



TOWN OF MORRISTOWN DEVELOPMENT REVIEW BOARD
WARNED PUBLIC HEARING
COMMUNITY MEETING ROOM OF THE OLD TEGU THEATER
43 Portland Street in Morrisville, VT 05661
6:00 PM Wednesday, August 13, 2025

[Join Zoom Meeting](#) or by phone join via conference call (audio only): 1 (646) 558-8656 | Meeting ID: [810 342 4528](#) | Passcode 05661

The meeting will be live streamed on the Town of Morrystown's website:
<https://www.morrystownvt.gov/community/page/meetings-agendas-minutes>

I. CALL MEETING TO ORDER

II. PROPOSED CHANGES TO THE AGENDA

III. APPROVE PRIOR MEETING MINUTES

1. Approve Minutes from 7-9-25

IV. PUBLIC COMMENTS

V. HEARING OF APPEALS AND DEVELOPMENT APPLICATIONS

1. #2025-65 Sketch Plan Review submitted by Tyler Mumley, applying on behalf of Virginia Mainus, for a proposed 5 lot Planned Unit Development (PUD). The project includes a total of ±8.72 acres (existing Lots 1, 2, and 3). As a proposed Conservation Subdivision PUD, there will be proposed Open Space lot of 50% of the developed land, including ±4.36 acres. The remaining land will be subdivided among five (5) new lots. As part of a Conservation Subdivision, these proposed lots only need to be 40,000 square feet (SF) in size, or 0.92 acres. However, we are requesting slightly smaller lots, in accordance with the Waiver allowance of the zoning rules:

- Proposed Lot 1 = ±0.84 acres (8.7% reduction)
- Proposed Lot 2 = ±0.85 acres (7.6% reduction)
- Proposed Lot 3 = ±0.87 acres (5.4% reduction)
- Proposed Lot 4 = ±0.89 acres (3.3% reduction)
- Proposed Lot 5 = ±0.92 acres (no waiver – meets minimum lot size)
- Proposed Lot 6 = Open Space of ±4.36 acres (50% of project area)

The Applicants are focused on a waiver request to reduce the lot sizes associated with this proposed PUD. The property in question is located at 0 Lawrence Road and is located in the Rural Residential / Agriculture Zoning District (RRA). The project will be reviewed under the proposed 2025 Morrystown Zoning and Subdivision Bylaws. Section 720.3 and 720.4 of the proposed 2025 Morrystown Zoning and Subdivision Bylaws notes that sketch plan review is **non-binding** on both the Development Review Board and the Applicant and the decision issued is intended to be **advisory only**.

VI. ACTION ITEMS TO BE CONSIDERED

VII. OTHER BUSINESS

VIII. ADJOURN



**DEVELOPMENT REVIEW BOARD MEETING MINUTES
OF JULY 9, 2025**

Members: Gary Nolan, Susanna Burnham, Paul Trudell (Recused after voting on the minutes), Mary Ann Wilson, Donald Blake, Jr.

Absent: Christy Snipp, Lenny Wing,

ADMINISTRATION and STAFF: Tyler Machia, Zoning and Planning Administrator

PARTICIPANTS/GUESTS: Laura Streets, Matt Percy, Todd Thomas, Ava Stevenson, Haley Herman, Louis Ferris Jr, Louis Ferris III, Caroline Marhefka

CALL MEETING TO ORDER

PROPOSED CHANGES TO THE AGENDA

APPROVE PRIOR MEETING MINUTES

1. Approve Minutes from 6-25-25

Motion by Susanna Burnham to approve minutes from June 25th 2025. Motion Seconded by Paul Trudell. Motion carried (5/0) (Paul Trudell recused himself at 6:09 PM after voting on the minutes)

PUBLIC COMMENTS

Laura Streets expressed concern about the number of pages that were printed with this DRB packet. She encouraged town staff to consider alternative ways of providing materials for the board. She also encouraged the board to do what they can to support local businesses.

HEARING OF APPEALS AND DEVELOPMENT APPLICATIONS

1. #2025-053 Conditional Use Review submitted by Vermont Land Use Planning on behalf of LH&A Realty Limited Partnership to convert a former auto dealership to a mixed-use building with one retail space and two restaurants, one of which will have a drive through. The property is located at 32 VT RT 15 E (Parcel ID 08-089) and is located in the Commercial zoning district.

Paul Trudell recused himself at 6:09 PM and provided an overview of the application. He began by providing an updated site plan for the DRB . He noted that the building would be broken up into three suites. The two front suites are 1616ft², one will contain a fast food restaurant with a takeout window. The other space will contain a retail space. Paul went on to note that they are expecting to have Domino's pizza and AT&T as tenants. The larger 7118ft² rear suite has no intended use at this time. It was noted by staff that the applicants had originally applied to use this space as a restaurant. However, they now only wish to utilize the front two suites. Donald Blake asked if the inside of the restaurant will have any inside seating. It was noted that the front restaurant is intended to be take out only and will not have inside seating. Paul noted that The Applicants were asking the board to not require them to extend the existing sidewalk along the western and northern borders of the property. The applicants expressed concern that if they were required to extend the sidewalk further up it could trigger the need for a new 1111 access permit from the state. The board spent time

discussing the access permit issue. Todd Thomas provided an email from the state noting that their project did not require a new 1111 permit. However, staff received an email from the state noting that the applicants' project could require a new 1111 permit shortly before the meeting. The Board also discussed the landscaping for the project. Paul noted that the applicants were not proposing a landscaping plan at this time. It was noted by staff that conditional use applications require a landscaping plan. The Board discussed the need to require the applicant to plant landscaping to screen the parking on the site.

Motion by Susanna Burnham to move the application into deliberative session. Motion seconded by Mary Ann Wilson. Motion carried (4/0, Paul Trudell was recused and did not vote on the application)

- 2. Continuation of application #2025-011 submitted by Matthew Percy, on behalf of Dale E. Percy, Inc. (Parcel 16099-09, 0 Elizabeths Lane, Morristown), requesting to subdivide +/- 32.65-acre parcel 16099-9 into 6 new parcels:16099-18 (0.50 ac), 16099-19 (0.68 ac), 16099-21 (0.82 ac), and 16099-23 (Open Space), 16099-30 (0.66 ac), 16099-09 becomes +/- 7.02 acres. Merge 16098 (4.34 ac) into new Parcel 16099-23 for 25.11 acres of Open Space. Parcel 16099-15 merges into 16099-14 to become 1.39 acres. This application is Phase 3 of a Planned Unit Development to be reviewed under Section 510 of the 2023 Morristown Morrisville Zoning and Subdivision Regulations. The property is in the Rural Residential Area Zoning District.**

Tyler Mumley provided an overview of the application. It was noted that the application had been reopened so The Applicants could provide additional information. Mumley went over the additional information noted in the DRB's Continuation memo. It was noted that some of the language in the HOA documents would need to be updated. It was noted that the town needs to be given permission to maintain the required trails and open space If the HOA is unable or unwilling to do so. The main focus of the conversation was around the requirement for Selectboard approval of any new road prior to the DRB issuing final approval of the subdivision. The Applicant's, DRB members and the property owner expressed concern over this requirement. During the discussion it was noted that this requirement may not have been consistently implemented in the past. The applicant, Matt Cota expressed frustration with the fact that the requirement for Selectboard approval of the private road had not come up sooner in the process. He was also concerned with the fact that many of the issues did not come up during earlier staff review. The DRB Spent a lot of time discussing this issue and expressed a lot of concern on its impact. Town staff noted that they would take the applicant's concern about the requirement of Selectboard approval of roads to the town manager. Donald Blake noted that the applicant did supply the additional information requested by the DRB in the continuation memo.

Motion by Susanna Burnham to move the application into deliberative session. Motion seconded by Mary Ann Wilson. Motion carried (4/0, Paul Trudell was recused and did not vote on the application)

ACTION ITEMS TO BE CONSIDERED

OTHER BUSINESS

ADJOURN

Motion by Susanna Burnham to adjourn. Motion seconded by Mary Ann Wilson. Motion carried (4/0, Paul Trudell was recused and did not vote on the application).

Meeting Adjourned 10:11 PM

Minutes Submitted and filed 7/14/25
Prepared by Tyler Machia, Zoning and Planning Administrator

Please note all minutes are in Draft form and are subject to approval at the next Development Review Board meeting.



Civil Engineers • Land Use Planners

July 16th, 2025

Tyler Machia, Zoning Administrator
Town of Morristown
43 Portland Street, Morrisville, VT 05661

Subject: Mainus Property, Lawrence Farm Road
Proposed 5-Lot Conservation Subdivision PUD

Project #25030

Dear Tyler,

Please find attached an application and associated site plan for Sketch Plan review by the Development Review Board (DRB). This application is focused on a Waiver Request for reduced lot sizes associated with a proposed 5-Lot Planned Unit Development (PUD), as a Conservation Subdivision, of the existing lands of the original Lots 1, 2, and 3 of the Palmer Subdivision from 2005, along Lawrence Farm Road in Morristown.

The project includes a total of ± 8.72 acres (existing Lots 1, 2, and 3). As a proposed Conservation Subdivision PUD, there will be proposed Open Space lot of 50% of the developed land, including ± 4.36 acres. The remaining land will be subdivided among five (5) new lots. As part of a Conservation Subdivision, these proposed lots only need to be 40,000 square feet (SF) in size, or 0.92 acres. However, we are requesting slightly smaller lots, in accordance with the Waiver allowance of the zoning rules:

- Proposed Lot 1 = ± 0.84 acres (8.7% reduction)
- Proposed Lot 2 = ± 0.85 acres (7.6% reduction)
- Proposed Lot 3 = ± 0.87 acres (5.4% reduction)
- Proposed Lot 4 = ± 0.89 acres (3.3% reduction)
- Proposed Lot 5 = ± 0.92 acres (no waiver – meets minimum lot size)
- Proposed Lot 6 = Open Space of ± 4.36 acres (50% of project area)

Section 204.4 of the currently proposed 2025 rules allows for the reduction of any dimensional or numerical requirements by up to 15% in RRA zoning district, provided the waiver request can be found to meet at least two (2) of the following goals:

- a. *Maintains compact development patterns in the village and the rural feel of the Town.*
 - a. The proposed project will maintain the rural feel of the Town with adequately sized residential lots as part of a Planned Unit Development project and will also preserve over 4 acres of land as Open Space.
- b. *Minimizes impacts to the environment and natural surroundings.*
 - a. The proposed project was designed to minimize impacts on the environment and natural surroundings. The project will preserve over 4 acres of land as dedicated Open Space which includes natural wetland areas.

- c. *Does not disrupt the neighborhoods' existing settlement pattern.*
 - a. The property includes three (3) previously approved residential lots, adjacent to other similar residential neighborhoods, and located along an existing rural road. It is expected that this project will not disrupt the existing settlement patterns of the area.
- d. *Does not detract from the value of adjacent properties on the Town's Grand List.*
 - a. The proposed project will maintain the rural feel of the Town with adequately sized residential lots, including preservation of over 4 acres of Open Space land. It is expected that this project will not detract from the value of adjacent properties on the Town's Grand List.
- e. *Protects or enhances historic resources.*
 - a. Not applicable.
- f. *Makes the Town a more interesting place to work or live via the installation of a permanent desirable, and durable community improvement project.*
 - a. Not applicable.

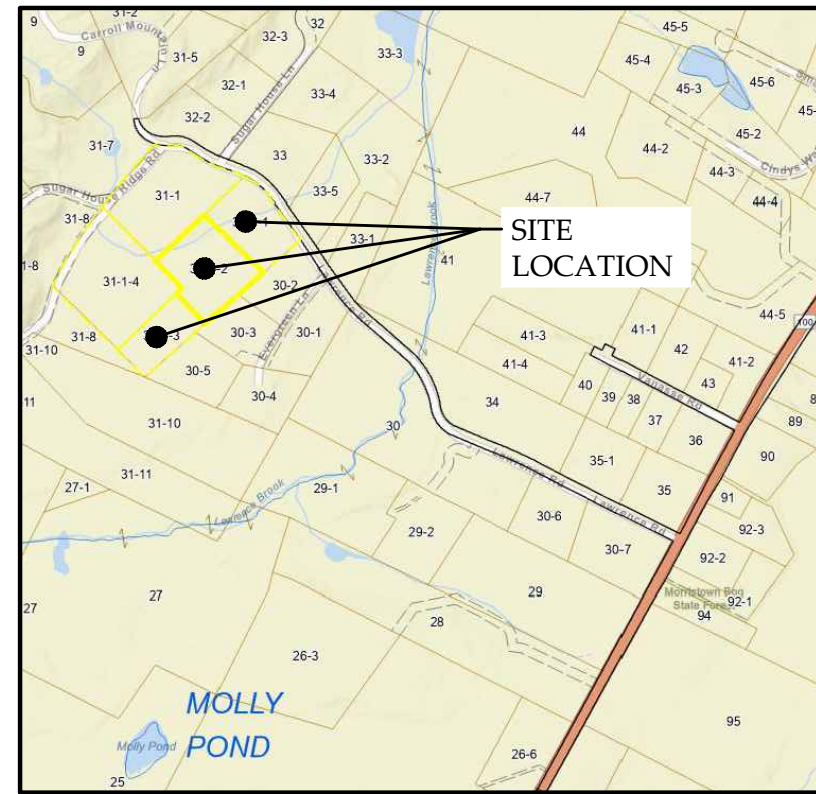
As described above, the proposed project is expected to meet four (4) of the above items (a, b, c, and d). Therefore, we believe that the Waiver request can be granted by the DRB.

Please review and let us know if you have any questions or comments.

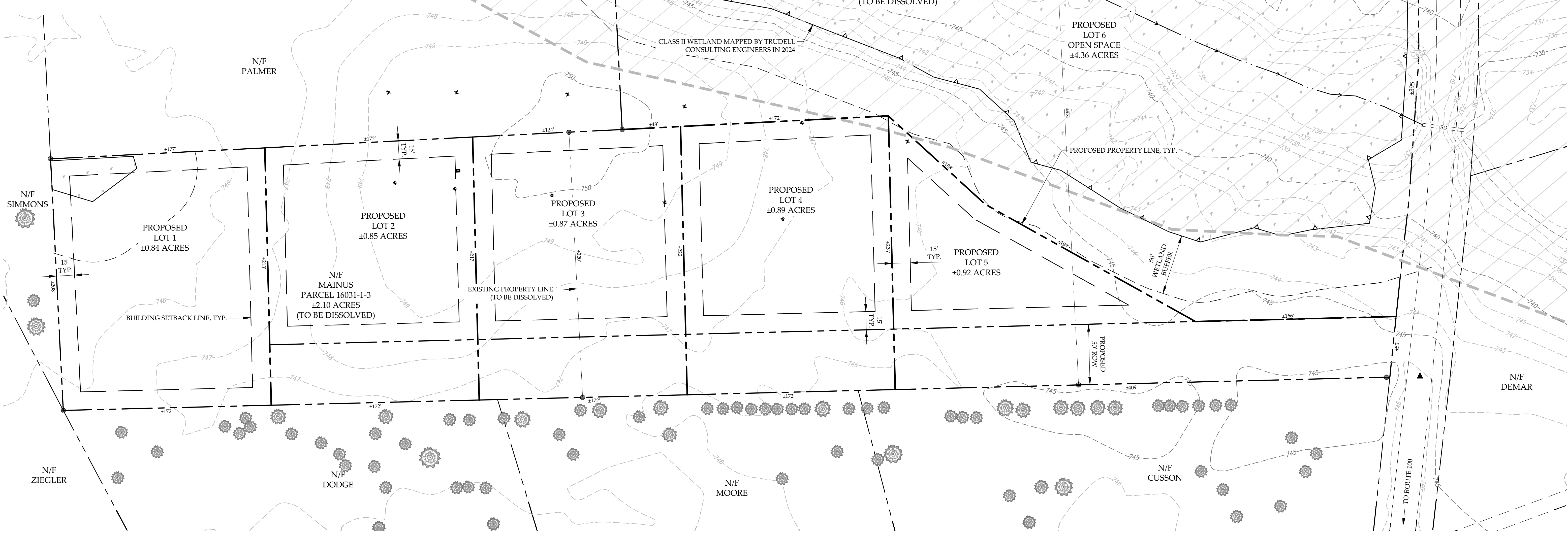
Sincerely,
Tyler Mumley, P.E.



Mumley Engineering, Inc.



SITE LOCATION MAP
NOT TO SCALE



PLAN REFERENCES:

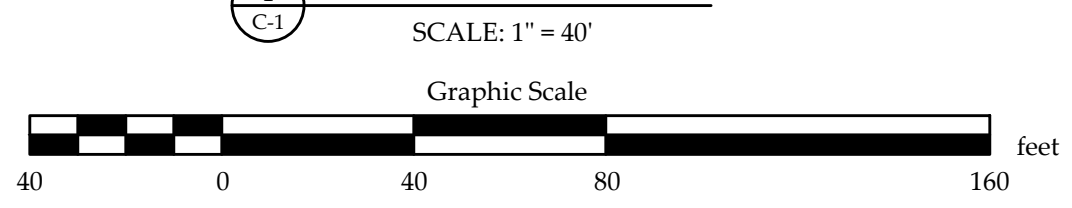
- 1) TOPOGRAPHIC, PARCEL, AND ORTHOGRAPHIC INFORMATION TAKEN ELECTRONICALLY FROM THE VERMONT CENTER FOR GEOGRAPHIC INFORMATION ON 05-08-25.
- 2) PARCEL & SITE INFORMATION PROVIDED ELECTRONICALLY OF PERMIT #WW-5-3650, DATED 4-3-06, SHOWN ON PLAN ENTITLED "SITE PLAN, RICHARD PALMER, LAWRENCE ROAD, MORRISTOWN, VERMONT", DATED 01/24/06, PREPARED BY TRUDELL CONSULTING ENGINEERS (TCE).
- 3) PARCEL & SITE INFORMATION TAKEN FROM PERMIT #WW-5-3650, DATED 4-3-06, SHOWN ON PLAN ENTITLED "SUBDIVISION PLAT, RICHARD PALMER, LAWRENCE ROAD, MORRISTOWN, VERMONT", DATED 01/23/06, PREPARED BY TRUDELL CONSULTING ENGINEERS (TCE).

NOTES:

- 1) THIS DRAWING IS NOT A BOUNDARY SURVEY PLAT. BOUNDARY LINE INFORMATION SHOWN IS BASED ON PLAN REFERENCES #2 & #3. THE PROPERTY LINES, EASEMENTS AND OTHER REAL PROPERTY DESCRIPTIONS PROVIDED ON THIS DRAWING ARE FOR ILLUSTRATION PURPOSES ONLY. THEY DO NOT DEFINE LEGAL RIGHTS OR MEET LEGAL REQUIREMENTS FOR A LAND SURVEY AS DESCRIBED IN V.S.A. TITLE 27 SECTION 1403 AND SHALL NOT BE USED IN LIEU OF A SURVEY AS THE BASIS OF ANY LAND TRANSFER OR ESTABLISHMENT OF ANY PROPERTY RIGHT.
- 2) THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING AND DETERMINING THE LOCATION, SIZE, AND ELEVATION OF ALL EXISTING UTILITIES PRIOR TO THE START OF CONSTRUCTION. THE ENGINEER SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES OR UTILITIES FOUND INTERFERING WITH THE PROPOSED CONSTRUCTION. APPROPRIATE REMEDIAL ACTION SHALL BE TAKEN BEFORE PROCEEDING WITH THE WORK.
- 3) THIS TOPOGRAPHIC SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF "DIG SAFE" MARKINGS. UTILITY LOCATIONS SHOWN ARE APPROXIMATE AND ARE NOT WARRANTED TO BE EXACT OR COMPLETE. THE CONTRACTOR SHALL CONTACT "DIG SAFE" BEFORE COMMENCING ANY WORK AND SHALL PRESERVE ALL EXISTING UTILITIES NOT SPECIFIED TO BE REMOVED OR ABANDONED AS PART OF THE PROJECT.

LEGEND	
N/F	NOW OR FORMERLY OWNED BY
(W)	IRON PIPE / REBAR FOUND
(W)	EXISTING DRILLED WELL
(T)	EXISTING TREE
---	EXISTING PROPERTY LINE
---	ADJUTER PROPERTY LINE
---	PROPOSED PROPERTY LINE
---	EXISTING RIGHT-OF-WAY - ACCESS
---	PROPOSED RIGHT-OF-WAY - ACCESS
---	EXISTING EASEMENT - WATER/WASTEWATER
---	EXISTING WATER LINE
---	EXISTING GRAVITY SEWER LINE
---	EXISTING PRESSURE SEWER LINE
---	EXISTING STORMWATER DRAIN
---	EXISTING CONTOUR
---	PROPOSED CONTOUR
---	PROPOSED WATER LINE
---	PROPOSED GRAVITY SEWER LINE
---	PROPOSED PRESSURE SEWER LINE
---	BUILDING SETBACK LINE
---	EXISTING STREAM
---	WETLAND BOUNDARY
---	WETLAND BUFFER

SITE PLAN



PURPOSE OF PLAN:

PROPOSED 5-LOT PLANNED UNIT DEVELOPMENT.

ZONING NOTES:

DISTRICT: RRA
 MINIMUM LOT SIZE: 80,000 SF
 MINIMUM LOT FRONTAGE: 50 FT
 SETBACKS:
 FRONT = 45 FT
 REAR = 15 FT
 SIDE = 15 FT
 SHORELINE = 50 FT

OWNER OF RECORD:

VIRGINIA MAINUS

SITE PLAN VIRGINIA MAINUS LAWRENCE ROAD MORRISTOWN, VERMONT	
 MUMLEY ENGINEERING, INC. <small>46 HUTCHINS STREET MORRISVILLE, VT 05661 WWW.MUMLEYENGINEERING.COM COPYRIGHT © 2025 - MUMLEY ENGINEERING, INC.</small>	PROJECT NO.25030 DRAWN BYWEH CHECKED BYTRM SCALE1" = 40' DATE07/01/25
C-1 1 OF 1 SHEETS	



320 feet Abutters List Report

Morristown, VT

July 29, 2025

Subject Properties:

Parcel Number: 160310102
CAMA Number: 160310102
Property Address: 0 LAWRENCE ROAD

Mailing Address: MAINUS VIRGINIA
1152 SOUTH ROAD
WESTFIELD, PA 16922

Parcel Number: 160310102
CAMA Number: 160310102
Property Address: 0 LAWRENCE ROAD

Mailing Address: PALMER RICHARD
575 WILLOW GROVE RD
STONY POINT, NY 10980

Parcel Number: 160310102
CAMA Number: 160310102
Property Address: 0 LAWRENCE ROAD

Mailing Address: MAINUS VIRGINIA
1152 SOUTH ROAD
WESTFIELD, PA 16922

Parcel Number: 160310102
CAMA Number: 160310102
Property Address: 0 LAWRENCE ROAD

Mailing Address: PALMER RICHARD
575 WILLOW GROVE RD
STONY POINT, NY 10980

Abutters:

Parcel Number: 1603001
CAMA Number: 1603001
Property Address: 35 EVERGREEN LANE

Mailing Address: MEYER TEDRA CHEN PEIJIN
35 EVERGREEN LANE
MORRISVILLE, VT 05661

Parcel Number: 1603002
CAMA Number: 1603002
Property Address: 32 EVERGREEN LANE

Mailing Address: CUSSON CLAUDIA
32 EVERGREEN LANE
MORRISVILLE, VT 05661

Parcel Number: 1603002
CAMA Number: 1603002
Property Address: 35 EVERGREEN LANE

Mailing Address: MEYER TEDRA CHEN PEIJIN
35 EVERGREEN LANE
MORRISVILLE, VT 05661

Parcel Number: 1603002
CAMA Number: 1603002
Property Address: 32 EVERGREEN LANE

Mailing Address: CUSSON CLAUDIA
32 EVERGREEN LANE
MORRISVILLE, VT 05661

Parcel Number: 1603002
CAMA Number: 1603002
Property Address: 35 EVERGREEN LANE

Mailing Address: MEYER TEDRA CHEN PEIJIN
35 EVERGREEN LANE
MORRISVILLE, VT 05661

Parcel Number: 1603003
CAMA Number: 1603003
Property Address: 82 EVERGREEN LANE

Mailing Address: MOORE LUCAS & GERHART JESSICA
82 EVERGREEN LANE
MORRISVILLE, VT 05661



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320 feet Abutters List Report

Morristown, VT

July 29, 2025

Parcel Number: 1603004
CAMA Number: 1603004
Property Address: 119 EVERGREEN LANE

Mailing Address: SAVAGE JULIANNA MARGARET
119 EVERGREEN LANE
MORRISVILLE, VT 05661

Parcel Number: 1603005
CAMA Number: 1603005
Property Address: 100 EVERGREEN LANE

Mailing Address: DODGE LEWIS H IV & ERIKA L
100 EVERGREEN LANE
MORRISVILLE, VT 05661

Parcel Number: 1603101
CAMA Number: 1603101
Property Address: 0 LAWRENCE ROAD

Mailing Address: PALMER RICHARD
575 WILLOW GROVE RD
STONY POINT, NY 10980

Parcel Number: 160310101
CAMA Number: 160310101
Property Address: 0 LAWRENCE ROAD

Mailing Address: PALMER RICHARD
575 WILLOW GROVE RD
STONY POINT, NY 10980

Parcel Number: 160310103
CAMA Number: 160310103
Property Address: 0 LAWRENCE ROAD

Mailing Address: PALMER RICHARD
575 WILLOW GROVE RD
STONY POINT, NY 10980

Parcel Number: 160310104
CAMA Number: 160310104
Property Address: 0 LAWRENCE ROAD

Mailing Address: PALMER RICHARD
575 WILLOW GROVE RD
STONY POINT, NY 10980

Parcel Number: 16032
CAMA Number: 16032
Property Address: 147 SUGAR HOUSE LANE

Mailing Address: MOEYKENS CHRISTOPHER S &
ELIZABETH M
147 SUGAR HOUSE LN
MORRISVILLE, VT 05661

Parcel Number: 1603202
CAMA Number: 1603202
Property Address: 672 LAWRENCE ROAD

Mailing Address: WHITLEY REALTY TRUST OF 2008
WHITLEY ROBERT B & JANET A -
TRUSTEES
10 PINDALE LANE
CANTON, MA 02021

Parcel Number: 16033
CAMA Number: 16033
Property Address: 32 SUGAR HOUSE LANE

Mailing Address: SABATASO TRAVIS SABATASO
CHRISTINA
32 SUGAR HOUSE LN
MORRISVILLE, VT 05661

Parcel Number: 1603302
CAMA Number: 1603302
Property Address: 500 LAWRENCE ROAD

Mailing Address: DEMAR CARMEN JUDITH TRUST -
TRUSTEE
500 LAWRENCE ROAD
MORRISVILLE, VT 05661

Parcel Number: 1603305
CAMA Number: 1603305
Property Address: 500 LAWRENCE ROAD

Mailing Address: DEMAR CARMEN JUDITH TRUST -
TRUSTEE
500 LAWRENCE ROAD
MORRISVILLE, VT 05661

Parcel Number: 1603305
CAMA Number: 1603305
Property Address: 500 LAWRENCE ROAD

Mailing Address: DEMAR CARMEN JUDITH TRUST -
TRUSTEE
500 LAWRENCE ROAD
MORRISVILLE, VT 05661



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7/29/2025

Page 2 of 3



320 feet Abutters List Report

Morristown, VT
July 29, 2025

Parcel Number: 1603305
CAMA Number: 1603305
Property Address: 500 LAWRENCE ROAD

Mailing Address: DEMAR CARMEN JUDITH TRUST -
TRUSTEE
500 LAWRENCE ROAD
MORRISVILLE, VT 05661

Parcel Number: 1603305
CAMA Number: 1603305
Property Address: 500 LAWRENCE ROAD

Mailing Address: DEMAR CARMEN JUDITH TRUST -
TRUSTEE
500 LAWRENCE ROAD
MORRISVILLE, VT 05661



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August 13, DRB Meeting Staff Notes

APPLICATION: 2025-065

APPLICANT: Tyler Mumley

REQUESTED ACTION: Sketch Plan Review

LOCATION: 0 Lawrence Road

EXISTING ZONING: Rural Residential Agriculture

LIST OF APPLICANT SUBMISSIONS:

- A. Sketch Plan Review Application
- B. Project Narrative
- C. Site Plan
- D. Abutters list.

PROCEDURAL INFORMATION:

- 1. Agenda placed in News and Citizen 7/21/2025
- 2. Notice placed on the town website and at three locations in town on 7/21/2025
- 3. Abutters notified on 7/21/2025
- 4. Notice sent to Applicant 7/21/2025

STAFF COMMENTS (Comments In Bold):

- 1. Tyler Mumley, applying on behalf of Virginia Mainus, proposes a 5 lot Planned Unit Development (PUD). The project includes a total of ± 8.72 acres (existing Lots 1, 2, and 3). As a proposed conservation subdivision PUD, there will be a proposed open space lot of 50% of the developed land, including ± 4.36 acres. The remaining land will be subdivided among five (5) new lots. As part of a conservation subdivision, these proposed lots only need to be 40,000 square feet (SF) in size, or 0.92 acres. However, we are requesting slightly smaller lots, in accordance with the Waiver allowance of the zoning rules:
 - a. Proposed Lot 1 = ± 0.84 acres (8.7% reduction)
 - b. Proposed Lot 2 = ± 0.85 acres (7.6% reduction)
 - c. Proposed Lot 3 = ± 0.87 acres (5.4% reduction)
 - d. Proposed Lot 4 = ± 0.89 acres (3.3% reduction)
 - e. Proposed Lot 5 = ± 0.92 acres (no waiver – meets minimum lot size)
 - f. Proposed Lot 6 = Open Space of ± 4.36 acres (50% of project area)
- 2. **As the applicants are applying for Sketch Plan Review and sketch plan review is non binding the focus of this review will be on the Applicants request to allow a further reduction of the lot size requirements not whether it meets the other required standards for PUD approval. The Applicant will still need to demonstrate compliance with all of the necessary regulations to get final approval for this project.**
- 3. The applicants are proposing a further reduction of the minimum lot size as noted above.



4. The Applicants project meets the definition of a major subdivision as noted in Section 710.2 of the Morristown Zoning and Subdivision Bylaws (The Bylaws) as the subdivision would result in more than three lots.
5. All major subdivisions are subject to Planned Unit Development (PUD) regulations noted in Section 510 of The Bylaws.
6. The Applicant indicated in their narrative that they are requesting the Board to give guidance on a waiver request to further reduce the size of each lot.
7. The Project is located in the Rural Residential Agricultural(RRA) district and the minimum normal lot size is 80,000 square feet as noted in Section 204.b of The Bylaws.
8. The PUD regulations noted in Section 510 require any PUD to conserve at least 50% of the total land area of the project.
9. The Applicants narrative notes that they have conserved 50% of the land area.
10. Section 510.5.b.5 notes the dimensional requirements for lots inside of a PUD can be further reduced to no less than one-quarter of the required lot size specified by the zone in which the subdivision is proposed if one of the following criteria can be met:
 - a. When 75% of the subject property is to be permanently protected as open space.
 - b. When the subject property is located within the village limits.
 - c. When Class 2 Development is proposed in the Low-Density Residential Zone.
11. The applicants are proposing to further reduce the minimum lot sizes for this PUD as follows;
 - a. Proposed Lot 1 = ±0.84 acres- 36,590sqf (8.7% reduction)
 - b. Proposed Lot 2 = ±0.85 acres- 37,026sqf (7.6% reduction)
 - c. Proposed Lot 3 = ±0.87 acres-37,897sqf (5.4% reduction)
 - d. Proposed Lot 4 = ±0.89 acres -38768sqf (3.3% reduction)
12. As a result of the standards noted above the minimum lot size for the RRA district is 10,000 sqf provided that the standards noted in 10 are met.
13. As presented the applicants project meets the one quart requirements noted above
14. The Applicants narrative notes that only 50% of the remaining land area is being conserved and thus would not meet the 75% conserved requirement noted in a. of 10 noted above.
15. However, Section 204.4 notes that any dimensional or numerical requirement can be reduced by 15% provided two of the following are met :
 - a. Maintains compact development patterns in the village and the rural feel of the Town
 - b. Minimizes impacts to the environment and natural surroundings
 - c. Does not disrupt the neighborhood's existing settlement pattern
 - d. Does not detract from the value of adjacent properties on the Town's Grand-List
 - e. Protects or enhances historic resources
 - f. Makes the Town a more interesting place to work and live via the installation of a permanent, desirable, and durable public art installation community improvement project.
16. The Applicants note in their narrative that they are requesting a waiver under Section 204.4 of the Bylaws from the minimum lot size of 40,000sqf in the RRA district by an additional 15%.
17. This means that if the waiver was granted the minimum lot size of 80000sqf for the RRA district could be reduced by 65% (50% + an additional 15%) instead of the normal 50% for PUDS while keeping the 50% land conservation requirement.
18. This would result in a PUD that allows a minimum lot size reduction of 65% while keeping the 50% conservation requirement.
19. The 75% conserved threshold would not apply unless the applicants sought further reductions.
20. If the waiver was granted the new minimum lot size for this PUD would be 28,000 sqf,



21. All of the new proposed lots would be in excess of this new minimum lot size.
22. The applicants narrative makes the case as to why they should be granted the waiver under Section 204.4.

STAFF CONCLUSION: It is worth mentioning that there are numerous ways this waiver Section in 204.4 could be applied to the PUD regulations in Section 510. As 204.4 notes and dimensional or numerical requirement can be reduced by up to 15% in the RRA. This means there may be other possible arrangements that would allow the applicant to further reduce the minimum lot size for this project. As presented this project appears to mee the requirements for the requested waiver. However, the Board could explore other arrangements if they felt compelled to.

ITEMS FOR DRB CONSIDERATION:

1. Dose the applicant's proposal satisfy the requirements noted in Section 204.4?
2. Is there a better way to reduce the minimum lot size requirements for this proposed PUD?