

Morristown/Morrisville Development Review Board
P.O. Box 748 / Morrisville, VT 05661
Phone (802) 888-6373

Meeting Minutes of 13 January 2021

Members Present: Susanna Burnham, Melissa LeBlanc, Gary Nolan (Chair), Laura Streets, Paul Trudell, Mary Ann Wilson, and Chris Wiltshire

Members Absent:

Staff: Todd Thomas, Zoning Administrator

Guests: Matt Cole, Engineer Tyler Mumley, Graham Mink, Conservation Commission Chair Ron Stancliff, Kevin Amyot, Leslie Small Sr. & Jr., the Blechman Family, the Blaine Family, and Annette Johnson, Designer Tom Wawrzeński, Kelby and Steve Benson

Call to Order: Chair Nolan called the meeting to order, electronically via Zoom, at approximately 6:00 PM.

Minutes: Member Burnham moved to approve the December 9th meeting minutes. A vote of 7-0 affirmed the motion.

Hearing: §204.4 Waiver, convert single-family home into a duplex, 248 Maple St (Bourne)

Jacob Bourne & Kelsey Dunn appeared before the Board requesting a §204.4 Waiver of 22% to reduce the Minimum Lot Size required in the Medium Density Residential Zone to allow for the conversion of the existing single-family home located at 248 Maple St (Parcel 23-192) into a Dwelling Unit Two-Family use. The Board discussed how turning a single-family home into a duplex brought additional state code requirements into play. Zoning Administrator Thomas said that this conversion also brought additional Zoning Bylaw requirements into play, including the need to pave the driveway and parking area shown on the site plan. Mathew Cole of 29 Olive Street requested that some screening, such as a privacy fence, be constructed to protect his property from view of the new parking lot (which was currently backyard). Member Trudell said that two new street trees should be a condition of project approval. It was decided that at least one of them would be an Armstrong Maple. Member Streets moved to continue the discussion in Deliberative Session. At the conclusion of the Deliberative Session discussion, and returning to the open meeting, Member LeBlanc moved to approve the requested waiver as proposed, provided that the driveway and parking is paved, two street trees are planted as discussed, mutually agreeable fencing is installed to screen the new parking lot from 29 Olive Street, and the property meets all code requirements for a duplex, including EMP compliance for lead paint. A vote of 7-0 affirmed the motion.

Hearing: §630 CU & §500 SPA, add multi-family use to Northgate Plaza (Manosh Realty)

Member Paul Trudell recused himself from the discussion because he was the architect of record for this project. Kevin Amyot and Paul Trudell appeared before the Board requesting §630 Conditional Use & §500 Site Plan Approval to add the Dwelling Unit Multi-Family Use to Parcel 08-085 to convert the old Plaza Hotel, which is located at 65 Northgate Plaza in the Commercial Zone, into multi-family housing. Mr. Amyot said that the old hotel, which was located on the second floor of the building, had not been used in more than a decade. He added that the multi-family use would be sprinkled, and consist of 9 one-bedroom & 3 two bedroom apartments, with a common function room, and common laundry. Mr. Trudell explained the architecture and landscaping changes proposed, including new shed dormers for windows to break up the existing mansard roof, and a new tree lined sidewalk that connects Brooklyn Street to Munson Avenue. Chair Nolan said that the sidewalk, which would separate Northgate Avenue

from the parking lot of Northgate Plaza, should be constructed within the road right of way. Member Trudell suggested that 24 feet of pavement width for Northgate Avenue should be kept after adding in the sidewalk island and new street trees. The Board discussed green space availability for the new apartment residents. It was decided that none would be dedicated for such, but there was an grassed area along Munson Ave that the residents could enjoy. Member Burnham moved to approve the project as proposed, provided the landscaped island separating Northgate Avenue from the Northgate Plaza parking lot, as discussed at the hearing, was in place prior to occupancy. A vote of 6-0-1 affirmed the motion.

Hearing: §750 Final Plat Approval & deer winter area approval for Ava's Way (Small)

Leslie Small Sr. & Jr. appeared before the Board requesting §750 Final Plat Approval in the Rural Residential Agricultural Zone to further subdivide 17.6 acre Parcel 16-139-1-3 at 33 Ava's Way to create 12.6 acre Parcel 16-139-1-15 & 2 acre Parcel 16-139-1-16. Additionally, the applicant/landowner requested a consolidated hearing, under §340 Environmental Resource Areas: Deer Wintering Area, to allow the development of a single family home on Parcels 14, 15, & 16, of Tax Map 16. Mr. Thomas began the hearing by noting that he received an email from the Agency of Natural Resources regarding the viability of the deer yard that is mapped on the Small property. Mr. Small said that there are no winter deer tracks on his property, as they had migrated over to Elmore Mountain Road, towards Randolph Road, when the neighboring subdivision was cleared and constructed. Ron Stancliff, identifying himself as Chair of the Conservation Commission, said that he is opposed to the planned disruption of the deer wintering area. The neighboring property owners, the Blechman Family, the Blaine Family, and Annette Johnson also expressed desires for a no-cut buffer (for both privacy and the deer) between their properties and the proposed Small subdivision lots. Member Wiltshire moved to continue the discussion in Deliberative Session. At the conclusion of the Deliberative Session discussion, and returning to the open meeting, Member LeBlanc moved to approve the subdivision and the development within the deer wintering areas as proposed, provided that a 30 foot wide no-cut boundary be provided along the property's eastern and southern property lines, the clearing of softwood trees shall be as limited as possible in areas more than 100 feet from future houses on Parcel 14, 15, & 16, and that no dogs be left unleashed or untethered on said properties. A vote of 7-0 affirmed the motion.

Hearing: §500 SPA, modify permit for multi-fam bldg. at 253 Bridge St (243 Bridge LLC)

Member Paul Trudell recused himself from the discussion because he was the architect of record for this project. Engineer Tyler Mumley, and developer Graham Mink, appeared before the Board, representing applicant 243 Bridge LLC, requesting §500 Site Plan Approval in the Central Business Zone to modify Permit 2020-010, thereby reducing the size of the previously approved building, and the number of apartments therein from 18 to 10, at 253 Bridge St (Parcel 21-062). The Board reviewed a revised architectural rendering for the smaller building. Member LeBlanc said that it appeared that the back of the building was facing Bridge St. Mr. Thomas said §206(c&d) of the zoning bylaws required a front porch, and an active front entrance, to the building on the Bridge St sidewalk. It was agreed that an entrance, and exterior porch (at least 8x6 in size), be added to the Bridge St side of proposed apartment #5 via condition of approval. Member Burnham confirmed the upsizing of the dumpsters for the building. Member Wiltshire moved to approve the project as proposed, with the aforementioned condition that the Zoning

Administrator would approve a revised architectural rendering with a front door and porch being added to the Bridge St side of apartment #5. A vote of 6-0-1 affirmed the motion.

Hearing: §500 SPA, new multi-family building behind 217 Bridge St (243 Bridge LLC)

Member Paul Trudell recused himself from the discussion because he was the architect of record for this project. Engineer Tyler Mumley, and developer Graham Mink, appeared before the Board, representing Applicant/landowner 243 Bridge LLC, requesting §500 Site Development Plan Approval in the Central Business Zone to add the multi-family use to Parcel 21-059 for the construction of a new 9-unit multi-family apartment building located to the rear of the existing home at 215 Bridge St. Engineer Mumley spoke to the overall parking minimum compliance for the entire site, which was 60 parking spaces for 58 dwelling units. Member LeBlanc asked if the Fire Chief was concerned with the intensity of the development at the corner of Bridge Street and the Truck Route with only one driveway into the site. Mr. Thomas said he spoke to the Fire Chief about this same issue earlier in the day. It was related that the Fire Chief would like a secondary means of access to this property, but he did not want this access issue to stop the development of the proposed 9-unit apartment building behind 215 Bridge Street. After a lengthy discussion, it was agreed that the property owner would loop the existing parking and driveway area for the entire property to the lower terminus of Brooklyn Street, via condition of approval, at such time that he acquired the Jewett and Gagner properties to the east. Mr. Mink said that there was not enough room to raze and redevelop the existing house at 215 Bridge Street until he acquired at least easements on the properties to the east. Mr. Mink said he shared the desire to create a looped road from the bottom of Brooklyn Street to the existing project driveway if he is able to acquire the neighboring properties in question. Member Streets moved to approve the application as proposed with standard conditions, and the condition about the future looped road if they properties to the east can be acquired. A vote of 6-0-1 affirmed the motion.

Hearing: §630 CU & §500 SPA rehab home business request, 5217 Stagecoach Rd (Dwyer)

Applicants/landowners Kat Dwyer & Dominic Foti appeared before the Board requesting §630 Conditional Use, §415 Home Business & §500 Site Plan Approval to add the Business Professional Office use within their existing house for a physical therapy and rehab space on Parcel 16-021 at 5217 Stagecoach Road in the Rural Residential Agricultural Zone. Member Burnham asked about the proposed hours of operation. It was decided that hours of operation limits for the business would be from 8am to 6pm Monday through Friday, and 8am to 4pm on Saturday. Ms. Dwyer walked the Board through the submitted site plan, which showed the Home Business operating on certain sections of the home's bottom floor. Member Wiltshire was concerned with future compliance, as the business grew, with the 25% operating space limitation when the entire bottom floor was open. It was discussed that the 3-bay dog kennel building at the rear of the property was not even factored into the calculated home business space usage of 19%. It was ultimately decided that, via condition of approval, the applicant shall submit a revised site plan that complies with this 25% requirement by showing some sort of delineation between business and private space on the bottom floor of the house. Member LeBlanc moved to approve the project as proposed, and with the stated hours of operations, and revised site plan for Zoning Administrator approval that better delineated the business and private space on the home's bottom level. A vote of 7-0 affirmed the motion.

Hearing: §204.4 minimum lot size waiver for new lot at 280 Mac Miller Road (Benson)

Kelby & Stephen Benson appeared before the Board, represented by Designer Tom Wawrzeniak, requesting a §204.4 Waiver of less than 1% to allow the creation of a subdivision lot adjacent to 280 Mac Miller Rd that is 792 ft² short of meeting the minimum area requirement for a legal lot in the Rural Residential Agricultural Zone. Designer Tom Wawrzeniak explained that if the requested waiver was granted, Mr. Benson's lot would be 80,000 ft² in size and the proposed lot, for his son Kelby, would be approximately 79,208 ft² in size. Mr. Thomas said that the 792 ft² needed to meet the minimum lot size requirement represented a waiver of less than 1% of this lot size dimensional requirement. He added that if the waiver was granted, he would administratively approve the new subdivision lot in the coming weeks once the State WW permit was approved and a formal survey of the entire property was submitted. Member LeBlanc moved to approve the request waiver as requested. A vote of 7-0 affirmed the motion.

The meeting adjourned at 10:05 P.M. - Respectfully submitted by Zoning Administrator Thomas