

Morristown/Morrisville Development Review Board
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Meeting Minutes of June 9, 2016

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

Members Absent: Karyn Allen & Theresa Breault (Alternate)

Staff: Todd Thomas, Zoning Administrator

Signed-in Guests: Graham Mink, Engineer Tyler Mumley, Doug Cheng, Leah Hollenberger, Pall Spera, Attorney Becky Olsen and Michele Hines Tomlinson.

Call to Order & Minutes: Chair Nolan called the meeting to order at approximately 6:30 PM. Member Irwin moved to approve the May 26th revised meeting minutes, as discussed (with the correction to Member Guthmann's attendance and the day care backyard hours). A vote of 6 to 0 affirmed the motion.

Hearing: Cheng Property 2-lot subdivision, LaPorte Road, \$750 Final Plat Approval

Landowner Morristown Real Estate LLC, represented by Graham Mink, Engineer Tyler Mumley and Doug Cheng, appeared before the Board requesting \$750 Final Plat approval to create a 2 acre subdivision lot from 24.4 acre parcel 7-007-1 on LaPorte Road in the \$255 Low Density Residential Zone. Zoning Administrator Thomas began the hearing by noting that this lot is included in a pending zoning hearing that would change this land into the \$210 Commercial Zone. Mr. Mink said that the proposed 2.2 acre lot, which was inclusive of the proposed 50 foot wide right of way, would be marketed to a buyer. He added that the proposed lot size, which is much bigger than the underlying zone minimum, provided optimal flexibility for whatever would be built there. Chair Nolan questioned the location of the right-of-way access, ensuring it was not too wet to work with. Mr. Mink responded that the proposed right-of-way backed up to the Jersey Way house lots and that it was upgradient from the low area by the Route 100 road culvert. Mr. Thomas said that securing an Access Permit should be a condition of approval before this lot could be built on. Mr. Thomas clarified that any access request would currently be under State jurisdiction, but this section of Route 100 should be transferred to town jurisdiction in the coming months. Mr. Mink said they he planned to work with the Town to secure access once the roadway is relegated to Town control. Mr. Thomas also said that the subdivision lot would be served by Village water & sewer services and that this connection should also be condition of subdivision approval before this lot could be built on. Member Wiltshire moved to approve the subdivision with the aforementioned access and utility conditions. The motion was affirmed by a vote of 6-0.

Hearing: Green Mtn Kids Daycare, Upper Main St. (Breckenridge) \$630 CU & \$500 SPA

In Deliberative Session, the Board discussed the site walk they had just attended of the proposed daycare at 241 Upper Main Street. Member Irwin moved to add the Daycare Facility use to 241 Upper Main Street, provided that the following conditions are met:

1. Green Mountain Kids Daycare, while operating at this location, shall be limited to 34 children and have hours of operation from 7:30 AM to 6 PM with no weekend activity.

Any expansion in the number of children at the daycare or its hours of operation shall require additional Board approval. With that being said, nothing in the above condition limits how Mr. Breckenridge may personally use his property for non-daycare related activities outside of these hours.

2. Under no circumstances shall the adjacent driveway for Sharon Green's law firm be used by the daycare for parking or as a turnaround. If the daycare employees or any of its clients are found using Sharon Green's driveway within the five years from the date of this decision, the Board shall require a full review of this daycare permit per §639.6 of the Bylaws.
3. A rear fence shall be constructed for the daycare along the existing Chaffee fence as the Chaffee Family is not responsible for providing a fence for the neighboring daycare.
4. Daycare staff shall park their vehicles at the library park and ride, as the existing driveway at 241 Upper Main Street is to be used by Mr. Breckenridge and also used for short term parking only to facilitate the drop-off and pick up of children.
5. As discussed at the site walk, the green strip between the sidewalk and road shall be paved and striped as a loading zone for daycare drop-off and pick up. The paving and striping/hatching shall be from the existing driveway west to the property line with the Graded School Building. Clear signage shall also be installed alongside this new on-street drop-off area showing that the parking therein is for the sole benefit of the daycare and not the general public.
6. The snow removal for the newly paved green strip area shall be the responsibility of the property owner and not the Village Road Crew.
7. As discussed at the site walk, the Village Road Crew shall continue the painted fog line across the front of the subject property and the property owner shall be responsible for the reimbursement of any associated costs for this limited work item.

The motion was affirmed by a vote of 4 to 0 to 2, with Members Gloss and Trudell abstaining.

The meeting adjourned at approximately 9:30 P.M.

Respectfully submitted by Todd Thomas, Zoning Administrator.