

Gloria

MORRISTOWN BOARD OF ADJUSTMENT -- MINUTES
June 10, 1992

BOARD MEMBERS PRESENT: Chairman Gary Nolan; Theresa Breault; Ralph Wiltshire; Ida Mae Anderson; Jean Wickart and Paul Trudell.

BOARD MEMBERS ABSENT: Rose Lambert (Excused).

ZONING ADMINISTRATOR: Gloria Wing

GUESTS/APPLICANTS: William & Flora Myette; Cynthia Lyon-Hill; Jane Thompson; Bill & Matt Alley and Peter & Dawn Bourne, Don Anderson.

The meeting was called to order at 7:38 P.M. by Chairman Gary Nolan, who reviewed the minutes of May 27, 1992 for amendments/corrections. Ralph made the motion to accept the minutes as printed. Jean seconded. Gary advised that on Page 2, 1st paragraph, it should read "Conditional Permit", instead of just permit. Paul advised that also in reference to Pete Couture approval of application for signage, should read that the Variance was "approved", not unanimously approved as he 'opposed'. The minutes of 06/27/92 were approved as amended.

7:41 P.M. -- WILLIAM & MATT ALLEY were in attendance seeking approval of a VARIANCE OF A LOT SIZE, located near the Jct. of Harrel Street & RT 15.

Jean administered the sworn oath to all concerned parties.

The proposed lot is Lot #3, consisting of 1.26 acres in area zoned RR; that access would be off of RT 15; that it would be served by Village water and there is adequate soil and land for an approved septic system. Bill presented maps of the three lots, two of which are commercially used and are grandfathered. The total acreage for the three lots consists of 2.74 acres. Bill gave a history of the property and referred to a letter from Charles Grenier, representing the State, at the time a Church was interested in purchasing the lot. That he first applied for a sub-division in 1982 for three (3) lots; that the State approved permits were filed with the Morristown Town Clerk on 11/01/85.

Bill and Flora Myette advised their previous objections in 1982's application was the Town planned to re-zone the entire area as Commercial/Industrial; that they did not object to this lot being approved for a single-family dwelling. Cynthia Lyon-Hill and Jane Thompson also advised they had no objection to this lot being approved for a single-family dwelling.

Ralph made the motion to grant approval of a Variance of a Lot Size (Lot #3), consisting of 1.26 acres for use as a single-family dwelling. Ida Mae seconded. Approved.

FACTS OF FINDING: Based on and examined under the Town of Morristown's Zoning By-Laws, ARTICLE II, Section 285, (a) Areas, Dimensions & Setback, the Board of Adjustment granted approval for a lot size variance from two (2) acres for a lot consisting of 1.26 acres.

7:50 P.M. -- PETER BOURNE & DAWN ANDREWS BOURNE were in attendance for a Recessed Hearing pertaining to their application. A Deliberative Session was held at 6:30 P.M. this evening to allow the BOA to make a decision whether to allow the Bournes to install a "key operate access diesel fuel pump" on RT 100-S, by their presently located tanks.

Chairman Gary Nolan advised Bournes' that the BOA voted to deny their application, due to the concern for the safety aspect; that several members of the Board had spoken with several members of the Morristown Police Officers, who also opposed this operation because of the concern for safety. Gary also advised that the BOA members were advised by numerous townspeople of the general concern involving large trucks entering and exiting at this location.

Gary advised this application was examined under the Town of Morristown's Zoning By-Laws, **ARTICLE IV. GENERAL REGULATIONS, Section 481, Page 30 (Uses Not Permitted and/or Specifically Regulated (Prohibited Uses) & ARTICLE VI, Section 632.1; 632.3 and 632.6, Page 40.**

Dawn asked that the FACTS OF FINDINGS be written so that if conditions in this area change at some time in the future, they can re-apply to the BOA. Gary assured this would be done.

GENERAL DISCUSSION: The BOA received a letter from George Cormier, Lamoille South School District, regarding the Regional Alternative Education School on RT 15/100, requesting an extension of their permit for an indefinite period of time.

After discussion, it was agreed to extend the permit for a period of one more year and re-examine the permit at the end of this year's extension and possibly grant an indefinite extension at that time.

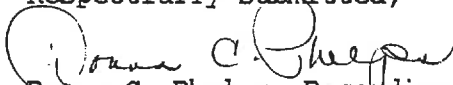
Ralph made the motion to extend the permit for a period of one (1) year and then re-examine and then possibly grant approval for an indefinite period of time. Theresa seconded. All in favor.

Dean Trombley's permit, allowing adding an apartment to the house located at the corner of Congress and Union Street was discussed. Gloria advised that she helped Dean measure the property; that they did have to go almost to the center line of streets to get enough footage to meet the zoning requirements, but it was accomplished.

Gloria advised that on 06/10/92, she received a call from Bournes' Service Station in Stowe, VT that a back-hoe had ruptured one of their tanks and they needed a place to store the contaminated gravel, etc.; that they had the State's and also had permission from Godfrey to store it in his gravel pit by Miller's; that she later found out that they had no even attempted to find a location in Stowe to place the contaminated soil; that she refused to let them bring it to Morrisville.

Ralph made the motion to adjourn the meeting at 8:22 P.M. Paul seconded. All in favor.

Respectfully submitted,


Donna C. Phelps, Recording Secretary
Morristown Board of Adjustment

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