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MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
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Minutes of July 13, 2006

Members Present: David Silverman, Theresa Breault, Carl Fortune, Jean Wickart, Paul Trudell, Karyn Allen

Members Absent: Gary Nolan

Recorder: Mark Leonard, Zoning Administrator (ZA)

Guests: see attached list

Acting Chairman David Silverman called the meeting to order at 7:30PM. On a motion by Theresa, seconded by Jean, minutes of the June 8, 2006 meeting were approved.

WARNED HEARING: ADAM & RUTH WESELOW, PRELIMINARY PLAT APPROVAL, 2-LOT SUBDIVISION, 2250 RANDOLPH ROAD

David introduced the application, to be reviewed under sections 264, 730, 740, 780, and 810of the zoning and subdivision bylaws. Theresa administered the sworn oath to the applicants, Adam and Ruth Weselow, and adjacent property owners Jeannette and Peter Randolph and Ernest and Janice Belforti.

The Weselows are seeking approval to subdivide a 6-acre lot from the existing 126.7-acre parcel. The new lot would be located along Randolph Road, south of the .Weselow sawmill and the adjacent Perras property. The new lot would have primary and replacement mound wastewater disposal systems designed for a three-bedroom single-family home and a drilled well.

Jeannette Randolph expressed concern that there is not enough water in the area to support another residence; she said her well has gone dry several times and she has had to drill deeper to find adequate water for her home.

Adam Weselow stated that the lot is only being developed for one single-family home and that additional water usage from the proposed well would be far enough from other water sources so as not to interfere with them. He said that the state would review the water and wastewater requirements before issuing a water and wastewater permit. He added that he has spring rights on the Grey Goose property across the road from the proposed new lot that he is willing to give to other property owners in the area if it would help with their water problems.

Ernest Belforti asked if the six-acre lot could be further subdivided by a subsequent owner. The ZA explained that the lot would exceed the 2-acre minimum lot size, but that soil

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conditions and wetlands at the rear of the lot would likely restrict any further development.

Carl moved to approve the application as presented. Jean seconded the motion and it passed unanimously.

WARNED HEARING: BETTY CHENG TRUST, PRELIMINARY PLAT APPROVAL, 2-LOT SUBDIVISION, 945 LAPORTE ROAD

David introduced the application, to be reviewed under sections 264, 730, 740, 780, and 810of the zoning and subdivision bylaws. Theresa administered the sworn oath to Darrow Mansfield, representing the applicant.

The Betty Cheng Trust owns a 26-acre parcel along Laporte Road, just south of the Jersey Heights subdivision. The parcel is largely undeveloped, except for a two-family dwelling located at the southernmost corner of the lot on Laporte Road. Darrow noted that the structure had originally been approved for a retail shop, but that use had been abandoned more than ten years ago. The applicant is seeking to subdivide a 3-acre portion, containing the duplex and its water and wastewater systems, from the remainder of the parcel. The new lot would be accessed directly from Laporte Road via the existing driveway.

Paul moved to approve the application as presented. Theresa seconded the motion and it passed unanimously.

WARNED HEARING: GARY & IRENE BOURNE, CONDITIONAL USE & SITE PLAN APPROVAL, CONVENIENCE STORE & GAS STATION WITH THREE APARTMENTS

David introduced the application, to be reviewed under sections 208-209, 405, 450, 470, 490, 500 and 630-637 of the zoning and subdivision bylaws. David then recused himself due to business and family conflicts of interest. Paul assumed the chair for this application. Theresa administered the sworn oath to Gary Bourne, Darrow Mansfield of Mansfield Consulting and attorney Edward French (both representing the applicants), Town Administrator David Crawford, and adjoining property owner Sam Guy.

Gary explained that this was a new proposal being presented as an alternative to an earlier plan rejected by the DRB that is the subject of an appeal to the Environmental Court. He added that he is now requesting approval for three apartments, not two as indicated on the application.

Gary proposes to tear down the existing 30x50, single-story convenience store and former auto repair shop at the corner of Portland and Bridge Streets and construct a 40x68 two-story, mixed use structure, with an expanded convenience store on the ground floor and three two-bedroom apartments on the second floor. The existing gas pumps and service area would remain unchanged.

The building would be modeled on an earlier two-story building at this location. The new structure would front on Portland Street, rather than Bridge Street as the current structure does. The new structure would encompass the existing building footprint and would extend back to the side and rear property lines.

The site plan identifies sixteen parking spaces, six for the three apartments and ten for the

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retail use, which Gary said was 1,700 square feet, excluding storage and utility space. Included in the total parking spaces are four spaces located at the gas pumps. Carl asked if there was precedent for counting spaces at the gas pumps; Gary replied that the Cumberland Farms convenience store appeared to include those spaces in its plan.

Several board members and the ZA questioned whether the parking arrangement provided sufficient maneuvering room and did not interfere with vehicles entering and exiting adjoining properties. Specifically, spaces 9-12, as indicated on the plan, appear to block access to tenant parking at the apartment building next door on Bridge Street and there does not appear to be sufficient maneuvering room for spaces 7 and 8 when other parking spaces are occupied.

Paul asked about traffic flow in and out of the property. Gary said the two existing access points on Portland Street would remain as is while a raised curb along Bridge Street from the corner by the existing sign to the end of the gas pump canopy would restrict vehicles from entering and exiting from Bridge Street to an area between the gas pump island and parking spaces 9-12. He presented a report by Gillon Associates that addressed the number of vehicles accessing the property under the existing and proposed uses. The report indicated that, despite a doubling of retail space and the addition of three apartments, the number of daily vehicle trips would remain essentially unchanged.

Karen asked how and where service deliveries would be made. Gary estimated that there would be 13-15 deliveries per week. He would attempt to have deliveries made during off-peak hours, but said that delivery trucks would occupy some of the parking spaces while on the premises.

The ZA asked about snow removal provisions. Gary said snow would be plowed and trucked off site as soon as possible after a snowfall. Paul inquired about heating oil storage. Gary said it would be stored in the basement.

Adjoining property owner Sam Guy expressed concern about stormwater runoff from the new, flat roof running onto his lot and causing problems, especially when it freezes. He is also concerned that tenants from either the new apartments or those next door who might not be able to access their current parking due to the proposed new spaces would wind up parking in his lot. Gary said he would post 'no parking' signs along the new building facing Guy's property and would vigorously enforce this restriction. He said he's willing to install gutters or other devices to channel any runoff from the roof into the municipal stormwater drains on Portland Street.

Town administrator reviewed his letter to the DRB citing concerns about parking and traffic flow at the site. He noted that this location has been identified in state Agency of Transportation studies as a high traffic, high accident potential location. He said that given the existing traffic and parking problems and the concerns raised, it would be prudent to have an independent analysis of the proposal done by a traffic consultant.

Theresa moved to recess the hearing to a site walk, to be conducted on July 19, 2006. Jean seconded the motion and it passed unanimously.

On a motion by Paul, seconded by Carl, the meeting adjourned at 9:30 PM.

Respectfully submitted,
Mark Leonard, Recorder

Minutes approved on: 7/27/06 TB/KA