

FILE COPY

**MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
P.O. BOX 748
MORRISVILLE, VT 05661
Phone (802) 888-6373
Fax (802) 888-6378**

Minutes of May 26, 2005

Members Present: Carl Fortune, Theresa Breault, Jean Wickart, Gary Nolan, Paul Trudell

Members Absent: Carol Jennings, David Silverman

Recorder: Mark Leonard, Zoning Administrator (ZA)

Guests: Daniel Demars, Claudia Stauber, James Colletti, Cheri Hughes

Chairman Gary Nolan called the meeting to order at 7:30 PM. Theresa moved to approve the minutes of May 12 2005. Jean seconded the motion and it passed unanimously.

WARNED HEARING: DEMARS PROPERTIES, CONDITIONAL USE (EXPANSION OF NON-CONFORMING USE), 197 HARREL STREET

Gary introduced the application, to be reviewed under sections 223. 430-435, and 630-635 of the zoning and subdivision bylaws. Theresa administered the sworn oath to Dan Demars, representing the applicant. There were no interested parties present.

Demars Properties is seeking to expand the existing non-conforming use in the former Demars Hardware Store in the Industrial District at 197 Harrel Street by leasing approximately 1400 square feet to the operators of Curves, a women's fitness center. Dan noted that the building had long been a retail business and that they had converted a portion of the hardware store space for offices. Several minor exterior changes (an additional doorway and some windows) were contemplated, in addition to interior modifications. There would be no locker room or showers in the facility that would necessitate additional water or sewer allocations.

Theresa moved to approve the application with the condition that any exterior lighting that might be added would be downlit and shaded. Jean seconded the motion and it passed unanimously.

WARNED HEARING: JAMES COLLETTI, CONDITIONAL USE, SINGLE FAMILY DWELLING IN THE RURAL RESIDENTIAL WITH AGRICULTURAL USES AND SPECIAL INDUSTRY DISTRICT(RRA/SID), 3107 VERMONT ROUTE 15 EAST

Gary introduced the application, to be reviewed under sections 243-244, 421, and 630-635 of the zoning and subdivision bylaws. A site walk of the property, attended by Gary, Carl,

Paul, Jean, Theresa, and the ZA, was held prior to the hearing. Theresa administered the sworn oath to James Colletti and adjoining property owner Cheri Hughes.

James Colletti explained that he and his wife wish to put a mobile home on the 1.5-acre parcel that currently has a snack bar on it. Such a use is a conditional use in the RRA/SID district. The lot is a pre-existing non-conforming lot. He said that the parcel had previously had a mobile home on it, in addition to the snack bar, but that it had been removed several years ago around when the snack bar had been expanded. The ZA noted that the property obtained new local and state wastewater permits at that time to allow for a 30-seat restaurant, with no residential use included. Adding the mobile home back will require expanding the septic leachfield, which is located by easement on an adjoining parcel owned by Morrisville Water & Light, and obtaining an amended state wastewater permit for an additional 400 gallons per day capacity.

Carl moved to approve the application with the condition that the applicant obtain and file with the zoning administrator the necessary amended state wastewater permit. Jean seconded the motion and it passed unanimously.

OTHER BUSINESS:

Claudia Stauber presented a plan to subdivide her 11.9-acre lot on Goeltz Road into two lots of 9.6 and 2.3 acres, respectively, for pre-application review. Paul moved, and Carl seconded, that the proposal conformed to the Town Plan for residential development. The motion passed unanimously.

The board met in deliberative session on the appeal by Judith St Aubin of the zoning permit granted to Larry Bertrand for an office building behind 84 Lower Main Street. The board had conducted a site visit to the subject property prior to this evening's meeting, attended by the members present, the applicant, appellant, appellant's partner and Kenneth Williams, friend of the appellant. The ZA excused himself from the deliberative session. The board voted unanimously to uphold the ZA's decision to approve the zoning permit for Larry Bertrand.

On a motion by Theresa, seconded by Carl, the meeting adjourned at 8:50 PM.

Respectfully submitted,
Mark Leonard, Recorder

Minutes approved on: 6/23/05 AR/sw