

Morristown/Morrisville Development Review Board
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Meeting Minutes of June 11, 2015

Members Present: Karyn Allen, John Gloss, Brian Irwin, Susanna Guthmann, Gary Nolan (Chair), Paul Trudell & Chris Wiltshire

Members Absent: Theresa Breault (Alternate)

Staff: Todd Thomas, Zoning Administrator

Guests: Peter Bourne, Randy Fitzgerald, Linda Laraway, Graham Mink, Cindy Chaffee, Ron Stancliff, Joanne and Dick Godfrey

Call to Order & Minutes: Chair Nolan called the meeting to order at approximately 6:30PM. Member Trudell moved to approve the March 26th meeting minutes. The motion was affirmed by a vote of 6-0-1 with Member Wiltshire abstaining. Member Gloss moved to approve the May 14th meeting minutes. The motion was affirmed by a vote of 4-0, with Members Allen, Irwin and Trudell abstaining.

Hearing: Landowner Little Fuel Co., Bulk Storage of Fuel on LaPorte Road, §500 Site Plan

Peter Bourne appeared before the Board on behalf of Little Fuel Co. to request §500 Site Development Plan Approval to add a 30,000 gallon fuel tank to the existing tank farm on parcel 12-128 at 1475 LaPorte Road in the §260 Rural Residential w/Agriculture Zone under the use §481 Bulk Storage of Fuel. Zoning Administrator Thomas noted that the Board's last approval for this site contained a condition that allowed for up to a 10,000 gallon fuel tank to be approved administratively, but that a 30,000 gallon fuel tank was proposed. Mr. Bourne explained the need for the new fuel tank and the landscaping shown on the plan around the berm. Member Allen asked if the new tank will increase truck traffic significantly. Mr. Bourne said that it would not and that any traffic increase may only be tangible during winter heating months. Mr. Thomas said that the Fire Chief has no concerns with the addition of the proposed 30,000 gallon fuel tank to the existing tank farm. Member Wiltshire moved to approve the project as proposed. The motion was affirmed by vote of 7 to 0.

Hearing: Randy Fitzgerald, add Restaurant Use on Bridge St, §500 Site Plan & §630 C.U.

Applicant Randy Fitzgerald and landowner Linda Laraway appeared before the Board to request §630 Conditional Use & §500 Site Plan Approval to construct an 864 ft.² pavilion building and to add the Restaurant Use to parcel 21-062 at 253 Bridge Street in the §220 Neighborhood Commercial Zone. Member Allen said that she lives next door to the proposed project, but had no financial interest in the property as a tenant and therefore could act as a Board member without bias on the project. Randy Fitzgerald explained the proposal for the barbecue restaurant and creamee stand for the pavilion at the rear of the property. Zoning Administrator Thomas noted a property line discrepancy with the parcel to the east owned by Graham Mink. Mr. Mink said that he surveyed his property and his line fell along the drip-edge of the existing building at 253 Bridge Street. Member Allen asked if the pavilion building would be completely open-air. Mr. Fitzgerald said that the kitchen and a bathroom will be closed-in. Member Allen asked about hours of operation. Mr. Fitzgerald said from 7 AM to 9 PM, but that he may want to be there at 6

AM for breakfast. Mr. Fitzgerald said that to mitigate any impacts from his proposed development that he would be amenable to constructing a stockade fence along the common property line with Mr. Mink to a point where the topography of the site makes the fence unnecessary. Abutting resident Cindy Chafee asked about waste from the proposed restaurant. Mr. Fitzgerald said that there would be no dumpster and he would haul trash away daily to his house. Member Wiltshire asked Mr. Fitzgerald if such a condition of approval regarding no overnight trash storage was amenable to him and Mr. Fitzgerald said that it was. Conservation Commission Member Ron Stancliff said that converting this lot to a commercial use will impact the Truck Route negatively and suggested that this parcel should remain residential. Mr. Stancliff suggested a site walk to demonstrate how traffic entering this site could block traffic at the Truck Route traffic light. Chair Nolan agreed about the need for a site walk. Member Allen asked what the fuel source for the proposed restaurant would be. Mr. Fitzgerald responded that it would be a propane tank and that he was amenable to burying the tank with the rest of the site work. A discussion ensued regarding the right-of-way over the adjacent State property that benefits the proposed development. Mr. Thomas said that the right-of-way description did not appear to him to provide a definitive boundary to said right-of-way. Chair Nolan said he would like to see this easement document. It was also agreed that the Board should receive a new site plan that satisfies the boundary line issue and that the property should be staked for a site walk, with said stakes delineating the lot lines, the right-of-way, the proposed building and parking spaces. The site walk was set for July 23 at 5:45 PM or at an earlier agreed-upon time, if the property could be staked in a directly. Member Wiltshire moved to close the hearing and enter into Deliberative Session with a decision being made regarding project approval after the site walk. The motion was affirmed by vote of 7 to 0.

Hearing: Joanne & Dick Godfrey, Stagecoach Road §750 Final Plat Approval

Landowner Joanne Godfrey appeared before the Board to request §750 Final Plat approval to create 3 new subdivision lots from parcel 07-035 at 1418 Stagecoach Road in the §260 Rural Residential Agricultural Zone. Chair Nolan began the conversation by noting that this application, recessed 2007, is likely the longest a Morristown project had ever been recessed. Mr. Thomas said that he warned this subdivision as a new hearing but provided the minutes from when this project was last recessed by the Board. Mr. Thomas explained that the project was last recessed in order to ensure that a reserve septic system could be provided for the small lot in existence on which the trailers sat. Mr. Thomas said that the state engineer had met with Engineer Dean Walker earlier in the day and agreed to a reserve area for the trailer septic system. Mr. Thomas further suggested that any approval of the proposed subdivision should be conditioned upon first receiving this wastewater permit from the State. Member Trudell moved to grant conditional approval of the proposed subdivision provided that the lots all have valid wastewater permits. The motion was affirmed by a vote of 7 to 0.

The meeting adjourned at approximately 8:25 P.M.

Respectfully submitted by Todd Thomas, Zoning Administrator.