

**MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD**

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Minutes of May 8, 2008

Members Present: Gary Nolan, Theresa Breault, Ron Stancliff, Karyn Allen, Paul Trudell Chris Wiltshire (alternate)

Members Absent: David Silverman, Jean Wickart

Recorder: Mark Leonard, Zoning Administrator (ZA)

Guests: see attached sign-in sheet

Prior to the start of warned hearings, the DRB met with members of the Conservation Commission (CC) to discuss the latter's role in the development review process. The ZA reviewed 24 VSA section 4464(d), role of advisory commissions in development review.

Conservation Commission chairman Steve Rae said the CC wanted to provide input on development proposals where their interest in conserving the Town's natural resources was an issue. He noted that the referenced statute gives them an advisory, not regulatory role, and hoped that the DRB would see them as a useful source of information in its consideration of development proposals. He hopes to get involved in the review process before the public hearing, early enough to provide useful input to the applicant when suggested changes might make the application easier to approve without costly revisions.

Steve said the CC is initially focusing on scrutinizing applications where there may be wetlands impacts. He said the CC would like to see the DRB require an applicant obtain a wetlands Conditional Use Determination (CUD) prior to the DRB granting an application final approval. Gary noted that it would be hard to require an applicant get an wetlands review when the state wetlands inventory map, the Town's source document for identifying wetlands, does not indicate the presence of wetlands on a given parcel.

Steve concluded the discussion saying that the CC would be happy to assist the DRB develop enhanced guidelines for Conditional Use standards to make the DRB's review of such applications more consistent and clear.

Gary thanked the CC members for their comments and looked forward to their participation in the development review process.

Chairman Nolan called the public meeting to order at 7:35 PM. On a motion by Theresa, seconded by Karyn, minutes of the April 10, 2008 meeting were accepted as presented.

WARNED HEARING: ARIZONA PIE TRUST, PRELIMINARY PLAT APPROVAL, 5-LOT SUBDIVISION, WALTON ROAD & WATANJAY ROAD

David outlined the application, to be reviewed under sections 264, 730, 740, 780, 810, and 860 of the zoning and subdivision bylaws. The hearing was recessed on March 27, 2008, pending a site walk, which was conducted on May 3, 2008 with the property owner Thomas Whitehead, DRB members Ron Stancliff and Chris Wiltshire, Conservation Commission member Gert Lepine, and the ZA in attendance. Theresa administered the sworn oath to project engineer John Grenier of Grenier Engineering, representing the applicant and Gert Lepine.

Chris asked about a covenant on the land that restricts its subdivision to no more than five lots. John said the applicant was aware of this and was in compliance with this restriction. The applicant would not object to a condition of subdivision approval codifying this restriction on the proposed new lots.

Gert Lepine inquired about the prospective sale price of the lots, which John had no information on. She said she had spoke with the owner and hoped he would consider selling the whole parcel intact to someone who might want preserve it as a single property.

Paul moved to grant preliminary plat approval for the project with the condition that the lots being created could not be further subdivided. Karyn seconded the motion and it passed unanimously.

WARNED HEARING: MAX & LORRAINE PAINE, FINAL PLAT APPROVAL, 5-LOT SUBDIVISION, LAWRENCE ROAD

Gary introduced the application, to be reviewed under sections 264, 750, 760, 770, 790, and 810 of the zoning and subdivision bylaws. Preliminary plat approval had been granted on April 10, 2008. A site walk which was conducted on May 3, 2008 with the property owner Max Paine, DRB members Gary Nolan, Ron Stancliff and Chris Wiltshire, nearby property owners Carroll Lawrence, Todd Ziegler, & Jane Gandy and the ZA in attendance. Theresa administered the sworn oath to Max Paine and project engineer John Pitrowski of Trudell Consulting.

DRB members who participated in the site walk expressed satisfaction that the project complied with all relevant subdivision requirements.

Theresa moved to grant final plat approval of the project as presented, with the condition that all lots must be accessed from the development road. Karyn seconded the motion and it passed unanimously.

WARNED HEARING: CCS DEVELOPMENT CORP, CONDITIONAL USE & SITE PLAN APPROVAL, COMMERCIAL BUILDINGS & RELATED INFRASTRUCTURE, VT ROUTE 15 EAST & HOULE AVENUE

Gary introduced the application, to be reviewed under sections 210, 500, & 630 of the zoning & subdivision bylaws. Theresa administered the sworn oath to Chris Chauvin, representing the applicant, and project engineer Derrick Woolridge of Cross Consulting Engineers. There were no interested parties present at the hearing.

FILE COPY

Chris Chauvin reviewed the applicant's plans to construct two office buildings on Lots 1 & 2 of a recently approved five lot subdivision on the parcel located on Route 15 east behind Price Chopper. The building on Lot 1 was proposed for 7,500-square feet; the one on Lot 2 was 12,000-square feet. The internal roadway approved during the subdivision review process and all necessary utility lines would be installed in conjunction with construction of the two buildings. Parking areas for the two buildings would provide the required number of spaces based on the planned square footage of both buildings.

Chris reviewed plans for the road, utility connections, landscaping, and exterior lighting. He noted that at the time of subdivision approval, they planned to have on-site sewage disposal. They have since decided to connect to the municipal sewer line located on the adjoining Price Chopper property. Electric power would come overhead from existing lines along Route 15.

The ZA noted that the site plan showed both buildings located within the minimum 25-foot rear property line setback. He advised that the Board could, at its discretion waive up to 15% of the setback requirement, which amounts to a reduction of four feet.

Paul noted that the site plans did not include building elevations so the Board could not determine building height or appearance. Chris said the buildings would be single-story, with sloped roofs not exceeding 25 feet at the peak. Paul emphasized that exterior lighting must comply with the requirements of Section 490 of the bylaws. Chris said they were planning to meet the Town's and so-called 'dark sky' lighting requirements.

Paul moved to grant Conditional Use and Site Plan approval, subject to the condition that the applicant submitted revised site plans showing the proposed buildings complying with the required setback with a 15% waiver and that include building elevations. Theresa seconded the motion and it passed unanimously.

Following the hearings, Gary read a letter that he had received from Judith St Aubin express concerns over how the hearing on the Bees Knees expansion application had been conducted. Gary was not present at that hearing and asked those who were present to address the questions raised. He was satisfied that proper procedures had been observed in this hearing.

The meeting adjourned at 9:15 PM.

Respectfully submitted,
Mark Leonard, Recorder

Minutes approved on: 5/22/08