

Morristown/Morrisville Planning Council
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Meeting Minutes of Tuesday 9 January 2024

Council Members present: Joshua Goldstein, Etienne Hancock, John Meyer, Jamie Morris, & Wally Reeve

Council Guests: Highway Superintendent Kevin Barrows, Conservation Commission Member Jerry Throne, Tom Cloutier, Kaden Bebarrtald, Taylor Maida, 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 Town Offices at 43 Portland Street in Morrisville at 5:00 P.M.

Meeting Minutes: Member Meyer moved to approve the December 12th meeting minutes. A vote of 5-0 affirmed the motion.

Discuss: Revise §455 driveway setback and create §456 for existing Access Permit process. Highway Superintendent Kevin Barrows appeared before the Council to speak to the proposed zoning change that codified the Town's long-standing Access Permit process and the rewrite of the Town's driveway setback rules from intersections. Mr. Barrows was supportive of both initiatives. Conservation Commission Member Jerry Throne asked for minor wordsmithing on where the driveway setback was measured from. Mr. Thomas agreed to make this change, and the Council, by consensus, was amenable to both changes moving forward in the coming spring zoning change.

Discuss: Selectboard request for Planning Council alternates. Mr. Thomas informed the Council that it had been again asked to consider having "alternate" members during a Selectboard concerns portion of a recent Selectboard meeting. The Council reiterated that alternates were not needed nor desired on the Planning Council. It was discussed that the Council, by policy, does not make same-day meeting decisions like the Development Review Board, so if a Planning Council Member misses a meeting, he can always vote on the prior meeting topic at the following meeting (after reading the minutes). Chair Hancock said he would prefer to increase the Council membership from 5 members back to 7 members before he considered adding alternates. Member Goldstein cited the recent opening on the Planning Council that languished for a couple of months, and a lack of public interest in serving. He added that he preferred having 5 Council members, as opposed to 7, because a 5-member board makes for shorter debate and creates quicker consensus.

Discuss: Revisions to statutory zoning limitations per 24 VSA §4412. Mr. Thomas presented minor changes to the section of the zoning bylaws that regurgitated uses in State Statute that were protected from local zoning controls. New protections being added to the zoning bylaws per State Statute revisions were for Emergency/Homeless Shelters and Accessory on Farm Businesses. The Council agreed to these changes by consensus.

Discuss: S.100 Housing Opportunities for Everyone (HOMES Act) zoning changes. Mr. Thomas presented the 2nd wave of zoning changes designed to bring the Town's zoning bylaws into compliance with Vermont's new S.100 Homes Act. The Planning Council discussed and made decisions regarding the proposed zoning changes, which included: minimum & maximum lot sizes in village areas, a new affordable housing waiver, and revised building height regulation due to State mandated affordable housing waivers. While the Council agreed by consensus to the new S.100 waiver language for affordable housing developments, Mr. Thomas was asked to work with Fire Chief Dennis DeGregorio, Assistant State Fire Marshall Shawn Goodell, and Architect Paul Trudell to craft a more specific and less interpretative definition for how buildings above 35 feet in height should be regulated and approved. After a long discussion, the Council agreed to retain the existing 4,000 ft² Minimum Lot Size and the new 8,000 ft² (approximately 1/5-acre) Maximum Lot Size in the current Medium and Low Density Residential zones of the village served by municipal water & sewer. Mr. Thomas, using a very rough build out analysis map he created at the request of Member Reeve, showed areas of existing Low Density Residential zoned land that would revert with the coming zoning change to Rural Residential Agricultural zoned land due to the lack of gravity sewer access. Member Reeve asked his fellow Council Members to delete the waiver allowance for minimum lot sizes as a compromise for keeping the small 4,000 Minimum Lot Size. The Council, by consensus, agreed to do so and Mr. Thomas said he would make that change directly. After some additional discussion, Mr. Thomas was directed to change the maximum size of Accessory Apartments back from 30% to 60%, change the Maximum Front Setback in the High Density Residential (HDR) Zone to 10 feet and to create a Minimum Front Setback of 5 feet in the HDR Zone (or 30 feet from road centerline on a 50-foot-wide right-of-way). For a future meeting, Mr. Thomas was also asked to reorder Section 206 into residential and then commercial sections, and to edit his 2023 permit list to highlight S.100 exemption permits.

The meeting adjourned at 7:15 PM, submitted by Todd Thomas