

Morrisville/Morristown Development Review Board
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Meeting Minutes of 22 May 2024

Members Present: Donnie Blake, Gary Nolan (Chair), Paul Trudell, Chris Wiltshire, Christy Snipp, Mary Ann Wilson, Lenny Wing (Alternate)

Members Absent: Susanna Burnham, Mellissa LeBlanc (unneeded Alternate)

Staff: Zoning Administrator Todd Thomas, A/V Recorder Charlie Burnham

Guests: Sam Lukens, Chris Brutzman, Eng. Dexter Lefavour, Nick Manosh, Diane & Marc Cote

Call to Order: Chair Nolan called the meeting to order at approximately 6:00 PM.

Minutes: Member Wiltshire moved to approve the March 27th meeting minutes. A vote of 5-0-2 affirmed the motion, with Members Snipp & Wilson abstaining.

Hearing: §630 Cond Use & §500 Site Plan Approval, 194 Cadys Falls (Sterling Autobody)

Chris Brutzman and Sam Lukens appeared before the Board on behalf of property owner Cadys Falls Holdings LLC who was requesting §630 Conditional Use & §500 Site Plan Approval on Parcel 07321-2 in the Industrial Zone to add a 96x18 addition to the autobody shop at 194 Cadys Falls Road, and to delete Conditions #1 & #7 from the autobody shop's originating Permit 2017-077. Mr. Brutzman and Mr. Lukens explained that their business had grown considerably since it opened on Cadys Falls Road, and that the requested 96x18 addition would be used for storage and a badly needed office space expansion. Board Members noted there seemed to be no setback concerns with the proposal, and Zoning Administrator Thomas said that this addition would be located on the opposite side of the existing building from the floodzone. The Board discussed the warned request for permit relief from Conditions #1 (500+ ft² additions to require further Board review) and Condition #7 (no more than 7 cars parked outside). With Sterling Autobody never receiving a neighbor complaint or a zoning violation over the last 5 years, coupled with the high level of permit activity in the zoning office, it was decided by consensus that these two permit conditions should be deleted as part of the written DRB decision that would result from this application. Member Wiltshire moved to approve the addition as proposed and eliminate prior Permit Conditions #1 & #7 as requested. A vote of 7-0 affirmed the motion.

Hearing: §795 Lot Line Change, §630 Cond Use & §500 Site Plan Approval, 543 VT Route 15 East (Leo's Small Engines)

Nick Manosh and Engineer Dexter Lefavour appeared before the Board on behalf of property owner Leos Small Engine Sales Rentals & Repair who was requesting §795 Lot Line Change, §630 Conditional Use, & §500 Site Plan Approval on Parcels 08066 & 08066-3 (which are split between the Commercial Zone and the Rural Residential Agricultural Zone), to construct a 100x60 commercial shop building at 543 VT Route 15 East, and to delete Condition #1 and modify conditions #6, #7, #8, & #9 from Permit 2013-111, which created the existing Leo's Small Engines commercial development. Mr. Manosh explained to the Board that the proposed 100x60 commercial building was intended to expand the existing Leo's Small Engines equipment rental offerings into heavy equipment, which would create 4 to 5 new jobs. Member Lenny Wing asked if the heavy equipment would be parked out in front or behind the new building. Mr. Manosh said the heavy equipment would be parked out behind the new building. Chair Gary Nolan brought up the issue noted in the warning about the need for a §795 Lot Line Change because without it, the proposed development would sit in two different zones. Mr. Nolan specified that the proposed heavy equipment rental building was proposed on the east or

residential side of the existing Leo's Small Engines building, and the commercial zone was on the west or opposite side of that building. Mr. Thomas clarified that the zoning boundary line arrived from the west, via a line projection from the intersection of Center and Langdell Road to the terminus of Lanphear Road right-of-way, from which point the zoning boundary turns due south to a point of intersection with Vermont Route 15 East. He further explained the zoning boundary line was intentionally drawn this way by the Planning Council to prevent the 50+ acre farm Parcel 08066 from being a split zone, thereby disallowing the potential for the Commercial Zone thereon. Mr. Manosh said that he thought it could be a good thing if all the farm parcel was zoned commercially. After much discussion, the Board determined that a survey would be needed to accurately depict where the terminus of the Lanphear Road right-of-way was and, accordingly, how much of the subject property was actually in the Commercial Zone. Member Wilson moved to recess the hearing until 5:45 PM on June 26th to allow for the applicant's surveyor, Matt Reed, to submit a survey that depicted the requested lot line change, the terminus of the Lanphear Road right-of-way, and the corresponding zoning boundary line. Member Donnie Blake discussed imposing a permit condition that did not allow further lot line changes that impacted zoning boundaries on farm Parcel 08066 if this request were to be approved. Prior to voting on the recess motion, the Board, at the request of Mr. Thomas, ruled that Condition #1 (500+ ft² additions to require further Board review) would be deleted, Condition #6 (drainage swale) was valid and would remain, and that permit conditions #7, #8, & #9 (landscaping) from Permit 2013-111 would be reworded within the new DRB decision to match the landscaping shown on the submitted site plan. A vote of 7-0 affirmed the Member Wilson's recess motion and the Board's aforementioned edits to Conditions #1, #6, #7, #8, & #9 from Permit 2013-111.

The meeting adjourned at 7:30 PM, submitted by Todd Thomas

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