

Morristown/Morrisville Development Review Board
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Meeting Minutes of 23 June 2021

Members Present: Susanna Burnham, Melissa LeBlanc, Gary Nolan (Chair), Laura Streets, Paul Trudell, Mary Ann Wilson, and Chris Wiltshire

Members Absent:

Staff: Todd Thomas, Zoning Administrator

Guests: Christy Snipp, Seth Couto, Ed Dever, Conservation Commission Chair Ron Stancliff, Engineer Tyler Mumley, Kent Hedberg, Dean & Debbie Trombley

Call to Order: Chair Nolan called the in-person meeting to order at 6:00 PM.

Minutes: Member Wiltshire moved to approve the May 26th meeting minutes. A vote of 7-0 affirmed the motion.

Hearing: 2-lot subdivision final plat approval at 217 Lawrence Rd (Couto)

Applicant Seth Couto appeared before the Board requesting \$750 Final Plat Approval to create a new 3.68-acre building lot by subdividing 11.53 acre Parcel 16-029-1, which is located at 217 Lawrence Road in the Rural Residential Agricultural Zone. Engineer Tyler Mumley walked the Board through the proposed subdivision that created 3.68 acre parcel 16-029-2 (with that parcel noted as being further subdividable). Member Street clarified correctly that this simple subdivision was in front of the DRB because it did not have frontage, and was accessed instead by an existing right-of-way. Member Wiltshire moved to approve the subdivision as proposed with the Board's standard conditions. A vote of 7-0 affirmed the motion.

Hearing: 3-lot subdivision final plat approval at 143 Silver Ridge Rd (Dever)

Applicant Ed Dever appeared before the Board requesting \$750 Final Plat Approval to create two new 25,000+ ft² building lots by subdividing 1.8 acre Parcel 08-163, which is located at 143 Silver Ridge Road, on land split by the Low Density Residential (LDR) Zone and the Rural Residential Agricultural (RRA) Zone. Engineer Tyler Mumley described the proposed subdivision, including how the Parcel was split by a zoning boundary line. Property owner Ed Dever said that he decided to buy the property, largely based on the opportunity for the LDR zoning, which he believes he paid a premium for. Chair Nolan read a letter into the record from Lois Doe, who was opposed to the subdivision, as she did not want more houses in the neighborhood, especially homes that may detract from her mountain views. Ron Stancliff, who identified himself to the DRB as the Chair of the Morristown Conservation Commission, said that he is opposed to this subdivision. He added that this subdivision was a topic at the last Conservation Commission meeting, and 8 of the 9 Conservation Commission Members present thereat expressed concern regarding the proposed subdivision. Mr. Stancliff distributed several maps that Lamoille County Planning Commission prepared for him to each DRB member, with the new maps questioning the dividing line between the LDR Zone and the RRA Zone on the Town's existing zoning map. Member Stancliff said that the existing zoning map shows more of the subject land in the LDR Zone than the LCPC maps did. Member LeBlanc asked Mr. Stancliff if the LCPC maps still showed the subject property being bisected by the LDR Zone. Mr. Stancliff said that they did, but it was a smaller corner of the subject property. Member LeBlanc and Chair Nolan said that per §201.3 of the Zoning Bylaws, the DRB has the sole choice as to which zone to apply to a lot that is divided by multiple zones, and it does not matter what percentage of a lot is in a zone. Mr. Stancliff said that applying the LDR Zone to create the other two lots, based off the Town's incorrect mapping, is creating sprawl. He added that he had LCPC

correct the Town zoning map for this area earlier this month. Mr. Stancliff asked the Board to deny this proposed subdivision. Dean & Debbie Trombley said that the proposed lot on the south end of the subdivision has stormwater problems. Kent Hedberg agreed, and detailed how stormwater flowed through the neighborhood, and onto the lot in question. Chair Nolan said that the stormwater was not within the purview of the Board during a subdivision hearing. Engineer Mumley said that the house on Lot 1 was designed accommodate the existing stormwater flow by having a longer driveway that avoided the existing low spots on the lot. Mr. Mumley also responded to Mr. Stancliff, and said that his analysis of the zoning boundary line showed that the property was split by the two zones. Upon a question from Mr. Mumley, Mr. Thomas said that the lot was indeed split by the zoning boundary line. Member Wiltshire moved to continue the discussion in Deliberative Session. A vote of 6-1 affirmed the motion, with Member LeBlanc in opposition. At the conclusion of the Deliberative Session discussion, Member LeBlanc moved to approve the subdivision as proposed in the LDR Zone with the Board's standard conditions. A vote of 6-1 affirmed the motion.

Discuss: Candidate interview for open DRB Alternate seat

Christy Snipp appeared before the Board as a candidate for the open DRB Alternate seat. Ms. Snipp explained that she had attended a few DRB meetings recently, and found them interesting. She said that she was community minded, came from a community minded family, and wanted to give back to the Town. Member Streets expressed some concern regarding Ms. Snipp's candidacy because her husband is an appointed member of the Planning Council, and also an elected Village Trustee. The Board, via consensus, instructed Mr. Thomas to pass along a recommendation to the Selectboard and Village Trustees that Ms. Snipp should be appointed to the open DRB alternate seat that was formerly filled by Andrew Strniste (who moved away).

Deliberative Session: §500 Site Plan: VFOR Sober Home at 360 Maple St (Demars Prop.)

The Board concluded its Deliberative Session for Vermont Foundation for Recovery's 2-year review of §500 Site Plan Approval Permit #2019-058 that allowed up to 6 unrelated people to live together as a Family (as defined in the Zoning Bylaws) in a substance abuse recovery apartment on Parcel 23-178, which is owned by Demars Properties LLC, and located at 360 Maple Street in the Medium Density Residential Zone. Member Wiltshire moved to approve the VFOR permit review with the condition that at least a 10-foot tall white vinyl stockade-style fence be installed by the Applicant, or property owner, to block views to John Rodriguez's house located directly to the north prior to 1 September 2021. A vote of 6-1 affirmed the motion.

Executive Session discussion: Letter to the Selectboard

Motion made by Member Trudell to enter Executive Session, including Mr. Thomas, to discuss appointment, employment, or evaluation of a public officer or employee to the body that will clearly place the town at a substantial disadvantage (pursuant to 1 VSA §313(4) of the Vermont Statutes). The motion was affirmed by a vote of 7-0. Upon a motion made by Member LeBlanc, the Board exited Executive Session with a letter addressed to the Selectboard that would be signed by DRB Board Members individually and sent to the Selectboard. The motion was affirmed by a vote of 7-0.

The meeting adjourned at 9:00 P.M. - Respectfully submitted by Zoning Administrator Thomas