MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
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Minutes of May 13, 1999

Members Present: Gary Nolan, Rich Furlong, David Silverman, Theresa Breault, Carol Jennings, and Paul Trudell.

Members Absent: Tom Paine.

Guest: Lucy Leriche, Jack Peduzzi, Todd Pinkham, Jeanette Lepine, Gertrude Lepine, Joe Streeter, James Pilbin, Don Anderson, Patrick McCullock, Howard Manosh, Ted Zilius, Rebecca Leborich, Becca Roy, Roy Marble, Ned Houston, and Stephen Benson.

The meeting was called to order at 7:30 PM. by Gary Nolan, Chair.

David made a motion to approve the minutes of April 22, 1999, as written.
Theresa seconded the motion and it passed unanimously.

WARNED HEARING, ROBERT AND JOANNE LAWTON, LOT LINE ADJUSTMENT, FARM HILL ROAD.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 710, 720, and 770 of the Morrisville/Morristown Zoning and Subdivision Bylaws. A site walk of the property was conducted prior to the hearing.

No one was representing the applicant was in attendance at the hearing for this application.

David made a motion to recess the hearing until the May 27, 1999 meeting at 7:30 PM in the Town Clerk's Office Building.

Rich seconded the motion and it passed unanimously.

WARNED HEARING, HUGH TOMLINSON, JR. LOT SIZE WAIVER, RON TERRILL ROAD.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 260 and 264.1 of the Morrisville/Morristown Zoning and Subdivision

Bylaws. A site walk was conducted prior to the hearing.

Theresa administered the sworn oath to Roy Marble, Jeanette Lepine, Gertrude Lepine, and Joe Streeter.

Mr. Marble explained the lot size problem. The lot was subdivided in 1980 prior to our subdivision regulation. The lot to the edge of the road right of ways is 1.88 acres and to the centerline of the road it is over two acres. The DRB requires two acres to the edge of the right of way. So the request is to waive the .12 acre allowing them to have a developable lot on the 1.88 acres. The land was purchased from Mr. Terrill prior to his death and there is no contiguous land held by Mr. Tomlinson. The property is located on a class four town highway that has a 50 right of way.

Rich made a motion to approve the waiver.

Theresa seconded the motion.

Jeanette Lepine said Ron Terrill new what he was doing and it should not be allowed to be developed.

Norm Nepveu said that the Planning Commission used to allow two acres plus or minus.

With no further questions Gary called the question. The waiver was approved unanimously with our standard conditions.

WARNED HEARING, JAMES AND KELLY PILBIN, FRONT SETBACK WAIVER REQUEST, ELMORE ROAD.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 260, 262.f, and 264.1of the Morrisville/Morristown Zoning Subdivision Bylaws. A site walk was conducted prior to the hearing.

Theresa administered the sworn oath to James Pilbin.

Mr. Pilbin explained his proposed porch. They wish to construct a porch between the house and garage that will be one foot further from the road than the house. There was a smaller porch in part of this proposed location.

David made a motion to approve the 17' waiver with our standard conditions.

Rich seconded the motion and it passed unanimously.

WARNED HEARING, LAMOILLE HOUSING PARTNERSHIP, CONDITIONAL USE, SITE PLAN, REVIEW, EIGHT APARTMENTS OVER THE PROPOSED POST OFFICE PORTLAND STREET.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 205,208.d, 450-452, 500-503.4 and 650-637 of the Morrisville/Morristown Zoning and Subdivision Bylaws. A site walk of the property was conducted prior to the hearing.

Theresa administered the sworn oath to Lilian Scheider, Jack Peduzzi, Lucy Leriche, Norm Nepveu, Henry Tottenham and Patrick McCullock.

Mr. Peduzzi gave an overview of the proposed project. They will be adding an elevator to the second floor. They will be doing an extensive asbestos removal, and will be sprinkling the building. They will have to do extensive code up grades and the will be adding a fire escape over the Post Offices loading dock. The units will house people whose income is below 50% of the median income and the people will pay no more than 30% of their income for rent and utilities. Because this location is in the dowtown where tenants can walk to the various locations in the downtown. The building will be rehabilitated to its historical look.

Ms. Schnieder the will have six one bedroom units and two efficience units. The elevator will be located behind the Starfire Jewry shop and will be red split blocks. The access/fire escape will go over the loading dock and will be wooden with clapboard siding and will provide a second exit from the apartments. They will need town approval for using the parking lot.

Mr. McCullock said the parking lot is for businesses and not residential uses.

Gary explained his personal interpretation of Section 451.

Mr. McCullock said in the past the apartments were rented weekly and now the will be leased yearly.

Gary replied it is still residential rental units.

Mr. Anderson explained that the Town will have new regulation on the parking lot when it is redone.

David made a motion to recess the hearing to a deliberative session to follow tonight's hearing.

Theresa seconded the motion and it passed unanimously.

WARNED HEARING, LAMOILLE HOUSING PARTNERSHIP, CONDITIONAL USE, SITE PLAN, REVIEW, THREE APARTMENTS, UPPER MAIN STREET.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 225, 228.F, 450-452, 500-503.4 and 650-637 of the Morrisville/Morristown Zoning and Subdivision Bylaws. A site walk of the property was conducted prior to the hearing.

Theresa administered the sworn oath to Lilian Scheider, Jack Peduzzi, Lucy Leriche.

Mr Peduzzi gave an overview of the proposed project. There will be two, three bedroom apartments and one, two bedroom unit. The building will be sprinked and will be brought up to code. The occupants income will be the same as over the Post Office.

Ms. Schieder said they will be enclosing the porch to be used for a bathroom for one of the units. They will be adding a dormer to the upstairs unit. The existing garage will be removed and they will end up with three parking spaces. They will be doing some plantings and screening around the building.

Paul asked if a tree could be planted in front of the building on Upper Main Street.

Mr. Peduzzi said yes.

Ms. Schieder said the exterior lighting will be recessed can lights and wall units next to the doors.

David asked about the lot size as town records show that the lot size is .2 acres.

Ms. Leriche said the lot size is correct.

Gary explained that our regulation in the MMR district requires 6,000 square feet per unit and the .2 acres is only 8,700 square feet. The three units would require 18,000 square feet. In this district the DRB can not waive the minimum lot size. Gary then read section 229.1 into the record.

Mr. Peduzzi asked if that met the property is only suitable for one unit.

Gary responded yes.

Rich made a motion to recess the hearing to a deliberative session to follow tonight's hearings.

David seconded the motion and it passed unanimously.

WARNED HEARING, H.A. MANOSH CORP, CONVENIENCE STORE/GAS STATION, NORTHGATE PLAZA, CONDITIONAL USE, SITE PLAN REVIEW.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 210, 213.a, 450-452, 500-503.4 and 650-637 of the Morrisville/Morristown Zoning and Subdivision Bylaws. A site walk of the property was conducted prior to the first hearing. Gary recused himself from the hearing due to a conflict of interest and left the room.

Theresa reminded Mr. Houston that he was still under oath and she administered the sworn oath to Howard Manosh.

Ken noted at the last meeting the DRB granted approval for this project with conditions, and tonight they are back to present plans showing traffic flow, exterior lighting, building design, landscaping plan and revised site plan.

Mr. Houston went over the various plans to show what the DRB had asked to review with the exception of the landscaped island. Exterior lighting will be recess can lights under the walkway, zero cut off down shaded light fixtures on other three sides and lighted pegasus on the sign side. Landscaping now will screen the compressor units.

Mr. Manosh spoke to the landscaped island. He said it would hinder the trucks filling up with diesel fuel makes snow removal more difficult. The need/lack of a traffic light was discussed.

Ken explained that all parties except Agency of Transportation feel a light is needed and we have be unsuccessful in getting a light for that location.

Mr. Manosh agreed to add the island if needed future at his expense.

David made a motion to remove the condition on the curbed island and the board will revisit this issue at the one, three and five year reviews.

Theresa seconded the motion and it passed unanimously.

WARNED RECESSED HEARING, REBECCA LEBOVICH, BUILDING ADDITIONS, CONDITIONAL USE, SITE PLAN REVIEW, MAPLE STREET.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 250, 252.e, 253.l, 450-452, 500-503.4 and 650-637 of the Morrisville/Morristown Zoning and Subdivision Bylaws. A site walk of the property was conducted prior to the first hearing. Ken recused himself from the hearing due to a conflict of interest and left the room.

The board in a recess memo asked for a new site plan showing parking for six vehicles and a detailed landscaping plan.

Theresa administered the sworn oath to Rebecca Roy and reminded the rest of the people that they were still under oath.

Ms Roy explained that their will be crab apples, regular apples, weeping cherries, a row of spruce trees, honeysuckle and lilacs around the properties. The front courtyard will have a fence with a large gate surrounding the flag and fountain with a mixed boarder of plantings.

Mr. Zilius said the will now have six parking space and will have room on site for snow removal.

Gary asked for clarification of the building.

Mr. Zilius said it will have an entrance hall leading to a handicapped kitchenette unit. There will be another unit on the ground floor with two more units on the second floor all will be kitchenettes. A great room will connect the two buildings, and a library. Maximum height will be 34 feet.

Gary asked how are we going to classify this application. VLCT opinion is that it should be multi-family housing units.

Rich moved to recess the hearing to a deliberative session to follow tonight's hearings.

Carol seconded the motion.

The DRB has agreed to call it a single family dwelling.

Ms. Roy asked about setbacks on landscaping.

Gary said that zoning has no setbacks on plantings, however you can not interfere with the sidewalk.

With no additional question Gary called the question. The motion was approved unanimously.

David made a motion to go into deliberative session on the following applications Lamoille Housing Partnership- Portland Street, Lamoille Housing Partnership-Upper Main Street, Rebecca Lebovich, garage and breezway, and Rebecca Lebovich for new addition for guests.

Paul seconded the motion and it passed unanimously.

David made a motion to come out of deliberative session.

Theresa seconded the motion and it pasted unanimously.

David made a motion to approve Lamoille Housing Partnership project on Portland Street allowing parking as it has been in the past under section 451 of our regulations and with our standard conditions.

Paul seconded the motion and it past unanimously.

David made a motion to approve Lamoille Housing Partnership project on Upper Main Street with the following conditions a street tree is to be planted along Upper Main Street and our standard conditions.

Rich seconded the motion and it failed unanimously.

David made a motion to approve the waiver request for Rebecca Lebovich garage and breezway with our standard conditions.

Rich seconded the motion and it passed unanimously.

David made a motion to approve waiver request Rebecca Lebovich's new building to be used for her guest with our standard conditions.

Rich seconded the motion and it passed unanimously.

Other Business:

The DRB signed the final plat mylar for the Matthew Bryan subdivision.

Beval complaints: Ken and Gary are meeting with the Select Board Monday night and Ken went over his response and the complaints.

The DRB congratulates Tom and Katie Paine on their new son Samuel born early Tuesday morning.

Rich made a motion to adjourn the hearing at 10:45 PM

David seconded the motion and it passed unanimously

Respectfully submitted,

Kenneth J. Sweetser, Scribe.