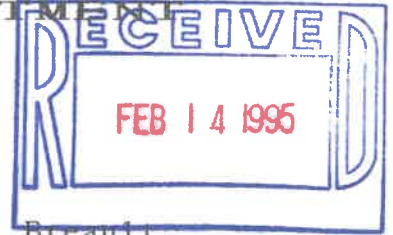


MORRISTOWN BOARD OF ADJUSTMENT

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



Minutes of February 8, 1995

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

Members Absent Rose Lambert-excused

Zoning Administrator: Kenneth J. Sweetser

Guest Present: John Stuart, Darrow Mansfield, Leigh Mercir, Rod View.

The meeting was called to order at 8:10 p.m. by Gary Nolan, Chairman.

Ralph made a motion to approve the minutes of January 11, 1995.

Theresa seconded the motion.

The motion passed unanimously to approve the minutes.

F. William Alley

Warned Hearing on 25,000 sq. ft industrial building located on Harrel Street in the industrial park. The applicant requested a recess of his hearing until March 8, 1995 at 8:30 pm., in the Town Clerk's Office Building. The hearing was recessed.

Kurt and Mary-Jo Salvas

The appeal hearing was canceled on advice of Steven Stitzel and will be rewarned and noticed for March 8, 1995.

Vermont Donut, Inc.

The recessed hearing for Vermont Donut, Inc., d/b/a Dunkin Donut, was reconvened at 8:30 pm. New revised prints were submitted showing the requested changes by the Zoning Board of Adjustment.

Darrow Mansfield explained the changes. The septic tank, pump station and grease traps have been moved out of the Wellhead Protection Area (WAPA).

The fuel that will be used is propane, and the tank will be above ground. As propane is lighter than air if a spill/leak occurs it will rise out of the WAPA.

All stormwater will leave the property via poly lined ditch-

es and will enter into drywells outside of the WAPA.

All utilities will be underground and the power will come from the transmission line that is being moved for the restaurant.

The signage will meet the requirement of the zoning bylaws. The facade is 655 sq. ft., thus 7 1/2% of that is 49.13 sq. ft. Vermont Donut proposes total signage of 48.65 sq. ft. The applicant agreed to a condition that lighting in the signage be 3,400 Kelvin lighting.

Darrow agreed to supply Ken with the front elevation of the building.

Ralph made a motion to move directly into deliberative session at 8:55 pm., this was seconded by Gary.

The Board came out of deliberative session at 9:28 pm.

The application was approved 5 to 1, with any and all condition agreed upon previously in hearings or in minutes of hearings and that the applicant shall submit front building elevation and lighting in all signs is to be 3,400 Kelvin.

Other Business:

S & B Pitt Stop: Gary updated the Board of his conversation with Steven Stitzel. Towns usually do not defend their decision, but more are starting to do so. Gary feels that we should defend it as the Board made it. Steven Stitzel suggested that a member of the SelectBoard should talk with R.L. Vallee. Brian Greenia agreed to do so.

Ken informed the Board that he had spoke to Brian today and that Brian would be speaking to the Vallee's sometime today.

Gary asked Ken to write S & B Pitt Stop to inform them that Morristown will not be liable if the Court overrules the Morristown Zoning Board of Adjustment decision for any cost associated with purchase, installation and removal of the canopy, sign or sign post.

Ida-Mae made a motion to adjourn the meeting at 10:08 pm.

Jean seconded the motion.

The motion passed unanimously.

Respectfully submitted,

Kenneth J. Sweetser, Scribe.