

MORRISVILLE / MORRISTOWN
PLANNING COUNCIL AGENDA

Tuesday 9 July 2024 at 5:00 P.M.

**Morristown Municipal Offices, 43 Portland Street
Community meeting room of the Old Tegu Theatre**

- p. 2-3 1. Vote: Prior Council meeting minute approval
- 2. Discuss: Introduction to new Town Manager Brent Raymond
- p. 4 3. Discuss: 2024 Zoning Change update vote delayed
- p. 5-8 4. Public hearing: 2024 Town Plan amendment
- p. 9-13 5. Discuss: Parking improvement plans for Pleasant Street

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

Meeting Minutes of Tuesday 14 May 2024

Council Members present: Etienne Hancock (Chair), John Meyer, Jamie Morris, Joshua Goldstein, Wally Reeve

Council Members absent:

Council Guests: Development Review Board Member Susanna Burnham, Tom Cloutier, Laura & Martin Green, Dawn Angney Kress, Paul Griswold, Grant Wieler, Dave Yacovone

Staff: Planning Director Todd Thomas & Video Recording Operator Charlie Burnham

Call to Order: Chair Hancock called the meeting to order in the Community Meeting Room of the old Tegu Theatre, 43 Portland Street, in Morrisville at approximately 5:03 P.M.

Meeting Minutes: Member Meyer moved to approve the as-revised April 23rd meeting minutes. A vote of 4-0-1 affirmed the motion (Member Reeve abstained because he was absent that day).

Discuss: Planning Council public hearing for the 2024 zoning changes

Mr. Thomas led the Council and the public in attendance through the warned zoning changes and provided the rationale for each zoning edit proposed. Mr. Thomas explained that most of the proposed zoning changes resulted from the Legislature's S.100 / Homes Act. The changes discussed regarding the Morrisville/Morristown Zoning & Subdivision Bylaws were as follows:

- §201.1 *Delete Mixed Office Residential Zone & Medium Density Residential Zone*
 - §201.3 *Clarify that when the sewer service management area splits a lot, it can be moved either way by the DRB*
 - §204.4 *Edit Waiver provision so minimum lot size cannot be reduced by the DRB*
 - §204.5 *Edit existing waiver language meant to encourage affordable housing so it complies with HOMES Act*
 - §204.5a *Edit Use Table for HOMES Act, building height reductions, add accessory on-farm business, & 2 zone deletions*
 - §204.5b *Edit Dimensional Table for HOMES Act, create maximum lot sizes & densities, & 2 zone deletions*
 - §206 *Edit Design Criteria to regulate single-family homes for 1st time, delete IND #4 therefrom, and reorder requirements*
 - §206.1 *Add missing middle housing size control to small project design criteria & delete exterior access townhouse rule*
 - §206.2 *Add commercial building size maximum & disallowing direct stormwater discharges onto public properties / roads*
 - §206.3 *Create new Cottage Court (small single-family homes) development alternative for DRB approval*
 - §206.4 *Modify existing waiver provision to accommodate new building size maximums that cannot be waived*
 - §207e *Clarify front setback measurement when no sidewalk is present or will be required*
 - §401 *Better align permit requirement to the as-revised definition of Development*
 - §405.3 *Delete Infectious Invalidity prohibition since minimum lot size waivers will no longer be allowed post zoning change*
 - §422 *Clarify that the ZA may permit no more than 2 dwellings off a shared driveway, not just a private driveway*
 - §422b *Allow DRB to approve development of 3 or more homes on narrower 30-foot rights-of-way if the road will be private*
 - §423 *Make HOMES Act changes to various protected uses with limited zoning control per State Statutes*
 - §451 *Allow Selectboard to work with developers to create new off-street parking that counts toward parking minimums*
 - §452 *Make HOMES Act changes to when paving is required for development, & tie paving to zones instead of village line*
 - §454 *Delete DRB ability to increase the number of parking spaces for new development due to HOMES Act*
 - §455 *Create new traffic speed dependent driveway setback requirement*
 - §456 *Codify long-standing Access Permit process for driveways into Zoning Bylaws*
 - §472 *Remove 2 zones being deleted from sign bylaw regulations due to HOMES Act zone consolidations*
 - §484 *Delete qualifying statement about where new gas stations are allowed because they are not allowed anywhere*
 - §490.5 *Allow up-lighting of architectural elements of Contributing Structures within 1983 Morrisville Historic District*
 - §635 *Delete certain DRB new development mitigation tools that are now prohibited by the HOMES Act*
 - §641 *Change receiving party of appeals to Secretary from Chair*
 - §710.2 *Change major versus minor subdivision differentiation back to 3 lots from 2 lots*
 - §770 *Require net & gross lot acreages when lots are surveyed to centerline of public roads & delete unused survey reqs.*
- Add, modify, or delete the following definitions, mostly due HOMES Act requirements: Accessory Dwelling Unit, Accessory On-Farm Business, Accessory Use, Building Height, Cottage Court Development, Development, Dwelling Unit (Single-Family, Two-Family, & Multi-Family), Legislative Body, Nuisance, Official Map, Served by municipal water and sewer infrastructure, Emergency Shelter & Sketch Plan.

-Add, modify, or delete the following zones, mostly due HOMES Act requirements: Commercial #1, Mixed Office Residential, Industrial #1, Hospital #1, High Density Residential #2, Medium Density Residential, Low Residential Density (#1, #2, & #3), & Sewer Service Management Area

The Council spent a considerable amount of time at the onset of the hearing discussing the written request from All-Saints Catholic Academy for its property to be removed from the proposed 2024 Low Density Residential zoning change. Mr. Thomas explained that school-related development activities were exempt from zoning regulations other than site plan review for tertiary things like traffic circulation and screening. Because the school is located in an area served by Village water & sewer services, and because the Zoning Bylaws were likely to be changed multiple times again before the school would likely seek permits to develop its land into a non-school related business office park use (under the current Mixed Office Residential Zoning), the Council voted to retain the proposed Low Density Residential zoning for the school property. Upon a separate written request from Green Mountain Management, the Council unanimously agreed to increase the maximum building width in Section 206.2(b) of the warned Zoning Bylaws from 60 feet to 68 feet to facilitate the creation of more underground parking. The final significant discussion of the hearing centered on retaining the larger 120,000 ft² (3 builder's acres) minimum lot size in the proposed Zoning Bylaws or reverting back to the longstanding 80,000 ft² (2 builder's acres) minimum lot size in the Rural Residential Agricultural Zone. Member Goldstein moved to abandon the warned zoning proposal for the larger 120,000 ft² minimum lot size proposed (keeping the minimum lot size in the Rural Residential Zone at the current 80,000 ft²). The motion failed to carry by a vote of 2-3. Member Reeve moved to approve the zoning changes as warned, including the minor changes agreed to during this public hearing and the minor changes agreed to at the April 23rd Planning Council meeting (LDR & SSMA adjustment for the Persico property). A vote of 5-0 affirmed the motion. Mr. Thomas said he would warn the 2024 zoning changes by the end of the work week to keep the scheduled June 17th & June 19th Selectboard and Village Trustees public hearings on track.

*** The meeting was adjourned at 6:25 PM. Minutes written by Todd Thomas. ***

S.100 / HOMES Act zoning change approval schedule

<u>Date</u>	<u>Board</u>	<u>Time</u>	<u>Location</u>	<u>S.100 New Zoning Change Topics</u>	<u>Bill §</u>
11/28/2023	MPC	5:00 PM	Town Offices	Review duplex pavement requirement, 50% increase in minimum lot size in RRA Zone, & delete homeless shelter language	§1, §2 & §3
12/12/2023	MPC	5:00 PM	Town Offices	Review lot sizes for village residential (proposed at 8,000 ft2 maximums @ 5+ single-family homes per acre)	§2
1/9/2024	MPC	5:00 PM	Town Offices	Village res lot size vote (8,000ft2 max / 5+ single-family homes per acre)	§2
1/23/2024	MPC	5:00 PM	Town Offices	Revise ADU requirements & permitting for administrative subdivisions	§2 & §6-§7
2/27/2024	MPC	5:00 PM	Town Offices	Review edits to village residential zone boundaries & Sewer Service Area so it matches zoned areas for village maximum lot sizes, & allow small gravity sewer expansion areas (per MW&L)	§2 & §4
3/12/2024	MPC	5:00 PM	Town Offices	Vote on village residential zone boundaries & Sewer Service Area changes & begin Missing Middle design criteria discussion	§2 & §4
3/26/2024	MPC	5:00 PM	Town Offices	Vote to add Missing Middle design requirements into §206 of ZBL	§2
4/9/2024	MPC	5:00 PM	Town Offices	Review appeal party & character of area statutory changes, by-right development required, & new "served by water and sewer" definition	§6, §7, §9 & §10
4/23/2024	MPC	5:00 PM	Town Offices	Review S.100 zoning changes before public hearing	all
5/14/2024	MPC	5:00 PM	Town Offices	S.100 MPC public hearing & vote	all
6/17/2024	Selectboard	6:00 PM	Town Offices	Initial Selectboard S.100 public hearing	all
6/19/2024	Trustees	6:00 PM	Village Offices	Initial Village Trustee S.100 public hearing	all
7/1/2024	Selectboard	6:00 PM	Town Offices	S.100 zoning change vote DELAYED BY SELECTBOARD	all
7/15/2024	Selectboard	6:00 PM	Town Offices	NEW MEETING: S.100 Selectboard zoning change approval?	all
7/17/2024	Trustees	6:00 PM	Town Offices	Trustee S.100 zoning change vote (postponed due to 7/3 meeting)	all

public hearing must be warned more than 14 days after said change. Any subsequent approval vote must be at the next regular meeting (after the 2nd public meeting). If the LBs make any "substantial" changes to the proposed zoning, the hearing process starts over and a new initial public hearing must be warned. Any significant LB change requires the submission of amended zoning bylaws to the Town Clerk and the PC. The PC must amend its "Reporting Form" accordingly and resubmit it to the LBs at or before the next public hearing. Note the LBs leaving a specific zoning requirement unchanged, instead of adopting what was warned by PC (like minimum lot size in the RRA Zone for example), is not a minor or significant change - so the zoning update stays on schedule. As scheduled, the new ZBL is effective on 8/7/2024 after appeal period expires.

* → new mtg added



Planning Director
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Morrisville, VT 05661

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30 May 2024

RE: Morristown/Morrisville Town Plan Amendment Planning Council Report for July 9th Hearing

Per 24 VSA §4384, please accept this written Town Plan amendment report, the enclosed public hearing notice, and 2-pages from the existing Transportation Chapter of the Morrisville/Morristown 2022-2030 Town Plan. These 2-pages, via Microsoft Word “Track Changes” functionality, highlight four sentences in the existing 2022-2030 Town Plan that will be replaced with 4 new sentences in the proposed 2024 amended version of the Town Plan. The Morrisville/Morristown Planning Council has warned a public hearing on Tuesday July 9th at 5:00 P.M. on this very minor Town Plan language edit. Other than what is highlighted in attached red Track Changes related font, no other Town Plan edits or additions are proposed as part of this amendment. The proposed Town Plan amendment, like the existing, 2022-2030 Town Plan is consistent with the goals established in 24 VSA Section 4302. The proposed Town Plan amendment also does not alter the designation of any land area.

Suggested changes and comments regarding the proposed Town Plan amendment (which can be found on the Town’s website here: <https://www.morristownvt.gov/zoning-planning/page/town-plan>) are requested from all parties receiving this letter one week prior to the date of the aforementioned Planning Council public hearing. The genesis for editing these 4 sentences is for the new Town Plan to be regionally approved per 24 VSA §4350 as prologue to the regaining Morrisville’s Designated Downtown status.

Please do not hesitate to contact me with any questions regarding the new Town Plan or this request. Thank you.

Sincerely,

Todd Thomas, AICP & CFM
Zoning Administrator / Planning Director

NOTICE OF PUBLIC HEARING

MORRISVILLE/MORRISTOWN PLANNING COUNCIL HEARING FOR ADOPTING AN AMENDMENT TO THE MUNICIPAL DEVELOPMENT PLAN (a/k/a TOWN PLAN)

The Morrisville/Morristown Planning Council hereby provides notice of a public hearing being held pursuant to 24 VSA, Chapter 117, §4303, §4381, §4382, §4384, §4385 and §4447 for the purpose of hearing public comments concerning adopting an amendment to the Morrisville/Morristown Municipal Development Plan (referred to hereafter as “the Town Plan”). State law requires town plans be updated at least every eight years. The Town Plan was most recently updated and approved in May of 2022. This Town Plan is being amended in accordance with 24 VSA Chapter 117, §4303, §4381, §4382, §4384, §4385 and §4447.

The hearing for the proposed amendment to the Morrisville/Morristown Town Plan will be held:

DATE: Tuesday 9 July 2024

TIME: 5:00 P.M.

PLACE: The Community Meeting Room of the Old Tegu Theatre at 43 Portland St, Morrisville.

Statement of Purpose: To amend the Village of Morrisville/Town of Morristown Town Plan

Geographic Area Affected: All areas in the Town of Morristown and the Village of Morrisville.

Table of Contents: 1-Statement Containing Objectives & Policies, 2-Land Use, 3-Transportation, 4-Utilities & Facility, 5-Historic, Scenic & Natural Resources, 6-Education, 7-Implementation Program, 8-Statement Concerning Development Trends & Adjacent Municipalities, 9-Energy, 10-Housing, 11-Economic Development, 12-Flood Resiliency, 13-Wellness

Location of where full text may be examined: A copy of the full text of the amended Town Plan is available at the Morristown Town Clerk’s Office at 43 Portland St. in Morrisville and on the Town website at www.MorristownVT.gov

For more information, or feedback, please call Todd Thomas in the Zoning Office at 888-6373

Chapter 3: Transportation

In 2008, the town had a public road network measuring 104 miles. More than a decade later, the town's road network has grown to only 106.7 miles in length (the 2020 town highway map can be found at the following web address:

https://maps.vtrans.vermont.gov/Maps/TownMapSeries/LAMOILLE_Co/MORRISTOWN/MORRISTOWN_MILEAGE_2020.pdf). This 106.7 mile length measurement includes 15 miles of State Highway. The village has a total road network of 14.1 miles, including 2 miles of State Highway. The 2020 village highway map can be found at the following web address

https://maps.vtrans.vermont.gov/Maps/TownMapSeries/LAMOILLE_Co/MORRISTOWN/MORRISVILLE_VI_MILEAGE_2020.pdf). This decade-to-decade comparison shows that our road network is growing slowly. Growth aside, the approximately 90 miles of total local public roads is a sizeable burden, especially economically, for a relatively small town to maintain.

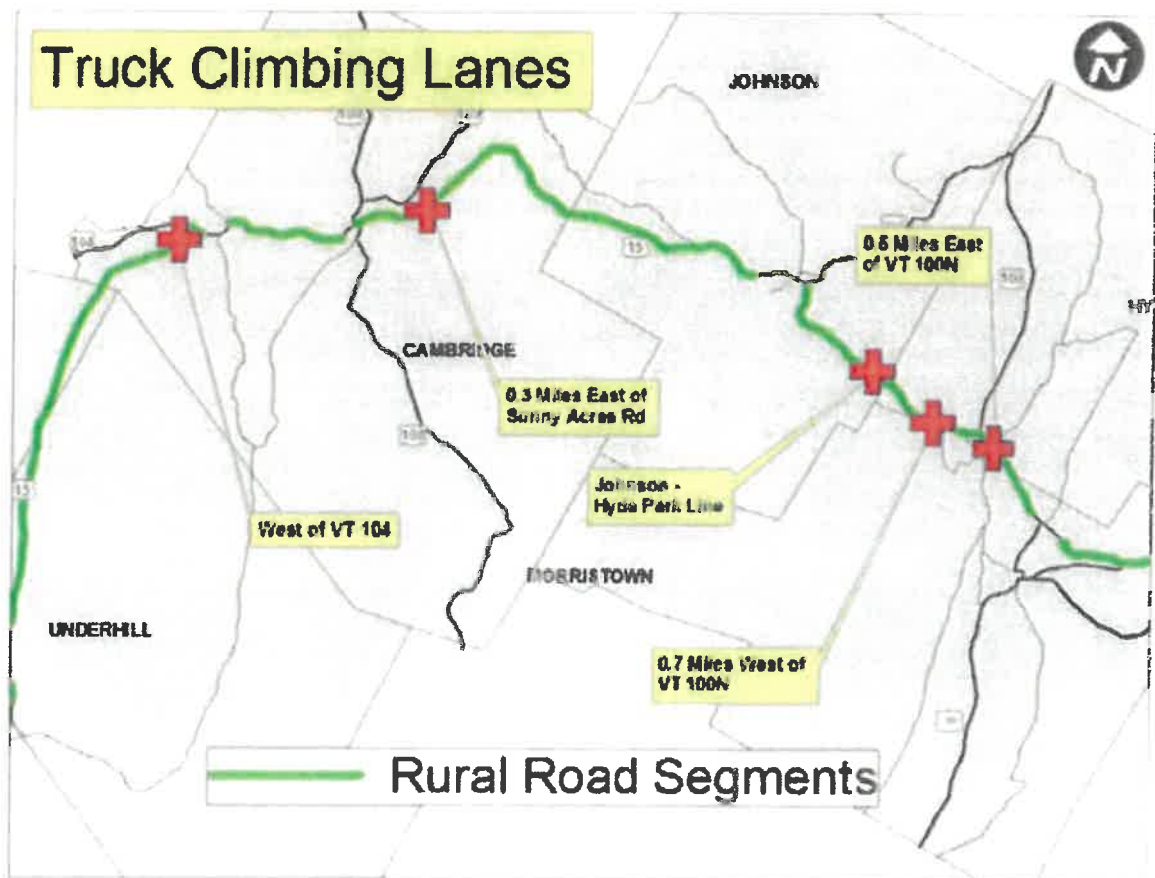
Even though the town government has no control over State roads located in our town, these roads still play a very important part of day-to-day life here. Commuters coming to, and leaving our region, use these State roads daily, which are the property of the Vermont Agency of Transportation (VTrans). Access to the Essex area via Route 15, and the access that Route 100 provides to the interstate highway and Burlington, are incredibly important to this community, and the many residents who commute to these areas. With rush-hour commute times to Burlington already at an hour plus for a distance of only 45 miles, the Selectboard, and Planning Council, must use all the influence available to ensure that these commute times do not become even longer. Our town is hurt economically the further it gets in terms of travel time by car to and from Burlington, and Chittenden County as a whole. ~~Therefore, this plan objects to attempts by neighboring municipalities to lower speed limits between our community and the interstate on Route 100 in areas located outside of village limits and designated downtowns when reducing the speed limit is not supported by the findings of a VTrans speed study. Similarly, this plan also objects to attempts by neighboring municipalities to lower speed limits between our town and Essex on Route 15 in areas located outside of village limits and designated downtowns when reducing the speed limit is not supported by the findings of a VTrans speed study. Similarly, this plan objects to attempts by neighboring municipalities to install traffic signals and roundabouts that are shown to not be warranted by a VTrans traffic study on the same sections of Route 100 and Route 15 when the request is for an area located outside of village limits or a designated downtown. With that being said, this plan is supportive of increasing pedestrian safety, including lower speed limits, where the Lamoille Valley Rail Trail crosses VT Route 15.~~

~~Therefore, this plan encourages open communication with neighboring communities through the State Route 15 and State Route 100 pass. The town is supportive of the designated village center and downtown initiatives which strive to enhance pedestrian and bicyclists' safety. We support the reduction of the speed limit around the rail trail crossing~~

in the Town of Johnson that provides additional bike and pedestrian safety. The Town will work collaboratively with our neighbors to ensure they are made aware of any negative impacts to our community which may occur because of slowing traffic outside the village center and/ or designated downtown.

While ensuring that commute times to Chittenden County on Route 100, and Route 15, are not lengthened by reduced speed limits, and unwarranted traffic lights, it is also important to lobby for physical changes to State roads that can improve commute times. Physical roadway changes made to improve commute times will help offset increased traffic as our community and the surrounding communities grow. Truck climbing lanes are a great example of such a positive change. **This plan supports the creation of truck climbing lanes at locations where the road grade exceeds 5% for 1,000 feet or 7% for 500 feet on Route 15 (per VTrans *Truck Network Improvements Prioritization Study* (Vanasse Hangen Brustlin, 2001)).** The following figure details these areas:

Supported Locations for Truck Climbing Lanes



Truck climbing lanes and passing lanes are also important features that should be encouraged between our community and the interstate highway in Waterbury. An example of a location



Pleasant Street map for parking discussion

Town of Morristown, VT

1 inch = 75 Feet



www.cai-tech.com

July 5, 2024

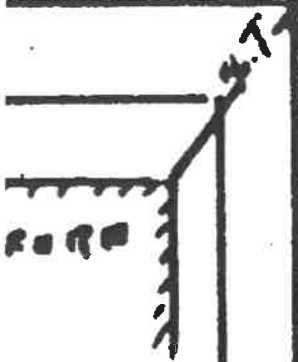


Parking spots on Pleasant St currently
- 8 parallel on street (west side), 1 east side (River Arts)

- 14 quasi public/private spaces by pre-school & Sargent Law

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.

MAIN ST



Pleasant St.

Misc Book 3 Page 273 1870

Begin in center of highway leading from Morrisville of Elmore 3 R 11 L S 37 W. from S. W. Corner of Mrs. Martha Safford's house, thence N. $6\frac{1}{2}^{\circ}$ E. 28 Rods to N. line of land of G. W. Doty, said road $2\frac{1}{2}$ Rods wide.

Pleasant St. Extension

Misc Book 3 Page 285 (1878)

$2\frac{1}{2}$ Rods wide 15 R 17 L N $6^{\circ} 30'$ E. from North end of Pleasant St. to land of R. R. Co.

Pleasant St

462'

N $6^{\circ} 30'$ E

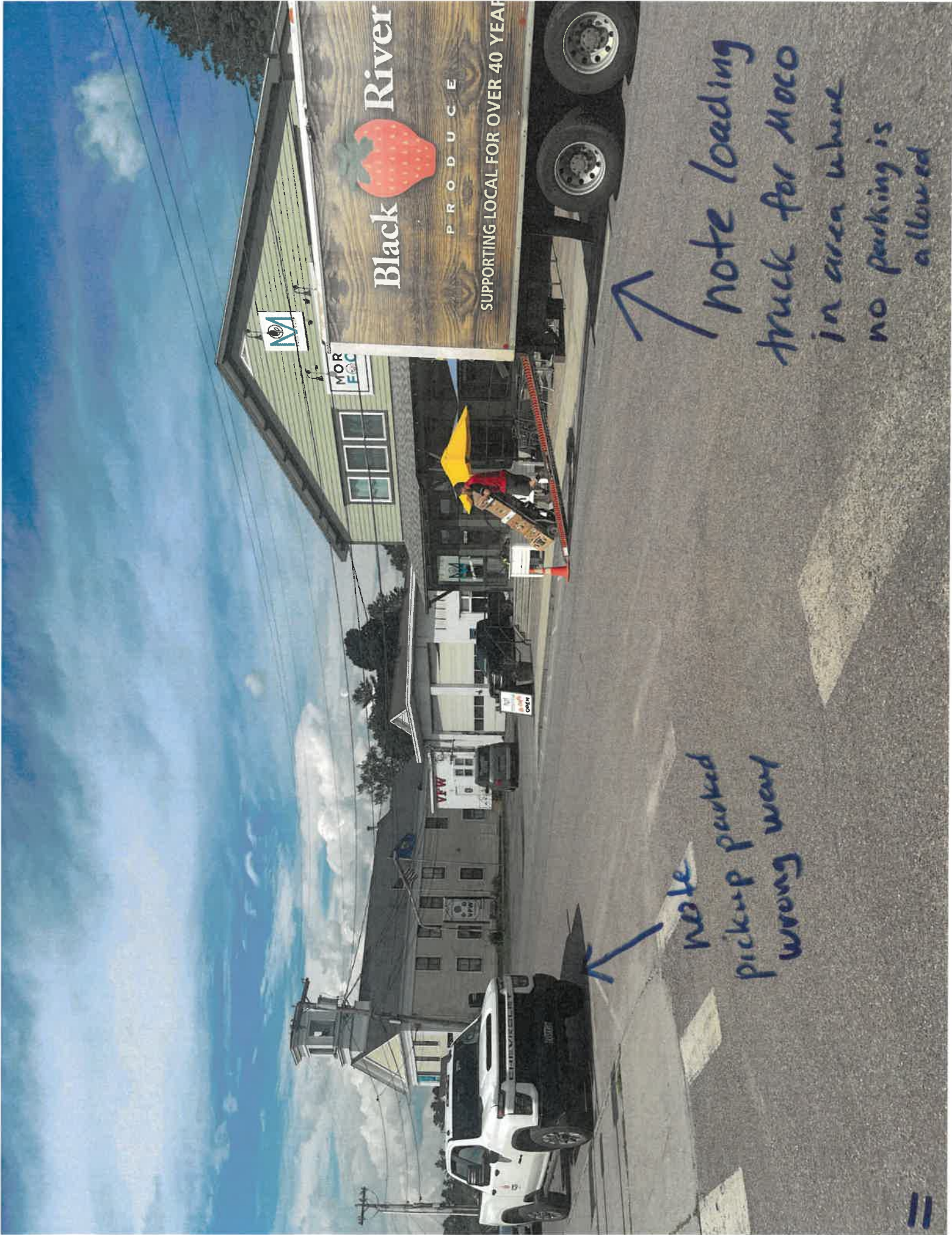
1870

PLEASANT ST
41.25' wide

1870 Book 3 Page 273

1878 3 285

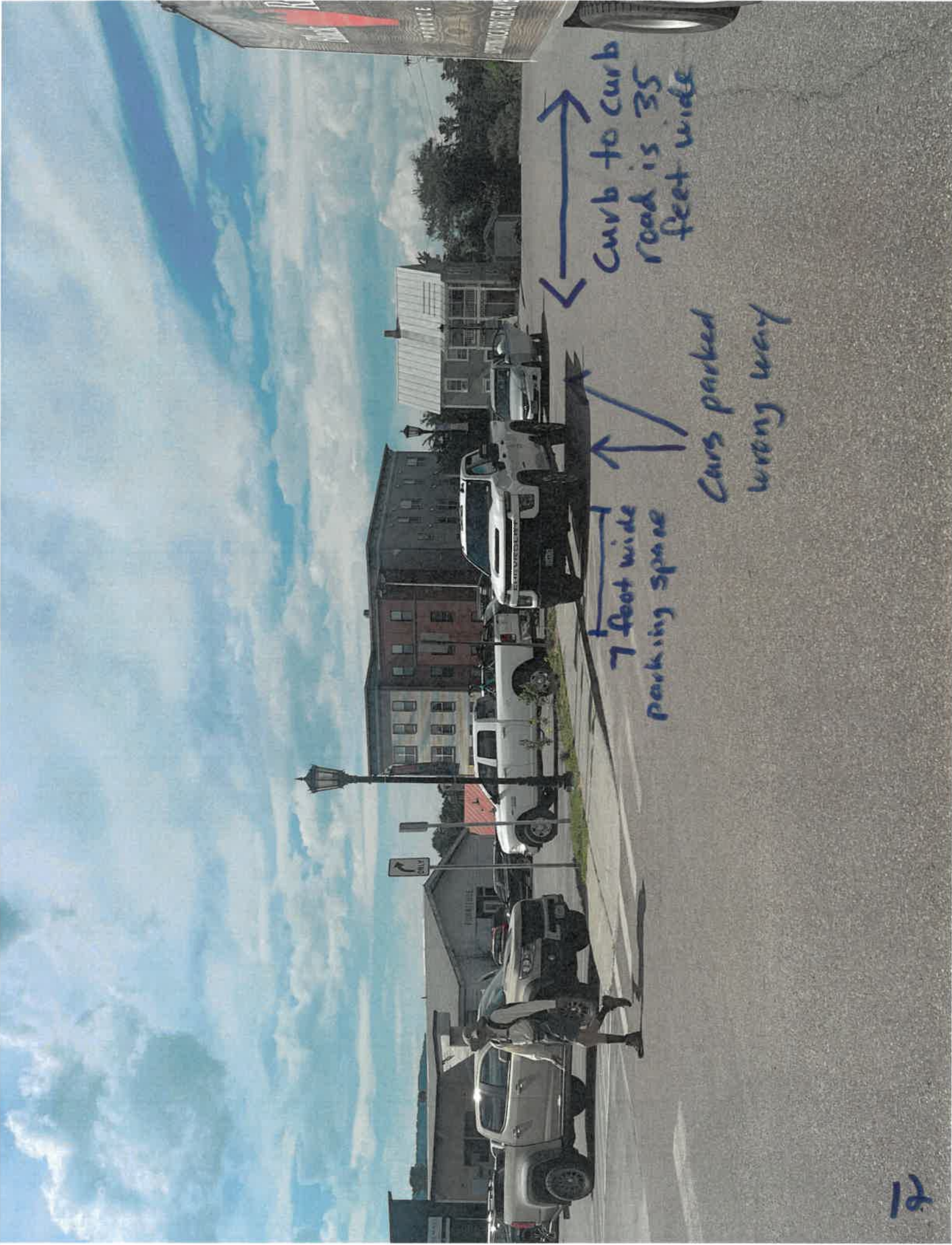
DORY



note loading truck for Maco in area where no parking is allowed



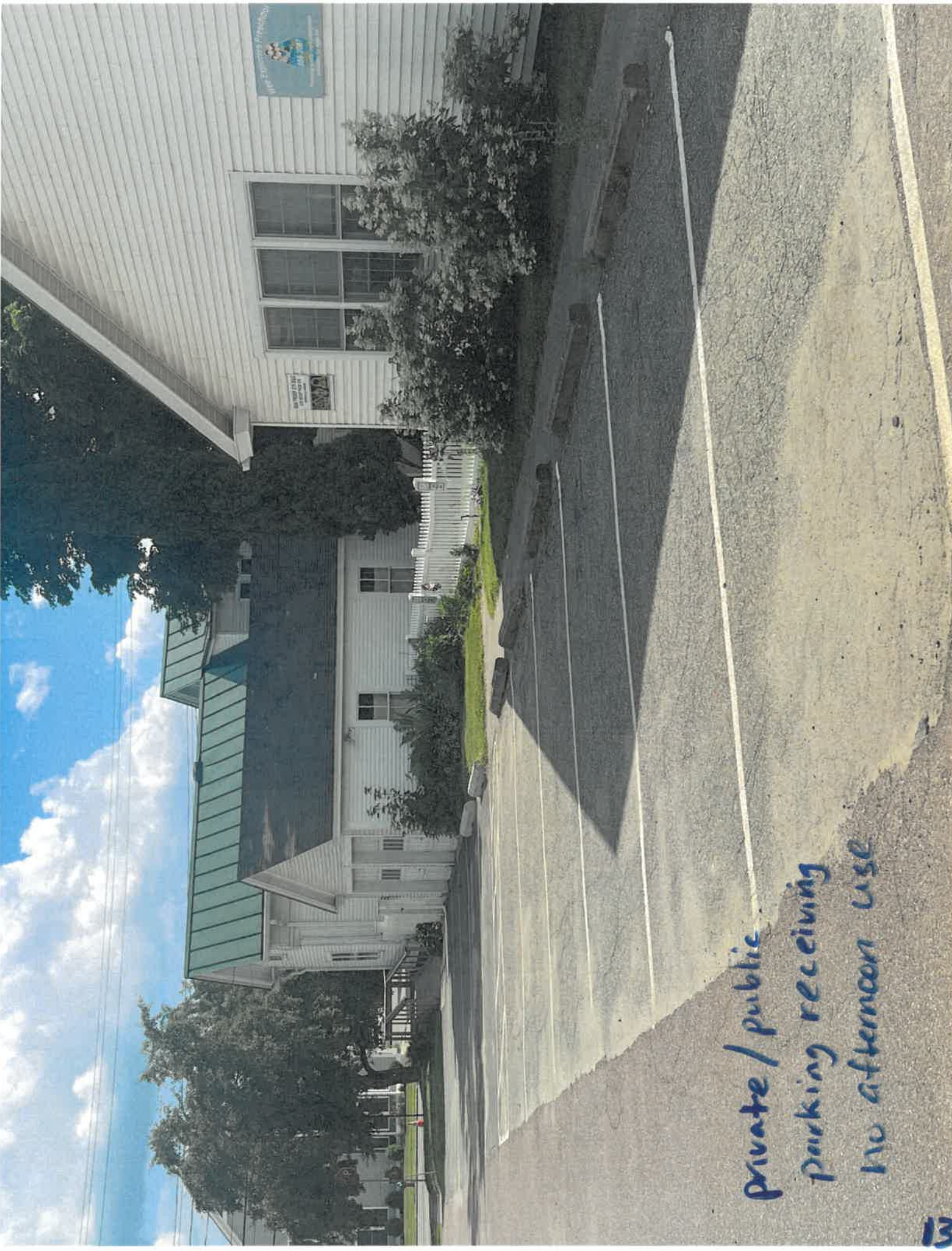
note pickup parked wrong way



Curb to curb
road is 35
feet wide

7 foot wide
parking space

Cars parked
wrong way



private / public
parking receiving
no afternoon use