Gloria

MORRISTOWN PLANNING COMMISSION MINUTES - MAY 1, 1990

BOARD MEMBERS PRESENT: Paul Nesky; Debra Mason; Jane Greene; Adrian West; Norman Nepveu and Alfred Hurley.

BOARD MEMBER ABSENT: Mac Miller.

ZONING ADMINISTRATOR: Gloria Wing.

GUESTS/APPLICANTS: List attached to original minutes.

The meeting was called to order by Chairman Paul Nesky at 7:08 P.M.

****See Page 2**** Paul asked to review and act on the minutes of 04/17/90. Debra stated that regarding the Provost project, on Page 2 of the minutes of 04/17/90, they should read this was a Preliminary Hearing and Provost would return on 05/15/90 with further Preliminary information. That it was not a Warned Hearing. Debra then moved to accept the minutes with the amendment and that the minutes be moved to the beginning of Page of these minutes. Jane seconded. Unanimously approved with the amendment stated.

7:08 P.M. -- RECESSED HEARING/ROY MARBLE, representing the Barnett Sub-division, consisting of 63.5 total acres, with two (2) lots of 7.9 acres and 7.3 acres being developed; a 600 foot extension road off of Cottage Street Extension. Paul advised the only abutting property owner to be directly affected by this project is Bill Wildes and he was notified of the hearing; that Roy came back before the board due to concerns regarding culverts; erosion, roads and water.

Roy advised the steepest grade is approximately 9%; that his plans he is presenting tonight were presented to the State at their request and have been approved by the State. Roy advised there will be an 18" culvert installed that will drain into the culvert installed by Bill Wildes and from there drain into the swale. The roadway will be a private road and all users are responsible for maintaining the road on a proportionate basis.

Norm questioned the road not being built to Town specifications, with Roy maintaining it was not necessary as it is private, being 20' wide with 2' shoulders.

Bill Moulton stated that if the Town was at some point in the future petitioned to take this road over, the lot owners would be responsible for bringing the road up to Town specs prior to the Selectmen considering taking the road over.

After lengthy discussion, Paul advised the Board of three (3) choices of action for this hearing. Norm moved to close the hearing and go into deliberative session at a later date.

Jane seconded. Unanimously approved.

7:26 P.M. -- WARNED HEARING/JOHN SARGENT & CAROLYN McKINNEY were present with revised plans for development of a parcel totaling 29.2 acres, with the removal of one lot and 2.5 acres being deeded to Sargent/McKinney for development. The roadway leading to this property will be 711' off the Upper Elmore Mt. Road.

Mr. Sargent advised that during the site-walk, concerns regarding erosion were brought up and his revised plans reflect the changes to correct same. Their access onto Upper

Elmore Mountain Road will also include Brenda Snow's driveway intersecting with theirs; that Brenda is agreeable and an 18" culvert will be installed with ditching to the Town culvert. They are also going to drill Brenda a well in exchange, she will deed them her spring which is located on their lot. Brush will be cleared 50' from the driveway to allow improved visibility onto Upper Elmore Mt. Road access.

They plan to install underground utility lines to their lot and will be speaking with Bill Pickens of Water & Light reference this.

Debra advised she would request that the construction site be mulched daily during construction to prevent erosion and inquired if they had spoken to anyone from the Morrisville Fire Dept. regarding the narrow curves to the house site, in the event of a fire. Sargent advised no.

Bill Moulton advised he feels the present culvert will have to be moved toward Nesbetts, also, a culvert will have to be installed under Brenda Snow's driveway. Bill further advised that the present plans for culvert are too far apart, being approximately 300' apart and should be closer, at least 150' apart, to curtail erosion.

Norman inquired as to the insulation in the proposed structure and Sargent advised they had not gotten that far in their planning, but energy efficiency is a priority.

Adrian moved to approve the revised Site-Plans as recommended at tonight's hearing. Jane seconded. Unanimously approved.

FACTS OF FINDING: Based on and examined under Title 24, VSA 4407 - SITE-PLAN APPROVAL, this application was granted approval of a permit, with conditions as recommended and agreed to at tonight's hearing.

****Minutes of 04/17/90 were acted upon, with the approval of same to be moved to Page 1.****

GENERAL DISCUSSION: Paul advised that Provost has requested information be sent to him. Gloria advised she spoke to him today on the phone and the information was provided to Provost.

Gloria reminded the PC Board of the "Mock BOA Meeting" being held at the Charlmont on 05/15/90, that a number of PC hearings are scheduled; that someone else will have to take the minutes as she and Donna Phelps will be attending this meeting. Norm requested that while at this meeting, to gather information regarding taking notes and writing minutes of meetings, for future use. Gloria advised the issue of the writing of the minutes was already in the process of being addressed; that she had forwarded random minutes of meetings to the Board's attorney for his review and was awaiting his opinion as to the content and legality, etc.

8:02 P.M. -- RECESSED HEARING/CARROLL PETERS, SUGARHOUSE RIDGE Sub-division on Lawrence Road. Paul inquired if there had been any changes in his plans since the previous meeting. Mr. Peters advised he has spoken with some State officials reference Prime Ag. & Wetlands. Basic plans and blue-prints were presented for PC's review, advising there is presently no plans for a fire pond to be constructed. Mr. Peters advised the plans will be revised for an ACT 250 Hearing, which will show the buffer zone; that John Stuart designed the sewage plans and each lot will have its own well.

Debra moved to close the discussion on this hearing and allow the Board up to 45 days to make a decision. Jane seconded. Paul advised a final plat hearing will be held, but should not schedule same until after the ACT 250 process. Unanimously approved.

8:30 P.M. -- RECESSED HEARING/CARROLL PETERS, ROLLING MEADOWS, located on the north-west side of Cochran Road. A site-walk of the property was previously conducted. Adjacent property owner, George Barton, was in attendance; Gloria advised that Mrs. Griswold had called her to reiterate her concern regarding her water lines, etc., as she was unable to attend tonight's meeting.

Adrian advised he was insisting the Town be held harmless concerning the quality of the water and to receive in writing legal documentation stating so.

Mr. Peters advised this would be added to the covenants that the Town of Morristown and the developers would be held harmless for the quality and quantity of the water in the future and this will be recorded prior to conveyance; that the covenants will be submitted at the time of the Final Hearing.

Gloria and Bill Moulton advised that the most recent testing of the water by the Town indicated it to be acceptable.

Peters advised he is not interested in acquiring any more land for further development in this area, but believes Percy's will be possibly developing in the future.

George Barton voiced his concern regarding the water lines in the area and asked if this area would be classified as `wetlands' by the State. Paul advised not to the PC's knowledge. Peters advised, no, and he was not asking for approval to develop Lot #4, also, there will be no future digging here.

Adrian made the motion to approve this application with the Condition, that it is Contingent upon the covenants include the Town is to be held harmless, now and in the future for the quality and quantity of the water supply, as discussed, and be recorded in the Town Clerk's office, prior to conveyance of property. Al seconded. There were four (4) members voting "yes", with Debra voting "no", due to her concern whether or not there is potable water on the lots.

FACTS OF FINDING: Based on and examined under Title 24, VSA 4407 (#5-Site-Development Plan Approval), Page 37, the Board granted Contingent approval of a Conditional Use that the applicant include in the covenants that the Town is to be held harmless, now and in the future for the quality and quantity of the water supply, as discussed, and be recorded in the Town Clerk's office, prior to conveyance of property.

Gloria and Carroll Peters will work out a time-frame for scheduling the Final Plat Hearing.

9:00 P.M. -- WARNED HEARING/TONY & CATHY VOYER, Maple Street, were in attendance seeking the Board's approval for an amendment to an approved Site-Plan, advising that last year, plans were submitted and approved, but now they want to remove the garage and add two (2) apartments on 30,070 sq. ft. lot. That nothing has been built as of yet. Gloria advised that Voyers still have to put a fence up.

Al made the motion to approve. Bill asked if they still had the access Permit to the garage. Debra stated she wanted to amend the motion to include the Voyer's submit to the PC's the previous approved access permit, and seconded the motion with the amendment. The amendment and the original motion was seconded and unanimously approved by the Board.

FACTS OF FINDING: Based on and examined under Title 24, VSA 4407, approval was granted for an amended Site-Plan, with the Condition the access Permit to the previously proposed garage be submitted to the Planning Commission.

GENERAL BUSINESS: Gloria advised the Selectmen are in receipt of Paul Nesky's resignation from the Planning Commission; also, Jane Greene has resigned her position as Clerk, therefore, the Board will have to appoint a new Chairman and Clerk.

Adrian made the motion to adjourn at 9:10 P.M.

Respectfully Submitted,

Donna C. Phelps

Donna C. Phelps, Recording Secretary
Morristown Planning Commission

/dp

NEXT SCHEDULED HEARING: MAY 15TH, 1990 @ 7:30 P.M.

AGENDA:

Date : May 15, 1990

7:30 PM Brad Benedict, rep. Pall Sperra, SPR, office(s) for medical practice, Mansfield Ave. & Wash. Hgwy, (BOA CU hearing on May 9th.)
8:00 PM Parker, SD, Warned Hearing, Upper Main St.
8:15 PM Sargent/Holman SD, Warned Hearing, Upper Elmore Mtn. Rd.
8:45 PM Provost, SD, Trailer Park, Fitzgerald Rd.