

Morristown/Morrisville Development Review Board
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Meeting Minutes of May 26, 2016

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

Members Absent: Paul Trudell & Theresa Breault (Alternate)

Staff: Todd Thomas, Zoning Administrator

Signed-in Guests: Sharon Green, Laurie Johnson, David Vinick, Brad Limoge, Pam Gagnon, Kathy Chaffee, Scott Mansfield, Michael Hubbard, Sara Haskins, Cara Hancy, Nicole Walker, Jeal Breckenridge, Hannah Freda, Travis Gallant, Ayla & Tom Bousquet, Kristin Moodie, Kari Anderson, Steve Groff, Gerald Groff, Maria Dell, Michael Carroll, Sharon and Bill Rowell.

Call to Order & Minutes: Chair Nolan called the meeting to order at approximately 6:30 PM. Member Irwin moved to approve the April 28th meeting minutes as presented. A vote of 5 to 0 affirmed the motion with member Guthmann abstaining.

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

Applicant Jeal Breckenridge appeared before the Board requesting §630 Conditional Use & §500 Site Development Plan Approval to add the Day Care Facility use within his existing house at 241 Upper Main Street on parcel 21-002 in the §225 Mixed Office Residential Zone. Mr. Breckenridge explained that the Green Mountain Kids daycare would occupy the entire house at 241 Upper Main Street, but not the garage. He said that this was a good location for a daycare, as there is a daycare at the Graded School Building next door and the Morrisville schools are right up the hill. Sara Haskins from Green Mountain Kids explained that her nonprofit daycare serves up to 34 children and has hours of operation from 7:30 AM to 6 PM with nothing on the weekends. She said the vast majority of their children arrive on the school bus at 3 PM and stay until a little after 5 PM. Besides these children in the afternoon, there are 10 preschool children that will be on the property earlier in the day at various times. Ms. Haskins pointed out that Green Mountain Kids operates year-round and that pick-up of the children at the end of the day is sporadic and usually limited two parents at the time. Mr. Breckenridge said that his building had been preapproved by the State for the daycare and that he has little work left to do to comply with State regulations. He emphasized that the daycare will not be able to use or turnaround in Sharon Green's driveway next door. Ms. Green said that her driveway had historically been negatively impacted by previous uses of 241 Upper Main Street. Zoning Administrator Thomas said that a condition of approval that this driveway shall not be used by the daycare would be enforceable through zoning and DRB review of the permit after it is granted. Mr. Breckenridge then talked about mitigating the impacts to the Chaffee house behind his property. Ms. Chaffee said that she is concerned about the noise. She asked that the Board limit on outside yard use to no later than 5 PM. Ms. Chaffee also said that she wants her fence replaced on the rear property line every 10 years. Mothers of the daycare said that the fence is a nonissue, as they would be happy to replace it. Member Guthmann asked about daycare staff. Ms. Haskins said that there are four part-time staff and a couple of full-time employees. Cara Hancy, a mother in the program who lives just up the Road on Elmore Street, said that she thought this is a great location for the

daycare and that the drop-off and pickup will work smoothly. Mr. Breckenridge agreed and said that the curbside drop-off will work and will keep people from parking in the Green's driveway next door. The Board discussed doing a site-walk of the property. It was decided a site-walk would take place that 5:45PM on Thursday June 9. The Board discussed conditions of approval including the new rear fence, hours of operation from 7:30AM to 6PM and that employees must park at the library park-and-ride. Member Irwin moved to convene the Board in Deliberative Session to discuss the application further. The motion was affirmed by vote of 6 to 0.

Hearing: 78 Pope Meadow Dr. Waiver (Pope Meadow Development LLC) §500 SPA

Scott Mansfield and Pam Gagnon appeared before the Board on behalf of Pope Meadow Development Inc. who was requesting a §254.1 Waiver for 1 foot of setback relief on parcel 08-003-11 at 78 Pope Meadow Drive in the §250 Medium Density Residential Zone. Mr. Mansfield explained that he built the duplex on lot 11 seven inches over the front setback line. As such, he was requesting a foot of setback relief to cure this issue. Mr. Thomas explained that this issue can also be cured by Mr. Mansfield doing a lot line change, but this avenue was less desirable due to the need to update State permits. Member Gloss asked how long ago this issue was discovered. Mr. Mansfield said it was discovered recently, a little more than a year after construction. Member Nolan said that he has no problem giving a waiver for 1 foot of setback relief, since that is well within the 15% of when relief the Board was authorized to grant. Member Allen moved to grant a 1 foot waiver for the requested setback relief. The motion was affirmed by vote of 4 to 2, with Members Irwin and Gloss in opposition.

Hearing: Auto Repair Home Business at 246 Trombley Hill (Carroll) §630 CU & §500 SPA

Applicant/landowner Michael Carroll appeared before the Board requesting §630 Conditional Use, §460 Home Business & §500 Site Plan Approval to add the Motor Vehicle Service Station use in the existing garage on parcel 08-113 at 246 Trombley Hill Road in the §260 Rural Residential Agricultural Zone. Mr. Carroll said that he planned to do car repair in the detached garage on his newly acquired property – a one-bay shop. He said he would like hours of operation from 8 AM to 9 PM weekdays and on Saturdays from 8 to 5. He added that he is the only employee and that all work will be done inside the garage with the door closed. Member Nolan asked if body work would be done. Mr. Carroll said no. The Board talked about the need for screening between the business parking spaces in front of the garage and Trombley Hill Road. Mr. Thomas said that §483 of the Bylaws would be added as conditions to the permit if it were approved. Member Wiltshire moved to convene in Deliberative Session to decide on the application. The motion was affirmed by vote of 6 to 0. In Deliberative Session, the Board attached the following special conditions of approval:

1. The sale of used cars is not allowed on the property without additional Board approval.
2. The applicant shall be allowed to park a maximum of five customer cars on the lot at any one time (four cars outside and one car in the garage). Any car parked on the property that is not registered to the applicant shall be considered a customer car.
3. Customer parking shall only take place in the four middle parking spots on the site plan.
4. Vegetated screening shall be planted between the four customer parking spots and Trombley Hill Road. This screening shall be robust enough so that the aforementioned parking area shall be fully screening by 1 June 2017. If the screening is not completed by this date, the Zoning Administrator shall order the applicant to immediately address this

- issue with enough plantings to provide for full screening.
5. All repair work for vehicles on the property must be conducted inside at all times with the door to the garage closed.
 6. Tires shall not be stored outside anywhere on the subject property.
 7. The hours of operation for the Home Business, which shall be inclusive of cars being dropped off for repair work, shall be limited to the hours of 8:00 AM to 6:00 PM on weekdays and from 9 AM to 1 PM on Saturdays.
 8. Per 462.1, the business is limited to no more than 3 on- premise employees.
 9. As offered by the Applicant during the hearing, the garage, as retrofitted for the home business use, shall be insulated, climate controlled and sheet-rocked to reduce noise.
 10. This Home Business permit shall not be transferrable to another property owner, heir or assign without reappearing before the Board for a permit amendment.
 11. The existing spotlights on the garage, and any new lighting, shall be made compliant with the §490 lighting requirement of the Bylaws.
 12. Per §483, no pieces or parts or other material or supplies associated with the vehicle sales and service are to be outside except those in a screened and covered dumpster.
 13. Per §483, all hazardous materials must be disposed of properly, including but not limited to: grease, oil, solvents, transmission fluids, antifreeze, paints, batteries, etc.
 14. Per §483, all vehicles on the property, including personal vehicles, shall have a valid Vermont Inspection Sticker within 15 days of arriving on the property and must be in a drivable roadworthy condition, or must be moved to another approved location. Vehicles where parts have been ordered for and have not arrived shall have a total of 15 days (the time before the parts were ordered and once the parts arrive) to have a valid Vermont Inspection Sticker or the vehicle must be removed.
 15. Per §483, no junk vehicles may be kept on site for more than 24 hours.
- Member Irwin moved to approve the project as a conditioned above. The motion was affirmed by vote of 6 to 0.

Hearing: Farrell Electric, 417 Brooklyn St. (Groff) §630 CU & §500 SPA

Applicant/landowner Farrell Electric appeared before the Board requesting §630 Conditional Use & §500 Site Development Plan Approval to add the Business Services & Retail Delivery of Goods uses to the New & Citizen building on parcel 21-128 at 417 Brooklyn St in the §210 Commercial Zone. Steve Groff, representing Farrell Electric, told the Board that he wants to move his company from Wabun Avenue into the old News & Citizen building. Mr. Thomas noted that no site plan was submitted, but that no development was taking place and that the application was a simple change in use that he thought the Board would be better to approve than him given the underlying zoning. Member Allen suggested that future changes to the site would require the submission of a site plan for Board approval. Member Irwin added that he would like to see a one, three, and five year review of this project as a condition of approval in case Mr. Goff indeed needs to do additional exterior work to the property. Member Irwin moved to approve the application with the aforementioned conditions and the Board's standard conditions. The motion was affirmed by vote of 6 to 0.

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

Respectfully submitted by Todd Thomas, Zoning Administrator.

