

**MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
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Minutes of February 12, 2004

Members Present: Gary Nolan, Carol Jennings, Paul Trudell, Theresa Breault, David Silverman,

Members Absent: Jean Wickart, Carl Fortune

Recorder: Mark Leonard, Zoning Administrator

Guests: David Whitcomb, Ron Merelman, Amy Putnam, Roy Marble, Randall & Susan Lamare, Steve Benson

Chairman Gary Nolan called the meeting to order at 7:30PM. Theresa moved to approve the minutes of January 8, 2004. Paul seconded the motion and it passed unanimously. Theresa moved to approve the minutes of January 22, 2004. Paul seconded the motion and it passed unanimously.

**WARNED HEARING: CONDITIONAL USE, WHITCOMB AVIATION, EXPANSION
OF NON-CONFORMING USE, 2305 LAPORTE ROAD**

Gary gave an overview of the application, which will be reviewed under sections 263, 430-435, and 630 of the zoning bylaws. Theresa administered the sworn oath to David Whitcomb. David outlined his plan to add a U-Haul rental business to the existing airport operations he conducts at the Morrisville/Stowe Airport at 2305 Laporte Road. He explained that he provides aviation services as a Fixed Base Operator (FBO) at the airport under a lease from the State of Vermont, which owns the airport property. As an FBO, he provides retail and rental services to airport users, including fuel sales, aircraft rentals and service, glider rides, and sale of aviation-related items. In the past, he had provided car rentals for airport users. He stated that the airport is open from 9am-5pm Monday through Saturday and 11am-5pm on Sunday.

In order to increase revenues in light of seasonal reductions in demand for aviation services and higher operating costs in the FBO business, he is seeking to add a U-Haul rental outlet at the airport. He expects to have a variety of U-Haul rental vehicles and trailers available, usually no more than ten total. He has space in the parking lot fronting on Route 100 (Laporte Road) for several trucks or trailers. Remaining vehicles could be parked inside the security fence on the airfield, mostly out of direct view from the highway. He does not propose to add or change any structures or access points or add any additional exterior lighting. There would be no maintenance performed on any of the vehicles or trailers at this location. He would have a small

U-Haul sign on a lamppost next to the airport terminal building to direct customers where to go to transact rental business. David expressed his belief that this is an expansion of the existing retail services he provides, not a new or different use.

David S asked if the state had approved this activity on its property. David W replied that they had and that he had received a lease amendment indicating that approval.

Paul inquired about signage. David W said that the vehicles parked in the parking lot along Route 100 provided some advertising themselves. He said he had a sandwich board-type sign by the road, in addition to the small sign on the lamppost. David S said that the zoning administrator and the board have been consistent in enforcing sign restrictions, particularly along Route 100, and that the U-Haul business would have to meet those restrictions.

David S asked what David W would consider as reasonable limits on the number of rental vehicles that he could get by with and still operate profitably. David W said he could live with a limit of no more than ten vehicles, with 3-5 of those parked in the parking lot.

Theresa moved to approve the application with the following conditions: no more than ten vehicles on the premises at a time, with a maximum of three located in the parking lot; that the applicant provide a copy of the amended lease agreement with the state; and that no signage other than the small sign on the lamppost is allowed. David seconded the motion and it passed unanimously.

OTHER BUSINESS:

Roy Marble, representing Ashley and Beverly Madden, presented a plan to subdivide the Maddens' 4.7-acre parcel on the corner of Stagecoach Road and Magoon Road in to two lots of 2.6 and 2.1 acres, respectively, for a pre-application review. The larger lot currently contains the Madden residence; the smaller lot is undeveloped at this time. The new lot would be restricted to a single-family residence and would have its own on-site water and sewage disposal systems. David made a motion that the proposal conforms to the Town Plan. Paul seconded the motion and it passed unanimously. The application is scheduled for a warned hearing on February 26th.

Steve Benson appeared for the five-year review of his conditional use permit for Melben's Restaurant on Portland Street. The ZA reported that all conditions in the permit approval are being complied with and that he had not received any complaints or concerns regarding the business. Steve said that he wanted to discuss the condition restricting on-street deliveries to the restaurant. Until recently, he had had an arrangement with the adjoining property owner to allow delivery and trash pickup vehicles to cross that adjoining property to get to the rear of the restaurant. The new owner is requiring Steve to pay \$350 per month to cross his property, which he said he can't afford to do. He plans to negotiate a right-of-way from the rear of the restaurant to Pleasant Street to eliminate the need to cross the adjoining lot. He will bring any plans for such access before the board in the spring.

Gary reviewed the permit condition restricting on-street deliveries and noted that it specifically allowed them should he no longer be able to use the adjoining lot to access the rear of the restaurant. The only condition is that delivery vehicles could not park directly in front of the restaurant, where they could cause a traffic problem at the Portland St/Bridge St intersection.

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On a motion by David, seconded by Carol, the meeting was adjourned at 8:20PM.

Respectfully submitted,

Mark Leonard, Recorder

Minutes approved on: 2/26/04 TB/PT