

**MORRISTOWN BOARD OF ADJUSTMENT
AND PLANNING COMMISSION**

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Minutes of May 31, 1995

Members Present: Theresa Breault, Ida-Mae Anderson, Ralph Wiltshire, and Paul Trudell from the Board of Adjustment. George Robson, William Bourne, Sam Guy, Norman Nepveu, Jane Green and Rich Furlong from the Planning Commission

Members Absent: Jean Wickart, Francis Willey, Keith Thompson, and Gary Nolan from the Board of Adjustment and Deb Mason from the Planning Commission, all were excused.

Zoning Administrator: Kenneth J. Sweetser

Guest Present: See sign in sheet attached

The meeting was called to order at 7:00 p.m. by George Robson Chair.

RECESSED HEARING CONDITIONAL USE AND SITE PLAN APPROVAL MURPHY REALTY.

George explained how the meeting would be conducted and that the three issues before the two Boards were:

1. Compliance with permit # 94-50
2. Drainage
3. Traffic flow/parking.

Compliance:

The Zoning Administrator presented an overview of the compliance issue of the curbs that were to be installed prior to the store opening and the agreement reached on temporary curbing until May 15, 1995. The two foot concrete curbing is from the joint Boards decision on permit # 94-50 Findings of Fact numbers 16 and 17.

George explained to the new members how and why the two foot curbing is in the decision.

Drainage:

Greg Hetzler of DuBois & King the engineers for the applicants explained what would happen if the curbing was removed without trench drains being install, water would run onto Munson Ave. They are proposing two 25' long trench drains with 12"

grates (trenches would be 10" wide and 12" deep) this would be approximately twice as much grate area. This design will capture 99% of water from upper parking area and 80% from lower parking area.

The Boards raised questions on winter freezing and outlet pipe size to Mr. Hetzler.

Mr. Hetzler stated that maintenance in winter time is necessary to keep the trench drains from freezing. The outlet pipes are 8"-12" that will drop into the existing 15"-18" drainage pipes.

Bill Moulton explained his feeling on trench drains. He agrees that there will be more square feet of grate coverage. He raised concern that from the current drain system it was determined that a 15"-18" drain pipe was needed and with the trench drains water could be funned down as little as an 8" drain pipe. He is concern that the ditches will fill and pack in with snow and ice and then freeze solid during the first cold night. If it freezes solid that only a jack hammer can remove the ice and this would damage the trench drain. If you get a January thaw, winter rains, or spring thaw water will overflow the trench drains if frozen solid and run onto Munson Ave. Presently very little water goes down Munson Ave. with the current drainage system in place.

Bernard Murphy asked Mr. Moulton about heavy salting of the trench drains.

Mr. Moulton feels this has solution will not work and has problems as salt gets diluted and freezes and salt will not work below a certain temperature. Also, he feels this will cause an environmental problem by heavy salting.

Traffic Flow/Parking:

Mr. Hetzler explained that traffic is currently channeled. Three aisle parking lots do not create a high speed problems. The proposed changes will make the parking area more user friendly. In Mr. Hetzler conversation with Morristown Police Chief Richard Keith, Chief Keith concerns were only the fire lanes and he felt the new design was fine.

"Cart Corral" were discussed as they were not on the original site plans. Joe Brosseau of Price Chopper stated that they are installed for better cart control and that they can be made movable to aid in plowing.

George explained to everyone that Bill Moulton has to sign off before a permit can be approved.

Ralph made a motion to go into deliberative session, seconded by Paul and approved unanimously.

The Boards entered into deliberative session at 7:48 pm.

The Boards came out of deliberative session at 8:40 pm.

Ralph made a motion to approve the applicant request temporarily with conditions, seconded by Norm and was approved unanimously.

The Board of Adjustment Adjourned and the Planning Commission meeting continued.

INFORMAL DISCUSSION WITH SELECTBOARD ON FIRE STATION LOT.

Don Anderson explained that the Selectboard wanted to square off its fire station lot as the fire station is full currently. Sonny Demars adjoining landowner has offered to give the town a 1,500 square foot area to square off the fire station lot. Mr. Demars wants a letter stating that he will not lose his grandfathered clause that allows him to have three apartments. The problem is Demars is non-complying in lot size now and this would make him more non-complying. The Board felt that there was little that they could do as the regulation prohibit making a lot more non-complying. Their suggestion was to take the property by eminent domain. Ken agreed to work with Don on this process.

Other Business:

Mac Miller, Jr. has someone living in one of the old chicken barns without a septic system. The BOS and PC felt it is a violation and to tell him to resolve the situation by getting an approved septic system installed or not allowing anyone to live in the barns.

Holy Cross Church wishes to make a small addition 5' X 22' to make room for a handicap elevator. The addition will meet the setbacks and is between two of their buildings. The Board ruled this was an accessory use/building and instructed the Zoning Administrator to issue the permit.

The Board went into executive session at 9:08 pm and came out at 10:20 pm.

The Board adjourned at 10:25 pm.

Respectfully submitted,

Kenneth J. Sweetser, Scribe.