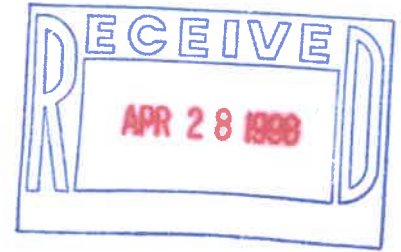


**MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
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Minutes of April 23, 1998

Members Present: Rich Furlong, Gary Nolan, David Silverman, Tom Paine, Theresa Breault and Paul Trudell.

Members Absent: None

Guest: William Danforth, Ann Danforth, Dick Sargent, Bill Jaremezik, Everett Rowell, Mac Manning Gene Condon, Munro Brook, Jonathan Williams, Ernie Ruskey, Cindy Knouf, Helen Lewis, Duncan Nash, Ann Linton, Linda Wood, Jan Stangel, Darcie Fitzgerald, Clark Bailey, John Hancock, Michael Gohl, Marc Cote, and Diane Cote.

The meeting was called to order at 7:34 PM. by Gary Nolan, Chair..

Theresa made a motion to approve the minutes of March 26, 1998, as written.
Rich seconded the motion and it passed unanimously.

Theresa made a motion to approve the minutes of April 9, 1998, as written.
Tom seconded the motion and it passed unanimously.

**MARVIN AND ELEANOR RANDALL, WAIVER REQUEST TO ENLARGE PORCH
THREE FEET WIDER AND THREE FEET LONGER, COURT STREET.**

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 250, 252.d and 254.1 of the Morrisville Zoning Bylaws. Gary explained that a site walk of the property was conducted prior to tonight's meeting.

Theresa administered the sworn oath to Eleanor Randall.

Ms. Randall gave an overview of the project. They need to replace the existing porch and they would like to expand it three longer and wider so that it will reduce it by one step to make for better access for the house.

David made a motion to approve the waiver request as presented
Paul seconded the motion and it passed unanimously.

WARNED HEARING, WOLCOTT CHILDREN'S BALLET, WAIVER, CONDITIONAL USE AND SITE PLAN REVIEW, UNION STREET.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 250, 252.d, 254.1, 450-454, 500-503.4 and 630-637 of the Morrisville Zoning Bylaws. Gary explained that a site walk of the property took place prior to tonight's meeting.

Theresa administered the sworn oath to Michael Gohl and John Hancock.

Mr. Gohl and Mr. Hancock gave an overview of the proposed project. They wish to purchase the Steve Draper truck garage and a portion of Lamoille Housing Partnership's land and turn the garage into a ballet studio. The LHP land will allow them to have their stairs in the rear. This addition will meet the side and rear setback. They have parking for five cars. They will be taking out the garage doors and installing windows. Their hours are after school to 9:30 PM. and 8:45 AM to 5:00 PM on Saturdays. They have big events four to six times per year and they will ask the people to park in the municipal parking lot. One overhead door will be replaced with the entryway. The building will be about 32 feet tall. The renovation will be done in a Victorian style to match the neighborhood. It was used as a truck garage until fall of '97.

The Gary asked about noise?

Mr. Hancock said the noise will come from the children and the ballet music through open windows when weather permits.

Paul asked about exterior lighting.

Mr. Gohl said that the entryway will be glass and the light will shine out into the parking lot.

The Board asked if the space will be used by others?

Mr. Hancock said maybe by other non-profits.

Gary asked about the back yard and its use.

Mr. Hancock said it would be used as a picnic area with picnic tables.

Paul asked about landscaping?

Mr. Gohl said none was planned.

Paul said he would like to have some plantings along the sides of the parking area.

David made a motion to recess the hearing to a deliberative session to immediately follow the remainder of the hearings.

Theresa seconded the motion and it passed unanimously.

WARNED HEARING, NORTH COUNTRY ANIMAL LEAGUE, ANIMAL SHELTER SITE PLAN REVIEW AND CONDITIONAL USE APPROVAL, ROUTE 100 SOUTH.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 280, 283.d, 450-454, 500-503.4 and 630-637 of the Morristown Zoning Bylaws. Gary noted that the Board had done a site walk prior to tonight's hearing.

Theresa administered the sworn oath to Ernie Ruskey, Jan Stangel, Cindy Knauf, Linda Wood, Gene Condon, William Danforth, and Bill Jaremezik.

Linda Wood gave an overview of the North Country Animal League. They are a non profit organization who receives about 800 animals annually. They are the only animal shelter in Lamoille County. They have become a community resource, as well as, meeting the community needs and other towns outside of Lamoille County. They were formed seven years ago.

Ernie Ruskey gave an overview of the proposed project. They have three goals with the project. The first goal is to be able to build the project in phases within the leagues budget. The second goal is to fit in with Vermont style buildings. The third goal is to meet the requirements of the Morristown Zoning Bylaws. Their money comes from community funding. The plan shows the build out for site in 10-15 years. Most of the property will remain as pasture land and will be mowed twice a year. The site will be landscaped with native maple and fir trees. The site has adequate site visibility. Noise is a concern and there are various levels of noise, the building is being built so that the building will act as a buffer. The second factor of noise is distance as decibels drop off with distance. The project is about 250 feet from the Danforth property, 400 feet to the chiropractor and 600 feet from the golf course. The natural elements (grass and trees) will buffer the noise as will the tree lined brook. The building is designed to hold in noise. A dog bark maybe 80 decibels at the dog and only 50 decibels at 50 feet.

Jan Sangel answered questions on the dog run. The dogs will be walked outside with volunteers between the hours of 10:00 AM and 4:30 PM. They (NCAL) want silence so the dogs will be hand walked, and they train the dogs not to bark, so that they are adoptable.

The shelter will house around 25 dogs and no more than three dogs will be outside in the dog run at a time. They deal with dogs, cats, rabbits, and other small pets. The daily activity will be some people coming in to surrender animals and others coming to adopt. Sometimes they will have school classes or other organizations coming through for a tour. Traffic will be about twenty cars per day. The building will not be staffed 24 hours a day in the beginning, but they may have a care giver there 24 hours a day in the future. The entire building will be climate controlled, but they will open windows in the spring and fall.

Mr. Danforth said that the prevailing winds will carry the sounds towards Route 100.

Mr. Jaremezik said that the tree line by the brook is only alders. Do you know of any other animal shelters next to hotels or golf course?

Ms. Stangel responded not golf course but hotels in Boston and she could give him the names of the hotels.

Mr. Jaremezik asked about the dog noise.

Ms. Stangel said no one wants quiet anymore than the staff.

Mr. Ruskey said that the road noise of Route 100 will block the noise to some degree and that the building is setback 125' from the centerline of Route 100. The dog run is outside on the back of the building where the conifer trees are located.

David asked the following questions of Mr. Ruskey: Will the dogs be outside unattended? No. Is the dog kennels to be air-conditioned? Yes, they are climate controlled, but they will open windows for cross ventilation in the spring and fall to save on operating cost. Can the dogs see each other? Across only not to the sides as they will be in cubicles. Are the cubicles soundproofed? Yes, they are made out of block.

Paul asked the following questions of Mr. Ruskey. Are the ceiling tiles absorbing tiles? Yes. Isn't this a weak point? Maybe. Will the block be soundproofed as thick masonry will stop

sound? Yes. The windows will be a weak point unless they are triple glazed? The sound dissipates with distance so windows are not planned to be triple glazed. The windows and roof are the weak points? Yes, but the distance and materials will disperse the sound.

Ms Condon asked if the plans include building materials so the we will what the soundproofing will be? No. Do you have a sound engineer for this project? No, but we have talked with one. Has the sound engineer reviewed the project and materials? No. You expect upwards of twenty dogs and volunteers will be outside with the dogs. They are not trained professional staff. Why do you want to be on Route 100? The visibility, and it will be easier to find us.

Dick Sargent asked questions of Jan Stangel the following questions: Can the dogs kennels can the dogs see outside and each other. They can not see outside and can see only the dog across from them. Is there an adoption fee? Yes. Do you sell collars? Yes and leads. Might you sell dog food in the future? Possible. Will the facility be the dog pound? No, the towns have contracts with the Foss, and we are happy with that arrangement. Do you ever have to euthanasia animals? Occasionally at Sequist animal hospital. What happens to the euthanased animals. They are cremated at his facility. Will you be burying animals or remains on site? No. The built out plans show a veterinarian clinic will you have a veterinarian on staff. No, but we may have a spay and neuter clinic. How tall is the building about 27 feet. What other uses will take place on site. We will have education class on the animals and have a community day

Paul asked about exterior lighting and the parking lot surface. The lighting will be wall pacts and bollard lights and the parking lot will likely be paved.

David made a motion to go into deliberative session immediately follow tonight's hearing.

Rich seconded the motion.

Gary asked if there was any further discussion.

Dick Sargent said that he felt that it was a stretch to call this a community facility and the Town Plan indicates Route 100 is a scenic highway. He ask if he could ask his client so questions.

Mr. Sargent asked Mr. Jaremezuk, which way do your windows in your motel face? Towards the animal shelter. What is your clientele? 90 to 95 percent out-of-stater's who come to play golf. Do you allow pets? No.

The motion passed unanimously.

WARNED HEARING, CONCEPT II, SITE PLAN REVIEW AND CONDITIONAL USE 50' X 58' ADDITION AND TWO WALKWAYS, INDUSTRIAL PARK DRIVE.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 230, 233.a, 450-454, 500-50.4, and 650-657 of the Morristown Zoning Bylaws. Gary noted that the Board conducted a site walk of the property prior to tonight's hearing.

Theresa administered the sworn oath to Jonathan Williams.

Mr. Williams gave an overview of the proposed project. They are proposing two build an

office building. The building will be wooden and match the existing buildings. There will be two walkways one from the existing office to the new office building, this will be enclosed with fire walls and the second walkway will be open and made on non combustible materials between the addition and main building. They also wish to move the truck road for better traffic flow. The new road will come around all of the buildings. The office building will have fourteen cubicles and two conference rooms and will be handicap accessible. The elevation of the addition will be 19 feet. Some trees will need to be relocated to other locations on the property and any that can not be used on site will go to other locations in the industrial park. Some trees will be cut as it may not be practical to move them. The exterior lighting will be reduced from two to one.

Paul asked if there was a landscaping plan.

Mr. Williams responded no they will just move what trees they can to other locations on the property.

The Board suggested that Concept II consider a hedge along the CCS property line.

Rich made a motion to approve the application as presented.

David seconded the motion

Paul asked if they would be willing to add a condition where two trees would be planted along road somewhere on the property.

Rich and David were willing to amend the motion and second to include Paul's request for two trees.

The motion was approved unanimously.

WARNED HEARING, ONE YEAR REVIEW, MARC AND DIANE COTE
CONDITIONAL USE AND SITE PLAN REVIEW, STAFFORD AND GOODELL
AVENUES

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 210, 213h, 450-454, 500-503.4 and 630-637 of the Morristown Zoning Bylaws. Gary noted that a site walk had taken place prior to tonight's meeting.

Theresa administered the sworn oath to Marc Cote, Diane Cote, Malcolm Manning, and Everett Rowell.

Mr. Cote explained that his tenant had expanded more than he should have and now he will be keeping better watch on him. They are proposing to put cement barriers on his property beside Goodell Avenue to force people to use Stafford Avenue.

Mr. Rowell said the place looked better now than it had in a long time and he had spoken to Mr. Cote and Mr. Cote has instructed his tenant not to use Everett's property. He is pleased to see it picked up.

Mr. Manning said his concerns were about traffic on Goodell Avenue and snow being plowed on his property. He is pleased with Mr. Cote's idea of blocking off the entrance from Goodell Avenue.

Mr. Cote apologized for plowing snow on Mr. Manning's property.

David asked if more conditions should be put on the permit?

Gary said that the seventeen conditions are enough, we just need to enforce them if a

problem arises.

David made a motion to approve the one year review and to require another review in one year, no more than a total of twenty cars until Mr. Plante is issued a used car dealer's license and to have the DRB keep a closer eye on the site.

Rich asked David if he would amend his motion to review this permit in six months.

David agreed.

Rich seconded the motion and it passes unanimously.

Other Business:

Ken questioned the site plan by Todd Shonio.

The DRB asked Ken to write Mr. Shonio and request an accurate site plan to scale showing building driveways, parking lot, and trees.

David made a motion to at 10:25 PM to go into deliberative session on Wolcott Children's Ballet and North Country Animal League.

Paul seconded the motion and it passed unanimously.

David made a motion to come out of deliberative session at 10:50 PM.

Theresa seconded the motion and it passed unanimously.

Theresa made a motion approve the Wolcott Children's Ballet application with the following conditions: Lamoille Housing Partnership will be issued a waiver to allow them to keep there six unit if the sell the ballet, the noise of the music is to be kept at a reasonable level, parking is a concern so the Board will review the project in one, three, and five years, landscaping at the parking lot ends, hedge fence around rear yard, lights except security lights off when no one is present, and our standard conditions, and suggest that they consider lights beside entryway.

Rich seconded the motion and it passed unanimously.

Paul made a motion to issue North Country Animal League a recess memo stating that: the hearing is recessed to May 28, 1998, the Board wishes to see a better plan for noise abatement, a report from a sound engineer and to have the engineer present at the hearing, and to consider a landscaped berm around the building to funnel the noise upward and any other suggestions that sound engineer recommends to control the noise as not to disturb the neighboring properties.

Tom seconded the motion and it passed unanimously.

David made a motion to adjourned the meeting at 10:56 PM.

Paul seconded the motion and it passed unanimously.

Respectfully submitted,
Kenneth J. Sweetser, Scribe.