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MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
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Minutes of June 28, 2007

Members Present: Gary Nolan, Jean Wickart, David Silverman, Paul Trudell, Carl Fortune, Theresa Breault

Members Absent: Karyn Allen

Recorder: Mark Leonard, Zoning Administrator (ZA)

Guests: see attached list

Chairman Gary Nolan called the meeting to order at 7:30PM. On a motion by Paul, seconded by David, minutes of the May 24 meeting were approved. Approval of minutes of the May 10 meeting was deferred due to a lack of members present at that meeting.

WARNED HEARING: GREG YOUNG, PRELIMINARY PLAT APPROVAL, 2-LOT SUBDIVISION, ADAMS WAY

Gary reviewed the application, to be considered under sections 264, 740, 770, 780 and 800-840 of the zoning and subdivision bylaws. Theresa administered the sworn oath to applicants Greg and Shanna Carter. There were no interested parties present for this application.

Greg Young proposes to subdivide a 10.2-acre parcel (#16-120) on Adams Way, a private road off Stancliff Road, into two lots, creating a new 3.0-acre parcel (Lot 1) for a single family home. The remaining 7.2 acres (lot 2) would remain undeveloped. Lot 1 would have its own on-site sewage disposal system and water supply and would be accessed from Stancliff Road, via an existing right-of-way (Adams Way) across adjacent parcels #16-121 and #16-122 and the proposed Lot 2.

David moved to approve the application as presented with standard subdivision conditions. Jean seconded the motion and it passed unanimously.

WARNED HEARING: MARGARET NOVOTNY, CONDITIONAL USE APPROVAL, EDUCATIONAL FACILITY, 122 PARK STREET

Gary reviewed the application, to be considered under sections 228, 450, and 630-635 of the zoning and subdivision bylaws. Theresa administered the sworn oath to Vincent DeRico, representing the applicant, and Sarah Stutz, employee of the educational facility. There were no

interested parties present for this application.

Vincent DeRico, the applicant's business manager explained that the applicant was unable to attend the hearing due to illness. He said that she has operated a small school for children with exceptional needs at the property on Park Street that had previously been a single family residence for some time, only recently becoming aware that she lacked local zoning approval for this use. The facility is state-licensed to provide educational services to up to six autistic children. The program is run on the same calendar and hours as traditional schools, with a five-week summer program. The school is staffed by 5-8 employees. All parking for staff is on site; students are dropped off and picked up at the school by parents or guardians.

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

WARNED HEARING: DEMARS PROPERTIES, CONDITIONAL USE & SITE PLAN APPROVAL AND ACT 250 MUNICIPAL IMPACTS REVIEW, 3000sf OFFICE BUILDING ADDITION, 109 PROFESSIONAL DRIVE

Gary reviewed the application, to be considered under sections 228, 450, and 630-635 of the zoning and subdivision bylaws. Theresa administered the sworn oath to Dan Demars, representing the applicant. There were no interested parties present for this application.

Demars Properties owns a 12.7-acre parcel (#20-001-1) at 109 Professional Drive. The parcel contains two office buildings and four mini-storage buildings. They propose to construct a 28x106 addition (2,968 square feet) onto the smaller of the two existing office buildings. The additional space will be used for offices. The expanded office complex will have twenty additional paved parking spaces along the west boundary of the lot. The entire parcel is served by municipal water and sewer systems.

David asked about any new landscaping at the site. Dan noted landscaping around the building addition on the site plan.

Carl asked whether there were provisions for stormwater discharge. Dan said the project could be accommodated without additional drainage improvements, but that the Act 250 permit amendment process could identify requirements by the state.

Paul asked about exterior lighting. Dan said there would likely be some lighting added along the expanded parking area.

The ZA reported that the municipal departments had signed off on the project review without comment.

David moved to approve application, subject to the following conditions: all applicable state permits and approvals shall be obtained (with copies filed with the ZA) prior to the start of construction, and standard exterior lighting requirements. Theresa seconded the motion and it passed unanimously.

WARNED HEARING: B&B NURSERIES, CONDITIONAL USE APPROVAL, 100-FOOT HIGH WIND POWER GENERATOR, 1058 STAGECOACH ROAD

Gary reviewed the application, to be considered under sections 263 and 630-635 of the

zoning and subdivision bylaws. Theresa administered the sworn oath to Bruce Tomlinson, representing the applicant, and neighboring residents Ronda Bedell, Leon Whitcomb, Dale and Elizabeth Cookson, Nancy Currier, Debbie Kennison, Dana Borg, and Matthew Burgess.

Bruce Tomlinson, owner of B&B Nurseries, described the wind turbine generator he proposes to erect on his property on Stagecoach Road. The generator would be mounted on a 100-foot tall lattice tower, supported by three guy wires. The turbine blades would extend out another ten feet. The tower and generator (including blades) would be painted grey to minimize the visual impact of the structure.

The tower would be located approximately in the middle of Tomlinson's 27.3-acre parcel, more than three hundred (300) feet away from the closest adjoining residence. Bruce provided figures showing that noise from the turbine at this distance is barely discernable, comparable to the noise of a refrigerator motor.

Bruce estimated that the 10Kw generator mounted at 100' above ground would provide up to 50% of the business's electric power needs, adding that the system would be net-metered, tied into the public electric utility to sell back any excess power. He provided letters from Efficiency Vermont and Lamoille County Planning Commission supporting the project and cited the Morristown Town Plan's goals and policies encouraging the use of renewable energy systems. With approval of the project, he hoped to have it up and running this fall.

Nancy Currier asked about the direction of the blades. Bruce said the turbine would rotate into the wind, with the prevailing direction from the northwest. While she is in favor of renewable energy, she expressed concern about this project at this site.

Rhoda Bedell expressed concern that the turbine blades could be hazardous to birds and bats. Bruce said he would check for information on that issue.

Leon Whitcomb read a letter, signed by Rhoda Bedell and himself, opposing the project as out of character with the area, noisy, obstructing views from roads and homes in the neighborhood, and possibly being a hazard to aircraft using the Morrisville area. The letter expresses concern about setting a precedent for other towers and suggests allowing a lower tower (thirty-five feet). Leon questioned the source of the technical data presented, noting that most appeared to come from the manufacturer.

Bruce responded that, due to the surrounding terrain and trees, the best height to generate power at this site is 100 feet; any reduction, particularly down to 35 feet, would significantly decrease the power output of the system.

Dana Borg asked about the size of the generator itself. Bruce replied that it was about 2-3 feet in diameter.

Deb Kennison raised similar objections regarding noise and visual impact, adding concerns about blowing debris from the wind turbine and risk from lightning. Bruce noted that the tower would be higher than any surrounding structures and would be grounded, eliminating any lightning risk to surrounding properties.

Matthew Burgess noted the difficulty in reconciling the applicant's desire to make use of a non-polluting renewable energy source and the neighbors' concerns about the aesthetic impact on their properties. He also expressed concern about the precedent this project might set for other similar projects around town.

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Letters opposing the project from neighbors Rhonda Schriber, Alan Chaussee, and Linda Belval (on behalf of the Robert & Phyllis Smith estate) were read into the record.

David asked if the nursery was very energy-intensive. Bruce said that it was, which is why he is looking for ways to reduce his energy costs, as well as to be environmentally sensitive.

David suggested that viewing the proposed site with a balloon at the approximate height of the proposed turbine would be useful in assessing the tower's visual impact on surrounding properties. He moved to recess the hearing to a site walk of the property on July 12, with the applicant arranging to have a balloon test at that time. Paul seconded the motion and it passed unanimously.

On a motion by Paul, seconded by Jean, the meeting adjourned at 9:15 PM.

Respectfully submitted,
Mark Leonard, Recorder

Minutes approved on: 7/26/07 TB/JW