

MORRISTOWN BOARD OF ADJUSTMENT MINUTES
MAY 23, 1990

Gloria

BOARD MEMBERS PRESENT: Jean Wickart; Theresa Breault; Rose Lambert; Don Anderson; Paul Trudell (with Ralph arriving at 7:50 P.M.)

BOARD MEMBERS ABSENT: Gary Nolan and Michael Boudreau.

ZONING ADMINISTRATOR: Gloria Wing

GUESTS/APPLICANTS: Attached to Original Minutes.

The meeting was called to order at 7:30 P.M. by Chairman Theresa Breault, who reviewed the minutes of 05/09/90 for corrections/amendments. Don made the motion to approve the minutes as written. Jean seconded. All in favor.

EVIDENCE: In reference to Title 12, VSA 5810, Jean administered the sworn oath prior to giving evidence, to applicants/guests present.

7:30 P.M. -- DAVID BOTHFELD/KAREN SEIDEL were present seeking a **VARIANCE** to a rear set-back of 9' from the adjacent property line for two (2) temporary cold frame structures on RT 100-N/Brooklyn Street by Bailey's Floral, advising they are applying for a seasonal permit. Adjacent property owner, Wayne Blaisdell was present and voiced his objections; that these structures could remain until the requested date of 06/15/90, but he did not want them to be allowed again in the future.

Theresa advised this hearing would be heard under Title 24, VSA 4468, Variances, Page 55, addressing each of the five (5) criteria.

Seidel advised that topographically, they are unable to construct these cold frames in any other location on their property; they did not create the hardship, caused by the weather which forced them to construct the frames in early April due to plants arriving unexpectedly. That eventually when cash flow allows, they plan to construct a circular driveway, but do not know when at this time.

Paul suggested grading to allow construction within the required set-back requirements.

Mr. Blaisdell again stated he was not insisting the structures be removed this season, but they shouldn't have been allowed in the first place and should not be allowed again.

Siedel stated they were applying for a seasonal permit due to the fact they had to pay a \$100.00 fee which would be for a period of one (1) week before they removed the structures.

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Ralph made the motion to conduct a Site-Walk of the property on May 30th, 1990 at 6:45 P.M. prior to a Special Meeting of the BOA being held. Paul seconded. All in favor. Paul then made the motion to recess this hearing until May 30th, 1990 at 8:00 P.M. Jean seconded. All in favor.

8:00 P.M. -- MARVIN & LINDA TALLMAN, accompanied by ATT. ERIC PARKER, reference the allowed uses of the Quanset Hut, located on RT 12. They advised that they have lost potentials sales of the property due to the uncertainty in which this property can be utilized; these buyers would like to know what the reasonable commercial use of the land can be for. The property is a small parcel of land (.07 acres) with limited use; without sewage system allowed. Ralph stated that he believed it could only be used for cold or heated storage.

Jean administered the oath for evidentiary purposes to all parties concerned.

Tallmans are still using the property to repair equipment.

Don advised this is zoned as AG/RR and read the allowed uses, advising he believes this has been used as an accessory use.

Gene Condon advised the minimum lot size is 2 acres; this lot is .07 acres, does the BOA have the authority to grant a variance for lot size. The Board advised, no, this would never be approved.

Tallman's advised they obtained all necessary State Permits when they purchased this property; that they were utilizing the property before and when the neighbors purchased they residences and knew what the property was being used for; that they pay commercial tax rates.

Mr. Parker requested the board to foreward in writing their decision on how this property can be utilized. Theresa requested Mr. Parker to find out from the proposed buyer what the plans are for their use of this property. Mr. Parker advised he will send to all concerned a copy of the Commercial Use Permit he has in his files, asking that it be considered part of tonight's presentation.

8:55 P.M. -- VARIANCE: ERNEST PLANTE, Earl Gray Road, requesting front Set-Back of 12' from the required 25' for an addition to the front of his barn, to be used for feed access into the barn, which will be an 8' X 8' overhead door.

Gloria advised that Bill Moulton has measured the area and does not feel it would interfere with traffic or plowing.

Ralph made the motion the variance for 12' front set-back

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from the right-of-way be approved, provided the usage be for an entrance for feed only. Jean seconded. All in favor.

FACTS OF FINDING: This application having been examined and heard under Title 24, VSA 4468, Page 55, VARIANCES, and having met all five (5) of the criteria as outlined, was granted approval with the stipulation the access variance to the barn is to be used as an entrance for feed only.

VARIANCE: ERNEST PLANTE, seeking a 10' side set-back for the construction of a two-car garage on his property on the Randolph Road, adjacent to Jeff Mitchell's residence; that he does not plan to construct the building until next year but would be drawing gravel/fill which would need to settle prior to construction.

After discussion, Jean made the motion to grant the 10' side set-back Variance. Ralph seconded. All in favor.

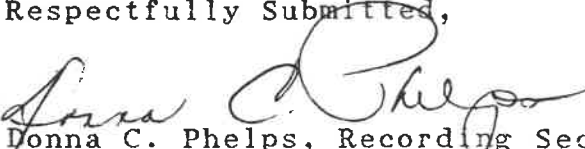
FACTS OF FINDING: This application having been examined and heard under Title 24, VSA 4468, Page 55, VARIANCES, and having met all five (5) of the criteria as outlined, was granted approval.

GENERAL DISCUSSION:

JOHN LUCAS was in attendance at Lucas' request, to discuss with the Board the missing portion of the cassette tape of the taped meeting of 03/08/88, inquiring why a portion of the tape was blank. After discussion, Ralph made the motion to cease further discussion pertaining to this matter due to its irrelevance to anything. Paul seconded. All in favor.

The Board discussed general business matters and then adjourned at approximately 09:35 P.M.

Respectfully Submitted,


Donna C. Phelps, Recording Secretary
Morristown Board of Adjustment

/dp

Print:Print: Complete mailing Address

Name

- 1 Karin M. Seidel OO RR1 Box 3125 Brooklyn St. Morrisville, VT
- 2 David B. Boffel " " " " " "
- 3 Wayne B. Bristell RD1 Box 23130 Morrisville, VT
- 4 David B. Fagnant RR1 Box 400 Morrisville
- 5 Deborah Fagnant RR1 Box 400 Morrisville
- 6 GENE CARON POB 176 Stone
- 7 Jan Hall PO Box 160 Elmore, VT
- 8 Edith B. Bristell Morrisville, VT 05661
- 9 Marlene B. Bristell Morrisville, VT
- 10 Sharon Rowell Box 870 RR3 Morrisville, VT 05661
- 11 Arlene Welch Box 330 Elmore Rd. Morrisville, VT
- 12 Earl Welch " " " " " "
- 13 ERIC PARKER 183 N. Main St., Barre, VT
- 14 Jack Tuttle P.O. Box 77 Wolcott VT
- 15 Mervin Tallman Jr. " "
- 16 JOHN LUCAS RR#3 MORRISVILLE, VT
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