**MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
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Minutes of April 22, 1999

Members Present: Gary Nolan, Tom Paine, David Silverman, Theresa Breault, and Carol Jennings.

Members Absent: Paul Trudell and Rich Furlong.

Guest: Lucy Leriche, Luce Hillman, Jack Peduzzi, Michael Wisniewski, William Axelander, Nick Silvestro, Ted Zilius, Eleanor Sweeny, Rebecca Lebovich, Sylvia Dent, Ned Houston, Thomas Griffith, Paul Plante, Leslie Black, Graham Gavoni, Ann Bjerke, Virginia Sturevant, Gloria Wing, Mildred Farnham, Helen Farnham, Lee Sturevant, Betty Darrah, Wendy Andres, Arlene Jones, Maria Hall, Richard Cron, Frederick Pierce, Francis Pierce, William Fitzgerald, Phyllis Fitzgerald, Sherilyn Lambert, Mary Coddaire, and Carrie Page.

The meeting was called to order at 7:30 PM. by Gary Nolan, Chair.

Theresa made a motion to approve the minutes of April 8, 1999, as written.
Tom seconded the motion and it passed unanimously.

WARNED HEARING, COPLEY HEALTH SYSTEMS, LAMOILLE HOUSING PARTNERSHIP, AND LAMOILLE COUNTY MENTAL HEALTH, CONDITIONAL USE AND SITE PLAN REVIEW, 379 WASHINGTON HIGHWAY.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 235, 258.f.g.j, 450-454-500-503.4 and 630-637 of the Morrisville/Morristown Zoning and Subdivision Bylaws. A site walk of the site was done before tonight's meeting.

Theresa administered the sworn oath to Jack Puduzzi, Lucy Leriche, Luce Hillman, Michael Wisiewski.

Mr. Peduzzi gave an overview of the proposed project. They wish to bring the building back to architectural style. Mr. Peduzzi read from a handout. They will remove the nurse annex and all adittion after 1960. They will renovate the first and second floors for use as a level III care facility and on the third floor will be three apartments. This will be the permanent home for those on levels one and two. None of the patients will have more than 50% of median income, with most less that 30%. They have met with the Village Trustees who deferred the approval to the Select Board who have granted their approval.

Mr. Wisniewske explained what they are doing from an architectural point. They are removing the addition after 1960 and restoring the wrap-around porches. The addition will attach to the rear side and will not be seen from the roads. They are matching the style and exterior finish of the addition the best they can to match the original structure. They are improving the parking lot traffic flow and reducing the amount of parking since the residents on level one and two do not have cars and have very few visitors. The facility will average four employees and at staff meeting they will have up to 10-12 vehicles. They are proposing 17 parking spaces.

Ms. Hillman went over the site engineering. They will be using municipal water, sewer and they have a fire hydrant across the street. Water pressure is a concern, they are on a four inch main and may have to tap off the twelve inch main for their sprinkler system. If this does not give them pressure enough they will have to have a storage tank. They will minimize the storm water run off and are proposing to treated it on site

Mr. Silvestro was sworn in and explained that they have a staff of twelve in a 24 hour period, with six during the day, four in the evening and two overnight.

Gary asked if this was tied to the new Copley Long Term Care Facility and is it the same level of care?

Mr. Alexander was sworn in and responded that it is tied to new facility in since that they can not start this project until the residents are moved into the new facility. This facility will require more physical services than the new care facility.

David made a motion to recess the hearing to a deliberative session immediately following tonight's hearing.

Theresa seconded the motion and it passed unanimously.

WARNED HEARING, PLANTE' AUTO SALES AND SERVICE NINE MONTH REVIEW, 237 BROOKLYN STREET.

Gary gave an overview of the permit. A site walk was conducted before tonight's hearing. Gary noted a slight overage in cars on site.

Theresa Administered the sworn oath to Paul Plante and Thomas Griffith

They are proposing to construct a eight foot high stockade fence to shield the view of the cars on the upper bank.

The nine month review was approved and their next meeting with the Board is in three months for their one year review.

WARNED HEARING, LESLIE BLACK AND GRAHAM GAVONI, LAW OFFICE, 60 BRIGHAM STREET, SITE PLAN REVIEW.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 205, 207.C, 450-452, 500-503.4 of the Morrisville/Morristown Zoning Subdivision Bylaws. A site walk was conducted prior to tonight's hearing.

Theresa administered the sworn oath to Leslie Black and Graham Gavoni.

Ms. Black gave an overview of the proposed project. The law office will be on the first floor and they will live above it. They hope to convert the whole building in to a law office and that is why they want the use established now. The will have between three and four employees who will park in the municipal parking lot. They will park in the driveway themselves.

David made a motion to approve this application with our standard conditions.

Theresa seconded the motion and it passed unanimously.

WARNED HEARING, BLOW AND COTE, 20' X 60' SHED ADDITION, CONDITIONAL USE AND SITE PLAN REVIEW, 815 VT. RTE. 15. E.

Gary opened the hearing and gave an overview of the application. The application is to be reviewed under Sections 230, 233.f.g.j., 450-452, 500-503.4 and 650-657 of the Morrisville/Morristown Zoning and Subdivision Bylaws. A site walk was conducted prior to tonight's meeting.

Theresa administered the sworn oath to Michael Cote

Mr. Cote explained that they wish to remove some old trailer boxes from the rear of the building and are replace them with a 20' X 60' shed addition. The shed will be cold storage with a concrete floor, windows and a row of flourescent lights down the center. There will be no exterior lights and it will take them about a month to build the addition.

Tom made a motion to approve the application with our standard conditions.

Carol seconded the motion and it passed unanimously.

REBECCA LEBOVICH, 18' X 24' GARAGE WITH A 8' X 20' BREEZEWAY, WAIVER REQUEST 103 MAPLE STREET.

Gary gave an overview of the application it will be reviewed under Sections :250, 252.d, and 254.d of the Morrisville/Morristown Zoning and Subdivision Bylaws. A site walk was conducted prior to tonight's meeting.

Ken recused himself from the two Rebecca Lebovich applications and left the room.

Theresa administered the sworn oath to Ted Zilius, Rebecca Lebovich, Mary Codaire, Carrie Page, Virginia Sturtevant, Lee Sturtevant, Sherilyn Lambert, Phyllis Fitzgerald, Francis Pierce, Frederick Pierce, Richard Cron, Maria Hall, Wendy Andrus, and Gloria Wing.

Ted Zilius gave an overview of the application. They are proposing to build a 18' X 24 garage and a 8' X 20' breezeway. The garage will be other side of the house and will have a new driveway. The existing driveway will be removed. The project meets the side and rear setbacks and the applicant is requesting a 13' waiver of the front setback so that the garage lines up with the front of the house. They are also requesting a 14' shed dormer on the second story on the south side.

Wendy Andrus asked why she did not get noticed when the other did.

Ken came back into the room and said she was accidently omitted and when it was brought to my attention, it was corrected and she was then given notice. Ken left the room again.

Marie Hall asked about the change in size of the buildings.

Mr. Zilius said the dimensions were not final at the time of the application and they went larger as they could reduce its size.

Gloria Wing asked why they couldn't move the buildings back to the 25' rear setback.

Mr. Zilius responded that it is the only place it fits with the rooms in the house without major reconstruction of the interior of the dwelling. The Applicant is concerned about changing the character of the neighborhood.

Mary Coddaire asked what is the difference between a waiver and a variance?

Gary explained that it probably would not be granted a variance due to the requirements for a variance and with a waiver it can be approved if the waiver has minimal effect on the environment and aesthetics.

David made a motion to recess the hearing to a deliberative session immediately following tonight's hearing.

Tom seconded the motion and it passed unanimously.

REBECCA LEBOVICH, 10,000 SQUARE FOOT TRANSIENT LODGING FACILITY, 83 MAPLE STREET CONDITIONAL USE, SITE PLAN REVIEW AND WAIVER REQUEST.

Gary gave an overview of the application which will be reviewed under Sections: 250, 213.a, 450-454, 500-503.4, and 630-637 of the Morrisville/ Morristown Zoning and Subdivision Bylaws. A site walk was conducted prior to tonight's meeting.

Ken left the room due to a conflict of interest.

Theresa administered the sworn oath to Ted Zilius, Rebecca Lebovich, Mary Codaire, Carrie Page, Virginia Sturtevant, Lee Sturtevant, Sherilyn Lambert, Phyllis Fitzgerald, Francis Pierce, Frederick Pierce, Richard Cron, Maria Hall, Wendy Andrus, and Gloria Wing.

Mr. Zilius gave an overview of the proposed project. They wish to remove the former Tibbits house and reconstruct a building that will be connected to her house. It is met to be a retreat. The existing house is 20' wide and the condition of the building suggest that it should be torn down. The new building will be on the front the same as the existing house but it will be 26' wide. The six feet will bring it closer to the Applicants house. The new building will contain an indoor pool and a common room. The front facade will doors leading to a courtyard. The second floor will have a screening room for christian videos and programs. The connector building will be 34 feet high.

Fred Pierce asked how 34' compared to other buildings.

Mr. Zilius said it would be about seven to nine feet higher that the existing house.

Gary asked about the parking lot size.

Ms. Lebovich said that she has gotten permission to use the parking lot at the church at the end street in the past. The four units will be two bedrooms, kitchen, and bathroom with two units on each floor. The rooms will view the courtyard.

David asked about access to the units and the occupancy of the units?

Ms. Lebovich said she was unsure when they would be used, whenever a person was given to her by God.

Mr. Zilius said they should not be called transient lodging since no money is being exchanged. It is a place to rest and relax.

Gloria Wing objected to it being called transient lodging as it sounds like a motel coming to Maple Street.

Ms. Lebovich said she purchased sixty seats from the Stowe Cinema. Local people and hopefully neighbors too would view videos on a large screen television. It will be used occasionally maybe one night a week or less.

Mr. Fitzgerald ask about where snow would go.

Mr. Zilius replied that hopefully they could reduce the parking lot to six spaces and they would have room on site.

Ms. Lebovich said she has order 20 trees and she plans to enclose the property with a living fence.

Maria Hall asked to read a letter from her 93 year old mother.

Gary allowed her to read it into the record.

Ms. Hall questioned if it would be tax exempt

Ms. Lebovich said it would not be tax exempt as it is a private residence.

Gary said in his opinion only not the DRB's, this is a permitted use under 252 in this area.

The neighbors expressed concern possibility that the property is resold.

Gary explained that land use permits run with the land not the Applicant. It would be better for the neighbors if it was not reviewed as a conditional use, but instead as a single family dwelling, which would have to pay taxes.

David made a motion to recess the hearing to a deliberative session to follow tonight's hearing.

Tom seconded the motion and it passed unanimously.

Gary said he would get an opinion as to what it is called as soon as possible.

David said he need more landscape information before he can make a decision.

Gary note that the DRB would issue a recess memo and everyone who signed in would get a copy.

H.A. MANOSH CORP., 16,000 SQUARE FOOT CONVENIENCE STORE, CONDITIONAL USES AND SITE PLAN REVIEW, NORTHGATE PLAZA.

Gary gave an overview of the application. The application will be review under Sections: 210, 213.a, 450-454, 500-503.4 and 630-637 of the Morrisville/Morristown Zoning and

Subdivision Bylaws. A site walk was conducted on the Saturday before the first hearing.

Gary recused himself as he has a conflict of interest and left the room.

There would be a lack of a quorum, if David recused himself, as he did at the first hearing. Discussion ensued as to what to do as the applicant did not wish to wait until May 13th for the next meeting. Howard Manosh was called and agreed to allow David to hear the case.

Theresa reminded Ned Houston that he was still under oath from the last meeting.

Mr. Houston gave an overview of the proposed changes. The building has been moved from the parking lot up to the green by the sidewalk. The new building will be 30' X 50' with a 5' covered walkway. The compressors will be landscaped around them to screen them. The dumpster will be next to the building and the utility room will be 8' X 12' and will be plaza side. The building is about 77 feet from the centerline of the road. The gasoline dispensers will be beside the store and the old pump island will be for diesel fuel. The applicants would like a 30' X 60' canopy over the pumps and objects to the landscaped island next to Northgate Avenue.

David made a motion to conditional approval with the following conditions: the Applicant submits a new site plan, building plan, elevation of buildings and canopy plan, a three to four foot wide by 30' long landscaped island between Northgate Avenue and the diesel island, exterior lighting plan, detailed landscaping plan, a covered walkway on one side only, the canopy is not to be larger than 30' X 50' and that the Applicant hearing is recessed to May 13, 1999 at 7:30 PM in the Town Clerk's Office Building at which time the requested plans shall be submitted.

Theresa seconded the motion and it passed unanimously.

David made a motion to go into deliberative session.
Tom seconded the motion and it passed unanimously.

Carol made a motion to come out of deliberative session
The motion was seconded by Tom and it passed unanimously.

The North Country Animal League application was approved with 21 conditions on a 4 to 1 split decision.

Copley House hearing was recessed to May 27, 1999 at 7:30 PM in the Town Clerk's Office Building. The Applicant should submit the engineering plans prior to the hearing.

Rebecca Lebovich hearings were recessed to May 13, 1999 at 7:30 PM., in the Town Clerk's Office Building. The Applicant can reduce the parking spaces to six spaces and needs to submit a detailed landscaping plan as well as an updated site plan showing the reduction in parking.

Other Business:

Larry Cornblatt: his approval expired in March of this year for a waiver for a 8' X 10' walk in cooler. The Board instructed Ken to reissue the permit without holding another hearing.

Brigham Street Municipal Parking Lot: Gary asked that the parking lot be considered for re-striping which would add parking spaces.

Sugar House Lane: The mylar page one for phase II was signed by the DRB as the Planning Commission signed only page two of two.

Select Board letter/packet: Ron Belval complaints and who covers when Ken is out of the office. Gary will attend the next Select Board meeting.

David made a motion to adjourn the hearing at 12:35 PM
Carol seconded the motion and it passed unanimously

Respectfully submitted,

Kenneth J. Sweetser, Scribe.