

**MORRISTOWN BOARD OF ADJUSTMENT MINUTES  
MAY 13, 1992**

**BOARD MEMBERS PRESENT:** Chairman Gary Nolan; Jean Wickart; Rose Lambert; Theresa Breault; Ralph Wiltshire; Ida Mae Anderson (Paul Trudell arrived at 7:50 P.M.)

**ZONING ADMINISTRATOR:** Gloria Wing

**APPLICANTS/GUESTS:** Peter Bourne; Bill & Matt Alley & Don Anderson and Brent Tomlinson.

The meeting was called to order at 7:34 P.M. by Chairman Gary Nolan who reviewed the minutes of 04/22/92 for amendments/corrections. Ralph moved to approve the minutes as printed. Theresa seconded. All in favor. So accepted.

7:35 P.M. -- BOURNES, INC, represented by owner Peter Bourne, was in attendance, seeking approval to allow the installation of a 'key access pump' at their storage facility/tanks, located on RT 100-South of Morrisville, for the sale of diesel fuel.

Gary advised this Application will be heard under the Town of Morristown's Zoning By-Laws, RR/AG, #203.1--Conditional Use (B), Page 3.

Peter presented an informational letter explaining his intent; a site-plan and photographs of the proposed pump. He further advised he did not estimate more than 50 customers, which would be spread over a 24 hour period per day. That he does not anticipate any further physical changes to the area except for a few loads of gravel for the section of drive that at times gets muddy. Peter explained to the Board members the Site-Plan.

Theresa asked what the longest truck would be that would be using this facility as she was concerned about the safety of large trucks entering and exiting on the brow of the hill. Peter advised 65'. Theresa stated that on the evening of 05/12/92, that she, in her personal vehicle, pulled out of the exit of this site, as a vehicle was approaching, to check the safety issue that she is concerned about. That it is her belief that there is a safety issue involved with large trucks entering and exiting.

Brent Tomlinson and Ralph advised that in trucks, the operator is higher and therefore has better visibility.

Gary inquired if there is enough internal parking space on the site. Peter advised yes, they have never had a problem with space, only with the area being muddy at times. Peter advised his customers would be a segregated market and only accessible to those who have an account with Bournes. That he is working with the State Fire Marshall and if everything goes all right, would be in operation in six (6) weeks.

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Theresa made the motion to do a Site-Walk of the property. Ralph seconded. A Site-Walk date and time was scheduled for TUESDAY, MAY 19th, 1992 @ 6:00 P.M. Peter advised that he has not started the State Permit process yet as he wants to find out the decision of the BOA; that he should know by the evening of the Site-Walk if he will need to install a new tank. Gary called the question. All in favor of adjourning this Hearing to a Site-Walk. The BOA will grant a decision on May 27, 1992 at 7:45 P.M.

INFORMAL DISCUSSION: BILL & MATT ALLEY, dba/RESEARCH ENGINEERING, located on Harrell Street, Morristown, VT were in attendance regarding a 3-lot sub-division; that Bill was before the BOA/PC in 1985 regarding this project, at which time he was negotiating the sale of Lot #3, consisting of either 1.25 acres, or 1.75 acres, as the lot is divided by the State Highway. At that time, he believes he was granted approval for the sub-division, but this approval was not filed with the Town Clerk's Office for some reason.

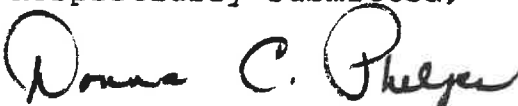
Gloria advised there are extenuating circumstances, in that at that time, written permits were not issued and relied on the minutes of the Hearings as written authorization, however, at this time, she has not been able to locate the minutes of this particular meeting. Theresa and Jean remembered Mr. Alley coming before the Board several years ago; advising there was an issue of village water to service these lots and also a Church was interested in purchasing the property. Gloria will check with LCPC for the minutes, at Jean's suggestion.

BRENT TOMLINSON came before the Board to discuss his plans for a Fruit & Veggie Stand, to be located on 14 acres of property he is purchasing on the Goeltz Road. That he will be planting vegetables on the land, but will also be bringing in a lot from the Islands. Also, he would like to construct an office; and use a Portolet from Lefevre's and use tarps as temporary structures. Possibly rent out small plots for community gardening.

The BOA was in consensus that he did not require the Board's approval for this project.

Jean made the motion to adjourn at 8:45 P.M. Theresa seconded. All in favor.

Respectfully submitted,



Donna C. Phelps, Recording Secretary  
Morristown Board of Adjustment