



**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, September 24, 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 of 8/13/25

IV. PUBLIC COMMENTS

V. HEARING OF APPEALS AND DEVELOPMENT APPLICATIONS

1. #2025-89 Conditional use & site plan review application submitted by Vermont Land Use Planning on behalf of LH&A Realty to convert a former retail space located at 48 Congress Street (Parcel ID 23-106) into multifamily housing. The plan calls for 8 new residential units inside of an existing retail space. The property is divided between two zoning districts the Commercial Business (CB) district and the High Density Residential (HDR) district. Section 201.3 notes that the Development Review Board (DRB) may apply the regulations of either district to the whole lot if the lot is divided into different zoning districts. This requires conditional use review by the DRB. The applicants are also seeking site plan approval for their project. This project will be reviewed under the proposed 2025 Morrystown Zoning and Subdivision Bylaws and the 2023 Morrystown Zoning and Subdivision bylaws.

VI. ACTION ITEMS TO BE CONSIDERED

VII. OTHER BUSINESS

VIII. ADJOURN



**DEVELOPMENT REVIEW BOARD MEETING MINUTES
OF AUGUST 13, 2025**

Members: Gary Nolan, Lenny Wing, Susanna Burnham, Christy Snipp, Paul Trudell, Donald Blake, Jr.

Absent: Mary Ann Wilson

ADMINISTRATION and STAFF: Tyler Machia, Zoning and Planning Administrator

PARTICIPANTS/GUESTS: Tod Ziegler, Ron Stancliff, Sherry Willson, Peijin Chen, Tera Meyer, Monique Duckworth, Jessica Moore, Shelly Mainus, Claudia Cussen, Michael Slayton, Dana Wene, Erika Dodge, Joni Gaines, Kenneth Porter, Elizabeth Moegkens

CALL MEETING TO ORDER

Meeting called to order at 6:02 PM

PROPOSED CHANGES TO THE AGENDA

APPROVE PRIOR MEETING MINUTES

It was pointed out that Matthew Percys name was misspelled in the Maine paragraph of Item 2. Town staff noted that this would be correct.

**Motion to approve the minutes as amended by Susanna Burnham. Motion seconded by Donald Blake Jr.
Motion carried (4/0/2)**

- 1. Approve Minutes from 7-9-25**

PUBLIC COMMENTS

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 Morristown Zoning and Subdivision Bylaws. Section 720.3 and 720.4 of the proposed 2025 Morristown 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.

At the start of the meeting Gary Nolan noted that Sketch Plan review is advisory only and is non-binding on the DRB or the applicant. Tyler Mumley provided an overview of the project. He noted that this project is a re-subdivision of 3 lots into a 5 lot planned Unit Development (PUD). He noted that the focus of the sketch plan review was to gage the boards willingness to entertain a waiver request to further reduce the minimum lot size required for a PUD. Section 510 of the Morristown Zoning and Subdivision Bylaws (The Bylaws) that a PUD allows for 50% reduction in the required lot size while mandating the permanent conservation of 50% of the remaining land. The Applicants are seeking a further reduction to this required minimum lot size of 15% as noted in Section 204.4 of the Bylaws. Mumley Indicated that the final design of the project was contingent on the boards appetite to consider granting a waiver request. The Board received a lot of public comment on this topic. Most of the comments were centered around concerns about the potential impact too the character of the area. Most of the people who spoke at the meeting were concerned about the impact that these more compact lots would have on the abutting properties. Many of those who spoke noted that these lots were significantly smaller than others in the area. Numerous people noted that they live in this area because of its rural character and they see this type of development as a threat to this. In addition to the concerns about the scale of the development, there was also concern about the potential negative impact to the wildlife in the area. It was noted that a requirement of a PUD is that 50% of the land in perpetuity. Despite this many of the people who spoke were skeptical of the conservation elements of the PUD process. Many people expressed concern that the 50% conservation requirement would not do enough to protect the wildlife in the area. The Board noted that they would be drafting an advisory letter to send to the applicant to advise them as to how the board may consider a waiver request under Section 204.4.

Motion by Donald Blake Jr. to move the application to deliberative session. Motion seconded by Susanna Burnham. Motion carried (6/0).

ACTION ITEMS TO BE CONSIDERED

OTHER BUSINESS

ADJOURN

Motion by Paul Trudell to adjourn into deliberative session. Motion seconded by Christy Snipp. Motion carried (6/0).

Meeting Adjourned: 7:37PM

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.

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**Town of Morristown
PO Box 748
43 Portland St
Morrisville VT 05661**

Conditional use permit

Parcel number	23-106	Permit number	2025-89	Hearing number
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Parcel location information				
Street number	48	Street/Road name	CONGRESS ST	Apt number
Other location information				

Permit applicant information				
Name	Vermont Land Use Planning	Address	100 Maple Street	
City	Morristown	State	VT	Zip
				05661
				Telephone

Parcel owner information				
Name	LH&A Realty Limited Partnership	Address	Po Box 1580	
City	Deland	State	FL	Zip
				32721
				Telephone

Application date	08/28/2025	Application fee		Land records: Book	Pages
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Description of permit	Conditional Use and Site Plan Review for 8 new multi family housing units.
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Is there a PLAT for this permit?	NO
Number of acres in parcel	

Current use
Proposed use
Zoning district

Administrative Official	Date
	9/2/25

Permit shall not take effect until _____; *** Or if a notice of appeal is filed with the Development Review Board by such date, it shall not take effect until the DRB issues its final decision. ** And the time for filing an appeal to the Environmental Court must have passed.



Project Narrative: Residential conversion of old Walgreens (Ferris)

LH&A Realty Limited Partnership is applying under Section 437, Change of Non-Conforming Use, of the Zoning Bylaws to convert the old Grand Union / Walgreens building at 48 Congress Street into an 8 unit apartment building. Other than new residential fenestration (as shown by Architect Trudell on the rendering), the only exterior change to the existing 6,162 ft² building, per Section 206, is the addition of the 10 foot wide by 6 foot deep covered front porch to shelter its new Congress Street entrance. A Honey Locust Tree and a Lilac Bush will be planted to flank each side of the new front entrance to satisfy Section 505 Landscaping requirements.. The new landscaping, covered front porch addition, and new functional residential windows, will create a welcoming feel for the abutters and residents of this repurposed commercial building. For the 8 apartments proposed (five 1-bedroom & three 2-bedroom units), ample off-street parking already exist via the 20+ spaces within the property's recently repaved parking lot.

This application is only before the DRB because the lot is split by the Central Business & Commercial Zones. However, with the proposed redevelopment permissible in either zone, this DRB hearing should be perfunctory. Without this split zone scenario, this project could have been administratively approved. Envisioning this potential application during the last zoning map revision, I split this property with the CB / HDR zoning line to provide the existing building with both commercial and residential futures. As part of this application, the applicant asks that the CB Zone be extended to the full property, as it has historically been reviewed by Town Zoning as being in the Central Business Zone.

In closing, we are excited to bring new residents and badly needed housing to the heart of downtown Morrisville, while importantly bringing new life and investment to a vacant building. With the existing building located on the residential side of the split zone line, we have no doubt that the DRB will find, as required by Section 437 of the Bylaws, that the proposed redevelopment is “more compatible with the surrounding area than the existing non-conforming commercial use.”

Prepared on 8/28/25 for: LH&A Realty Limited Partnership, PO Box 1580, Deland, FL 32721



48 Congress St., Morrisville, VT

1 inch = 40 Feet

www.cai-tech.com

August 14, 2025



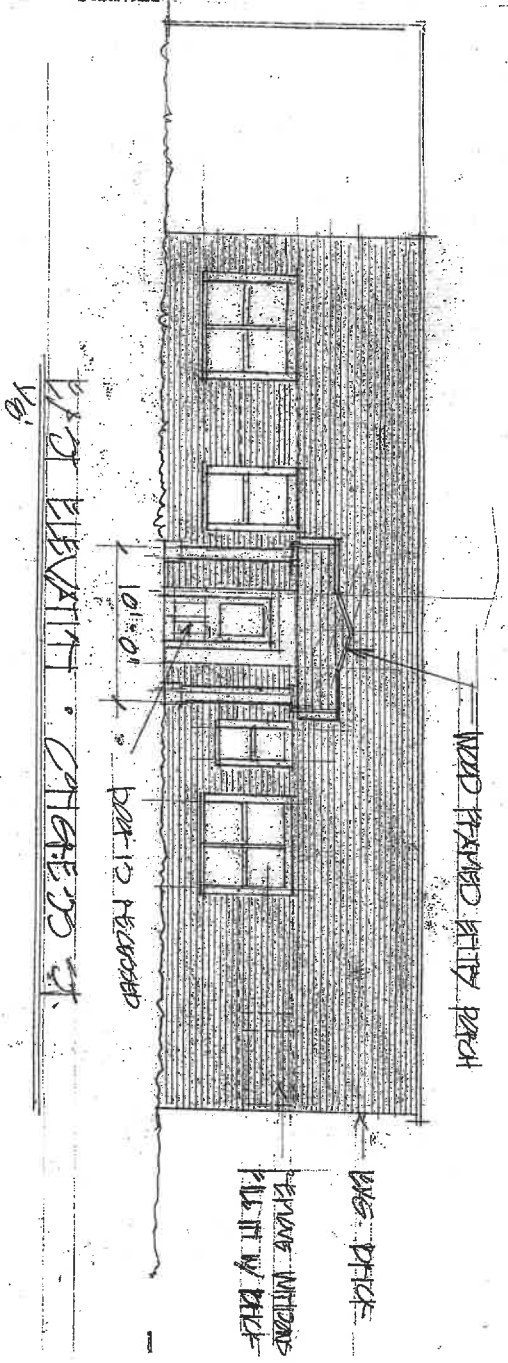
Only exterior change to old Walgreen for proposed multi-family family residential conversion (other than new windows shown on Trudell floor plan) is this 10x6 covered front porch & entry

- Property Line
- Public Road

★ = New Honey Locust Tree ★ Lilac Bush on each side of new entrance (planting per DRB)

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

Note: All exterior lighting shall comply with Section 490 of the Bylaws.



FRONT ELEVATION

WOOD FRAMED ENTRY PORCH

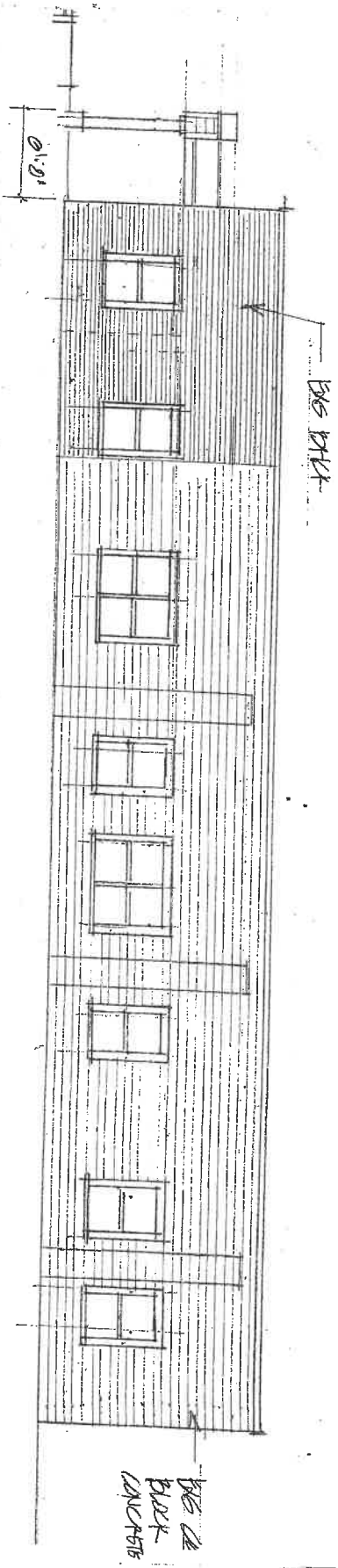
10'-0"

WOOD SHAKES

BIG BRICK

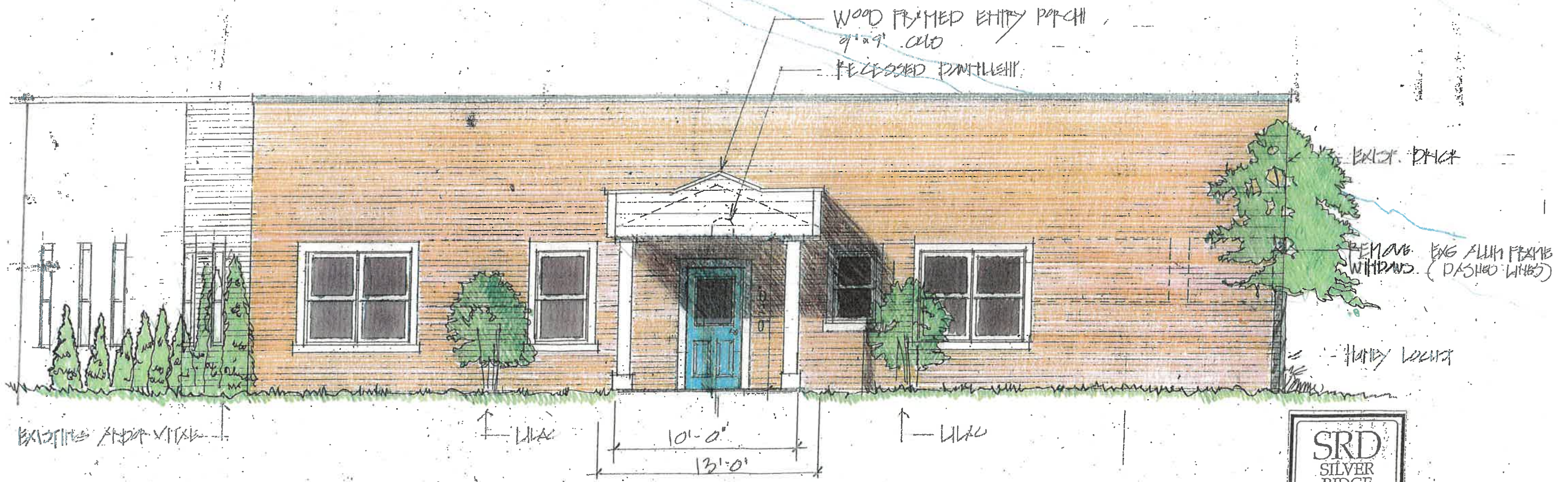


WEST ELEVATION



BIG BRICK

BIG BRICK



EAST ELEVATION - CONGRESS ST.

WALGREEN APARTMENTS
 48 CONGRESS ST. MARRISVILLE, VA



SEPT. 2, 2015



September 24, DRB Meeting Staff Notes

APPLICATION: 2025-089

APPLICANT: Vermont Land Use Planning

REQUESTED ACTION: Conditional Use and Site Plan Review

LOCATION: 48 Congress Street

EXISTING ZONING: Commercial Business & High Density Residential

PROJECT DESCRIPTION: #2025-89 Conditional use & site plan review application submitted by Vermont Land Use Planning on behalf of LH&A Realty to convert a former retail space located at 48 Congress Street (Parcel ID 23-106) into multifamily housing. The plan calls for 8 new residential units inside of an existing retail space. The property is divided between two zoning districts the Commercial Business (CB) district and the High Density Residential (HDR) district. Section 201.3 notes that the Development Review Board (DRB) may apply the regulations of either district to the whole lot if the lot is divided into different zoning districts. This requires conditional use review by the DRB. The applicants are also seeking site plan approval for their project. This project will be reviewed under the 2023 Morristown Zoning and Subdivision bylaws.

PARCEL HISTORY:

1. Zoning permit for a new sign, MISC006, Approved 11/24/1971
2. Zoning permit for a new sign, Conger 48, Approved 23-106

LIST OF APPLICANT SUBMISSIONS:

- A. Conditional Use Application dated 8/28/25
- B. Narrative dated 8/28/25
- C. Site Plan dates 8/14/ 25
- D. Boundary Survey dated 2/8/22
- E. Building Layout 12/7/23
- F. Exterior Elevation 9/2/25

PROCEDURAL INFORMATION:

1. Application Deemed complete on 8/28/25
2. Agenda placed in News and Citizen 9/2/2025
3. Notice placed on the town website and at three locations in town on 9/2/2025
4. Abutters notified on 9/2/2025
5. Notice sent to Applicant 9/2/2025

STAFF COMMENTS (**Comments In Bold**):

1. Vermont Land Use Planning Submitted a conditional use application on behalf of LH&A Realty to convert a former retail space located at 48 Congress Street (Parcel ID 23-106) into multifamily housing. The plan calls for 8 new residential units inside of an existing retail space. The property is divided between two zoning districts the Commercial Business (CB) district and the High Density Residential (HDR) district. Section 201.3 notes that the Development Review Board



(DRB) may apply the regulations of either district to the whole lot if the lot is divided into different zoning districts. This requires conditional use review by the DRB. The applicants are also seeking site plan approval for their project. This project will be reviewed under the 2023 Morrystown Zoning and Subdivision Bylaws (The Bylaws).

2. The lot located at 48 Congress Street is split between two different Zoning Districts, the Commercial Business District (CB) and the High-Density Residential District (HDR).
3. The Applicants note in their narrative that they wish to extend the CB regulations to the entire lot.
4. Section 201.3 of The Bylaws notes that if a lot is split by a district boundary the DRB may extend the regulations for either district to the whole lot as a conditional use.
5. The Applicants are proposing to convert the former Walgreens retail space into a Multi Family Dwelling Unit.
6. The lot located at 48 Congress Street is .4 acres or 17,424 square feet.
7. The Applicants are proposing a 8 units of housing inside of the existing 6,126 square foot building.
8. The dimensional table in Section 204.5b notes that there are no minimum area (square footage) per unit for Multi Family Dwellings in Commercial Business. **(The Applicants project complies with this section of 204.5b of the Bylaws.)**
9. Multi Family Dwellings will be subject to the design criteria noted in Section 206 of the Bylaws.
10. The Project meets the requirements noted in the following sections of 206: a,b,c,d,e,f,g,h,j, k, (**While the applicants project shows siding with trim sitting proud and appears to hide j channels it is difficult to see given the scale of the drawing. The Board could consider requiring a different drawing of the siding to see these details or they could request that the applicant confirms in writing that the trim will hide all J channels.**)
11. Section 206.i notes that all new multi family dwelling units need an outside space. It notes the following:

All new dwelling unit multi-family uses shall include **24 ft²** of exterior outdoor space **per unit** that may be comprised of any combination of the following: a common roof-deck, a common area deck or porch, a front lawn area located outside required setbacks, or a private deck, porch, or patio that is attached or adjacent to the dwelling unit.

This means the Applicants are required to provide 192 feet of outdoor space. The Applicants have provided 60 feet of outdoor space. The Applicants project is short 132 square feet of outdoor space. (**The applicants will need to provided the additional 132 square feet of outdoor space or request a waiver from this requirement as noted in o. of Section 206.**)
12. Section l. of 206 notes that bike racks are required if a building has 10 or more parking spaces.
13. The Applicants site plan notes more than 10 parking spaces but no bike rack is shown.
14. Section m. of 206 notes that the applicants need to provide a lighting plan to comply with Section 490 of the bylaws. **(The applicants have not supplied a lighting plan for this project. The Board could consider continuing the application until one is provided or make it a condition of approval.)**
15. Section n. of 206 notes that the all utilities shall be located underground. **(The Applicants application materials do not indicate that utilities shall be located underground. The Applicants will need to confirm that all utilities will be located underground, or they will need to request a waiver as noted in o. of Section 206)**



16. The project is subject to the minimum parking requirements as noted in Section 453 of the bylaws.
17. The Applicants are required to provide 1 parking space per unit as noted in the parking table of Section 453 and are therefore required to provide 8 parking spaces.
18. The Applicants site plan shows at least 20 spaces.
19. The Applicants have not provided a lighting plan for the project as noted in Section 490 of The Bylaw. **(The Applicants will need to clarify what the lighting plan is for the project. If they are not proposing any lighting than they should note that. If lighting Is to be provided then the applicants will need to provide a lighting plan for the project that complies with this section. The Board could consider continuing the application or make this a condition of approval).**
20. This project will be subject to the Site Plan approval requirements as noted in Section 502 of the bylaws.
21. The Applicants are in compliance with the following sections of Section 502:a, b, c, d, e, f, h.
22. The Applicants have not indicated if there will be any propane tanks located on the property as noted in Section 502.g of The Bylaws. **(If there are propane tanks they need to be shown on the site plan and be located underground)**
23. The applicants site plan does not cluster mailboxes as noted in Section 502.i.
24. The Project will be subject to the landscaping requirements noted in Section 505 a-i.
25. The Applicants narrative notes that there will be two new plantings one honey locus tree and one lilyac bush. These plantings will flank either side of the main entrance.
26. Section 505 b. notes that a landscaping buffer is required to screen 10 or more off street parking spaces from roadside view.
27. The applicant plan set shows more than 10 parking spaces **(While the applicants have provided a landscaping plan it does not contain the required information to satisfy the requirements noted in Section 505 which clearly state landscaping is a requirement. The Applicants Site Plan does not show any landscaping of the parking area. The parking area is preexisting; however, given that this is a redevelopment the applicant is require to screen the parking area to bring it into compliance with town regulations The Board will have to decide whether to continue the application until an up to date landscaping plan has been provided.)**
28. Section 505.c notes that shade trees are required for parking lots with 10 or more spaces. In addition, any space cannot be located more than 30 linear feet from the trunk of the closest shade tree. **(The applicants site plan does not show any shade trees in the parking area. The Applicants should provide an updated site plan and landscaping plan showing the required shade trees.)**
29. Section 505.d notes that all trees shall be 2.5 in caliper.
30. Section 505.e notes that shade trees are required, there shall be 1 tree for every 60 feet of road frontage.
31. The Applicants have two plantings at the main entrance to the building. **(While these planting are present it is unclear if the applicant has enough to meet the requirements noted in Section 505.e.)**



32. Sections g,h,i of Section 505 note various requirements for the planning and maintenance of any proposed landscaping.
33. The Applicants have not submitted a landscape maintenance plan for the project.
34. The Project is also subject to the Conditional Use Regulations noted in Section 630 of The Bylaws.
35. Section 660 does not apply as this project doesn't trigger ACT250 review.

ITEMS FOR DRB CONSIDERATION:

1. Should the Applicants be required to provide additional documentation to show compliance with Section 206 of The Bylaws
2. Should the Applicants be required to provide the additional 132 ft² of outdoor space as noted in Section 206.i of The Bylaws, what form should it take or should the DRB grant a waiver?
3. Should the application be continued until the applicants provide additional landscaping and detailed landscape maintenance plan as noted in Section 505 of the Bylaws?

RECOMMENDATIONS TO THE DRB

1. Continue the application until the following information is provided:
 - a. Updated landscaping plan meeting the standards noted in Section 505 of the Bylaws.
 - b. Plan to provided the additional 132 ft² of outdoor space.
 - c. Lighting Plan as noted in Section 490.
 - d. Confirmation that Utilities will be located underground as noted in Section n. of 206.
 - e. Bike rack as noted in Section l of 206.
2. Approve the application with conditions to address the following issues:
 - a. Updated landscaping plan meeting the standards noted in Section 505 of the Bylaws.
 - b. Plan to provided the additional 132 ft² of outdoor space.
 - c. Lighting Plan as noted in Section 490.
 - d. Confirmation that Utilities will be located underground as noted in Section n. of 206.
 - e. Bike rack as noted in Section l of 206.