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**MORRISTOWN/MORRISVILLE  
DEVELOPMENT REVIEW BOARD  
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**Minutes of March 28, 2002**

Members Present: Gary Nolan, Carol Jennings, David Silverman, Theresa Breault, Jean Wickart, Carl Fortune, Paul Trudell

Members Absent: none

Recorder: Mark Leonard, Zoning Administrator

Guests: Roy Marble, ~~Carl Andy~~, Donald & Patricia Bixby, David & Sondra Sanborn, Reina Julian-Farrar, Blair Scott West, Sonny Demars, Denise Trombley, Rita Patton, Dave Johnson, Scott Corse, Mac Manning

Gary Nolan, Chair, called the meeting to order at 7:30 PM.

Theresa made a motion to approve the minutes of March 14, 2002, as written.  
Carol seconded the motion and it passed unanimously.

**RECESSED WARNED HEARING: PRELIMINARY PLAT APPROVAL,  
MORRISVILLE WATER & LIGHT DEPARTMENT, THREE LOT SUBDIVISION,  
ELMORE ST AND FAIRWOOD PARKWAY WEST.**

Gary opened the hearing and gave an overview of the application. The application will be reviewed under Sections: 660-662, 700-860.2 of the Morrisville/Morristown Zoning and Subdivision Bylaws. A site walk of the property was conducted on March 23, 2002. Theresa administered the sworn oath to Scott Corse, Don & Patricia Bixby, Reina Julian-Farrar, David & Sondra Sanborn, Denise Trombley, Blair Scott West, and Rita Patton.

Scott Corse, Director of Morrisville Water & Light Dept, reviewed the application. Morrisville Water & Light proposes to subdivide its 0.8 acre parcel on the corner of Elmore St and Fairwood Parkway West into three lots, approximately 12, 500sf, 8,600sf, and 8,400sf, respectively. The lots would be sold for residential development. They would be served by village water and sewer systems. Deferral of Permits for the three lots and a small portion of one lot which was to be swapped with an adjoining lot had been issued by the Agency of Natural Resources.

Jean asked if there was interest among the neighbors in purchasing any of the lots. Scott replied that the Pattons had right of first refusal on the larger parcel, but that he was unaware if anyone was interested in either of the two smaller lots.

Jean inquired as to the previous use of the property by Water & Light. Scott said he believed it had once been a reservoir, perhaps 50 or 60 years ago.

Paul asked if Water & Light would accept conditions on the approval of the application requiring the larger, mature trees be preserved. Scott replied that he would prefer not to encumber the property with restrictions as that could diminish the value of the lots.

Carl asked if there were any issues to be considered regarding the property's former use as a reservoir. Gary advised that the board was only concerned with whether the proposed lots meet the requirements of the subdivision bylaws.

Reina Julian-Farrar stated that the lot had been open space owned by the village for some 60 years and she would like to see it remain so. Scott explained that Water & Light had been authorized to sell a number of its parcels, including this one, at a warned village meeting on April 13, 1998. The reason for doing so was to raise revenue, thus keeping rates low for all users, by selling off properties no longer needed by the department in carrying out its functions.

Sonny Demars informed the group that there was a pending village meeting on April 8, 2002 and although this issue was not warned or on the agenda, perhaps those people concerned about this proposed sale could raise the issue at that time.

Sondra Sanborn stated that the purpose of zoning is to maintain the existing character of the land. The proposed lots are much smaller than most in the area; the average lot size being around three quarters of an acre. She felt these smaller lots might diminish the value of surrounding properties. She is aware that as Water & Light property they are tax-exempt, but feels that their value as open space should be considered too. She asked how much Water & Light paid in lieu of taxes on the parcel. Scott said that overall the department pays on the order of \$150,000 annually, but that he did not have specific information on this parcel.

Sondra also opined that as the property may once have been a reservoir or aquifer might it not be needed as that again some time in the future. Gary stated that he doubted it had ever been an aquifer. Rita Patton said she understood its original use was as a gravel pit and that the village's original water pipe system, which is no longer in use, ran under it.

Scott West expressed concerns regarding environmental impacts, traffic, and children's safety. He would like to see the large trees preserved. He doesn't see the need to sell or develop the property now. He felt the previous decision at the 1998 village meeting to allow the sale was not adequately warned. He asked if the application was approved what are the avenues of appeal.

David Sanborn said he was concerned about driveways from the two smaller lots going out into Elmore Street.

Don Bixby expressed concerns about access from the lots onto Elmore Street. He said drivers routinely exceed the posted 25 mph speed limit. He pointed out that the setback requirement to be aligned with the front facades of adjoining houses facing Elmore Street would further reduce the building footprint on these lots. He also expressed concerns regarding snow plowing along Elmore Street with these lots developed and possible drainage problems. He felt that combining the two lots into one would minimize these problems and result in a more desirable property.

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Sondra Sanborn said the land is currently appraised at \$10,400 and was likely to increase with reappraisal, but if it was cut up the value may be less. She would prefer to see the lot divided into two lots rather than three if it had to be divided at all.

Theresa asked if there was any information on the benefit of selling two lots instead of three. Scott Corse replied that their analysis showed the maximum return on three lots.

Paul moved to go into deliberative session to consider the application following the other hearings on the agenda. Theresa seconded the motion and it was approved unanimously.

## **RECESSED WARNED HEARING: PRELIMINARY PLAT APPROVAL, DEMARS PROPERTIES, TWO LOT SUBDIVISION, MANSFIELD AVE.**

Gary opened the hearing and gave an overview of the application. The application will be reviewed under Sections: 660-662, 700-860.2 of the Morrisville/Morristown Zoning and Subdivision Bylaws. Theresa administered the sworn oath to Sonny Demars.

Sonny Demars reviewed the subdivision application. Demars Properties proposes to subdivide Mary Demars' 15 acre parcel into two lots, with the new lot being 0.78 acres. The proposed new lot contains an existing house and garage served by village water and sewer systems and is accessed from Mansfield Ave. The state subdivision permit has been applied for.

David made a motion to approve the application with standard conditions. Paul seconded the motion and it was approved unanimously.

## **WARNED HEARING: ROOF-MOUNTED COMMERCIAL COMMUNICATIONS ANTENNA, POWERSHIFT ONLINE SERVICES, 52 PORTLAND ST:**

Gary opened the hearing and gave an overview of the application. The application will be reviewed under Section 412.4 of the Morrisville/Morristown Zoning and Subdivision Bylaws. David offer to recuse himself as his company does business with the applicant; board members agreed that this was not necessary. Theresa administered the sworn oath to Dave Johnson, Sonny Demars, and Mac Manning.

Dave Johnson, representing Powershift Online Services, explained that they wish to obtain approval for a ten-foot high antenna which has already been installed on the roof of the Demars Building at 52 Portland St. The antenna provides wireless internet service within a three mile (approximate) line-of-sight range. It transmits in the 24 MHZ frequency range and is approved for this purpose by the Federal Communications Commission. Reports by communications and structural engineers attesting to its electrical specifications and physical characteristics were submitted with the application.

Carl asked if the antenna created any RF hazard area. Dave Johnson said that it did not. Theresa asked if the antenna had been professionally installed. Dave stated that it had been erected by a contractor from Newport who specializes in antenna installations.

David moved to approve the application; Jean seconded the motion. The motion was approved unanimously.

**OTHER BUSINESS:**

Carpentier Farm Subdivision Plat Revision: Roy Marble came before the board to request minor adjustments to the previously approved plat for the Carpentier Farm subdivision on Beacon Hill Road. The adjustments are to reflect the actual alignment of the road, with corresponding adjustments to property lines, due to minor deviations made when the road was actually laid down. There are also some discrepancies in the Findings of Fact in the original Notice of Decision. Roy would provide these to the ZA to be amended.

Paul moved to accept the changes as presented and to amend the findings of fact as outlined. David seconded the motion and it was approved unanimously. Gary signed the revised plat mylar.

Theresa moved to adjourn to deliberative session at 8:45 PM. Paul seconded the motion and it was approved unanimously.

David moved to approve the Morrisville Water & Light Department subdivision application with standard conditions and the following additional condition:

Driveway access to Lot 1 shall be from Woods Edge Road. Driveway access to Lot 2 shall be from Fairwood Parkway West. No access shall be allowed directly onto Elmore Street from either lot.

Paul seconded the motion and it was approved unanimously.

On a motion by Paul, seconded by Theresa, the meeting was adjourned at 9:00 PM.

Respectfully submitted,

Mark Leonard, Recorder