

Gloria

BOARD MEMBERS PRESENT: Theresa Breault, Chairperson; Rose Lambert; Ralph Wiltshire; Jean Wickart; Paul Trudell and Gary Nolan.

BOARD MEMBER ABSENT: Michael Boudreau.

ZONING ADMINISTRATOR: Gloria Wing

GUESTS/APPLICANTS: [List attached to original minutes].

Theresa called the meeting to order at 7:33 P.M. and reviewed the minutes of 06/13/90 for omissions/amendments. Ralph moved to approve the minutes as presented of 06/13/90. Jean seconded. Unanimously approved.

Jean administered the sworn oath to Courtney & Normand Salvas.

7:35 P.M. -- WARNED HEARING/COURTNEY & NORMAND SALVAS, CONDITIONAL USE, Randolph Road, were in attendance seeking the Board's approval to allow a towing business; auto repair business and the storage of six (6) vehicles on the Salvas property, consisting of 16.9 acres. This property is located in AGR/RR zoned area. Theresa advised the application would be heard under the Morristown Zoning By-Laws, Section 203.1(b) & Title 24, VSA 4407(a)(b)(c).

Salvas's advised the shop is an existing shop, which presently they do work on their own personal vehicles; that Courtney has a towing business, with one part-time employee, and would like to be able to store towed vehicles on the property.

Site-Plans were presented with set-backs of 89' and 115' from the nearest property lines.

NOISE: The business would consist of changing oil; replacing exhaust systems; change batteries. Wrecked vehicles are usually out of there in two (2) days, if they have obtained the vehicle Title; that usually the insurance companies take care of these. There will be no body work/repair and no more than six (6) vehicles on the property at a time.

SCREENING: Six (6) foot cedar trees will be planted around the shop, with vehicles only being exposed to the Salvas residence, and will screen area from all other property owners.

Courtney advised that he needs a secure place to store vehicles as towing companies are liable for vehicles and their contents once the vehicle(s) are towed and stored. There will be no more than two (2) vehicles on the property

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for repair at one time.

Paul made the motion to RECESS this hearing to JULY 11, 1990 @ 8:45 P.M. and conduct a Site-Walk of the property. Rose seconded. All in favor.

Paul made a motion to conduct a Site-Walk on 06/28/90 at 6:00 P.M., with the Planning Commission if they so choose. Jean seconded. Gary questioned the short notice to the PC and Paul and Jean withdrew their motion/second, with Paul changing the date to JULY 7th, 1990 AT 8:00 A.M. Jean seconded. All in favor.

GENERAL DISCUSSION: Gloria advised that Mr. Peno's mobil home was moved today to Skip Godfrey's property located on the Walton Road; that she gave him permission to place the trailer there to complete the renovations to it only.

8:15 P.M. -- WARNED HEARING/CONDITIONAL USE: AGWAY, INC., located on Northgate Avenue. Theresa advised this hearing would be heard under Morristown's By-Laws, Section 402 and 505.1(a)(b)(c). Jean administered the sworn oath to the Agway representatives, being ERNEST MENARD; DONALD CHAGNON; JAY MOORE & JAY FRATTINI, who were seeking approval to allow a 1,000 gallon propane pumping station to fill 20 lb. tanks. A "Propane Operations & Procedures Manual's Installation Policy of Propane Stations" was presented to all concerned for review.

This would be located behind Pete's (Couture) Repair, off RT 100. Chagnon advised there are at least 18,000 gallons of propane in the surrounding area, some are 1,000 gallon tanks; that any tank with 500 gallons or more, must obtain a State Permit. Their proposed tank would be used to fill smaller cylinders for camping, etc.; that it would be a convenience to customers as they are the only ones open for business on Saturdays to provide this service. That any person filling these tanks must complete a course and be certified to do so. That the gates/doors must be open while filling the tanks, but must be locked when not in use. The general public does not have access to this tank, which is enclosed all the way around by fencing.

Lee Sturtevant, of the Morrisville Fire Dept. advised that Fire Chief Wayne Camley is opposed to it and believes it to be a hazard at this point. That perhaps the Agway representatives should meet with Wayne and discuss their plans with him.

Gary made the motion to RECESS this hearing until Wednesday, JULY 11, 1990 @ 9:00 P.M. and obtain a letter from Fire Chief Camley regarding his concern, prior to that date. Jean seconded. All in favor.

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8:30 P.M. -- MARVIN & LINDA TALLMAN were in attendance to discuss with the Board if their property, being the Quonset Hut, located on RT 12, could be used for used Auto Sales. Prospective buyers, Mike and Tim Lowell were also present.

Lowells' were located in Trombley's terminal on Stafford Avenue, but due to lease problems with Joe Trombley, the State shut them down two weeks ago. Proposed Site-Plan was presented, indicating five (5) vehicles in the front adjacent to RT 12, with no more than a total of 25 vehicles on the property at a time. They would be open 6 days a week with regular business hours; open to the general public for repairs; that at some time in the future, possibly selling tires. They would like a sign but not necessarily lighted.

This operation would be approximately 300' from the Audy residence. The Tallmans' presently have two (2) big lights on the property, but the back one is no longer on. Lowells' would like to purchase this property from the Tallman's if the property could be used for Commercial purposes.

Mr. Tallman advised that their attorney, Eric Parker is on vacation and could not attend this meeting, but believes this property has been established as being Commercial, due to:

- a) Zoning Card stating the Quonset Hut is Commercial;
- b) When they purchased the property, Syd Mander advised them their business was allowed as the property was Commercial;
- c) The Tallman's and previous owners have paid Commercial tax rates for years. (That the property transfer from Norris (Nob) Mercia to Marvin Tallman states Commercial property.)
- d) They are listed with the State of VT on their Tax number application as being Commercial
- e) They purchased this property in 1984-85, in good faith as being Commercial property.

Mr. Tallman advised he does not believe there will be more vehicles by the proposed auto sales than at present; it would be a much quieter operation.

Mr. Fagnant believes there will be more traffic: there is no septic system and all waste water drains into brook.

Gloria advised this would have to go through Labor & Industry as this would be classified as a Public Building. Lowells' advised they were aware of this. They planned to install chemical or portable septic facility.

Bocash and Audy voiced their concerns of possibly customers blocking their driveway. Mr. Tallman advised he believed a

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sign could be erected to prevent this. Bocash and Audy then questioned the 150' frontage on the tax maps, stating they felt it was considerably less.

Welches advised this Quonset Hut was never used for sales, the building that Jan Hall occupies as a residence now, was formerly the sales building. The Quonset hut was used for storage.

Paul Trudell stated his concern was he has never seen any proof that this property is commercial property and would like to prior to acting on this.

Theresa then asked if the Board interprets this property as being Commercial and advised the Lowells, that if in fact, the Board interprets this property as being Commercial, they would have to make application for a Conditional Use/Change of Use Permit.

Rose made the motion that Marvin & Linda Tallman have a Commercial Piece of Property. Ralph seconded. Ralph; Rose; Gary and Jean voted "yes", with Paul voting "no".

Tim & Mike Lowell will come before the BOA with a detailed application for a Conditional Use to allow a Used Car Dealership to be operated from said Quonset Hut on RT 12.

Gladden O'Neill, Informal Discussion with the BOA, to allow three (3) apartments in an existing building located on RT 100-S, with 1.1 acres. After discussion, it was determined this property was grandfathered. No permit necessary.

J.B. McKinley came before the BOA in an informal discussion reference adding an apartment to an existing building located on Bridge Street. After discussion it was determined this property was grandfathered. No permit necessary.

The meeting was adjourned at 10:30 P.M.

Respectfully submitted,



Donna C. Phelps, Recording Secretary
Morristown Board of Adjustment

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