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**MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
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Minutes of March 27, 2008

Members Present: Theresa Breault, Paul Trudell, David Silverman, Karyn Allen

Members Absent: Gary Nolan, Jean Wickart

Recorder: Mark Leonard, Zoning Administrator (ZA)

Guests: see attached sign-in sheet

Prior to the start of the public hearings, the Board met with prospective member Ron Stancliff, who is seeking to fill the vacancy on the Board. Acting Chairman David Silverman called the meeting to order at 7:30 PM. Owing to a lack of a quorum of those present on February 14 and 28, approval of the meeting minutes of those dates was deferred.

WARNED HEARING: VT AGENCY OF TRANSPORTATION (AOT), FINAL PLAT APPROVAL, 2-LOT SUBDIVISION, 191 STAFFORD AVENUE

David outlined the application, to be reviewed under sections 234, 750, 765, 770 and 790 of the zoning and subdivision bylaws. Theresa administered the sworn oath to Ann Condon (representing the applicant).

Ann Candon, of the AOT's Rail Operations Division, reviewed the Agency's plan to subdivide the 8.5-acre parcel (#20-015) at the end of Stafford Avenue that was formerly the Lamoille Valley Railroad's (LVRR) engine repair house into two lots of 3.4 and 5.1 acres (Lots A and B, respectively). During the preliminary plat review (Feb 14, 2008), it was noted that the proposed strip of retained land in between the two lots did not provide the required fifty (50) foot width for a right-of-way (ROW) across the property. Preliminary plat approval was granted on condition that the plan be revised to show a 50'-wide ROW.

Ms Candon presented a revised survey plan that eliminates the retained 25'-wide strip and instead creates a 50'-wide ROW along the northern boundary of Lot B. The ROW will allow public access to the adjoining abandoned railway ROW, which is being converted to a public trail.

Theresa moved to grant final plat approval of the project with standard subdivision conditions. Karyn seconded the motion and it passed unanimously.

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WARNED HEARING: MONTY LAMARE & TRACY WREND, CONDITIONAL USE, ADD THIRD APARTMENT, 499 UPPER MAIN STREET

David outlined the application, to be reviewed under sections 254 and 630-635 of the subdivision bylaws. Theresa administered the sworn oath to applicant Monty Lamare.

Monty explained that they wish to convert a portion of an existing barn on their property at 499 Upper Main Street into a third dwelling unit. There are two apartments in the main house. There are existing water & sewer lines to the barn.

David asked if there were any exterior changes planned. Monty said he was planning on putting on new siding and a new roof on the barn and installing an exterior light on the building.

David reviewed the density requirements in the Medium Density Residential zoning district. The parcel (#22-062) is 1.24-acres; each unit requires a minimum lot area of 6,000-square feet. Three units requires 18,000-square feet (somewhat less than one-half acre). There is sufficient lot size to add a third unit. There is also sufficient parking space for three units.

Theresa moved approve the application as presented. Karyn seconded the motion and it passed unanimously.

WARNED HEARING: ARIZONA PIE TRUST, PRELIMINARY PLAT APPROVAL, 5-LOT SUBDIVISION, WALTON ROAD & WATANJAY ROAD

David outlined the application, to be reviewed under sections 264, 730, 740, 780, 810, and 860 of the zoning and subdivision bylaws. Theresa administered the sworn oath to project engineer John Grenier and Chris Austin of Grenier Engineering, representing the applicant, Conservation Commission member Gert Lepine, and Ron Stancliff.

John Grenier described the applicant's proposal to subdivide a 40.7-acre parcel (#06-049-1) along Walton Road and Watanjay Road into five single-family home lots, ranging in size from 3.8 to 14.8 acres. He described the parcel as being not heavily wooded, saying that mandatory building envelopes were sited to maximize screening of future structures with existing trees and to minimize their visual impact from adjoining roads and properties as much as possible.

Each lot will have its own on-site wastewater disposal system and drilled well, with Lot 3's disposal field located on Lot 4 by easement. A state Water & Wastewater (WW) permit (EC-5-4639) for the project has been issued. Lots 1 and 5 would be accessed directly from Watanjay Road and Walton Road, respectively. Lots 2, 3, and 4 would share a common driveway off Watanjay Road. John noted Class III wetlands on the parcel, pointing out that all proposed development avoids these wetlands.

Gert Lepine recalled a previous owner's efforts to reclaim this land as farmland many years ago and lamented that the proposed development would preclude the land's use for agriculture in the future. She noted that it is currently hayed by nearby farmers. She added that the trust owner, whom she identified as Thomas Whitehead of Elmore, did not, in her opinion, need the money that might be realized from the sale of these lots and hoped that he could be convinced to conserve the land as is.

David read a letter opposing the proposal from adjoining property owners Scott and Britt Green into the hearing record.

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Ron Stancliff said he understood the property was in the Current Use program and asked what the requirements were for the property owner to notify the state that it was no longer in land use. David said the Board had no information or jurisdiction over that issue. Ron urged the Board conduct a site walk of the property. David agreed a site walk of the property, to be conducted after the snow melts, would be beneficial.

Paul moved to recess the hearing until after a site walk, tentatively scheduled for May 3, 2008, was conducted. Theresa seconded the motion and it passed unanimously.

**WARNED HEARING: SHAKE SUGAREE LLC (doing business as BEES KNEES),
CONDITIONAL USE & SITE PLAN APPROVAL, EXPAND EXISTING
RESTAURANT, 82 LOWER MAIN STREET**

David outlined the application, to be reviewed under sections 208, 450, 500, and 632-636 of the zoning and subdivision bylaws. Theresa administered the sworn oath to Sharon Dietz and Jay Caroli, representing the applicant, adjoining property owners Larry Bertrand and Kenneth Williams, and adjoining residents Judith St Aubin and Susan Low.

Sharon Dietz (Bees Knees owner) reviewed previously approved plans to increase her restaurant's capacity by 26 seats and expand & renovate the kitchen. That plan also included a courtyard area at the rear of the building. The current proposal seeks to add an upstairs serving area with 12 seats, establish a seasonal, 10-seat outdoor serving area in front and on the side of the building, and replace the rear courtyard with an exterior stairway. The upstairs areas would be available for private parties or meetings. She anticipates adding 2-3 more employees to handle the increased capacity.

Sharon discussed parking for the restaurant. There is no on-site parking space, but her customers and staff have made use of available on-street parking as well as public parking in the Union Bank parking lot. She said she had met with Ken Gibbons of the Union Bank, Peter Bourne, who is renovating the building between hers and the bank parking lot for his business offices, and the Zoning Administrator prior to the hearing to review the current parking situation and discuss impacts of her expansion. All agreed that there is not a parking problem after regular business hours (weekdays between 8AM-5PM). She agreed to a condition of approval prohibiting her staff and tenants of the apartment in her building from parking in the bank lot during regular business hours.

Theresa expressed concern about traffic entering and exiting the lot on Main Street, noting the number and duration of vehicles being parked in front of the Bourne's building. The ZA advised that during the meeting with Peter Bourne, it was stated that most of the vehicles presently using the lot are there for the building's renovations. Once completed and the building is in use, there will be twelve parking spaces in front of the building for his use; these are not on the Union Bank property but do share the ingress/egress onto Main Street. Peter also advised that he is making arrangements for additional employee parking in another off-street lot that would not interfere with the public's use of the Union Bank lot.

Sharon said she had met with Mike Day, Village highway foreman, and reviewed the location of the proposed outdoor seating area, which would only be in use during the warmer months. The area would be cordoned off, approximately seven feet from the curb. All fixtures

in the area along the sidewalk would be removed during the winter months so as not to impede snow removal. She said Mike had no objections to the plan.

David asked what her typical business flow was. Sharon said they are open six days a week (closed Mondays), from 6:30 in the morning until 10 PM. Most of her customers come in in the evening, with increased lunch traffic on weekends.

David read a letter supporting the application from Andrew Volansky into the record.

Adjoining property owner Larry Bertrand asked if the plan still envisions using the rear courtyard for customers. Sharon said that idea had been abandoned in favor of the proposed outdoor seating area. The proposed exterior stairway would take up much of the courtyard area. She added that trash pickup and service deliveries would take place from the side alley off main Street. All food waste would be secured in a composting container.

Marci Young expressed gratitude for the Bees Knees' making space available for various community groups at no charge.

Neighbor Judith St Aubin said she remained very concerned about the parking situation, especially with the additional employees soon to be working at Bourne's.

Paul asked about exterior lighting. Sharon said the existing sign in front is externally illuminated. She plans to add several lights in the alley and on the rear stairway for safety and security.

Theresa moved approve the application with the condition that Bees Knees employees and tenants of the apartment at 82 Lower Main Street are prohibited from parking in the Union Bank lot during regular business hours (as previously identified). Karyn seconded the motion and it passed unanimously.

Following this motion, the Board adjourned the public hearing and met with prospective member Chris Wiltshire. The Board agreed by assent to recommend both candidates to the Select Board, with the recommendation that whichever was not selected be appointed as an alternate to the Board.

The meeting adjourned at 9:30 PM.

Respectfully submitted,
Mark Leonard, Recorder

Minutes approved on: 4/10/08