



**TOWN OF MORRISTOWN PLANNING COUNCIL
MEETING NOTICE & AGENDA
COMMUNITY MEETING ROOM
43 Portland St. Morrisville, VT 05661
5:00 PM Tuesday, May 23, 2023**

This meeting will be held in person only.

CALL TO ORDER

- p. 2-3 1. Vote: Prior Council meeting minutes

DISCUSS

- p. 4 1. Jersey Heights sidewalk vote postmortem
p. 5-6 2. Laura Street string/holiday lights regulation change
p. 7-8 3. Town Plan implementation letter (bury powerlines)
p. 9 4. §505(b) parking lot landscaping revision
p. 10-12 5. Improving the intersection of Portland & Bridge Streets

ADJOURN

Morristown/Morrisville Planning Council
PO Box 748 / Morrisville, VT 05661
Phone (802) 888-6373

Meeting Minutes of Tuesday 11 April 2023

Council Members present: Joshua Goldstein (on phone), Etienne Hancock (Chair), Tim Magee, John Meyer, & Wally Reeve

Council Members absent:

Guests: Conservation Commission Co-Chair Ron Stancliff, Brian Hamor, Brooke Scatchard, Tom Cloutier, Laura & Martin Green

Staff: Planning Director Todd Thomas

Call to Order: Chair Hancock called the meeting to order in the Community Meeting Room of the Old Tegu Theatre at 43 Portland St at approximately 5:00 P.M. Planning Director Thomas reminded everyone that the Planning Council meeting on April 25th would not take place due to school vacation week and a staff vacation.

Meeting Minutes: Member Goldstein moved to approve the March 14th meeting minutes. A vote of 3-0-2 affirmed the motion, with Members Magee & Reeve abstaining.

Vote: Annual reorganization

Mr. Thomas said that the Council must reorganize per the “Rules for Jointly Appointed Boards.” Member Goldstein moved to reappoint Etienne Hancock as Chair. A vote of 5-0 affirmed the motion. Member Reeve moved to appoint Josh Goldstein as Vice- Chair (filling Tom Snipp’s recently vacated position). A vote of 5-0 affirmed the motion.

Discussion: Town Plan implementation letter (bury overhead utilities downtown)

Planning Council Members reviewed a letter designed to initiate the Town Plan designated priority of burying the overhead utilities in downtown Morrisville. After Council Members directed Mr. Thomas to make a few small edits to the letter, Member Reeve moved to have Chair Hancock sign it and send it to the Selectboard so this committee could be created. A vote of 5-0 affirmed the motion.

Discussion: Jersey Heights sidewalk infill section vote at Special Town Meeting

Council Members discussed the Special Town Meeting vote that would take place on April 18th regarding funding the construction to fill the gaps between developer-built sidewalks on Jersey Heights. It was agreed that a letter should be mailed to nearby property owners expressing facts about the sidewalk proposal due to all the misinformation being posted about it on Front Porch Forum. Mr. Thomas asked Planning Council Members to be ready to speak at the Special Town Meeting about this project.

Discussion: Conservation Subdivision changes for affordable housing in LDR Zone

Council Members discussed proposed changes to the Conservation Subdivision Bylaw intended to help create more affordable housing in the Low Density Residential (LDR) Zone. These changes, which would only be available in the LDR Zone, included allowing townhouses when Class 1 Development is available, and adding a density bonus that would allow for the creation of smaller than normally allowed lots for single-family

homes when Class 2 Development was available. Council Members, after a brief discussion of proposed State legislation that would impact local Zoning Bylaws statewide, said they were amenable to these proposed edits. Mr. Thomas said these edits would be included as part of the larger fall zoning change.

Discussion: HDR multi-family use size permit differentiation for adaptive reuse

Mr. Thomas asked if DRB hearings should be necessary to add small amounts of new housing within existing accessory buildings (using the carriage house and barn conversion on W. High Street and Winter Street as respective examples). It was discussed how the adaptive reuse of such buildings, regales of density requirements, had far less impact on the environment and neighboring property owners than new construction. The Council decided to allow the by the Zoning Administrator to administratively approve the adaptive reuse of accessory buildings that existed on 1 January 2023 into 1 or 2 new dwelling units. Mr. Thomas said that this change would be included as part of the larger fall zoning change.

Discussion: Development & density bonus for all-electric buildings – Mr. Thomas noted that the Council's recent initiative to incentivize all-electric buildings was also discussed at last week's Housing Committee meeting. He opined that both Boards would likely be working towards creating a matrix of density bonuses that were meant to encourage desired town outcomes, like smaller lots, smaller homes, ownership of said homes, and the home being all-electric. Brian Hamor asked if wood fired backup heat would be allowed. The Council decided that it would not prohibit as such, and it would wait to see what the Housing Committee came up with before proceeding further with this proposal.

The meeting adjourned at 6:20 PM, submitted by Todd Thomas, Planning Director



Jersey Height (partial sidewalk)

Town of Morristown, VT

1 inch = 100 Feet



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May 17, 2023



Parcel - Poly	Property TIC
Property Line	ParcelText_Leaders
Public Road	ParcelText_Arrowheads
Right of Way	

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functioning water, sewer or septic facilities while being used as a temporary construction housing and shall comply with §323c if parked in a §320 Flood Hazard Area

Section 490. Exterior Lighting.

- 490.1 Exterior Lighting. All exterior lighting for residential or business uses shall be accomplished by using cut-off, down-shielded light fixtures. Light emanating from said fixtures shall not spill onto neighboring properties, Streets or, in the opinion of the Zoning Administrator, produce a hindrance to traffic movement. All exterior lighting, other than security lighting (which shall be set on a 5-minute or less motion sensor), including parking lot lighting, and exempted lighting per §490.5, shall remain off between the hours of 10:00PM and 6:00AM
- 490.2 Parking Lot Lighting. Parking lot light structures shall be limited to 20 feet in height and the light emanating therefrom shall be accomplished by using cut-off, down-shielded light fixture and shall not spill onto neighboring property lines or Streets.
- 490.3 Building facades. Building facades may be illuminated provided that the lighting shall be accomplished by using cut-off, down-shielded light fixtures and light shall not spill onto neighboring property lines or Streets.
- 490.4 Externally Illumination for Signs. Sign lighting shall be regulated per §477 of the Bylaw.
- 490.5 Exemptions. Exemptions for §490 shall include lighting for streetlights, lighting installations on municipally owned property, holiday and string lights ~~during the months of October through January, provided said lights are turned off nightly at 10:00 PM.~~
- 490.6 Unusual Situations. Proposed lighting installations that do not comply with §490 Exterior Lighting maybe approved by the DRB only when that Board finds that the proposed lighting utilizes LED bulbs, is designed to minimize glare and does not direct light onto adjacent properties or Streets.
- 490.7 Prohibited. Mercury vapor and florescent lighting is prohibited.

Campbell Road
string lights at
Center of legal
matter currently.

Todd Thomas

From: Todd Thomas
Sent: Tuesday, May 2, 2023 1:31 PM
To: Judith Alberi
Cc: Eric Dodge; Etienne Hancock; Josh Goldstein
Subject: FW: Planning Commission Letter to the Selectboard regarding 1-year Town Plan follow-up (Underground Utilities) 4.11.2023_signed.docx
Attachments: Planning Commission Letter to the Selectboard regarding 1-year Town Plan followup (Underground Utilities) 4.11.2023_signed.docx
Importance: High

Hi Judi and Eric,

The attached committee formation request for underground utilities in the downtown can wait until July (or whenever the new Town Admin/Manager is at the helm) to appear on a Selectboard agenda. I don't really have the capacity to staff it anyway until I wrap up the Housing Committee. I though pushing this off yours and Eric's plate until later this summer would help. Thanks.

Kind regards,
Todd Thomas, AICP & CFM
Planning Director, Zoning Administrator, & Health Officer
802-888-6373
TThomas@MorristownVT.org

From: Todd Thomas
Sent: Wednesday, April 12, 2023 10:57 AM
To: Judith Alberi <jalberi@morristownvt.org>
Cc: Eric Dodge <edodge@morristownvt.org>; Etienne Hancock <etiennehancock@gmail.com>
Subject: Planning Commission Letter to the Selectboard regarding 1-year Town Plan follow-up (Underground Utilities) 4.11.2023_signed.docx
Importance: High

Good morning Judi,

The attached letter was voted to the attention of the Selectboard by the Planning Council last night. Please schedule a Selectboard discussion about this Town Plan Community Objective at your earliest convenience. This is a very long-term project, so it can wait until after your budget meetings if you like. There is no huge rush here, so I am not going to add this to Civic Clerk for your next meeting, unless you want me to. Thanks.

Kind regards,
Todd Thomas, AICP & CFM
Planning Director, Zoning Administrator, & Health Officer
802-888-6373
TThomas@MorristownVT.org



Planning Council
PO Box 748
Morrisville, VT 05661

Phone: (802) 888-6373
Fax: (802) 888-6377

12 April 2023

Dear Members of the Selectboard,

With last fall's major Zoning Bylaw update in the rearview mirror, the Planning Council has turned its attention to the Community Priorities (i.e. the **bolded** statements) in the 2022-2030

Morrisville/Morristown Town Plan. At its recent meetings, Council members have focused on the Community Priority of burying the overhead utility lines within the commercial core of the Morrisville Historic District. As you may all be aware, the Town of Stowe was able to complete their downtown utility burying project approximately 2-years ago. Our very similar Community Priority, which was approved by both Legislative Bodies last spring, is as follows within the Town Plan:

While not a cost savings initiative, the desire remains to further divert or bury the electric and other utility lines in downtown Morrisville, specifically on Portland Street and the Route 100 sections of Main and Bridge Streets (and potentially Upper Main from the War Memorial west towards Portland St). Such an initiative could cost nearly \$2,000,000, so **this plan supports the search and acquisition of any grants funds that would help fund such a project. This plan also supports the use of a special tax district, or a village, or town, tax that, if funded over the course of many years, would accrue the funds necessary to bury the overhead wires in downtown Morrisville the next time these roads were repaved. This plan also supports the creation of a committee charged with having the plans and funding ready to bury the overhead utilities in the aforementioned sections of downtown**

The above Community Priority is long-term project that will take years to plan for and fund. To begin what may be a generational project, the Council asks the Selectboard to create an "Underground Utilities Committee" charged with having the plans and funding ready to bury the overhead utilities in the aforementioned sections of downtown Morrisville the next time these roads are repaved by the State of VT." Planning Council members have met twice with the Village Trustees recently, and the Trustees agreed to allow the General Manager of Morrisville Water & Light to allocate 2 hours of his staff time per month to help this committee with technical needs. At these meetings, both the Village Trustees and the Planning Council agreed that such a committee should be a town and not a village appointment. As such, the Planning Council would be very appreciative if the Selectboard could kindly create this committee at their next meeting and fill it, as candidates apply, with interested residents or other qualified individuals. This committee has years of work ahead if it, so beginning this work sooner rather than later is a prudent way towards accomplishing this agreed upon Community Priority. Thank you.

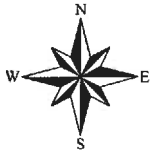
Sincerely,

Etienne Hancock, Chair
Morrisville/Morristown Planning Council

505. Landscaping Plan Standards. Landscaping shall be a requirement of §500 Site Plan Approvals for all non-residential uses and Dwelling Unit Multi-Family uses.

- a. Landscaping proposed on a site plan shall include a combination of shade trees (deciduous and/or coniferous), deciduous and evergreen shrubs and may also include grasses and ground covers.
- ~~b. Landscaping shall be required to reasonably shield parking areas from roadside view and to screen the rear yards of commercial properties from abutting residential properties. A landscaped buffer of at least 5 feet in width is required to separate a parking lot with more than 10 or more parking spaces therein from a public sidewalk.~~
A landscaped buffer of at least 5 feet in width shall be required in the following circumstances: (1) To reasonably screen 10 or more off-street parking spaces from roadside view, (2) To reasonably screen 10 or more off-street parking spaces from abutting residential properties, and (3) To have non-residential properties provide screening to abutting residential properties in the COM, IND, & HOS Zones.
- ~~b.c.~~ Landscaping plans shall include shade trees when ten or more parking spaces are proposed. In such areas, no open-air parking space shall be more than 30 linear feet from the trunk of the closest shade tree. When internal parking lot islands are proposed to meet this 60 foot maximum distance requirement, said islands shall not be curbed and shall be designed to receive and attenuate stormwater from the paved parking area.
- ~~e.d.~~ Proposed shade trees shall be no smaller than a 2.5 inch caliper trunk diameter, measured at ground level, or, in the case of coniferous trees, a minimum of 5 feet in height. Tree species shall be long-lived (over 60 years) with a high tolerance for soil compaction.
- ~~d.e.~~ Landscaping shall also include the use of shade trees along any road frontage. At least 1 shade tree shall be planted for each 60 linear feet of said frontage. Said trees shall be salt tolerant, of local origin, and placed/sized so as to not impact overhead utility lines.
- ~~e.f.~~ Maximum effort shall be made to save existing mature trees. No material or temporary soil deposits shall be placed within the drip line of shrubs or trees designated on the landscape plan to be retained. Protective barriers, such as snow or silt fences, shall be installed during construction around the drip lines of vegetation that is to remain on site that may be damaged by construction activity.
- ~~f.g.~~ All plantings shall be installed according to accepted horticultural standards. Plant species should be native (unless ornamental), shall not be listed as invasive and shall be hardy (zone three or hardier as defined in UVM Extension Service's "Landscape Plants for VT").
- ~~g.h.~~ The owner shall ensure proper watering and weeding to ensure plant viability and shall replace dead landscaping within the same growing season as any die-off.
- ~~h.i.~~ Adequate planted screening shall be required that is robust enough to shield any adjacent house, including a house across a roadway, from view of a ground mounted solar array that is greater than 15 kilowatts and requires a Certificate of Public Good from the Public Utility Commission.





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1 inch = 100 Feet

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Parcel - Poly		Railroad		TaxmapText_Leaders
PWater		Right of Way		TaxmapText_Arrowheads
 Property Line		Property Hook		Water-poly
 Public Road		WaterLines		

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The Vermont Statutes Online

Title 24 : Municipal And County Government

Chapter 117 : Municipal And Regional Planning And Development

Subchapter 007 : Bylaws

(Cite as: 24 V.S.A. § 4421)

§ 4421. Official map

A municipality may adopt an official map that identifies future municipal utility and facility improvements, such as road or recreational path rights-of-way, parkland, utility rights-of-way, and other public improvements, in order to provide the opportunity for the community to acquire land identified for public improvements prior to development for other use and to identify the locations of required public facilities for new subdivisions and other development under review by the municipality.

(1) Preparation of an official map. For the purposes of this chapter, the official map shall be based upon the most accurate data available as to the location and width of existing and proposed streets and drainageways and the location of all existing and proposed parks, schools, and other public facilities. Where questions arise in the administration of this section that require more precise determinations of the location of any street right-of-way line on all drainageways or the location of any park, school, or any other public facility, the legislative body shall have a survey prepared of the street or section, park, school, or other public facility in question, that may by resolution of the legislative body become a part of the official map.

(2) Changes to the official map. After adoption of the official map, the recordation of plats that have been approved as provided by this chapter, or the adoption of any urban renewal plan under chapter 85 of this title, shall, without further action, modify the official map accordingly. Minor changes in the location of proposed public facilities may also be made to particular sections of the official map if the change is recommended by a majority of the planning commission and approved by resolution of the legislative body. This process may take place concurrently with review of development or subdivision of a parcel that is proposed to be subject to a map change.

(3) Status of mapped public facilities. The adoption, as part of an official map, of any existing or proposed street or street line or drainageway, or any proposed park, school, or other public facility, shall not constitute a taking or acceptance of land by the municipality, nor shall the adoption of any street in an official map constitute the opening or establishment of the street for public use or obligate the municipality in any way for the maintenance of the street.

(4) Building on properties with mapped public facilities. No zoning permit may be issued for any land development within the lines of any street, drainageway, park, school, or other public facility shown on the official map, except as specifically provided in this section. No person shall recover any damages for the taking for public use of any land development constructed within the lines of any proposed street, drainageway, park, school, or other public facility after it has been included in the official map, and any such land development shall be removed at the expense of the owner.

(A) If a permit for any land development within the lines of any proposed street, drainageway, park, school, or other public facility shown on an official map is denied pursuant to subdivision (5) of this section, the legislative body shall have 120 days from the date of the denial of the permit to institute proceedings to acquire that land or interest in that land, and if no such proceedings are started within that time, the administrative officer shall issue the permit if the application otherwise conforms to all the applicable bylaws.

(B) A municipality may specify in its bylaws that conditional use review is required for any structure within the line of any public facility shown on the official map or within a specified area adjacent to the lines on the map. If conditional use review is required for these structures, the purpose of the review shall be to ensure that the structure is compatible with the location and function of existing and planned public facilities. If the conditional use is denied, the procedure provided in subdivision (4)(A) of this section shall be instituted.

(5) Development review for properties with mapped public facilities. Any application for subdivision or other development review that involves property on which the official map shows a public facility shall demonstrate that the mapped public facility will be accommodated by the proposed subdivision or development in accordance with the municipality's bylaws. Failure to accommodate the mapped public facility or obtain a minor change in the official map shall result in the denial of the development or subdivision. The legislative body shall have 120 days from the date of the denial of the permit to institute proceedings to acquire that land or interest in land, and if these proceedings are not started within that time, the appropriate municipal panel shall review the application without regard to the proposed public facilities. (Added 2003, No. 115 (Adj. Sess.), § 95.)