

FILE COPY

MORRISTOWN/MORRISVILLE DEVELOPMENT REVIEW BOARD

P.O. BOX 748

MORRISVILLE, VT 05661

Phone (802) 888-6373

Fax (802) 888-6378

Minutes of March 27, 2003

Members Present: Gary Nolan, Carol Jennings, Carl Fortune, David Silverman, Theresa Breault

Members Absent: Jean Wickart, Paul Trudell

Recorder: Mark Leonard, Zoning Administrator

Guests: Howard Manosh, David & Robin Williams, Douglas & Leah Bronner, Susan Martin, Peter Beck III, Mark Godfrey, Pierre & Pat Couture, Jason Couture, Derrick Barrett, Georgiana Carr, Charles & Shaune Gregory, Gunner McCain

Chairman Gary Nolan called the meeting to order at 7:30 PM. David moved to approve the minutes of February 27, 2003. Carol seconded the motion and it passed unanimously. David moved to approve the minutes of March 13, 2003. Carl seconded the motion and it passed unanimously.

WARNED HEARING: DERRICK BARRETT, HOME BUSINESS PERMIT REVIEW, 11 ALMERON DRIVE

Gary opened the hearing and gave an overview of the permit. This is the three year review of a home business permit approved in July 2000. The ZA reported that there have been no complaints regarding the business and it appeared that all conditions on the permit had been met. Derrick Barrett inquired as to the ability to expand his shop space. Gary noted that in the original application, the maximum 25% of the total of all structures on the property were allocated to the home business. In order to increase the shop space, additional structures would need to be built and the DRB would have to approve any increase.

David made a motion to approve the three year permit review and waive the five year review required under the permit approval conditions. Carl seconded the motion and it passed unanimously.

WARNED HEARING: SUSAN MARTIN, CHANGE OF USE (RESIDENTIAL TO OFFICE), 438 BROOKLYN ST

Gary opened the hearing and gave an overview of the application. The application will be reviewed under Sections 223 and 630-635 of the Morrisville/Morristown Zoning and Subdivision

Bylaws. Theresa administered the sworn oath to Susan Martin.

Susan Martin proposes to convert the existing single family home on the corner of Brooklyn and Harrel Streets into office space. The home, approximately 900 square feet, also has a permitted small business in an addition to the house that would remain after the conversion to offices. There would be no building modifications as a result of this conversion.

David asked what type of offices does the applicant expect to be in the building and an estimate of the traffic these offices might generate. Susan stated that she plans to set up a real estate office of her own on the first floor and would rent out the upstairs for a small business of one or two staff. She estimated traffic to be three to four clients per day, with perhaps no more than four employees between the two offices. There is adequate parking available behind the house at the garage and in a gravel lot along Harrel Street.

David made a motion to approve the application. Theresa seconded the motion and it passed unanimously.

**WARNED HEARING: PIERRE & PATRICIA COUTURE dba PETE'S REPAIR,
COMMERCIAL BUILDING ADDITION, 746 BROOKLYN ST**

Gary recused himself from this hearing due to a business conflict of interest. David informed all present that his employer had a business relationship with the applicants and asked if there were any objections to his participation in the hearing. Being none, David assumed the chair and gave an overview of the application. The application will be reviewed under Sections 213, 500, and 630 of the Morrisville/Morristown Zoning and Subdivision Bylaws. Theresa administered the sworn oath to Pierre, Patricia, and Jason Couture and Howard Manosh.

Jason Couture outlined their plan to either completely replace the existing structure with a slightly larger structure on the same foundation or to add new space (approximately 1500 square feet) along three sides of the existing structure.

David asked if there would be any increase in employees or traffic as a result of the proposed expansion; Jason replied that there would not.

Howard Manosh, owner of the adjacent Northgate Plaza, expressed concern about stormwater runoff from Pete's Repair coming down onto his property. He felt the site plan should include some sort of stormwater drainage provisions. He also objected to employees of Pete's Repair parking in the Northgate Plaza lot on occasion. He noted that traffic accessed the Couture property from both Brooklyn Street and Northgate Avenue. He stated that Northgate Avenue was a private road owned by the Manosh Corp. and that he wanted to close off the access from the Couture property onto Northgate Avenue.

Jason Couture produced a copy of a Selectman's report from January 1978 declaring Northgate Avenue to be a public road and directing the owners of that road to execute deeds to the town of the land within the right of way. Howard Manosh questioned the validity of the report.

Carl moved to go into deliberative session on this application at the next scheduled meeting. Carol seconded the motion and it passed unanimously.

WARNED HEARING: PETER BECK III, TWO LOT SUBDIVISION, LAPORTE ROAD

Gary opened the hearing and gave an overview of the application. A pre-application review was held on March 13, 2003. The application will be reviewed under Sections 264, 740, 780, and 810 of the Morrisville/Morristown Zoning and Subdivision Bylaws. David administered the sworn oath to Peter Beck III.

Peter Beck proposes to subdivide his 16 acre parcel on the corner of Laporte and Golf Course Roads into two lots of approximately 8 acres each. He has obtained a state subdivision permit approving the water supply and wastewater systems for both lots.

David made a motion to approve the application with standard conditions. Carl seconded the motion and it passed unanimously.

RECESSED HEARING: GEORGIANA CARR, CHANGE OF USE (RESIDENTIAL TO COMMERCIAL), 887 BROOKLYN ST

Gary reconvened the hearing and gave an overview of the application. A warned public hearing had been held on February 13, 2003 and a site walk of the property was conducted on February 20, 2003. The hearing was recessed on February 27, 2003 pending submission of a more detailed site plan. The application will be reviewed under Sections 213, 214, 450, 500, and 630 of the Morrisville/Morristown Zoning and Subdivision Bylaws. David administered the sworn oath to Georgiana Carr and Mark Godfrey.

A revised site plan prepared by David Ring addressing the deficiencies of the original plan was submitted for review. The new plan provided the additional information required under Section 500 of the bylaws. The plan added a stormwater drainage system and landscaping along the south boundary of the lot. It removed several mature trees along the road frontage to improve visibility for the proposed retail use. Carol relayed Paul Trudell's desire to retain these trees.

David asked whether there would be outdoor merchandise displays; Mark Godfrey stated that there would be, consistent with the zoning bylaws.

David made a motion to approve the application with standard conditions. Carol seconded the motion and it passed unanimously.

WARNED HEARING: CHARLES GREGORY, 6-LOT SUBDIVISION, PARK ST

Gary opened the hearing and gave an overview of the application. A pre-application review was held on December 12, 2002. The application will be reviewed under Sections 264, 304, 740, 780, and 810-870 of the Morrisville/Morristown Zoning and Subdivision Bylaws. David administered the sworn oath to Charles and Shaune Gregory and Gunner McCain.

Gary read a memo from Scott Corse, director of the Morrisville Water & Light Department, expressing the department's grave concerns over any development taking place in their wellhead source protection area (SPA) and their intention to protect it from any potential adverse impacts of development. Most of the proposed new lots fall within the SPA.

Gunner McCain, the consulting engineer on this project, described the proposal. The Gregorys wish to subdivide a 93-acre lot off Park Street near the Tenney Bridge into five new

lots ranging in size from 3.8 to 7.0 acres, with the remainder of the original lot being 63.7 acres. Each of the new lots would be developed for single-family homes. The lots would be accessed via an extension of an existing driveway off Park Street that currently serves the Bronner and Covatta properties.

Gunner addressed the issue of the Morrisville Water & Light Department's Source Protection Area (SPA), stating that the sewage disposal systems for the new lots are clustered together in an area just outside the defined boundary of the SPA. He noted that under the SPA guidelines in the bylaws, septic systems for a single family residence are allowed. He produced a Wastewater System and Potable Water Supply Permit from the VT Agency of Natural Resources Wastewater Management Division approving the new lots and a letter from the ANR Water Supply Division stating no objections regarding the proposal with reference to the SPA. He stated that the septic leachfields will initially drain away from the SPA as groundwater in the direction of a brook approximately 300-400 feet from the leachfields before flowing on toward the wellhead along the Lamoille River.

David asked if any ledge blasting that may be required for lot development or roadways would adversely impact the SPA. Gunner stated that in his view it would not.

A letter from the town fire chief requested that any driveway longer than 100 feet be at least fourteen feet wide and have a grade not greater than 10%. Additionally, any culverts at intersections and driveways must be sufficiently long to allow emergency vehicles to access the lot; typically these culverts are 30 feet in length.

Doug and Leah Bronner, whose property is accessed by the existing driveway, asked if the addition of five new houses would require the upgrading of the current driveway to town specifications. Gunner noted that the new roadway, as an extension of the existing driveway, would serve three or fewer houses on each of two forks, thus qualifying as a driveway rather than a private road requiring compliance with the Town of Morristown Road Policy.

Carol requested that a site walk of the property be conducted prior to voting on the application.

David made a motion to go into deliberative session on this application at the next scheduled meeting. Carol seconded the motion and it passed unanimously.

OTHER BUSINESS:

The board met in deliberative session on the application by Demars Properties for a change of use of the property at 481 Brooklyn Street from residential to offices. David moved to approve the application with the condition that three deciduous trees be planted and maintained in front of the proposed new structure outside the road right of way along Brooklyn Street. Carol seconded the motion and it passed unanimously.

On a motion by Carol, seconded by Carl, the meeting was adjourned at 9:40 PM.

Respectfully submitted,

Mark Leonard, Recorder