

May 22nd, 1991

MORRISTOWN BOARD OF ADJUSTMENT -- MINUTES
Page 1

E. Nolan

MEMBERS PRESENT: Gary Nolan, Chairman; Rose Lambert; Theresa Breault; Jean Wickart and Ralph Wiltshire.

MEMBERS ABSENT: Paul Trudell and Michael Boudreau.

ZONING ADMINISTRATOR: Gloria Wing

GUESTS: Don Anderson and Richard Cote

The meeting was called to order by Chairman Gary Nolan at 7:34 P.M., who reviewed the minutes of May 8th, 1991 for amendments/corrections. Gary advised there was a typographical error in the 3rd paragraph, reading 'roadwalk', believes it should read 'ROADWAY'. Theresa moved to accept the minutes with this correction; Jean seconded. All in favor.

7:35 P.M. -- WARNED HEARING/VARIANCE REQUEST: RICHARD COTE was in attendance seeking BOA approval to allow construction of two (2) stalls to store and wash his limousines at his place of business on RT 12/Elmore Street. Jean administered the sworn oath to Richard. This project is located in the Village of Morrisville's MDR zone. Richard advised he has moved the location of the proposed construction due to not having power and sewage in the original location. Richard advised he has a letter from adjoining property owner, Richard Godfrey, stating he has no objections to Richard building the two-stall structure in the specified location. Also, Richard advised that Peoples Academy Superintendent Alice Agney and Principal Mike Mahoney came up to look the area over concerning his proposed plans and they have no objections and gave him a letter to this effect.

Richard and the BOA agreed he needed a Rear Set-Back Variance granted for 15'6" and a Side Set-Back Variance of 9'2". Ralph moved to approve his application as discussed. Jean seconded. All in favor.

FACTS OF FINDING: Based on and examined under the Village of Morrisville, VT's Zoning By-Laws, ARTICLE II, MDR, Section 254.1a--Waivers, the Board granted approval of the two set-backs: a Rear Set-Back Variance granted for 15'6" and a Side Set-Back Variance of 9'2".

GENERAL BUSINESS/DISCUSSION: Gloria advised that Cumberland Farms Store has erected an unauthorized sign, on which they list their 'specials' near the corner of Main and Congress Street. This is not allowed without a Permit for a Conditional Use; inquiring what the BOA wishes to do about it. Ralph made the motion that Gloria contact the manager of Cumberland Farms Store and request the sign be removed until a permit is secured allowing this. Jean seconded. All in favor.

Gloria advised that Ron Bourne was in to discuss with her his proposed plans to remove three (3) mobile homes on the corner of East High and Winter Street and put up two (2) apartment houses. He has a total of 26,275 sq. ft., with ample parking space; the BOA has the

MORRISTOWN BOARD OF ADJUSTMENT -- MINUTES

MAY 22, 1991

authority to use the waiver under HDR for the elderly which would require 2,500 sq. for elderly housing vs. the required 4,000 sq. ft. for a family dwelling unit. The elderly density would allow for four (4) apartment units per building. Mr. Bourne had presented a conceptual plan of the project.

The Board advised this could be done if it were restricted the persons 60 years of age and older and the handicapped, but how could this be enforced.

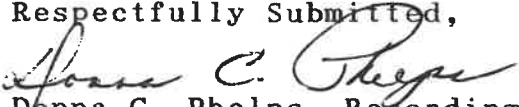
Jay Kennedy of Village Photographer has approached Gloria regarding his purchasing the 'old Marshall House', located across from Wickart's apartments on Brooklyn Street beside the Railroad tracks for his business; that he would landscape the back yard for wedding photos, etc. He would need employee parking and signage. Gloria suggested he would need a Permit for a Conditional Use in Commercially zoned area.

Gary advised he has received a complaint regarding King's Body Shop on Bridge Street; that he has made it a point to drive by for the past several days to see if King is working outside and after hours and on Sundays and per the complaint and has seen no violations on the part of Mr. King up to this point.

Gloria advised she also has received a complaint regarding B&B Nurseries on Stagecoach Road, Morristown Corners (Tomlinson), who has a Conditional Use Permit for a wholesale business, but now is doing lot of retail business; that he is using heavy equipment in the early hours and early Sunday mornings. Gloria will visit with him and explained the problem to Bruce Tomlinson. The Board agreed that most likely he didn't realize some people like to sleep later on the weekends.

Ralph made the motion to adjourn at 8:15 P.M. Theresa seconded. All in favor.

Respectfully Submitted,


Donna C. Phelps, Recording Secretary
Morristown Board of Adjustment

/dp