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MORRISTOWN/MORRISVILLE DEVELOPMENT REVIEW BOARD

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Minutes of June 10, 2004

Members Present: Gary Nolan, David Silverman, Carol Jennings, Theresa Breault, Jean Wickart, Paul Trudell

Members Absent: Carl Fortune

Recorder: Mark Leonard, Zoning Administrator

Guests: Fred Wagner, Jim Vallee, Darrow Mansfield, Peg Lambert, Roy Marble, Dana Wildes, Dwayne & Karen Lanphear

Chairman Gary Nolan called the meeting to order at 7:30 PM. Theresa moved to approve the minutes of May 13, 2004. Jean seconded the motion and it passed unanimously.

WARNED HEARING: LOT LINE ADJUSTMENT, THEODORE & MARGARET LAMBERT, FAIRWOOD PARKWAY WEST

Gary gave an overview of the application, which will be reviewed under section 795 of the zoning bylaws. Theresa administered the sworn oath to Peg Lambert.

Ted and Peg Lambert purchased two adjoining lots on the corner of Elmore Street and Fairwood Parkway West from the Morrisville Water & Light Department. They propose to subdivide the smaller (0.28 acre) lot among the three adjoining properties, eliminating that lot. The three adjoining lots, owned by the Lamberts, Pattons, and Millers, will each have a third of the lot joined to their properties.

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

WARNED HEARING: 2-LOT SUBDIVISION, DWAYNE & JOSEPH LANPHEAR, FITZGERALD ROAD

Gary gave an overview of the application, which will be reviewed under sections 264, 740, 770, 780, and 810 of the zoning and subdivision bylaws. A pre-application review of the proposal was conducted on May 13, 2004. Theresa administered the sworn oath to Dwayne and Karen Lanphear.

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Dwayne Lanphear presented his plan to subdivide a 2.04-acre lot from an existing 59-acre parcel on Fitzgerald Road. The parcel is currently undeveloped. The 2-acre parcel would have a single family home served by an on-site sewage disposal system and drilled well. It will be accessed directly from Fitzgerald Road.

Paul moved to approve the application as presented. Carol seconded the motion and it passed unanimously.

PRE-APPLICATION REVIEW: ALLEN & SALLY LOURA, 2-LOT SUBDIVISION, LAPORTE ROAD

Darrow Mansfield, representing the Louras, presented their proposal to subdivide a 13.8-acre parcel located off Laporte Road, behind the Mountain View Equestrian Center, into to lots of approximately 7 acres each. Each lot would be permitted for a single family home. The lots are bisected by the Lawrence Brook floodway; home sites would be on the east side of the brook, with no development on the other side. The lots would be accessed from Laporte Road by a right-of-way across two adjoining lots. The property is subject to an Act 250 permit, which the applicants are applying to amend.

David moved that the proposal conforms with the Town Plan. Theresa seconded the motion and it passed unanimously.

PRE-APPLICATION REVIEW: WESLEY LANGDELL, 2-LOT SUBDIVISION, CENTER ROAD

Roy Marble, representing Wesley Langdell, presented his proposal to reconfigure an existing two-acre lot at the corner of VT Route 15 and Center Road and to subdivide one acre from an adjoining 45-acre parcel, resulting in a one-acre lot and a two-acre lot along Center Road. The two lots along Center Road lie within the Commercial zoning district, with most of the balance of the adjoining 45-acre parcel being within the Rural Residential with Agriculture district.

David moved that the proposal conforms with the Town Plan. Paul seconded the motion and it passed unanimously.

PRE-APPLICATION REVIEW: FRED WAGNER, 2-LOT SUBDIVISION, STAGECOACH ROAD

Fred Wagner presented his proposal to subdivide a 6.5-acre parcel on Stagecoach Road that he has an option to purchase into two lots of approximately 3.25 acres each. There were several questions regarding the location of the right-of-way accessing the lower parcel (lot b). Carol requested that a site walk of the property be held prior to the warned hearing on the application.

Paul moved that the proposal conforms with the Town Plan. Theresa seconded the motion and it passed unanimously.

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OTHER BUSINESS:

Tim Vallee, representing RL Vallee, Inc., came before the board to review Conditional Use Permit # 97-134. That permit had authorized various renovations and improvements at the service station and convenience store on Laporte Road at the south end of the village of Morrisville. Most of the permitted improvements have been completed. RL Vallee wishes to raze the main structure and rebuild it approximately 18 feet further back from the current location. The rebuilt structure will remain outside the 15' setback at the rear of the property and will allow vehicles to pass behind it. Tim wanted to know if this proposed relocation fell within the approval granted in the earlier permit or required a new conditional use permit.

David moved to amend Conditional Use permit #97-134 to include the demolition of the existing structure and construction of a new structure of the same overall exterior dimensions approximately 18' further back from the road than the current structure. Jean seconded the motion and it passed unanimously.

Dana Wildes came before the board to discuss the possibility of subdividing the former Blowers property. Part of the Blowers property lies within the Medium Density Residential district in the Village of Morrisville and part lies outside the village in the Rural Residential with Agriculture district. There was some discussion on whether there were one or two separate parcels involved. If the property is in fact a single parcel in single ownership on or before November 15, 1993, Section 203.3 permits the board to apply the zoning and subdivision bylaws of either district to an application to develop the property. This would have a significant impact on the allowable lot size and number of lots in any potential subdivision. Dana will do more research on the property and anticipates bringing an application back to the board.

The board reviewed and Gary signed the final plat for the Peter Beck 2-lot subdivision on Golf Course Road.

The Zoning Administrator presented several questions regarding bylaws prohibiting internally illuminated signs in the Central Business District. There are a number of such signs in the district and he was inquiring when these might have been approved and/or installed. A new business has put up an internally illuminated sign and is citing others nearby as its justification for doing so. Board members could not recall when or if the existing signs went up or if they were pre-existing non-conforming uses. The ZA will research the permit histories on those properties and when the sign ordinance was amended to prohibit internally illuminated signs in the CBD.

On a motion by Theresa, seconded by Paul, the meeting was adjourned at 8:40 PM.

Respectfully submitted,
Mark Leonard, Recorder

Minutes approved on: 6/24/04 TB/DS