

Morristown/Morrisville Planning Council
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Meeting Minutes of Tuesday 23 January 2024

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

Council Members absent: Joshua Goldstein

Council Guests: Sam Costa, Mike DiBattista, Janet Paine, Kevin Petrochko, Alex Cyr,
Conservation Commission Member Jerry Throne, Laura & Martin Green

Staff: Planning Director Todd Thomas

Call to Order: Chair Hancock, attending via phone, 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.

Prior Meeting Minutes: Member Reeve moved to approve the January 9th meeting minutes. A vote of 5-0 affirmed the motion.

Discuss: Reorder §206 Design Criteria to split by use. Mr. Thomas presented a revision to the §206 Design Criteria for the Council to review. He added that the revision did not change any of the underlying criteria, it just reordered the subsections and organized them amongst less intensive single-family and two-family uses versus more intensive multi-family and commercial uses. Council Members were pleased with the editing but asked for the “architectural repetition” design requirement to be applicable to both single-family and two-family uses, instead of just multi-family and commercial uses. Member Reeve also added a new subsection to §206 that specified stormwater from multi-family or commercial structures shall not be discharged on Town property or into a Town Road. Mr. Thomas said he would make these changes as directed and have the revised §206 Design Criteria requirements ready for the spring zoning change.

Discuss: Acceleration of S.100 zoning change schedule. Mr. Thomas presented the Planning Council with an accelerated S.100 zoning change schedule. He said the condensed schedule should still allow ample time for Council review and public input on these important and significant zoning changes. Mr. Thomas explained that the Council was already running one meeting, or two weeks, ahead of the previously published S.100 update schedule, and he was further able to condense two planned spring planning meetings into a single meeting. The result of this condensing meant that the S.100 zoning updates would now have an initial public hearing one-month ahead of schedule on May 14th, with an approval vote on May 28th (which sends the S.100 zoning change to the Selectboard and Village Trustees for their public hearings in June and subsequent approval votes in late June or early July). Mr. Thomas explained that he was accelerating the S.100 zoning update schedule because he was getting pressure from the Interim Town Manager and the Selectboard to do a Town Plan update now, which would stop or at least slow down the S.100 zoning update process. Chair Hancock said that the Council had already voted to prioritize S.100 over requests to redo the Town Plan, and he saw no reason to change that previous prioritization now. Mr. Thomas was instructed to maintain his list of permits that he was forced to issue due to the State’s S.100 zoning preemption even though the proposed development was not allowed by current local zoning. The Council was amendable to the accelerated S.100 schedule and decided to adopt it by consensus. Member Reeve only cautioned

this accelerated schedule could be slowed down if efforts to amend S.100 that drag late into the Legislative session.

Discuss: S.100 Housing Opportunities for Everyone (HOMES Act) zoning changes. Mr.

Thomas presented the 3rd wave of mandated zoning changes designed to bring the Town's Zoning Bylaws into compliance with Vermont's new S.100 HOMES Act. The Planning Council, by consensus, was agreeable to the proposed zoning changes, which included: Accessory Dwelling Unit language (as-revised at the meeting), a change to the permit process for administrative subdivisions, and a revised cap on Building Height (as-revised at the meeting). The Accessory Dwelling Unit definition was amended slightly so it emphasized that the larger Accessory Dwelling Unit size measurement could always be used. The Council concurred with Mr. Thomas' recommendation to revert the definition of Minor Subdivision to the creation of no more than two new lots at a time, with a major subdivision being the creation of three new subdivision lots at one time. Mr. Thomas stated that Fire Chief Dennis DeGregorio was happy with the revised Building Height definition, which guaranteed full firefighting access to two full sides of any building proposed above 35 feet in height. Per a suggested edit from Member Reeve (a former long-time Fire Chief himself), it was agreed that this definition should be revised further so it specifically only regulated living or working space above 35 feet in Building Height to prevent this S.100 related reduced Building Height limit from prohibiting something like the tower needed for a concrete batch plant.

The meeting adjourned at 6:50 PM, submitted by Todd Thomas