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**MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
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Minutes of April 13, 2006

Members Present: Gary Nolan, Carl Fortune, Paul Trudell, David Silverman, Theresa Breault

Members Absent: Jean Wickart

Recorder: Mark Leonard, Zoning Administrator (ZA)

Guests: Justin Reyher, Roy Marble, Dan Donza, Donna Smith, Gehrig Sprague, & Barry Coffin

Gary Nolan called the meeting to order at 7:30PM. On a motion by Theresa, seconded by Paul, minutes of the March 23, 2006 meeting were approved.

**WARNED HEARING: DANIEL DONZA, PRELIMINARY PLAT APPROVAL, 2-LOT
SUBDIVISION, 2287 STERLING VALLEY ROAD**

Gary introduced the application, to be reviewed under sections 264, 300, 740, 780, and 810 of the zoning and subdivision bylaws. The ZA conducted a pre-application review of the proposal on March 14, 2006. David recused himself due to potential conflicts of interest arising from a business relationship he has with the applicant. Theresa administered the sworn oath to Dan Donza. There were no interested parties present.

Dan explained that he wanted to split a 4.2-acre parcel he owns on Sterling Valley Road into two 2.1-acre lots. The upper lot has an existing single-family home. Both lots would share a common leachfield. Both lots would be accessed from Sterling Valley Road via a common driveway, which also serves two adjoining lots.

Gary noted that requirement to exclude any areas contained within rights-of-way from the calculation of lot size. He said that the rights-of-way to the two adjoining lots and the upper lot of this proposal appeared to take up enough space that there might not be sufficient area to meet the minimum two acres per lot. He said that Dan needs to revise his site plan to show the area of each lot with and without the rights-of-way.

Theresa made a motion to recess the hearing pending submission of a revised site plan. Carl seconded the motion and it passed unanimously.

**WARNED HEARING: CHARLES BARNETT, PRELIMINARY PLAT APPROVAL,
6-LOT SUBDIVISION, COTTAGE STREET/BEACON HILL ROAD**

Gary introduced the application, to be reviewed under sections 264, 740, 780, and 810-860 of the zoning and subdivision bylaws. The ZA conducted a pre-application review of the proposal on March 9, 2006. Theresa administered the sworn oath to Roy Marble, representing the applicant. There were no interested parties present.

Roy Marble presented the proposal on behalf of the applicant. Charles Barnett proposes to subdivide a 45-acre parcel, located along Cottage Street and Beacon Hill Road in the Low Density Residential zoning district, into five single-family home lots ranging in size from 1.5 to 2.9 acres. The balance of the parcel, 34.4 acres, would remain undeveloped. The parcel is presently open land.

Each lot would have its own drilled well and on-site wastewater disposal system. Lots 1 and 2 would be accessed from Cottage Street while lots 3, 4, and 5 would be accessed from Beacon Hill Road.

Carl noted that the municipal water and sewer systems run to an adjacent property in the Jersey heights subdivision, across Cottage Street from this proposed development. He asked Roy if they had considered hooking up to the municipal utilities. Roy said they had looked into it and found it to be more cost-effective to use on-site water and septic systems.

David moved, and Paul seconded, to grant preliminary plat approval for the proposed subdivision. The motion passed unanimously.

**RECESSED HEARING: JUSTIN REYHER, PRELIMINARY PLAT APPROVAL,
6-LOT SUBDIVISION, COTE HILL ROAD**

Gary introduced the application, to be reviewed under sections 264, 740, 780, and 810-860 of the zoning and subdivision bylaws. The hearing had been recessed on March 9, 2006 pending additional information on wetlands within the proposed development and the proposed development road. Theresa administered the sworn oath to Justin Reyher. There were no interested parties present.

Justin Reyher stated that he had spoke to the Agency of Natural Resources (ANR) regional wetlands specialist and that a Conditional Use Determination (CUD) was pending regarding a proposed driveway crossing a portion of a Class II wetland on lot 2. No development is proposed within fifty (50) feet of identified wetlands surrounding a pond on lots 1 and 3.

Gary noted the 1600-foot development road must meet Town of Morristown road standards, even if the road is proposed to be a private road. The road profile shows that approximately 250 feet of the road near the intersection with Cote Hill Road has a 13% grade. The road standards require a grade of not more than 10%. The developer needs to reduce the grade to meet that requirement.

David moved, and Theresa seconded, to approve the application as presented with the conditions that a revised road profile be filed showing a grade of not more than 10% and that Lot 2 may not be sold or otherwise developed until the ANR wetlands CUD was filed with the Zoning Administrator. The motion passed unanimously.

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OTHER BUSINESS:

Gary Sprague, Donna Smith, and Barry Coffin requested to address the board regarding Barry's application for Conditional Use approval of a home business. The board had met in deliberative session following warned hearings on March 9 and March 23 and a site walk on March 18th and voted to deny the application.

Gary and Barry asked whether they could present additional information on prior use of the property as a retail business and on the total square footage of the structures on the property that was not offered at the public hearings. Gary said that the board had rendered a decision after the public hearings and the applicant could either appeal that decision or submit a new application with substantially new information.

On a motion by Paul, seconded by David, the meeting adjourned at 8:45 PM.

Respectfully submitted,
Mark Leonard, Recorder

Minutes approved on: 4/27/06 TB/DS