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**MORRISTOWN/MORRISVILLE  
DEVELOPMENT REVIEW BOARD  
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## **Minutes of April 24, 2003**

Members Present: Gary Nolan, Carol Jennings, David Silverman, Paul Trudell, Theresa Breault

Members Absent: Jean Wickart, Carl Fortune

Recorder: Mark Leonard, Zoning Administrator

Guests: Pat Harvey, Elaine Tenney, Earle & Arlene Welch, Joseph & Linda Charette, Susan Martin, Larry Bertrand, Hubert & Mary Lechevalier, Frank Lamphier, Kevin Amyot, Susan Low, Judith St Aubin, Dale Neil, Katie Neil

Chairman Gary Nolan called the meeting to order at 7:32 PM. On a motion by Carol, seconded by David, minutes of the March 27, 2003 meeting were unanimously approved. On a motion by Theresa, seconded by Carol, minutes of the April 10, 2003 meeting were unanimously approved.

### **H.A. MANOSH, INC: CONDITIONAL USE PERMIT RENEWAL, CAR WASH EXPANSION, 538 BROOKLYN ST**

Gary recused himself due to an employment relationship with the applicant and David assumed the chair. Theresa administered the sworn oath to Kevin Amyot, representing the applicant.

Kevin explained that HA Manosh had been granted a Conditional Use permit to expand its car wash on Brooklyn Street in the fall of 2001. Since that time, no work on the expansion has been performed and the permit expired. The original site plan and application were reviewed and no changes are proposed to the original plan.

Paul moved to renew the permit with all conditions originally imposed for a period of one year. Theresa seconded the motion and it passed unanimously.

### **EDWARD BIRMINGHAM FAMILY TRUST: CHANGE OF USE (NURSING HOME TO RESIDENTIAL), 92 LOWER MAIN ST**

Gary opened the hearing and gave an overview of the application. The application will be reviewed under Sections 208d and 630-635 of the Morrisville/Morristown Zoning and

Subdivision Bylaws. Theresa administered the sworn oath to Larry Bertrand and Susan Martin, representing the applicant, and Susan Low and Judith St Aubin, adjacent property owners.

Larry Bertrand explained that the prospective buyer wished to renovate the former nursing home and create two dwelling units: a seasonal residence and a caretaker's apartment. The only exterior structural change proposed is an 8x8 mudroom addition along the driveway. The buyer would also purchase the small parcel between the main lot and the Morrisville Water & Light Department property below it.

David asked how many bedrooms there were in the former configuration as a nursing home. Larry replied there had been 11 bedrooms and that there would be far fewer under the new configuration.

Judith St Aubin asked if there was any possibility that the building would be split up into condominium units; Larry stated that it would not.

David moved to approve the application as presented. Theresa seconded the motion and it passed unanimously.

**JOSEPH CHARETTE: CONDITIONAL USE, HOME BUSINESS (AUTO REPAIR) & PRIVACY FENCE, 2602 ELMORE ROAD**

Gary opened the hearing and gave an overview of the application. The application will be reviewed under Sections 263a, 425, 460, and 630-625 of the Morrisville/Morristown Zoning and Subdivision Bylaws. David recused himself due to a family relationship with some of the interested parties. Theresa administered the sworn oath to Joseph & Linda Charette, Pat Harvey, Elaine Tenney, Earle & Arlene Welch, Hubert & Mary Lechevalier, and Frank Lanphier.

Joseph Charette proposes to start a home business, auto repair, in the existing two-car garage at his home. He would do minor repairs such as tune-ups, brake work, etc. His business hours would be 8am to 5pm, Monday to Friday. He anticipates no more than 3-4 cars coming in on a given day, which could result in one or two vehicles being parked in his driveway awaiting service. Waste oil and other hazardous materials will be properly stored and disposed of. He also proposes to put up a six foot privacy fence along the west boundary of his property to screen his back yard where he is restoring several cars he owns. He may put a small sign for the business on the fence.

Pat Harvey asked where snow from his driveway would be placed with this business using the driveway. Joe said it would be pushed off to the right as it is now. Pat asked about noise. Joe said it should be minimal, since the garage is not that close to any other house and that he would keep the doors closed at all times.

Frank Lanphier said he was speaking for himself and several other neighbors who could not attend in stating that they felt a business such as this would certainly be out of character with the surrounding area.

Earle Welch said he too was concerned about the impact on property values and the character of the neighborhood.

Paul Trudell noted that, based on the dimension of the garage, house, and enclosed porch, the proposed business would exceed the allowable 25% of the total square footage of all structures on the property. He also pointed out the prohibition on exterior displays, storage, or

indications of the home business, advising that any cars or materials present as a result of the business would have to be behind the fence or otherwise screened from view.

Paul moved to go into deliberative session on this application at the conclusion of all other hearings on the agenda. Carol seconded the motion and it passed unanimously.

**KATIE & DALE NEIL: PRE-APPLICATION REVIEW, 5-LOT SUBDIVISION, LAPORTE RD**

Katie Neil presented a proposal to subdivide a 115-acre parcel on the west side of Laporte Road, in the vicinity of Lawrence Farm Road. The current owners would retain approximately 24 acres west of Lawrence Brook. The Neils would create three single family home lots of at least two acres (actual acreage as yet to be determined), to be located toward the center of the current lot near the brook. Approximately 30 acres along Laporte Road would be used as a horse farm, with the balance the property undeveloped at this time.

David made a motion that the proposal conformed to the Town Plan. Paul seconded the motion and it passed unanimously.

The board met in deliberative session on the Joseph Charette application. David again recused himself. Paul moved to approve the conditional use six-foot high privacy fence. Theresa seconded the motion and it passed unanimously. Paul made a motion to approve the conditional use home business. Theresa seconded the motion. The motion was defeated on a vote of 0-4 on the basis of the business exceeding the allowable square footage and exterior storage/indications of the business at variance with the residential character of the area.

The board met in deliberative session on the Pete and Pat Couture application. Gary recused himself due to a possible conflict of interest. David made a motion to approve the application on condition that the applicant submit a final site plan prior to construction showing a stormwater drainage plan to minimize runoff from the property going onto the town road, parking for equipment, employees and customers, and landscaping along the south boundary of the property. Theresa seconded the motion and it passed unanimously.

On a motion by Paul, seconded by Carol, the meeting was adjourned at 9:15 PM.

Respectfully submitted,

Mark Leonard, Recorder