

MORRISTOWN/MORRISVILLE BOARD OF ADJUSTMENT MINUTES
April 22, 1992

BOARD MEMBERS PRESENT: Gary Nolan, Chair; Theresa Breault; Rose Lambert; Paul Trudell; Ralph Wiltshire; Ida Mae Anderson.

BOARD MEMBERS ABSENT: Jean Wickart

ZONING ADMINISTRATOR: GLORIA WING

GUESTS/APPLICANTS: See Attached List

Meeting was convened by Chair at 7:30 PM

Wiltshire moved to accept the minutes of 4/8 as presented, seconded by Trudell, passed.

INFORMAL HEARING: RE: ZA Decision, David Parker

Bruce Killian was present to ask for a decision from the Board re: ZA decision that she had no jurisdiction over the use of Parker's barn to dismantle cars owned by him. The definition of a "junk yard" in the Morristown Zoning Bylaws states " Land or building used for collecting, storage or sale of scrap metal or for the collecting, wrecking, dismantling, storage, salvaging or sale of used machinery parts or unregistered vehicles not in running condition".

A testified that she had used the state definition as she had in the past to deal with junk cars and junk yards, which are regulated by the state. This definition defines the use of land only and prohibits the outside storage of junk cars and their parts. The permit for a home occupation to sell parts by Parker is not in dispute. After discussion and testimony by Killian and the Parkers, the Chair advised that he would obtain a legal opinion from Fred Emigh, Zoning attorney, and get back to those attending the hearing within a week to ten days.

Another issue is the location of a dumpster for collection of the scrap metal. ZA had advised Parker that the dumpster must be placed in back of the barn and not in view of Randolph Rd. It is necessary to place fill in back of barn for this to be complied with and due to the winter and the spring mud season, fill has not been placed. Killian objects to this dumpster being parked across from his home. Board advises Parker not to have the dumpster present on Sundays. Further resolution of this is dependent on ruling of the Board re: ZA decision.

Parker had stated that no employees would be present, that he and his son would be doing the work. Killian reported that 3-4 employees are present frequently and mostly on weekends, disturbing the rural atmosphere of the area. Parker stated that these were friends, helping occasionally and were not employees.

Meeting adjourned at 8:17 PM on motion by Breault, seconded by Wiltshire, passed.

Respectfully Submitted, -
Gloria W, Scribe *Gloria*