

MORRISTOWN BOARD OF ADJUSTMENT

P.O. BOX 748
MORRISVILLE, VT. 05661
(802) 888-6373



Minutes of March 8, 1995,

Members Present: Gary Nolan, Theresa Breault, Ida-Mae Anderson, Ralph Wiltshire and Paul Trudell.

Members Absent: Rose Lambert-excused, Jean Wickart-excused

Zoning Administrator: Kenneth J. Sweetser

Guest Present: See sign in sheet attached

The meeting was called to order at 7:35 p.m. by Gary Nolan, Chairman.

Theresa made a motion to approve the minutes of February 22, 1995 as written.

Ida-Mae seconded the motion.

The motion passed unanimously to approve the minutes.

Ida-Mae informed Ken that it was the Kirston's who had made the complaint that Real Perras had expanded his garage.

Two members of the Board of Adjustment are up for reappointment Jean and Rose. Jean wishes to stay on the Board for another term. Rose has decided that she will not seek reappointment.

Kurt Salvas, Appeal Hearing

Warned Hearing on Kurt Salvas appeal of the Zoning Administrator's Enforcement Order.

Theresa administered the sworn oath to Kurt Salvas, Mary-Jo Salvas, and Norman Menard.

Ken gave an overview of the history of the problem. In late May or early June, Mr. Salvas asked Ken if he could do some minor landscaping to level off an area for his kids swingset and sandbox. Ken gave informed him that we do not require permits for minor landscaping projects. Ken spoke to Mr. Salvas three times during the summer as complaints, questions, or concerns came in from neighbors and from William Pickins-Morrisville Water & Light Dept., William Moulton-Highway Supervisor, and Steve Demaroney-Nynex. Mr. Salvas assured Ken that it would be fixed soon. Ken stated when it was not corrected by the beginning of the school year in September he sent a letter to Mr. Salvas. Communications have been in writing since that point, and Ken has kept the Planning Commission and Zoning Board of Adjustment informed and

involved in the process.

Mr. Salvas stated the project he started was not a short term job and he expected it to last two to three years. He plans on adding stonewalls to stabilize the bank. Mr. Salvas presented a photo of a stonewalls he had built for other people. He wishes to construct two or three stonewalls in tiers. He feels that Mr. Pickins is now agreeable with his plans. He stated he had seven children under the age of seven and little or no area for them to play in. He said he has not gone on anyone else property. He sold the material he removed of which most was of good quality sand with small stones, and he did not feel we would have said anything to him if the material he had removed clay.

Paul asked how tall the bank was and what the slopes were?

Mr. Salvas was unsure but felt it was about thirty feet tall and he described the slopes best as possible.

Mr. Salvas said he has gone onto Mrs. Menard's property to give her a larger more usable lawn and she gave him permission to do so.

The Board questioned Mr. Salvas as to the rear property line?

He responded that he was not positive but thought it about three to five feet from the telephone pole and that he is at least ten inches from where the school mows.

Paul asked what the distance was from Mr. Salvas' building to the bank and what size walls was he requesting.

Mr. Salvas responded that before his work the bank came down to the building and now it is twenty to thirty feet to the bank. The stonewall will be twelve to fourteen feet high then a terrace of ten to twelve feet wide, then a second wall of eight to ten feet tall and then another terrace and possible a small two to three foot wall if need on top of that.

Theresa asked where the Menard/Salvas property line was.

Mr. Salvas responded next to the Menard bulkhead.

Gary read a letter from Roberta Goodell a neighbor who expressed her feeling about the excavation and what should be done.

Norman Menard expressed his feelings of Mr. Salvas' excavation. He feels that their is a problem, Mr. Salvas has over excavated his property. The waterline issue has been corrected. He feels that his mother property has been devaluated by the excavation. The proposed wall and slopes are too steep.

Ralph made a motion to recess the hearing until 6:30 pm. at Mr. Salvas house for a site walk and to reconvene the hearing on the same night at 7:45pm on April 28, 1995, in the Town Clerk's Office Building.

Theresa seconded the motion.

The motion passed unanimously.

Warned Hearing William and Rose Mace

Theresa administered the sworn oath to Rose and William Mace.

Mr. Mace gave an overview of what he proposes. He has had a commercial business at the site since 1987. They wish to live

over the business in an apartment. The business uses 1,676 square feet of floor space.

The Building on three levels contains over 6,800 square feet of floor space and for home industry approval the business can not use more than twenty-five percent of the floor space. The Board determined that the applicant meets the minimum requirements for a home industry.

Theresa made a motion to approve the home industry.

Paul seconded the motion.

The motion passed unanimously.

Respectfully submitted,

Kenneth J. Sweetser, Scribe.