

**MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
P.O. BOX 748
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Minutes of January 9, 2003

Members Present: Gary Nolan, Carol Jennings, Theresa Breault, Carl Fortune, David Silverman, Paul Trudell, Jean Wickart

Members Absent: none

Recorder: Mark Leonard, Zoning Administrator

Guests: Bruce & Katherine Wilder, Michael & Mary Leikert, Robert Letwenski, Graham Govoni, Richard Sargent, Cliff Manosh, Grace Nichols, Bernard & Virginia Barton, Kimberly Fortune, David & Julie Boudreau, Ray Belanger Jr., Ida Mae Anderson, Sam Guy, Richard Tomlinson, William & Cynthia Gabaree

Chairman Gary Nolan called the meeting to order at 7:34 PM.

Theresa moved to approve the minutes of December 12, 2002. Carl seconded the motion and it passed unanimously.

**WARNED HEARING: H. GRACE NICHOLS, LOT LINE ADJUSTMENT, 722
DARLING RD**

Gary opened the hearing and gave an overview of the application. The application will be reviewed under Sections 264, 770, and 795 of the Morrisville/Morristown Zoning and Subdivision Bylaws. Theresa administered the sworn oath to Richard Sargent and Grace Nichols.

Richard Sargent described the proposed lot line adjustment. An "L"-shaped, 11.2-acre parcel owned by Grace Nichols would be re-drawn to form a roughly rectangular shaped lot. There would be no change in the overall size of the parcel and an adjoining 38.7-acre parcel owned by Grace Nichols.

On a motion by David, seconded by Paul, the application was approved unanimously.

**WARNED HEARING: RAYMOND BELANGER, SR., 5-LOT SUBDIVISION,
LAPORTE RD (VT ROUTE 100 AT MILLER BRIDGE RD)**

Gary opened the hearing and gave an overview of the application. The application will be

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reviewed under Sections 264, 780, and 800-870 of the Morrisville/Morristown Zoning and Subdivision Bylaws. A pre-application review of the proposal was conducted on December 12, 2002. Theresa administered the sworn oath to Ray Belanger Jr., representing the applicant.

Ray Belanger Sr. proposes to subdivide five lots of approximately two acres each from a 33.4-acre parcel fronting on Laporte Road near the intersection with Miller Bridge Road. The site plan indicates that three additional lots would be created at some later date. The plan has been revised to exclude the 50' right of way for the development road from lot size calculations. The five lots each meet the minimum lot size for the Rural Residential with Agriculture zoning district. Each lot would have its own on-site water supply and septic system.

The lot is presently accessed by a dirt driveway coming off VT Route 100. The applicant has applied for a state highway department access permit for the developed lots. Gary noted that the plan showed a development road 20 feet wide, with two foot shoulders on either side. The Morristown Road Policy states that the "traveled roadway shall be no less than twenty four (24) feet wide with two foot shoulders". There is some question whether this means the roadway must be a total of 28 feet wide from the edge of one shoulder to the edge of the opposite shoulder or if the roadway needs to be at least 24 feet wide including the shoulders. The board will consult with the town highway department and Select Board to clarify this point.

Gary also noted the subdivision bylaw (section 820.2b) requiring a gradient of no greater than 3% within 100 feet of any intersection. The existing driveway appears to be fairly steep; further review is required to determine if it complies with this requirement.

David stated that a site walk of the property would be helpful in determining if the existing and proposed access road complies with subdivision bylaws.

David moved to recess the hearing to a deliberative session following the end of other business this evening. Paul seconded the motion and it was approved unanimously.

WARNED HEARING: MICHAEL & MARY LEIKERT, HOME BUSINESS (AUTO REPAIR), 82 HOWARD ST

Gary opened the hearing and gave an overview of the application. The application will be reviewed under Sections 248, 460, 483, and 630 of the Morrisville/Morristown Zoning and Subdivision Bylaws. Theresa administered the sworn oath to Michael and Mary Leikert and all interested parties who may give testimony. Before proceeding, Gary noted that Carl Fortune and David Silverman had family ties to several adjainers in attendance and asked if there any objections to their participation in the hearing. There were no objections from any of the parties.

The Leikerts propose to establish an auto repair home business in the 32x28 garage which they added to their home last summer. Michael Leikert described the scope of the planned business. He would be doing auto repair work by appointment only from 8 am to 4 pm Monday through Friday. There would be no other employees. He estimated that there would be no more than two vehicles being worked on at a time and that there would be no overnight storage of vehicles outside the garage. He didn't feel that any significant amount of noise would be generated by the business, noting that more auto repair and diagnostics is being done with computers and less heavy mechanical work is involved. He expressed his intention to follow "green garage" guidelines to protect the environment.

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Neighbors expressed concerns about noise, traffic, safety, and impact on the character of the area. The driveway to the garage addition comes out directly onto Washington Highway at the crest of a hill, posing a potential hazard for the additional traffic the business would generate.

The nature of auto repair work would invariably generate some level of noise. Some people expressed concern over the possibility of the business growing, increasing the level of activity beyond what the applicant is currently proposing. Several neighbors expressed concern that once a home business is approved, it's very difficult to enforce any conditions or zoning bylaw restrictions on the business. One noted that a similar application in the neighborhood had conditions imposed on the type of equipment which could be used in order to minimize noise. The Leikerts responded that they want to be upfront with their neighbors about the nature and scope of their business and to respect the character of the neighborhood.

Carol said she would like to do a site walk to assess the potential impacts of the business.

David moved to recess the hearing to a deliberative session following the end of other business this evening. Carl seconded the motion and it was approved unanimously.

OTHER BUSINESS:

1. The board reviewed and the Chair signed the final subdivision plat of the Dominick Donza 2-lot subdivision on Sterling Valley Road.
2. The board reviewed and the Chair signed the final subdivision plat of the Nancy Donahue 2-lot subdivision on Elmore Road.
3. The board reviewed and the Chair signed the final plat of the Peter Fecteau lot line adjustment on VT Route 15 East.
4. The board reviewed and the Chair signed the final plat of the Union Carbide/Bishop Marshall School lot line adjustment on Laporte Road.

The board went into deliberative session on the Belanger and Leikert applications at 9:00. Carl moved to recess the deliberative session until a site walk can be conducted at both locations.

On a motion by Carl, seconded by Carol, the meeting was adjourned at 9:20 PM.

Respectfully submitted,

Mark Leonard, Recorder