

MORRISVILLE/MORRISTOWN PLANNING COMMISSION

Minutes of June 4, 1991

Planning Commission Members Present: Jane Greene, Gene Fellows, Debra Mason, Gary Smith, Norman Nepveu, Adrian West.

Also present: Gloria Wing, Zoning Administrator, Patti Spear, Circuit Planner, and guest list attached.

Meeting was convened at 7:30 p.m. Minutes of May 21 were unanimously approved. Chairman Smith reminded those present of the public hearing for comments on proposed amendments to the Town Zoning Bylaw and Interim Subdivision Regulations to be held on Thursday, June 7 at 7:30 p.m. at the Public Safety Building.

BREWER - Preapplication meeting for 2 lot subdivision off Shady Lane Road (TH7). Charles Burnham represented applicants who propose to divide approximately 10 acres into a 2.7 acre parcel including an existing house and barn and a 7.3 acre lot to be retained at this time by current owners. An exemption from state subdivision review has been obtained for the existing house lot. The lot to be retained has been granted a deferral of state permit.

The application was classified a Minor Subdivision upon unanimous vote of the commission. A warned hearing is scheduled for June 18 at 7:45 p.m.

FITZGERALD - Warned hearing of application for permit to divide 14.3 acre parcel on Fitzgerald Road (TH 40). This application was classified as a Major Subdivision at the preapplication meeting. Applicant has since changed plans and will divide the parcel into only 2 lots. Commission voted unanimously to consider the application a Minor Subdivision for review under Section 230 of Morristown's Interim Subdivision Regulations.

Project involves creation of 4.3 acre lot with existing home and 10.0 acre lot with deeded 50 foot ROW to Fitzgerald Road. Existing home has received state subdivision permit exemption. Proposed septic system and water supply are shown on plat. No clearing will occur on the site. There are no covenants or deed restrictions.

Findings of Fact: This application complies with the requirements of Section 230 of Morristown Interim Subdivision Regulations. This is the second subdivision of the original Fitzgerald parcel. Three lots have now been created, and any further subdivision will be reviewed as a Major Subdivision according to Section 240 of the Interim Subdivision Regulations.

Decision: Upon motion by West, application was unanimously approved.

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BLACK - Preapplication meeting for 2 lot subdivision on Frazier Road. Applicants Norman and Annis Black, represented by Alan Newton, propose to divide 4.48 acre parcel. Lot 1 (2.37 acres) has received a state subdivision permit which will need an amendment to correct an error in acreage computation. Applicants will seek a deferral of state permit for Lot 2 (2.11 acres) which is currently leased to Twin State Cable and houses satellite dishes. A 50 foot ROW is provided across Lot 1 for access to Lot 2. The ROW is also used by adjoining property owner Blake.

Project was classified as a Minor Subdivision and will be examined according to Section 230 of Morristown Interim Subdivision Regulations at a Warned Hearing on June 18 at 7:45 p.m.

CHEROKEE HOLDINGS - Recessed hearing of application for 14 lot subdivision in Sterling Valley. John Monks represents Cherokee. Monks presented items previously requested by the Commission including letters from Morrisville Police Department, Fire Department, and Rescue squad; letter from VT Agency of Natural Resources with conditions for development of Class 3 Wetland; and results of septic system test pit monitoring. The applicant also provided letters detailing changes to covenants and granting permission for the Town to hire Wagner, Heindel, and Noyes to review the project's stormwater disposal plan at Cherokee's expense.

Monks suggested that it would be acceptable to include as a condition of the subdivision permit that school children must be transported by parents to the covered bridge on TH~~32~~³⁹ to receive bus service. Commission members requested that the applicant obtain written position statement from the Superintendent of Schools.

Project engineer, John Stewart presented information on septic systems, erosion control, and stormwater disposal. As a result of recent test monitoring, septic systems have been redesigned to include 4 individual on-lot mound systems, 2 shared conventional systems, and the remainder individual conventional systems. These systems must still be reviewed by the state. Concerns were raised regarding maintenance of the shared systems. William Kelk, attorney representing Cherokee, answered that yearly inspection by an engineer and pumping every three years will be responsibility of the homewoners association. This responsibility and the financial arrangements will be set out in the association bylaws.

Temporary erosion control will be provided through the use of staked haybales and silt fences. Permanent erosion control will include seeding and mulching of disturbed areas. Commission members, road commissioner, and representatives of adjoining landowners expressed concern regarding the phasing of the project and how erosion and drainage will be controlled previous to placement of proposed infrastructure.

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Stormwater drainage will be handled by 3 detention basins. Stewart submitted data illustrating his calculations to support the placement and design of the basins. Full copies of the calculations and designs have been delivered to Wagner, Heindel, and Noyes for their evaluation. Cherokee is offering to place a 36 inch pipe on Sterling Brook above the present culvert to slow excess runoff in case the detention ponds fail to provide adequate diversion. Bill Moulton expressed doubt that this measure would be effective. Charles Burnham, representing adjoining landowner Lowenstein, requested that the applicants explore options to divert runoff released from basin number 2 away from the Lowenstein property. Stewart suggested that the velocity of this runoff could be lessened by using a smaller outflow pipe. Hal Stevens, attorney representing Lowenstein, questioned Stewart's assumption regarding the amount of clearing which will take place on the lots since landowners will be allowed to clear as much as 50%. Commissioners asked about the maintenance of the ponds. The state permit process requires quarterly inspection and the filing of a yearly report. This will be the responsibility of the homeowners association.

A letter from Charles Burnham was submitted to the Commission on behalf of the Lowensteins. In Burnham's opinion, Stewart's calculations do not account for the entire area which the drainage improvements must service. Burnham also expresses concern regarding the proximity of proposed clearing limits on lots adjacent to the Lowenstein property, covenants, association bylaws, road construction standards, and proposed recreation trails.

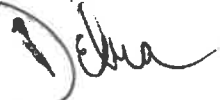
Bill Moulton asked that the permit include a condition to limit heavy truck traffic servicing this project on town roads between March 1 and May 1.

There will be an informal meeting with a representative of the State Department of Environmental Conservation regarding the state stormwater drainage permit for the project on Thursday, June 6 at 10 a.m. at the Public Safety Building.

Hearing is recessed to June 18 at 7:00 p.m. to hear report of Wagner, Heindel, & Noyes regarding the stormwater drainage plan.

Meeting was adjourned at 10:30 p.m.

Respectfully submitted,



Debra Mason