

Morristown/Morrisville Development Review Board
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Meeting Minutes of February 28, 2018

Members Present: Members Karyn Allen, John Gloss, Susanna Guthmann, Gary Nolan (Chair), Andrew Strniste (alternate), Paul Trudell, and Chris Wiltshire

Members Absent: Brian Irwin, and Theresa Breault (alternate)

Staff: Todd Thomas, Zoning Administrator

Signed-in Guests: James Shanley, Donnie Blake, Cindy Berand, Susan and Robert Audet, Chris Galipeau, Otto Hansen, Scott Johnson, Ron Bomer, Marc and Diane Cote

Call to Order & Minutes: Chair Nolan called the meeting to order at approximately 6:30 PM. Member Trudell moved to approve the January 10th meeting minutes. The motion was approved by a vote of 6-0-1, with Member Strniste abstaining.

Hearing: Jersey Hts, \$630 CU & \$500 Site Plan for non-conforming gas station (RL Vallee)

Applicant/landowner RL Vallee Inc. appeared before the Board requesting \$500 Site Plan Approval to raze and rebuild the existing fuel dispensers and convenience store, a \$435-\$436 Non-Conforming Use and Structure, on parcel 7-005 at 621 Jersey Heights in the \$210 Commercial Zone. Engineer Chris Galipeau and Otto Hansen represented RL Vallee at the hearing. Mr. Galipeau said the proposed project: reduces the footprint of the building from 5,600 ft² to 3,400 ft², places 4 fuel dispensers in front of the new store, moves and screens the dumpster location, builds a new sidewalk across the property's frontage, and adds two street trees along said frontage. Board members preferred that the sidewalk be raised and protected by vertical granite curbing. It was also decided that the crosswalks through the two access points to the project site should be striped yearly as a condition of approval. Mr. Galipeau said he was amenable to a conditions of approval requiring as such regarding the sidewalk and crosswalks, but he cautioned that the new curbing may negatively impact existing drainage patterns. Chair Nolan said that any curbing created drainage problems can be addressed when the property is repaved, which will happen as part of the redevelopment. Per an abutter comment letter from Village Trustee Jonathan Sturges, store hours of operation and lighting were discussed, specifically the neon lighting on the fuel canopy. Member Allen asked about snow removal. Mr. Galipeau said that it would be hauled away for anything other than small snowstorms. Mr. Thomas said that he would condition any project approval as such. Mr. Thomas added that all site lighting would have to be made compliant per the conditions of approval as well. After some discussion, it was decided that the flower-bed on the east side of the property would be removed to help clear congestion for the right-of-way that properties to the south use to get out to Jersey Heights. Donnie Blake, representing James Shanley, said that the existing hedge on the southwest corner of the property would need to be extended southward to protect 641 Jersey Heights from headlights from the new parking spaces in this area. It was decided that Mr. Thomas would condition the permit approval as such. Member Trudell said that the architecture of the convenience store was not part of the local vernacular. He moved to continue the discussion in Deliberative Session. The motion was affirmed by a vote of 7-0. Member Allen moved to approve the project as proposed, with the following conditions:

1. The hours of store, but not pump, operations are limited from 5am to 11pm daily.

2. The proposed sidewalk shall comply with the Morristown Sidewalk policy and be raised and protected from the Jersey Heights travel way by vertical granite curbing. The sidewalk curbing shall have an 8 inch reveal. On the northeast and northwest corner of the site, the sidewalk shall continue into the landscaped areas with the same cross-section and extend out to the respective property lines (which will allow the Town or others to extend the sidewalk in front of adjacent properties without digging on the property of RL Vallee, Inc.).
3. The 16 foot wide right-of-way that provides access to 587 & 589 Jersey Heights shall be marked, as depicted on the revised site plan, as a no parking zone. The paved area parallel to and directly adjacent to the new sidewalk shall also be marked as a no parking zone (so no parking between the fuel canopy and the new Jersey Heights sidewalk).
4. The aforementioned pavement markings, including the striping of the two proposed crosswalks, and the striping of the delineated parking spaces, shall be refreshed annually at the sole expense of the Applicant.
5. The two proposed street trees and the southerly extended hedge line, which is intended to protect 641 Jersey Heights from headlights, shall be planted before the new convenience store opens for business. The applicant shall also look to add arborvitae and or trees where possible along the property's southern lot line.
6. All site lighting shall be made compliant with zoning's current lighting requirements as part of this proposed redevelopment.
7. Snow removal shall be hauled off from the property by the Applicant as described during the hearing, Snow hauling may also be ordered by the Zoning Administrator when he determines that snow storage on-site is negatively impacting site circulation or the availability of parking on the property.
8. The address of this property shall be changed to LaPorte Road pending the upcoming and affirmative Selectboard vote to take over this section of road and rename it.
9. So the project better comports with the adjacent Sterling Court residential area, the fuel canopy shall only include lighting that is compliant with §490 of the zoning bylaws. Additionally all canopy lighting, other than essential security lighting, shall remain off when and if the fuel pumps are closed for the night.
10. An amended site plan, reflective of the above conditions of approval, shall be filed with the Zoning Administrator prior to the zoning permit being released for the construction of the new convenience store and fuel dispensers.

A 7-0 vote affirmed the motion for conditional approval.

Hearing: Cadys Falls Rd, §500 Site Plan for unpermitted use of Lamoille Family Center

Applicant/landowner Lamoille Family Center appeared before the Board requesting §500 Site Plan Approval for an after-the-fact permit for an unpermitted 504 ft² expansion of an outbuilding and an unpermitted expansion of the days of operation for its existing Child Care Facility under permit #2001-104 on parcel 07-320 at 480 Cadys Falls in the §230 Industrial Zone. Scott Johnson represented the Family Center at the hearing. Member Trudell recused himself from the discussion as he was the architect for the addition to the outbuilding in question. Mr. Trudell added that he told the Family Center that local permits would be required for the 2nd floor addition to the "little house." Mr. Thomas explained that this hearing resulted from zoning enforcement after it was discovered that the Family Center's daycare was operating more than

the three days a week during the school year, which was the hours of operation limitation in its original permit. He said he discovered this hours of operation violation when he looked into a complaint about the lack of a zoning permit for the recently constructed second floor addition to the "little house" on the Family Center campus. Mr. Johnson confirmed that the daycare had been operating 5-days a week since 2015. He apologized for not knowing that a local zoning permit was needed for this expansion. Chair Nolan asked if the new septic system on the property had been correctly sized for the expanded hours of operation. Mr. Johnson said that it had and said that he would file a copy of its State WW permit in the zoning office. It was confirmed that the footprint of the little house, which received the second floor expansion to allow for additional storage, was 18x28. Member Allen asked if any new lighting had been added to the property. Mr. Johnson said no. Mr. Thomas said that he would condition the permit to ensure that all exterior lighting at the Family Center was compliant with §490 of the zoning bylaws. After some discussion, Member Guthmann moved to modify the Family Center's approved hours of operation to 7:30 AM to 5 PM five days a week, year-round. The motion was affirmed by a vote of 7-0. Member Wiltshire moved to grant an after-the-fact zoning permit for the 504 ft² addition to the "little house." The motion was affirmed by a vote of 7-0.

The meeting adjourned at 7:25 P.M. - Respectfully submitted by Zoning Administrator Thomas

