

MORRISTOWN/MORRISVILLE DEVELOPMENT REVIEW BOARD
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Meeting Minutes of June 13, 2013

Members Present: Karyn Allen, Theresa Breault, Brian Irwin, Susanna Guthmann, Gary Nolan (Chair), Ron Stancliff & Chris Wiltshire

Members Absent: Paul Trudell

Staff: Todd Thomas, Zoning Administrator & Planner

Guests: Jason Heroux of Riverwatch Builders, William Robinson and Alain Fortin of Medford Massachusetts, Chapman Smith, Chip Percy and Arlene Small of Stowe, Winford Small, Joe Blaisdell, Betty Blaisdell, Susie Benoit of Waterbury, Gloria Paine and Adam Grant of Morristown.

Call to Order & Minutes: Member Breault moved to approve the April 25, 2013 meeting minutes. A vote of 5-0-1 affirmed the motion, with Member Wiltshire abstaining. Approval of the February 28th meeting minutes was tabled until a quorum of the members at that meeting is present to vote.

WARNED HEARING: Pittinaro Fence, 895 Cadys Falls Rd, \$630 CU

Member Nolan read the hearing notice and noted the requested 6 foot tall stockade fence along the frontage of the Pittinaro residence at 895 Cadys Falls Rd. Chapman Smith represented the application. He explained that the fence was for privacy and headlight screening from cars leaving Bridge Street. Zoning Administrator Thomas said that he had visited the site with the Town Highway Road Foreman and that there were no concerns with the proposed fence location. Member Wiltshire moved to approve the proposed 6 foot tall stockade fence along the frontage of 895 Cadys Falls Rd. The motion was affirmed by a vote of 7 to 0.

WARNED HEARING: Paine, 94 Lazy Ln, \$460 Home Business, \$500 SDPA & \$630 CU

Mr. Thomas explained the history of how the Paine home business application appeared before the Board. Mr. Thomas noted that he received complaints about a business being operated at the property without a permit. Mr. Thomas said that there was no permit for the business, although the business use appears to be relatively minor. Landowner Gloria Paine presented the application to the Board and said that her husband does some work in the barn and he has one employee that will occasionally grab tools therefrom. She said that none of the other employees of her husband's landscaping business visit the home site. Ms. Paine added that less than a quarter of the barn was used for business purposes. Mr. Thomas provided the Board with pictures of the interior of the barn and noted that, under current zoning, 1022 ft.² of the barn could legally be used for home business purposes. Member Breault moved to approve the requested home business, provided that a maximum of 1022 ft.² of the barn is allocated to business purposes. The motion was affirmed by a vote of 7 to 0.

WARNED HEARING: Grant Auto Shop Expansion, 897 Brooklyn St, \$500 SP & \$630 CU

Mr. Thomas introduced the application for an approximately 65 x 91 L-shaped addition to the Xtreme collision autobody shop and distributed a revised site plan to the Board received earlier

in the day. Applicant Adam Grant said that his business is expanding and he needed the proposed addition to keep up with body work and repair work from a new insurer that he recently started to do business with. Mr. Grant said that there would be no change to outside traffic circulation and there was no new outside parking or lighting proposed as part of the project. Member Irwin asked if the addition would allow more cars to be parked inside instead of outside. Mr. Grant said that it would. Mr. Thomas noted that he received a call from a property owner from the south of the project site with concerns about runoff. Mr. Grant said that this concern had had largely been ameliorated by site work performed by HA Manosh. Mr. Thomas also noted comment letters received from Aubuchon Realty Co. Inc. and RL Vallee Inc. requesting a site plan of the proposed project so they could better determine its impacts on their property. Chair Nolan said that he would also like to see a more defined site plan with some accommodations for drainage thereon. Mr. Grant said that he would submit a revised site plan that showed the building addition, setbacks, drainage, parking and landscaping. Member Wiltshire moved to recess the hearing until July 25th when a more thorough site plan could be submitted. The motion was affirmed by vote of 7 to 0.

WARNED HEARING: Percy 9 Lot §510 PUD, 5999 LaPorte Rd, §740 Preliminary Plat

Chair Nolan read the hearing notice for a nine Lot subdivision/PUD on land owned by Dale Percy. Jason Heroux from Riverwatch Builders spoke to the Board about various environmental issues on the site, including protected habitat and flood zones on the northern section of the property. Mr. Thomas noted that the portion of the property with environmental constraints was approximately 750 to 1,000 feet north of the proposed house sites and also down a significant embankment. The Board discussed the proposed roadway cross-section at length. Mr. Percy said that he would like to build a 16 foot wide gravel road within a 50 foot wide right-of-way. He added that it was his intention that the road would remain private in perpetuity. Mr. Thomas said that the board had the ability to waive certain roadway construction requirements if it was deemed that there was a public benefit to doing so. Mr. Thomas suggested that having the roadway noted as to remain private in perpetuity in the subdivision covenants and potentially in the deeds of the building lots, which should provide the Town with some sort of a surety that the road would not be put up for acceptance in the future when it was not built to Town road standards. Member Stancliff noted that the road currently begins in Stowe and he would like Stowe's input on this project. Mr. Thomas said that he made Stowe aware of the application and Tom Jackman in Stowe's planning office also received notice of this hearing (because the project is within 500 feet of a municipal boundary). Member Stancliff said that he would want some sort of permanent protection placed on the environmentally sensitive areas shown on the plan and/or in the lot deeds if he were to approve this project. Mr. Thomas noted that the Fire Department will want a dry hydrant and a larger pond as part of any project approval. Mr. Thomas also noted that the applicant should supply a base flood elevation for the property and base floor elevations for the basements on lots 1 through 8 as part of the approval process. Member Thomas reiterated that the applicant was only seeking preliminary approval at this point for the proposed subdivision/PUD. Member Wiltshire moved to approve the proposed preliminary plat for a nine lot subdivision/PUD provided that conditions of approval be added thereto that codify the evening's conversation about road design, environmental considerations, dry hydrants, etc. The motion was affirmed by vote of 7 to 0

WARNED HEARING: Schweizer §320 Flood Zone Addition, 144 Sugar House Ln

Mr. Thomas introduced the application for an accessory structure (garage) in a flood zone at 144 Sugar House Lane. Mr. Thomas noted that the application was part of a pending purchase offer of the property and that the buyers simply wanted to ensure that they could build a garage there on if they were to take ownership. Mr. Thomas also noted that a house already exists on the property in an estimated Zone A Flood Zone, but was apparently removed therefrom for flood insurance purposed by FEMA. The Board asked the applicant's to clarify the elevation of the existing house. The applicant supplied the FEMA documentation that removed the house from the flood zone for flood insurance purposes, which showed an elevation of 765 feet. The Board evaluated the site plan and found that the proposed accessory structure would be in a location that was approximately 10 feet above the flood zone. Member Wiltshire moved to approve an accessory structure with a base flood elevation that was 10 feet above the flood zone, as evidence provided by the applicant proved the proposed location to be outside of the Zone A flood zone. The motion was affirmed by vote of 7 to 0.

The meeting adjourned at approximately 8:40 P.M.

Respectfully submitted by Todd Thomas, ZA.

