/A

ZONING ADMINISTRATOR: GLORIA WING

GUESTS PRESENT: [See attached list].

The meeting was called to order at 08:09 P.M. by Chairman Paul Nesky, who reviewed the minutes of the 07/06/88 meeting for omissions/corrections. Mac made the motion to accept the minutes as written. Theresa seconded. Roy advised that he didn't make the motion to approve the minutes of 06/15/88, but did not really have a problem with it. Mac amended his motion to accept the minutes of 06/15/88 & 07/06/88. Theresa seconded. All in favor.

8:00 P.M. -- WARNED HEARING FOR CONDITIONAL USE - BRENT PAINE was in attendance seeking approval to allow a change of use in the former C.C. Miller house, located on RT 100, by Miller's Market for use of three (3) offices in area zoned as RR/AGRICULTURE on 3/4th acre parcel.

Brent advised there is a business that wishes to occupy the upstairs office, which would be operated as one business; with the two (2) offices downstairs, sharing equipment, etc. Brent stated he plans to use the existing two (2) car garage/barn located on the property for storage of his own tools and equipment. The driveway will be gravel and will put in new entrances and landscaping; that there is two or three businesses that already use the common driveway. Brent advised that the surrounding property is protected by ACT 250, due to the Airport. Brent advised there is a 60' X 68' area for parking in the rear to accommodate eight (8) vehicles easily, with an additional two (2) spaces by the garage and that he will also want a sign for the property.

Theresa made the motion to grant approval for the Conditional Use to allow three (3) offices as the plans were presented. Jean seconded. All in favor.

FACTS OF FINDING: Based on and examined under the Town of Morristown's Zoning By-Laws, ARTICLE II, Section 203.4 (b), (Page 5), the Board granted approval to allow the above three (3) offices as the plans were presented.

8:25 P.M. -- WARNED HEARING FOR CONDITIONAL USE - SANDRA FARNUM, dba/GREEN MOUNTAIN HEARING, an audiologist, was in attendance seeking approval for a change of use from residential to offices as a branch office, for use one (1) or two (2) days a week for her business in Montpelier. This would be operated on appointment only basis, therefore, being only one or two vehicles there at a time, servicing all age groups and would include handicap facilities. This property would be 816 sq.ft. of leased property from Dr. Southall.

Julie made the motion to grant the applicant approval for a Conditional Use for a change of use from residential to use as office space. Theresa seconded. All in favor.

FACTS OF FINDING: Based on and examined under the Village of Morrisville's Zoning By-Laws, ARTICLE II, Table 205.2 (1), Page 5, the applicant was granted approval for plans as presented.

8:32 P.M. -- VARIANCE OF MINIMUM SET-BACK/KENNETH SCHRAMM of Lincoln Street was in attendance seeking the Board's approval to allow construction of a barn for storage within two (2') feet of Anthony Voyer's property. Schramm presented letters to the Board from adjoining property owners, Anthony Voyer and Anne Judd, who stated they had no objection to the Variance. Schramm advised that he eventually would be tearing down the existing barn, in which the area would remain vacant, but due to the expense and need for storage he wouldn't be doing it for a couple of years.

Roy made the motion to grant approval of a Variance of a minimum set-back of less than the required side set-back of ten (10) feet and rear set-back of 25 feet, subject to removal of the existing garage. Theresa seconded. After a brief discussion, in which Schramm requested to use the existing garage/barn, Roy amended his motion to include the removal of the existing garage/barn within ONE YEAR FROM DATE OF ISSUE OF THE PERMIT. Theresa seconded. All in favor.

FACTS OF FINDING: Based on and examined under the Village of Morrisville's Zoning By-Laws, ARTICLE II, Table 205.2 (1), Page 5, the applicant was granted approval with the stipulation/condition that the existing garage/barn be removed within one (1) year from date of issue of the Permit, for plans as presented and, that there was no adverse objection by the neighboring property owners.

8:57 P.M. -- RECESSED HEARING/BEAVER MEADOW DEVELOPMENT CORP./MARTINA MESSINA & BETTY COLE were in attendance 26 acres of property, in an area zoned RR/Agricultural, located on RT 100, across from Sinow's. Messina advised that they only want to develop two (2) acres and have no plans for the remaining property. Messina presented photographs and plans for a house in which the downstairs would be used for an Antique Shop, with the upstairs being a two-bedroom apartment, with total sq. ft., upstairs and downstairs being 2,016 sq. ft. The building will be located 165' from the centerline of the highway and they have obtained their State Highway Access Permit and Sewer Permits; with this two acre parcel having a separate septic system designed for residential; sub-division plans were filed with the Town Clerk. Messina advised that the exterior will be of red cedar and will be landscaped with low shrubbery.

Bill Moulton inquired if there is a plot plan for the total parcel; Jean agreed she would like to know plans for this property. Messina advised there is no total plan, only for the two (2) acres. Messina did, upon Paul's request, present a Site-Plan for the 2 acres, to include a 24' X

28' garage with 8 parking spaces.

Bill advised he would like a stipulation if application were approved that this property be seeded and mulched before fall, so spring run-off won't wash silt down and plug the culvert below. Messina advised this would be done.

Roy stated he spoke with Jr. Cole, who advised he wanted to get this seeding/mulching done early enough so seed would be rooted. Paul advised this was one of the conditions.

Mac made the motion to grant approval to allow an Antique Shop and one (1) two-bedroom apartment, subject to excavation being re-seeded and mulched no later than September 1, 1988. Michael seconded the motion. Roy abstained. All other in favor.

FACTS OF FINDING: Based on and examined under the Town of Morristown's Zoning By-Laws, ARTICLE II, Section 203.4 (b), (Page 5), the Board granted approval for the Conditional Use (b), with the condition that seeding & mulching be done no later than SEPTEMBER 1, 1988.

9:30 -- VARIANCE REQUEST/ALLAN LAWRENCE, attended, seeking a variance to allow others to build on Lots #5; #6; #7; #8; #10 & #11, on property he owns located off the Stagecoach Road, on 1/4 mile of road without frontage on a public highway. Lawrence advised that three (3) of these lots have a 50' right-of-way, and are not on a public highway; that 1200' of the road is built to Town Specs and plans to deed this over to the Town. Paul advised that he could petition the Town, but the Town was not required to take the road over.

Roy made the motion to grant approval for the Variance for the above specified lots, not having frontage on a public highway; Lot #9 accesses onto the Stagecoach Road and all lots have a 50' right-of-way. Michael seconded. All in favor.

Lawrence then requested approval to allow a new Lot #12, to make three (3) ten acre lots from two existing lots, having 14 acres and 18 acres on property located on Town Road #71.

Roy made the motion to grant a Variance for Lot #12, without the required 90' of road frontage. Don seconded. All in favor.

Lawrence then voiced his concerns regarding Gary Smith Lots, 3A and 3B, in which the Board allowing more than three (3) houses on a 50' right-of-way as the road to Carroll Lawrence's residence is narrow and dangerous. Also, the brook by the Palmer property has been relocated. The Board advised him to contact Water Resources Representative, Jim Dodge.

FACTS OF FINDING: Based on and examined under the Town of Morristown's Zoning By-Laws, ARTICLE II, Table 203.4, Page 5, the applicant was granted approval for plans as presented in a RR/AGRICULTURAL zoned area

for the Variances requested.

GENERAL DISCUSSION: Jean inquired about possibly having interim zoning and Gloria explained it to Board members.

Paul and Roy advised the Board should get amendments in order for changing; Paul advised he would discuss it with David Penella and that a meeting should be scheduled to discuss these.

Gloria advised that McDonald's is asking for a letter from the Board that the Board has no objection to their large sign being located on RT 15, as ACT 250 has denied them a permit due to their sign being too large and free-standing signs are not allowed on RT 100.

Theresa made the motion not to address this or write the letter requested. Jean seconded. All in favor.

Theresa made the motion to adjourn at 10:15 P.M. All in favor.

Respectfully submitted,


Donna C. Phelps, Recording Secretary
Morristown Plan. Com./BOA

/dp

NEXT SCHEDULED MEETING . . . AUGUST 3, 1988 @ Public Safety Building