

MORRISTOWN BOARD OF ADJUSTMENT

P.O. BOX 748

MORRISVILLE, VT. 05661

(802) 888-6373



Minutes of July 13, 1995

Members Present: Gary Nolan, Theresa Breault, Ida-Mae Anderson, Keith Thompson, Jean Wickart, Francis Willey, Ralph Wiltshire, and Paul Trudell.

Members Absent: none

Guest: see list attached

The meeting was called to order at 7:33 p.m. by Gary Nolan, Chairman.

The Minutes of June 8th and 22nd were unanimously as written.

EDWARD AND MARY-ANN WILSON HOME OCCUPATION PERMIT APPEAL

Gary open the appeal hearing at 7:35 pm and gave an overview of the application and correspondence received. The appeal will be reviewed under Sections 280 Rural Residential/Agriculture, 282e Home Occupation, 420 Home Occupations, and 640 Appeals.

Ken gave an overview of the permitting process and appeal process of the Wilson permit.

Gary read Section 423 of home occupations of the regulations for the record.

Theresa administered the sworn oath to: Edward and Mary-Ann Wilson, Jeffrey Foss, Carolyn Brown, Larry Miller, James and Jane Drews, and David and Deborah Kirsh.

Ed Wilson present documentation that his range was a registered firing range under Vermont state law.

Jeffrey Foss presented the Board a proposed condition of approval in writing.

David Kirsh presented his concerns traffic, safety, range use. He feels that range itself is safe, but has concerns that children may inadvertently enter the range area.

Marylin Jarvis has two concerns: who will use the range and safety of the range. She suggested a condition that the range can not become a public range.

Carolyn Brown is concerned about noise and safety. She does not want see a tremendous increase in noise as she has other firing ranges in the area. While she is concerned about safety she does feel Mr. Wilson has done as much as he can.

James Drews is concerned about the commercialization of the range which will cause noise and safety concerns.

Mr. Wilson presented a written response letter to the Board and read it into the record. Addressing the concerns raised, the

range is not going to be a public range, the registered range is a separate from his home occupation permit for gun sales. He does not have an on site show room that will attract customers to coming to browse, he addressed safety concerns, noise and the amount of shooting that takes place and the location of other firing ranges.

He present colored aerial photos to show relationships and distances to various locations in the area.

Ken gave his credentials for the record that assisted him in making his decision on this permit.

Ralph made a motion to recess the hearing until 6:30 pm on July 27th for a site walk with a deliberative session at 7:30 pm.

Theresa seconded the motion and it passed unanimously.

JAMES THOMPSON REQUEST FOR SETBACK VARIANCE

Gary gave an overview of the application and the request for a 19' variance from the centerline of the road. The application will be reviewed under Sections 280 rural Residential/Agriculture, 282f Accessory Use, and 650 Variances.

The applicant wishes to construct a 24' X 36' garage, 46' from the centerline of the road due to his waterline's location and the cost of fill.

The Board question why he could not relocate or build over his waterline and if additional fill would be required if he moved it back.

Jean made a motion to approve a 14' variance that was seconded by Theresa. The motion was approved 5 to 2 to grant a 14' variance.

TOMLINSON'S STORE CONDITIONAL USE REQUEST FOR REMOVAL OF EXISTING STORE AND RENOVATION AND EXPANSION OF QUONSET HUT BUILDING.

Gary open the hearing and gave an overview of the application. The application will be reviewed under the following Sections: 210 Central Business District, 213a Retail Delivery of Goods and Services, 450 Parking, 630 Conditional Uses.

Tom Bjerke represented the applicant at hearing and gave an overview of the project. The existing store will be removed and the they will construct a new store around the existing quonset hut. The additions will hide the quonset hut. The project will be completed in phases, the first phase will be the completion of the outer shell and the store, addition phases will include the completion of internal space for three small business. The parking area and traffic flow plan was presented. The proposed addition will meet all setback requirements. There will be low planted islands in the parking area to control parking, traffic flow, and storm water.

Bill Moulton expressed concerns over the planned island being at the edge of the sidewalk and requested that the planted

islands be moved back two feet to allow for winter plowing. His other concern is the sewer line that runs along the river and access to the manhole along the line.

The applicant is willing to put a road to the manhole and move the planted island back two feet.

Brent's time line is that he would like to have the shell completed and be open by April 1, 1996, with the total project completed in three years or less.

Lighting will consist of the two existing street lights, down shade quartz lights at the corners corners of the building that he presently has, 12 canister soffit lights in the front and signage will be back lighted.

Signage will meet the requirements and will be issued by the Zoning Administrator.

Ralph made a motion to recess to a deliberative session to immediately follow the hearing.

Gary seconded the motion and it passed unanimously.

The hearing was recessed.

The Board entered into deliberative session at 9:43 pm.

The Board came out of deliberative session at 10:30pm.

No decisions were made and the Board recessed the following hearings: Bourne's, Tomlinson's, JNB, and Wilson to a deliberative session on July 27th at 7:30 pm in the in the Town Clerk's Office Building. The Board will conduct site walks on the 27th at 6:30 pm for the Wilson appeal and 7:00 pm for Tomlinson's Store.

The meeting adjourned at 10:40 pm.

Respectfully submitted,


Kenneth J. Sweetser, Scribe.