

**MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD**

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Minutes of May 14, 1998

Members Present: Rich Furlong, Gary Nolan, David Silverman, Tom Paine, Tom Bjerke, Theresa Breault and Paul Trudell.

Members Absent: None.

Guest: Leah Bronner, Doug Bronner, Robin Kirk, Kellogg Tatro, Eunice Tatro, Donna Douglas, Ronald Douglas, Harold Shonio, Patricia Shonio, Todd Shonio, Kimberly Tilesco, Keith Walker, Diane Walker, George Cormier, Edwin Rybak, Michael Chenette, Alice Angney, John Hemmelgran, Kathy Demars, Chip Percy, Lesilie Rollins, Ann Ainsworth, Lawson Anisworth, Sheila Angilillo, Brad Gregory, and Allen Newton.

The meeting was called to order at 7:00 PM. by Gary Nolan, Chair.

Gary made a motion to go into executive session with the Selectboard to discuss personnel issues. Rich seconded the motion and it passed unanimously..

Gary made to come out of deliberative session at 7:45 PM.

Theresa seconded the motion and it passed unanimously.

David made a motion to approve the minutes of April 23, 1998, as corrected.

Tom P. seconded the motion and it passed unanimously.

**WARNED HEARING, RUSSELL LANPHEAR ET. ALS. TWO LOT MINOR
SUBDIVISION, GRIGGS ROAD.**

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 230-230.7b, 300-310.h, and 400-490.1 of the Morristown Subdivision Bylaws. A site walk of the property was conducted prior to tonight's hearing.

Gary reminded Allen Newton that he was still under oath from the pre hearing.

Mr. Newton gave an overview of the application. Russ Lanphear purchased 100 acre farm from Walter Griggs and is now in the process of keeping 97 acres in agriculture and is turning the duplex back to Mr. Griggs. Gary explained that the change in the application since the pre hearing was due to the house being a duplex and therefore needing three acres rather than

two. The 97 remaining acres are planted with corn and will remain in agriculture.

David made a motion to approve this application with our standard conditions and that the subdivision checklist be completed.

Theresa seconded the motion and it passed unanimously.

WARNED HEARING BLACK RIVER DESIGN, ADDITION AND RENOVATION TO THE PEOPLES ACADEMY BUILDINGS, SHED AND PARKING LOTS, SITE PLAN REVIEW AND CONDITIONAL USE, COPLEY AVENUE.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 250, 253.C, 450-454, 500-503,4 and 630-637 of the Morrisville Zoning Bylaws.

Theresa administrated the sworn oath to Kathy Demars, Alice Angney, George Cormier, John Hemmelgran, and Michael Chenette

Mr. Hemmelgran gave an overview of the project. They are proposing to remove the home economic room and corridor and build a three story class room building approximately 85' X 85'. They will create a bus loop and relocate and enlarge the student parking lot. There will be a new main entrance and faculty and visitor parking area. There will be two parking lot lights, pole lights along the bus loop, and exterior wall pack lights. There will be two speed dips to slow traffic in the service road. The project will have a new sidewalk for children who walk from the Village to the elementary school. The school will have a new entrance with a green canopy. The school is for grades six through twelve. There will be two big parking lot lights in the new student parking lot, that are cutoff fixtures. Pole lights along the bus loop and exterior wall packs attached to the buildings if the budget allows. All parking areas roads will be paved except for the student parking. The walkway between the elementary school and the high school will be a five foot wide gravel path.

The Board asked about paving the student parking lot?

Ms. Angney said there is no money in the budget for paving or other improvements and the project has gone out to bid and they have several thing that are higher on a priority list that paving.

The DRB asked about Bill Moulton's letter about plowing and maintaining the parking lots, roadways and walkways.

Ms. Angney responded that it is there option to put the maintenance out to bid or use the Town.

The sidewalk between the parking lot and service road is to allow students walk safely without being on the service road. The walkway will allow students to walk to the elementary school without walking in the service road.

Paul asked if the five foot walkway is wide enough?

Ms. Angney said it is adequate.

The Board asked for more details on the exterior lighting

Mr. Hemmelgran said the worst was the edges of the parking are and they we about ½ of

footcandle.

Paul asked if this lighting addressed the Police Chief concerns?

Mr. Hemmelgran said the lighting in the parking lots is much improved over the existing three or four lights and he felt the Police Chief concerns were about the entrances around the building and wall packs are planed to be installed.

Tom asked about the parking lot.

John Hemmelgran said that they were not part of the bid and that they already have 24 bid alternates.

Ms. Angney said the issue about paving the parking lot is not an issue for now and that it can be done in the future.

Mr. Hemmelgran explained that the existing maintenance shed is where the new additions is going and they are going to build a new 28' X 60' maintenance/athletic equipment storage shed across from the boilers. The storage trailer that is there now will not be needed.

Tom asked if there was better traffic flow with bus loop, directional signs, visitor parking and handicap parking?

Mr. Hemmelgran said there is no new signage planed and that traffic and especially visitors would find the new lay helpful. They will be removing the existing fire hydrants from the next to the building and locating new ones are away from the building where it is practical for fire fighting. The fire lane around the school will be plowed and maintained year round.

Paul asked about the playground equipment would it have to be moved?

Ms. Angney explained that with moving the younger children out of the building that there is no need for the playground equipment stay and it will be relocated to where it is need.

Paul asked about the square footage of the proposed building?

John Hemmelgran said that the total floor space will be 64,270 square feet.

Gary asked if the island where the fire hydrant is located will be curbed and how to how do you make parking spaces on gravel?

Mr. Hemmelgran, said there will be no curbing around the hydrant and that maybe lines could be painted on the gravel in the summer.

Paul asked about the cedar trees where they the final landscaping choice?

Mr. Hemmelgran said yes.

David made a motion to recess the hearing to a deliberative session on May 28th, at 7:30 PM.

Rich seconded the motion and it passed unanimously.

Ms. Angeny asked if there was anyway it could be held sooner that May 28th as they are out to bid.

The DRB discussed the issue and decided to revisit when the deliberative session would take place.

Tom P. made a motion to reconsider the recess to deliberative session.

Paul seconded the motion and it passed unanimously.

David made a motion to change the day of the deliberative session from May 28th to May 18th at 8:00 PM.

Tom B. seconded the motion and it passed unanimously.

WARNED HEARING, HOME INDUSTRY, CONDITIONAL USE AND SITE PLAN REVIEW, FOR EIGHT SAFARI STYLE BED AND BREAKFAST, WALTON ROAD.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 280-283.a, 450-454, 460-462.7, 500-503.4, and 630-637 of the Morristown Zoning Bylaws.

Theresa administered the sworn oath to Keith and Diane Walker

Mr. Walker gave an overview of the proposed project. They are located about 2 ½ miles from Morristown Corners on Walton Road. They are surrounded by hundreds of acres of open land. They would like to put eight tents to run a seasonal bed and breakfast out of the tents. They will have all amenities in the tents. The tents will be hidden by a treed knoll from view the road. The tents will be on platforms. The day adventure will be done local business. Parking will be beside the barn on the opposite side of the road. They will not generate a much traffic as their clientele will be by reservation only. People will bring vehicles on site and then their transportation will be provided for them until they are ready to leave. They have a pond that may be used for swimming and fishing. Since the tents screened from the road no additional screening will be needed. They hope to use composting toilets and solar showers, but that is to ANR and if they make them go with a conventional system the soils are adequate. The business would be operated seasonally only from mid May to Columbus day. The platforms will be 16' X 16' with 12' or 14' X 16' tents of either white or green. They will also have a meeting tent for guest speakers, those explaining about the days adventure, and for the morning buffet. The knoll is about 15' above the road and the tents are around eight feet tall and the platforms will add another foot or so.

David made a motion to approve the application with our standard conditions.

Theresa seconded the motion.

Rich made a motion was amended the motion to say our standard conditions, up to eight guest tents and that the project be revisited at the end of the first full year.

Theresa seconded the amendment and it passed unanimously.

The original motion was approved unanimously.

WARNED HEARING, TODD SHONIO, HOME INDUSTRY LAWN CARE BUSINESS, CONDITIONAL USE AND SITE PLAN REVIEW, ROUTE 100 SOUTH

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 280, 283.a, 450-454, 460- 462.7 , 500-503.4, and 630-637 of the Morristown Zoning Bylaws.

David recused himself from this hearing.

Theresa administrated the sworn oath to Harold Shonio, Todd Shonio, Chip Percy, and Leslie Rollins.

Todd gave an overview of the application. He will be running his lawn care service out of property if permitted, as he will purchase the property, which contains a single family dwelling and the garage in the back which he will use for his business. The only exterior change will be adding

a parking lot for five to six vehicles. He has up to ten employees but he does not have more than three on premise employees. His people come and pick up a truck and are out for the day and then return in the evening to go home.

The Board asked about the number parking spaces verses the number of employees.

Mr. Shonio said that they come with each other so he will not have more than six people parking on site during the day and his company trucks will not exceed six parked their at night.

Mr. Percy asked if they would be storing landscaping material outside and branches, lawn clippings, leaves etc... from his business on site and if he has ten employees how come home industry business are limited to three.

Gary explained that under "Home Industry" that it prohibits outside storage and that the limit of employees is three on premise and what ever number off site.

Mr. Shonio said that he would not have more than three on premise employees.

Mr. Percy asked if the Board could put a limit on the number of people he can employee.

Gary explained that he will have to comply with the conditions in the bylaws.

Theresa made a motion to approve the application with our standard conditions and that Mr. Shonio is to come in for a one for a review of his business.

Rich seconded the motion and it passed unanimously.

WARNED HEARING, MORRISVILLE WATER AND LIGHT DEPT. AND COUNTRY MOUNTAIN SOFTBALL LEAGUE, TWO BALL FIELDS CONDITIONAL USE AND SITE PLAN REVIEW, ROUTE 15 A.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 280, 283.b, and 450-454, 500-503.4 and 630-637 of the Morristown Zoning Bylaws.

Gary Nolan and Tom Bjerke recused themselves from this hearing.

Theresa administered the sworn oath to Gary Nolan, Tom Bjerke, Scott Course, Brad Gregory, Edwin Rybak, Kellogg Tatro, Eunice Tatro, Leah Bronner, Douglas Bronner, Robin Kirk, Laurel Persico, Sheila Angilillo, Becca Reggio, Ronald Douglas, Donna Douglas, and Wayne Geno.

Mr. Bjerke gave an overview of the proposed project. The wanted to put the two ball fields on the oxbow, but the Selectboard chose other uses for that property. The Water and Light Department Commissioners offered to let them use the 20.5 acre parcel where the municipal water wells are located for ball fields. There are currently 14 women's teams and 14 men's teams in Morristown which is around 300 people participating. There are only two fields in town one is a small private field and the other is a school field that can only be used on the weekends and only if the school is not using the fields. The site constants limit where the ball fields can go. The project will be completed in two phases. They will have two fields, one of the two will be lighted, a parking lot and a concession stand and bathrooms. The site is over the aquifer for the municipal water. Locally this is a conditional uses in this area. On the state level the ball fields

are an allowable use, but they can not park are within two hundred feet of the wellhead. The plan that they are proposing will protect the water system. They have had the state wetlands, flood plain coordinator at the site. There are two class three wetlands and one class two wetland. Part of land is flood plain and in the flood flow area. They can not fill in the flood flow area, but they can regrade the area. They can grade and fill where the parking lot will be as it is out of the flood flow area. The parking area will be gravel and can hold 60 vehicles. The fields will be fenced in with orange plastic snow fence and they will have a 16 foot tall backstop. They will have two dugouts for the lighted fields and smaller dugouts on the on the unlighted field. They will have 28 lights on six pole, two will be 60' tall and four will be 50' tall. The light will be mostly focuses down and each light is 1,500 watts. A portion of the Water & Lights road to the wells will be relocated about 300'. The softball league will pay for the maintenance of the property and they will pay light bill for the lights. There is a drainage ditch on the west side of the property that has brush and trees that will provide some screening.

Rich asked about the time the lights will go off.

Mr. Nolan responded at 11:00 PM, regardless where they are in the game.

Theresa asked about the season?

Mr. Nolan said that the season is from May to October

Theresa asked about the hours?

Mr. Nolan said they start around 8:00 AM. on weekends and after work during the week and they will shutdown at 11:00 PM. Tournaments start around 6:00 PM on Fridays and all day Saturday and then until 6:00 PM on Sunday where they would play 50 to 60 games.

Paul asked about when would the lights be on ?

Gary Nolan said they will be manually turned on at dusk and off at 11:00 PM.

The Board asked can both fields be used at the same time?

Mr. Nolan said yes.

Will there be parking on Route 15A Gary Nolan said no.

Rich asked about rules on alcohol beverages.

Mr. Nolan said their league allows alcohol as long as they are not on a school yard. There rules allow then to remove people who are out of control. Waterbury Selectboard tried to prevent alcoholic beverages without success. They now allow alcoholic beverages as long as they are not glass. They will have field rules posted to say what is allowed and not allowed.

Rich asked if the would be putting no parking signs on Route 15A ?

Mr. Nolan said no.

The Board asked how far are the fields from the nearest house?

Mr. Bjerke said he was not sure but about 250 feet and about 150' to 200' from the nearest property that has a house on it.

The Board asked how far are they from the road right-of-way.

Mr. Bjerke said 58'

The Board asked if AOT had concerns about foul ball landing in the road and could they land in the road.

Tom Bjerke said anything is possible but he does not know if it will be a concern of AOT's.

Will the lighting shine in the roads or cause glare for drivers on the roads.

Mr. Bjerke said no.

The Board asked who will own everything?

Mr. Course said that it will be the Water & Lights land and wells and rest of the stuff is the softball leagues. If the softball league was asked to leave they would take stuff with them.

The DRB opened the hearing up to the public to ask questions.

Brad Gregory asked that he be convinced that the field needs to be lighted.

Mr. Bjerke said that they have only two fields one is the school's and the other is a private field that is not worthy of being lighted.

Mr. Nolan said that most towns have lighted fields and they need to get the games in.

Mr. Gregory asked if there could be a rule that everyone had to off the property by 11:00 PM.?

Mr. Nolan said the field rules could say that everyone has to be out by 11:00 PM.

Mr. Gregory asked if beside the new well is one well abandon and the is the back up water supply?

Mr. Course said yes.

Sheila Angilillo said that the soil is sandy loam and pecculation rate is two to six inches per hour. The layers of sand gravel are a concern for the aquifer and contamination would not take long to get into the aquifer.

Mr. Bjerke said that the State of Vermont Water Quality Division was not concerned about the pecculation rates but rather the all cars are parked outside a two hundred foot radius of the well. This could be further reduced is there is an impervious layer naturally protecting the well it could be reduced to as little as 125 feet, but testing is very expensive.

Mr. Course said in addition to the state review of this project the Water and Light Dept. has hired there own engineer to review this project

Ms. Angilillo asked if the soils were prime agricultural lands?

Mr. Bjerke said yes, but the state will still consider the land as prime agricultural lands.

Mr. Rybak asked how come Mr. Fox was so protective of the water and Mr. Course is not? I understand that the concession stand and bathrooms are phase two so what about people urinating on the field?

Mr. Bjerke said that they will have portable toilets until permanent bathroom are constructed.

Why Mr. Bjerke don't your put this in your back yard?

Mr. Bjerke said his location would not work, but no matter where you do anything it will impact someone, somewhere.

Leah Bronner said her main concerns are for the water. It is irresponsible to put a parking lot there as there is only a limited amount of water and it took a long time find the water that we have now. There is no way of knowing what will be leaking.

Doug Bronner said what will happen in a hundred years from now with the well tiles only

30 feet deep? What will be used on the fields.

Mr. Bjerke said some treatment will likely be done, but no herbicides or insecticides will be used. The storm water sheets off the sit away from the wells.

Mr. Course said that their engineer will be looking into the concerns and a report will be completed as soon as possible.

Laurel Persico said she lives about ½ mile down the road from the site. She asked how can you keep cars out of the two hundred foot circle?

Mr. Bjerke said the lot will end and vehicles will not be allowed to park in the circle.

Parking is a concern and it will now be getting commercialized. Traffic is a concerns and the speed cars travel down the road. There are no streetlights, no sewer lines in the area as they stop at the school. The land is zoned Rural Residential with Agriculture and this will have a big impact on the area as it is a big change of use. It changes the whole neighborhood.

Mr. Course said the Water & Light Department drives to the wells daily and they get deliveries their regularly so its not like no one every go there.

Robin Kirk asked what about kids or adults falling into the river and what to stop people from staying there and having a drinking party.

Mr. Bjerke said that the Police and Rescue Squad have signed off saying that they can handle it.

Ms. Kirk asked what about the speed limit and can it be reduced?

Ken responded that is a issue for the Selectboard and AOT.

Mr. Bjerke said the property can be gated to keep people out of the area.

Mr. Bronner said he has small children and he is concerned that they will be kept up every night until 11:00 PM or latter, and that he has to get up early and leave for work so he goes to bed early. The noise will echo up to his property.

David made a motion to recess the hearing to May 28th at 7:30 PM. in the Town Clerk's Office.

David retracted the motion

David made a new motion to recess the hearing to June 11th at 7:30 PM. in the Town Clerk's Office to allow the Water & Light Dept. time to receive their engineering report.

Rich seconded the motion and it passed unanimously.

Other Business:

Ken has received complaints about the Sylvester mobile home as Mr. Sylvester has been trying to get the neighbors to agree to let him keep their past June 1st. The Board asked Ken to send Mr. Sylvester a letter telling him he needs to move the mobile home by June 1st and that the Board will not extend his time.

Ken explained that he needs to get a larger hard drive in addition to existing hard drive as his computer as it has become full and is out of memory. Ken will be talking to the Selectboard to see if can get a new hard drive.

Ken asked for support for trying to get next years Design Charrette for the down town and connecting the downtown with growth center in the north end of town. The DRB gave their support for the project. Ken will be taking it to the Selectboard for their approval.

David made a motion to adjourned at 10:56 PM.

Tom P. seconded the motion and it passed unanimously.

Respectfully submitted,

Kenneth J. Sweetser, Scribe.