

Morristown/Morrisville Development Review Board
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Meeting Minutes of April 28, 2016

Members Present: Karyn Allen, John Gloss, Brian Irwin, Gary Nolan (Chair), Paul Trudell & Chris Wiltshire

Members Absent: Susanna Guthmann & Theresa Breault (Alternate)

Staff: Todd Thomas, Zoning Administrator

Signed-in Guests: Bob Cowie, Engineer Jeff Olesky, Kathleen Thibodeau, Barbara Percy, Diane Williams, David Smith, Rebecca Scholl, Jackie Magoon, Michael Leikert, Bruce Wilder, Tammy Carter, Cheyenne Carter, Melissa Sheffer, Chris Chauvin, Ray Chauvin, Mary Leikert, Evelyn Leikert, Sharon Rowell, Richard Tomlinson, Sam Guy, David Boudreau, Kristen Connolly, Steven Clayton, David and Karen Loh.

Call to Order & Minutes: Chair Nolan called the meeting to order at approximately 6:30 PM. Member Irwin moved to approve the March 10th meeting minutes as presented. A vote of 6 to 0 affirmed the motion.

Hearing: North Country Fed. Credit Union, Munson Ave (Chauvin) §630 CU & §500 SPA

Applicant North Country Federal Credit Union appeared before the Board requesting §630 Conditional Use & §500 Site Development Plan Approval to add the Business Services use for a 2,804 ft² building located on parcel 08-090-2 owned by CCS Development at 147 VT Route 15E in the §210 Commercial Zone. Engineer Jeff Olesky and Bob Cowie presented the project to the Board. Mr. Olesky said that the credit union building would be accessed off the extension of Munson Avenue and it would include a drive-through. He said that water and sewer would be brought to the building underground, along with the propane heat source. The sewer extension to the building will be approximately 300 feet in length. The credit union building will house approximately 8 employees and hours of operation from 8:30 AM to 5 PM Monday through Friday and from 9 AM to 1 PM on Saturday. Upon a question from Member Trudell, Mr. Olesky spoke to the landscaping which included red maples along the roads and shrubbery on-site. Member Trudell asked about lighting. Mr. Olesky said the new lighting in the parking lot was 16 feet tall. Mr. Olesky said that stormwater would be treated on-site and conveyed across the Munson Ave extension during large storm events. Chair Nolan confirmed with Mr. Olesky that stormwater would **not** be conveyed into the undersized culvert under Route 15. Mr. Thomas said that he would ensure that stormwater not crossing Route 15 would be condition of approval. Zoning Administrator Thomas said that the proposed project complies very well with the Bylaws. Member Trudell moved to approve the project as presented with the Board's aforementioned and standard conditions. A vote of 6 to 0 affirmed the motion.

Hearing: Loh Real Estate LLC, Stancliff Road (Mt Vernon Lodge) §630 CU & §500 SPA

David and Karen Loh appeared before the Board on behalf of applicant/landowner Loh Real Estate LLC who was requesting §630 Conditional Use & §500 Site Development Plan Approval for a §435 Expansion of a Non-Conforming Use for a doggie daycare in the existing vet office on parcel 16-125 at 147 Stancliff Road in the §260 Rural Residential Agricultural Zone. David

explained that the doggy daycare would be designed for a maximum of 15 to 20 dogs and that it would operate from 7 AM to 6 PM on weekdays only. He explained that the dog pen would be added to the back of the vets' office to allow the dogs outside. He said that he envisioned using a 6 foot tall chain-link fence for the pen. He added that no additional external lighting was planned as part of the project. Neighboring property owner Kathleen Thibodeau said she is concerned about barking becoming a nuisance. Neighboring property owner David Smith said he is concerned that this doggie daycare may degrade the character and value of the area due to excessive noise. It was suggested that if the dogs cannot see through the fence, less barking might occur. David Loh said that he was amenable to a fence screening condition of approval. Member Irwin moved to continue the discussion in Deliberative Session. The motion was affirmed by vote of 6 to 0. Upon returning to Open Session, Member Irwin moved to approve the project as presented with the following conditions:

1. The doggie daycare shall house a maximum 20 dogs.
2. There shall be no overnight or weekend boarding of dogs, as this is not a kennel.
3. The doggie daycare's hours of operation shall be limited to 7 AM to 6 PM on weekdays.
4. Any dog that is outside barking, shall be taken inside within 5 minutes from the time of when the barking commenced.
5. A staff member responsible for the doggie daycare must be present at all times when there are dogs present at the daycare.
6. The proposed outside dog pen shall be no taller than 6 feet and the bottom 36 inches of this fence must not be see-through to avoid daycare dogs barking at passersby.

A vote of 6 to 0 affirmed the motion.

Hearing: Doggie Daycare Home Business at 44 Sand Hill Ht. (Carter) §630 CU & §500 SPA

Applicant/landowner Tammy Carter appeared before the Board with her daughter Cheyenne requesting §630 Conditional Use, §460 Home Business & §500 Site Development Plan Approval to add the Business Services use (doggie daycare) in the house's basement on parcel 14-010 at 44 Sand Hill Heights in the §260 Rural Residential Agricultural Zone. Tammy Carter described the proposed doggie daycare operation as not including any overnight boarding and with business hours of 6 AM to 6:30 PM Monday through Friday. She said there will be a fenced-in area (6 foot tall chain link fence) for the dogs in the yard approximately where the pool is now. She added that there would be no more than 15 to 20 dogs in the daycare at any one time. Mr. Thomas read a letter into the record from neighboring property owner James Brewster expressing concerns about the proposed project. Ms. Carter said that the dogs would not be allowed to bark incessantly outside. Member Irwin moved to approve the project as proposed provided that a staff member responsible for the doggie daycare be present at all times, that there be no overnight or weekend boarding of dogs and that any dog that is outside barking shall be taken inside within 5 minutes. A vote of 6 to 0 affirmed the motion.

Hearing: Auto Repair Home Business at 82 Howard Street (Leikert) §630 CU & §500 SPA

Applicants/landowners Mary & Michael Leikert appeared before the Board requesting §630 Conditional Use, §460 Home Business & §500 Site Development Plan Approval to add the Motor Vehicle Service Station use in the existing garage on parcel 23-061 at 82 Howard Street in the §245 High Density Residential Zone. Mr. Leikert told the Board that he would like to start doing appointment-only car and small engine repair in his garage. He said that the hours of

operation for this home business would be from 9 AM to 5 PM Monday through Friday and that he would anticipate one appointment a day on average. He added that he will not do car inspections, tire swaps or oil changes and that all work will be done behind closed doors in the garage. Mr. Thomas noted section 483 of the zoning bylaw that specifically deals with motor vehicle service station uses. Neighboring property owner Richard Tomlinson said that a car repair garage is not appropriate in a high density residential area. The Board discussed a condition that would make the garage home business nontransferable. Mr. Leikert agreed to his permit being non-transferable as a condition of approval. It was agreed that that any permit approval be accompanied by the standard 1, 3 & 5 year full Board review. Mr. Tomlinson asked for full screening of any car garage repair work visible from the Boudreau property. Mr. Boudreau said that he does not want a car business in this location and the resulting noise in a residential area. Sharon Rowell asked about fluid disposal. Mr. Leikert said that all fluids would be disposed of properly. Ms. Rowell said that she thinks that a car repair business is already taking place on this property. Mr. Leikert said that he has only been sharpening golf course mower blades on the property during the winter months and that any car work the neighbors have seen was done on his daughters' cars. It was clarified that there are four personal cars on the property and that there would be no more than two other additional cars there at any time for the home business use. Neighboring property owner Sam Guy said he is also concerned about the impacts of adding a car repair business to residential neighborhood. Neighboring property owner Kristen Connolly said that she supports this home business being permitted as it would not create any traffic problems. Member Irwin moved to continue the discussion in Deliberative Session. The motion was affirmed by vote of 6 to 0. Upon returning to Open Session, Member Irwin moved to approve the project as presented, with the following conditions:

1. The home business' hours of operation shall be limited to weekdays, 9 AM to 5 PM.
2. All repair work will be done inside the garage with the garage door closed.
3. The repair work shall not include inspections, tire swaps or oil changes.
4. Car repair clients shall be limited to two per day.
5. There shall be no more than two customer cars parked outside the garage any one time.
6. This approval shall be subject to a one, three and five year full board review of the project and resultant impacts to the neighborhood.
7. This permit shall be nontransferable, in that any successive owner or assign shall have to apply anew before this car repair operation can continue under new ownership.
8. Screening shall be planted along the Boudreau property line to shield the home business from neighboring property owners.
9. The regulations contained in section 483 of the Bylaws shall be conditions of this permit.
10. All cars on the property, including personal vehicles, must be registered at all times.
11. There shall be no sign allowed for the business so its appearance comports better in this high density residential neighborhood.
12. No additional exterior lighting shall be allowed as part of this business.

The motion failed carried by vote of 2 to 3.

Mr. Thomas said he would permit the golf mower blade sharpening as a Home Occupation.

The meeting adjourned at approximately 9:30 P.M.

Respectfully submitted by Todd Thomas, Zoning Administrator.

