



**TOWN OF MORRISTOWN SELECTBOARD  
MEETING NOTICE & AGENDA  
COMMUNITY MEETING ROOM**

On Zoom and at 43 Portland St. Morrisville, VT 05661  
**5:30 PM Monday, August 5, 2024**

[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 Morristown's website:

<https://www.morristownvt.gov/community/page/meetings-agendas-minutes> and on [Town GMATV YouTube Channel](#) when possible

**I. 5:30PM - CALL SELECTBOARD MEETING TO ORDER**

**II. 5:31PM - AGENDA CHANGES/ADDITIONS**

**III. 5:32PM - APPROVE MINUTES**

1. Approve Minutes 7-15-24

**IV. 5:35PM - NEW BUSINESS**

1. Approve financing for police vehicle
2. Consideration of Errors and Omissions Certificate
3. Consideration of adopting a Charter
4. MERP Grant Assessments

**V. 5:55PM - OLD BUSINESS**

1. Consideration of Zoning Bylaws proposed changes
2. Jersey Heights three-acre rule stormwater permit

**VI. 6:20PM - APPROVE WARRANTS**

**VII. 6:22PM - COMMUNITY COMMENTS**

**VIII. 6:32PM - SCHEDULE**

1. Monday, August 19, 2024 - SB Public Hearing Town Plan Amendment - 5:30PM  
Monday, August 19, 2024 - SB Meeting - 6:00PM immediately following public hearing)  
Tuesday, September 3, 2024 - SB Meeting - 6:00PM

**IX. 6:35PM - OTHER BUSINESS**

1. Consideration of a Special Local Election on November 5, 2024

**X. 6:45PM - ADJOURN**



**SELECTBOARD MEETING MINUTES  
OF JULY 15, 2024**

Members: Don McDowell, Christopher Palermo, Laura Streets, Richard Craig\*, George Cormier

Absent:

ADMINISTRATION and STAFF: Brent Raymond, Town Manager; Judi Alberi, Executive Assistant

PARTICIPANTS/GUESTS: Tom Cloutier, Ron Stancliff, Martin Green, Laura Green, Alex Cyr, Jerry & Evelyn Throne, Nathan Cote, Marc Cote, Sheila Tarbox, Tony Cote, Tracy Desrocher, Mason Kemmerer, Julia Compagna

*\*participating via Zoom*

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**5:30PM - CALL SELECTBOARD MEETING TO ORDER**

Don McDowell called the Selectboard Meeting to order at 5:30 PM at the Tegu Building.

**5:31PM - AGENDA CHANGES/ADDITIONS**

None

**5:32PM - APPROVE MINUTES**

**1. Approve minutes 6-27-24**

*Motion made by Chris Palermo to approve the minutes of 6/27/24. Motion seconded by George Cormier. Motion carried. (5/0)*

**2. Approve minutes 7-1-24**

*Motion made by Chris Palermo to approve the minutes of 7/1/24. Motion seconded by George Cormier. Motion carried. (5/0)*

**5:35PM - NEW BUSINESS**

**1. Board of Liquor & Tobacco Control**

**a. Approve Liquor License Renewals**

*Motion made by Chris Palermo to recess the Selectboard meeting and open the Board of Liquor and Tobacco Control. Motion seconded by George Cormier. Motion carried (5/0).*

*Motion made by Chris Palermo to approve the Liquor License application by Lost Nation Brewery, LLC as presented. Motion seconded by George Cormier. Motion carried (5/0).*

**Liquor Licenses**

| Applicant               | DBA | Location            | First Class | Second Class | Third Class | Outside Consumption |
|-------------------------|-----|---------------------|-------------|--------------|-------------|---------------------|
| Lost Nation Brewery LLC |     | 87B Old Creamery Rd |             |              | X           |                     |

***Motion made by Motion made by Chris Palermo to adjourn the Board of Liquor & Tobacco and reconvene the Selectboard Meeting. Motion seconded by George Cormier. Motion carried (5/0).***

**2. Consider a motion to purchase 2024 Ford F-250 Super Duty, plow & financing**

Discussion ensued regarding the difference in pricing between the quotes received and the color of the truck.

***Motion made by Chris Palermo to approve the purchase of a 2024 Ford F-250 Super Duty from Nucar Ford of Lebanon for a total purchase price of \$72,989.36 minus a trade in valued at \$16,000. Total funds due are \$56,989.36. This includes a 7-year warranty. Funds to be borrowed for the truck and plow for a 5-year term. Motion seconded by Richard Craig. Motion carried (5/0).***

***Motion made by Chris Palermo to approve the purchase of a plow for the 2024 Ford F-250 Super Duty for a total price not to exceed \$9,824.00. Motion seconded by George Cormier. Motion carried (5/0).***

***Motion made by Chris Palermo to approve Brent Raymond to approve the financing of the loan for the 2024 Ford F-250 and plow for a total of not more than \$66,813.36. The loan shall be for a 5-year term and the institution with the lowest interest rate of all the bids shall be chosen upon conferring with Sara Haskins, Town Treasurer. Motion seconded by George Cormier. Motion carried (5/0)***

**3. Approve Private Road Names**

- a. Aviation Boulevard (Pvt)
- b. Solutions Way (Pvt)
- c. Quarry Road (Pvt)

***Motion made by Chris Palermo to approve the following private road names off Laporte Road and owner will install signs: Aviation Boulevard, Solutions Way, and Quarry Drive. Motion seconded by George Cormier. Motion carried (5/0).***

**4. Clarification of facts from Planning Council meeting 7-9-24**

Brent Raymond attended the July 9th meeting of the Planning Council and thanked the committee for their work. Discussions ensued regarding communications, the town plan, and the members' concerns over the last few months. Brent Raymond read a statement he had written in response to statements made by the Planning Director with the following points:

**Importance of Facts in our Community:**

- Emphasized the necessity of focusing on facts to make informed decisions and prevent misinformation about local issues like agriculture, health, and zoning.
- Highlighted that valuing factual information supports community well-being and sustainable progress.

**July 9th Planning Council Meeting - Zoning Administrator's Statements:**

- Town Administration urged the Planning Council to expedite Zoning changes.
- Former Administration frequently pushed for quicker Zoning changes.
- Selectboard schedule created by the former Administration.
- Emphasized the need to vote on zoning by July 15th to avoid consequences.
- Industrial Park and Funeral Home approvals pending a new Zoning vote.
- Concerns about the impact on Morristown's economy due to slow work and halted construction jobs.

**Current Town Manager's Inquiry:**

- Sought to understand communication breakdowns between Administration and Zoning Administrator.
- Investigated the claims of the Administration's push for expedited Zoning changes and lack of information.
- Requested emails and communications for clarification.

**Findings from Emails and Selectboard Meetings:**

- No evidence found that the former Administration pushed for faster zoning changes or created the schedule.
- Evidence of a requested amendment to the 2022-2030 Town Plan's Transportation Chapter by the former Town Administration and Selectboard, estimated to take 10–15 minutes to consider.
- Planning Council prioritized zoning changes over the Town Plan amendment, despite it only needing 10–15 minutes to approve.

**February 5th, 2024 Selectboard Meeting:**

- Interim Town Manager and Planning Council Chair discussed the Town Plan amendment.
- Selectboard approved the amendment to the Town Plan.
- Interim Town Manager clarified that the Town Plan amendment should proceed independently of the zoning change schedule.

**Economic Impact and Legal Counsel Findings:**

- Town Manager's research indicated that construction job impacts and economic concerns were not substantiated, as DRB decisions could be made under existing and proposed zoning.
- Emphasized the need to maintain statutory time periods for decision-making.

Brent Raymond shared this information with the Selectboard. After defining the scope of his job as Town Manager, he indicated that his main concern was to encourage improvement in the communication between both groups.

**5. July 10 Storm Update**

There are approximately 25 sites that may qualify for FEMA's involvement in Morristown. Randolph Road had the largest washout with another on Randolph Rd near Graves' Farm. Golf Course Rd and Stagecoach Rd were damaged as well. Many roads were triaged on the day of the storm and after to make them passable. Jerry Audi assisted the town crew and the committee thanked him. A public thanks to Luke Heller goes out for his assistance.

Community response included Mr. Brewster asking if the cause of some damage was because culverts were debris-clogged. Laura Streets stated that she cleaned out her ditches. Julia Compangna referring to the Golf Course Rd washout, noted the town needs to pursue remedies and preventive measures to avoid this situation from reoccurring and that a proactive plan is necessary that will diminish storm damage, especially if this is to be our new normal. A question was asked: how does FEMA assist when applications are filed year after year? LCPC is taking the regional lead and helping with FEMA applications.

Mason Kemmerer spoke for the Oxbow Morristown Community Gardens. This is the second year that the gardens have been underwater. It has been a big loss to those who planted there. He will approach Peoples Academy to ask if they will share space for the community gardens. This space needs to be easily reachable for walkers and bicyclists within the town. Laura Streets commented that the Oxbow flooding would have contaminated the soil and would be unsuitable for future gardening. She thought the soil should be tested. There were conflicting opinions about planting trees to prevent flooding on

the Oxbow. Others declared that only the upper level of the park should be used. Everyone agreed that we could not afford to have recurring flooding in the park where activities are planned, and a meeting should be held to discuss the future of Oxbow Park.

#### **5:55PM - OLD BUSINESS**

##### **1. Update on Walton Rd Bridge**

Nathan Cote reported he has been working on the bridge. The next steps include pouring out the deck and allowing the concrete to cure for a week. While curing, he plans to strip the forms that he can. He will then backfill the back walls once he has enough strength in the concrete. The guardrails can then be installed. Following that, the membrane will be on and paved. The estimated time frame is the end of August.

##### **2. Update on Goeltz Bridge**

Brent Raymond gave the Selectboard an update on the Goeltz Bridge project. The RFP bidding process is complete and MSI was \$120K lower than the next lowest bidder, so MSI was awarded the project. Consolidated Communications has some wires that need to be moved. The Morrisville Water & Lights Department has to remove electrical lines above the location. Potentially the time frame for completion is set at the end of August, but one small issue could push it out till September 2024.

#### **5:56PM - APPROVE WARRANTS**

***Motion made by Chris Palermo to approve the warrants. Motion seconded by George Cormie. Motion carried. (4/0/1)***

#### **6:00PM - COMMUNITY COMMENTS**

Jerry Throne was parked on Pleasant Street, where he observed the traffic and determined that there was a need for a consultant for the traffic flow in town, along with a comprehensive traffic plan. The traffic plan of two years ago needs to reflect the current town's population.

Evelyn Throne added that the traffic to Morrisville Co-op and the parking lot should be included in the traffic plan.

Tony Cote asked if Stagecoach Road was a main artery to Stowe. He commented that it had been washed away for the last 10 months.

Alex Cyr commented that the Charter Comm has been sloppy regarding the charter.

Mason Kemmerer, traffic design engineer, agreed that the traffic patterns are unsafe. He suggested a safety audit of Portland St and Bridge Street.

#### **6:10PM - SCHEDULE**

##### **1. Meetings:**

- a. Tuesday, July 16, 2024 - Charter Comm Meeting 5:30PM**
- b. Monday, August 5, 2024 - SB Meeting 5:30PM**
- c. Monday, August 19, 2024 - SB Public Hearing Town Plan Amendment 5:30PM**
- d. Monday, August 19, 2024 - SB Meeting 6:00PM (following Public Hearing)**

#### **6:15PM - OTHER BUSINESS**

None

#### **6:30PM - ADJOURN**

***Motion made by Chris Palermo to adjourn. Motion seconded by George Cormier. Motion carried. (5/0)***

Meeting adjourned at 6:47 pm  
Submitted and filed this 7/15/24.  
Bonnie McDermott, Scribe

*Please note all minutes are in Draft form and are subject to approval at the next Selectboard meeting.*



## SELECTBOARD MEMORANDUM

**To:** Selectboard  
**From:** Sara Haskins, Town Clerk  
**Date:** August 5, 2024  
**Subject:** Approve financing for police vehicle

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**Suggested Motion:**

I move to accept the bid from Community National Bank for financing the purchase of a 2024 Chevrolet Tahoe police car with all uplifting costs included for an amount of \$72,902.19 at a fixed semi-annual interest rate of 5.14% for a term of 4 years and authorize the Town Manager to sign the loan documents on behalf of the Town of Morristow

**Attachments:**

1. Police car bid 2024

**Date:** August 1, 2024

**To:** Town Manager  
Finance Director

**From:** Sara Haskins, Town Treasurer

**Term:** 4 years

**Loan Date:** July 29, 2024

**RE:** 2024 Chevrolet Tahoe police car @ \$72,902.19

| Bank                    | Interest Rate | Payment type             | Estimated First Payment 11/20/24 | Estimated Final payment 5/20/28 | Estimated Total Interest Cost | Estimated Total Payment Amount | Legal Fees | Pre-payment Penalty |
|-------------------------|---------------|--------------------------|----------------------------------|---------------------------------|-------------------------------|--------------------------------|------------|---------------------|
| Community National Bank | 5.14%         | Semi-Annual fixed amount | \$ 10,104.62                     | \$ 10,104.62                    | \$ 7,934.77                   | \$ 80,836.96                   | included   | none                |
| Union Bank              | 5.90%         | Semi-Annual fixed amount | \$ 10,232.44                     | \$ 10,232.40                    | \$ 8,957.29                   | \$ 81,859.48                   | included   | none                |
| Masoma Bank             | no bid        |                          |                                  |                                 |                               |                                |            |                     |
| Community Bank          | no bid        |                          |                                  |                                 |                               |                                |            |                     |

# Form PVR-4261-E

## ERRORS AND OMISSIONS CERTIFICATE

The Board of Listers of the Town of Morristown are hereby supplying the following changes to the 2024 Grand List. Specifically:  
(Year)

|                                                                                                                         |                               |                                 |
|-------------------------------------------------------------------------------------------------------------------------|-------------------------------|---------------------------------|
| Owner<br><b>EISENBAUM DAVID Z &amp; CLAIRE L</b>                                                                        |                               | SPAN<br><b>414-129-12253</b>    |
| Change From<br><b>\$529,400</b>                                                                                         | Change To<br><b>\$359,400</b> | Difference<br><b>-\$170,000</b> |
| Reason<br>WATER DAMAGE FROM NEW ADDITION WHICH RESULTED IN PERMIT WORK NOT COMPLETED BY APRIL 1ST 2024. ORIGINAL NOTICE |                               |                                 |
| <del>Owner</del> LOST IN WARER DAMAGE.                                                                                  |                               | SPAN                            |
| Change From                                                                                                             | Change To                     | Difference                      |
| Reason                                                                                                                  |                               |                                 |
| Owner                                                                                                                   |                               | SPAN                            |
| Change From                                                                                                             | Change To                     | Difference                      |
| Reason                                                                                                                  |                               |                                 |
| Owner                                                                                                                   |                               | SPAN                            |
| Change From                                                                                                             | Change To                     | Difference                      |
| Reason                                                                                                                  |                               |                                 |
| Owner                                                                                                                   |                               | SPAN                            |
| Change From                                                                                                             | Change To                     | Difference                      |
| Reason                                                                                                                  |                               |                                 |
| Owner                                                                                                                   |                               | SPAN                            |
| Change From                                                                                                             | Change To                     | Difference                      |
| Reason                                                                                                                  |                               |                                 |
| Owner                                                                                                                   |                               | SPAN                            |
| Change From                                                                                                             | Change To                     | Difference                      |
| Reason                                                                                                                  |                               |                                 |
| Owner                                                                                                                   |                               | SPAN                            |
| Change From                                                                                                             | Change To                     | Difference                      |
| Reason                                                                                                                  |                               |                                 |
| Owner                                                                                                                   |                               | SPAN                            |
| Change From                                                                                                             | Change To                     | Difference                      |
| Reason                                                                                                                  |                               |                                 |

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**LISTERS/ASSESSOR AND SELECTBOARD**

|                                                                                                                   |      |                                                                                                                        |      |
|-------------------------------------------------------------------------------------------------------------------|------|------------------------------------------------------------------------------------------------------------------------|------|
| Signature of Lister/Assessor<br> | Date | Signature of Selectboard/Alderman<br> | Date |
| Signature of Lister/Assessor<br> | Date | Signature of Selectboard/Alderman<br> | Date |
| Signature of Lister/Assessor<br> | Date | Signature of Selectboard/Alderman<br> | Date |
| Signature of Lister/Assessor<br> | Date | Signature of Selectboard/Alderman<br> | Date |
| Signature of Lister/Assessor<br> | Date | Signature of Selectboard/Alderman<br> | Date |

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**TOWN CLERK**

I, \_\_\_\_\_, town clerk of \_\_\_\_\_, certify receipt of these changes. This certificate will be attached to or recorded in the grand list of \_\_\_\_\_ for tax year \_\_\_\_\_.

|                                                                                                              |              |      |
|--------------------------------------------------------------------------------------------------------------|--------------|------|
| Signature of Town Clerk<br> | Printed Name | Date |
|--------------------------------------------------------------------------------------------------------------|--------------|------|

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**32 V.S.A. § 4261. Correcting omission from grand list**

When real or personal estate is omitted from the grand list by mistake, or an obvious error is found, the listers, with the approval of the Selectboard, before December 31, may supply such omissions or correct such errors and make a certificate thereon of the fact; provided, however, the listers may make a correction resulting from the filing or rescission of a homestead declaration without approval of the Selectboard.

MUST BE ATTACHED TO THE FINAL GRAND LIST FILED WITH THE TOWN CLERK.



## **Town of Morrilltown Charter**

### **§ 1. Corporate existence retained**

The inhabitants of the Town of Morrilltown, within the corporate limits now established, shall continue to be a municipal corporation by the name of the Town of Morrilltown.

### **§ 2. General law; application**

Except when changed or modified by this charter, or by any lawful regulation or ordinance of the Town of Morrilltown, all of the statutes of the State relating to municipalities shall apply to the Town of Morrilltown.

### **§ 3. Town Manager**

- (a) The Town Manager shall be the chief executive officer and the head of the administrative branch of the Town government and shall be responsible to the Selectboard for the efficient administration of the municipal affairs of the Town.
- (b) The Town Manager shall have authority to hire, appoint, discipline, and remove all Town employees, subject to the provisions of personnel rules approved by the Selectboard. The Town Manager may authorize a department head to hire, appoint, discipline, or remove an employee, subject to the Manager's discretion and supervision.

# Municipal Energy Resilience Program

The Municipal Energy Resilience Program (MERP) is a new program that provides staff support, application and technical assistance, and funding to help communities become more energy resilient, reduce energy use and operating costs, and curb greenhouse gas emissions. The program aims to do this by promoting:

- renewable energy & fuel switching, and
- weatherization and thermal improvements.

This new program is offered to enhance comfort in existing buildings owned by cities, towns, fire districts, incorporated villages, and all governmental incorporated units, except for schools districts. The following opportunities are available through the new MERP program. **LCPC can assist you with every stage of the process.**

## Community Capacity Grants

These grants provide up to \$4,000 to support community engagement and outreach.

### Potential Uses:

- Host educational events
- Purchase promotional materials
- Start an energy committee
- Hire a consultant

## Free Energy Assessments

In order to be eligible for Implementation Grants, Towns must apply for building assessments of any municipally owned building except schools. Two levels are available:

**Level 1:** Walk-through assessment. Takes ~1.5 hours and qualifies the building for implementation funds.

**Level 2:** Investment grade audit. Takes ~4 hours, requires building documentation, and qualifies the building for implementation funds and other Federal and State funding sources.

## Implementation Grants

Each municipality can apply for a maximum of **\$500,000** for building renovation projects regarding weatherization, thermal efficiency, and supplementing or replacing fossil fuel heating systems with more efficient renewable or electric alternatives. Any municipal building that receives an energy assessment through the MERP program is eligible for this funding.



Contact  
Lamoille County Planning Commission  
for more information and assistance!  
<https://www.lcpcvt.org/>

Victoria Hellwig  
[victoria@lcpcvt.org](mailto:victoria@lcpcvt.org)  
802-888-4548



## **MERP Frequently Asked Questions**

### **1. *What is energy resilience as it relates to [Act 172](#)?***

According to Cornell, the term “[energy resilience](#)” means the ability to avoid, prepare for, minimize, adapt to, and recover from anticipated and unanticipated energy disruptions in order to ensure energy availability and reliability sufficient to provide for mission assurance and readiness, including mission essential operations related to readiness, and to execute or rapidly reestablish mission essential requirements. Design principles include measures to reduce building demand such as weatherization, LED lighting, and optimizing building controls; increasing reliance on renewable energy sources; and adding back-up power supply for grid disruptions.

### **2. *What types of entities will be eligible for MERP?***

As defined by [Act 172](#), buildings owned by “covered municipalities” are eligible for program funding. “Covered municipalities” are defined as “a city, town, fire district, or incorporated village, ...except for school districts.”

### **3. *How much funding did MERP receive for “covered municipalities”?***

MERP received \$45M through [Act 172](#) to deliver grants, loans, and administrative and technical support services to covered municipalities. Of the \$45M, funds have been allocated as follows:

- \$2.4M to [Regional Planning Commissions](#) (RPCs) to provide application and technical assistance, along with program outreach and education, to covered municipalities.
- \$42.6M to the Department of Buildings and General Services to be used as follows:
  - \$5M for hiring a contractor to conduct “Energy Resilience Assessments” (costs covered in full, no maximum amount),
  - \$1M for cost associated with administering the program,
  - \$36.6M for grants to covered municipalities. Specifically, this includes:
    - “Community Capacity Building Grants” (\$4,000 maximum per covered municipality) - for community meetings, communication, and capacity building about municipal energy resilience.
    - “Implementation Grants” (\$500,000 maximum per covered municipality) - for projects related to weatherization, thermal efficiency, to supplement or replace heating systems with more efficient renewable or electric versions, or any other measure recommended during the Energy Resilience Assessment in municipally owned buildings. \*Note: only projects that were recommended to be undertaken during the building’s energy resilience assessment will be funded by the Implementation Grant.\*

### **4. *How will a “covered municipality” access the free energy resilience assessments?***

BGS is contracting with third party contractors, who will complete the assessments and issue a draft a report of their findings. Any “covered municipality” interested in receiving an assessment may submit an [application](#) (available soon) directly to BGS or work with their [RPC](#) if they need assistance identifying candidate building(s) and/or completing the application.

**5. *There are two types of energy resilience assessments offered through MERP- a walk-around, visual assessment (Level 1) and a more comprehensive investment grade audit (Level 2). What are the differences between the two and which is best for my “covered municipality”?***

Both assessments will satisfy the requirements in [Act 172](#) Sec. 2(d)., and identify improvements to increase comfort, lower operational costs, fuel switch to renewable energy, and reduce greenhouse gas emissions. These assessments also include additional analysis items like the feasibility of on-site renewable energy generation, battery storage, and electrical vehicle (EV) charging. A Level 1 assessment is more qualitative, will identify the rough potential for energy savings, and includes a list of recommended energy efficiency measures. Building documents like architectural drawings, utility data, lighting schedules are not required for this assessment.

An investment grade Level 2 audit is more comprehensive. Auditors spend more time onsite, review building performance and system data, conduct a blower door test, and perform a detailed building survey. The report will include site-specific recommendations for detailed implementation costs, expected savings, and payback period. This audit requires the additional building documents listed above from the building owner. Either assessment may be used to apply for an implementation grant up to \$500,000. The Level 2 Assessment would also make a “covered municipality” eligible for a loan from the BGS Municipal Energy Loan Program’s revolving loan fund, also authorized by Act 172 (additional details to come). If you need assistance selecting the right assessment, please contact your local [RPC](#).

**6. *Must a covered municipality receive an energy resilience assessment through MERP, or have already completed a similar assessment, as a prerequisite for applying for an Implementation Grant?***

Yes. If a “covered municipality” is using a previous assessment, it must include all items listed in [Act 172](#) Sec. 2(d), it must have been completed in the last 5 years, and there must not have been any repairs or renovations since the assessment was performed. In such cases, previous assessments will satisfy the prerequisite and the covered municipality may apply directly for an Implementation Grant. However, since the up to \$500,000 implementation grants focus on common elements of an energy audit, “covered municipalities” can apply for the implementation grants concurrently while the remaining items from the energy resilience assessment are collected.

Note: documentation of this previous assessment will need to be provided to BGS for review and verification. Previous assessments that cover only some of the items in Act 172 Sec. 2(d) will not qualify solely. The covered municipality will need to apply for a partial MERP energy resilience assessment.

**7. *What resources can help covered municipalities that lack staff capacity and expertise participate in MERP?***

Act 172 includes funding for [RPCs](#) to offer technical and application assistance, and other added capacity for their member “covered municipalities” as requested.

“Covered municipalities” may also use the \$4,000 Community Capacity Building Grants (See FAQ 3) to actively participate in MERP and other municipal energy resilience initiatives by providing stipends, hiring consultants, contracting with technical assistance providers, establishing energy committees, or promoting municipal energy resilience with community meetings and communication. The application process for these grants is non-competitive and will be provided on a first come, first serve basis.

**8. Does my town have to go through its RPC to access the MERP opportunities?**

Member “covered municipalities” are highly encouraged to coordinate efforts with their respective [RPCs](#). However, towns that do not need or want the technical support can apply directly to BGS. As noted in FAQ #2, RPCs are receiving funding through this program to provide application and technical assistance, along with program outreach and education, to covered municipalities.

**9. Over what period will the funding and technical support be available?**

Energy resilience assessments must be completed by January 15, 2024. Implementation Grants and Community Capacity Building Grants must be obligated by December 31, 2024 and expended by December 31, 2026. Support from BGS will be available until December 31, 2026. However, “covered municipalities” may receive technical support from their [RPC](#) beyond December 31, 2026 if they have not yet completed their implementation project. Energy resilience projects that do not fit this timeline will be assessed on a case-by-case basis.

**10. Will funding be awarded equitably to “covered municipalities”, and, if so, how will small communities with limited capacity and resources be able to compete against larger ones with professional staff?**

[Act 172](#) Sec. 3.(c)(2)(B) establishes “an equitable system of distributing grants statewide on the basis of need according to a system of priorities, including the following ranked in priority order:

- i. a municipality with the highest energy burden community needs and lowest resources, as defined in ;
- ii. a municipality that may not have administrative support to apply for grants;
- iii. geographic location;
- iv. community size; and
- v. whether another division of the municipality has already received a grant.”

Thus, communities with limited capacity and resources will be prioritized for MERP over communities with robust professional staffing, all else being equal. The results from the energy resilience assessments, proposed energy efficiency measures, and potential energy savings will also impact your prioritization for award.

**11. Is there a match requirement (local cost share) for MERP grants?**

No, there is not local cost share or match requirements for the MERP grant opportunities. In addition, this program has been designated for “Revenue Loss Replacement” under ARPA State Fiscal Recovery Funds, which reduces federal reporting requirements and allows the grant funding to be treated as state dollars, which can then be used as match for other federal funding opportunities.

**12. Could Community Capacity Building Grants be used to hire someone to search for other state and federal grants to leverage additional funding?**

Yes, but consider asking your [RPC](#) or the Vermont League of Cities and Towns [Federal Funding Assistance Program](#) first. Both organizations have received funding to support covered municipalities in accessing the MERP and other federal funding grant opportunities.

**13. Can MERP help finance the installation of solar panels or other types of renewable energy, or even Electrical Vehicle (EV) charging, at my municipal building?**

If the MERP assessment made a recommendation for renewable energy, battery storage, or EV charging technology to be installed on-site, then the MERP Implementation Grant can be put towards such project costs **only if** the weatherization, thermal efficiency, and/or fuel switching recommendations are pursued first, **and** leftover funds remain in the municipality's award to pursue the additional energy resilience projects. **Note that an energy project cannot be funded by the MERP Implementation Grant if it was not recommended during the MERP assessment.**

**14. Does MERP cover new construction?**

In general, no. The MERP is only focused on existing building renovations. This is partly because Act 172 requires that a covered municipality only be eligible for an Implementation Grant "if an assessment of its buildings and facilities has been conducted pursuant to Sec. 2 of this act [Act 172]." An energy resilience assessment cannot be conducted on a building that does not exist. However, in instances where a "covered municipality" is replacing an existing municipally owned building because of a poor return on investment or the building is no longer viable, they will be considered for the up to \$500,000 implementation grant on a case-by-case basis to fund specific energy resilience measures in the new building.

**15. Can the up to \$500,000 implementation grants be used to pay for administrative costs?**

Yes, administrative costs such as a project manager and/or clerk of the works to oversee construction are eligible expenses under the grant funding.

**16. How are the Building Energy Resilience Assessments with MERP different from Efficiency Vermont's walkthroughs?**

Efficiency Vermont walkthroughs do not qualify as assessments to receive an implementation grant. Walkthroughs are limited to identifying energy efficiency opportunities, while the energy resilience assessments consider additional items like on-site renewable energy usage and generation, battery storage, and EV charging. Recommendations from the energy resilience assessments are analyzed based upon a phased scope of work, a prioritized order of completion regarding the recommendations from the assessment, and their estimated costs- both for implementation and for the life of the equipment, including maintenance and consumption. Please review [Act 172](#) Sec. 2(d) for more details.

**17. What can we be doing right now to prepare for the grant opportunities in advance?**

The first steps include building municipal capacity, which may include: leveraging the community capacity grants, identifying candidate buildings, and/or collecting some basic building information. "Covered municipalities" are encouraged to reach out to their [RPCs](#) for application and technical assistance, along with other program questions.

**18. When will I be able to apply for the various grant opportunities?**

Applications for the up to \$4,000 Community Capacity Building Grants and the building energy resilience assessments are expected to open by Town Meeting Day, Tuesday, March 7, 2023. Assessment applications will open summer 2023, and close fall 2023 . **Applications for the up to \$500,000 building implementation grants will become available in Spring 2024.** For additional

formation about upcoming grant opportunities, please join our mailing list available through the [MERP homepage](#).

**19. Who are the program partners?**

Program partners including the Department of Buildings and General Services, the Regional Planning Commissions, the Vermont League of Cities and Towns, Efficiency Vermont, and the Vermont Energy and Climate Action Network.

**20. If my covered municipality receives a MERP Implementation Grant, does my municipal building need to be compliant with the American Disabilities Act (ADA) by the time the project is completed?**

In accordance with state and federal ADA requirements including Title II regulations 28 CFR Part 35.150, if a municipal building is not fully ADA compliant at the time the up to \$500,000 implementation grant is awarded, the municipality will be required to utilize up to 20% of the grant award towards ADA improvements.

Recipients of a MERP Implementation Grant will also have the option to self-certify that their building is fully ADA compliant prior to utilizing the grant. Neither BGS nor the Vermont Department of Public Safety- Fire Safety Division, which oversees ADA accessibility in Vermont buildings, will verify this self-certification.

**21. How do I determine if my municipal building is ADA complaint?**

A survey is typically performed to determine if your building is ADA complaint. Site surveys can be completed using online resources; however, hiring a consultant to perform the survey is highly recommended. Municipalities may hire their own consultants or utilize a consultant under retainer through the BGS Office of Purchasing and Contracting at the cost of the municipality. Note that the up to \$4,000 Community Capacity Building Grants may be used towards an ADA assessment.

Please reach out with questions or comments via email at [bgs.merp@vermont.gov](mailto:bgs.merp@vermont.gov)

## List of Recommended Energy Conservation Measures For Police Station

|                              |            | Description of ECM                                                                                  | Projected Initial Investment | Estimated Annual Energy & Water Savings |             |        | Total Estimated Annual Cost Savings | Simple Payback |
|------------------------------|------------|-----------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------------|-------------|--------|-------------------------------------|----------------|
|                              |            |                                                                                                     |                              | Propane                                 | Electricity | Water  |                                     |                |
|                              |            |                                                                                                     | (a)                          | (Gallons)                               | (kWh)       | (kGal) | (b)                                 | (Yrs.)         |
|                              |            |                                                                                                     | (\$)                         |                                         |             |        | (\$)                                |                |
| 1                            | Title:     | Replace HVAC Units With Electric /Heat Pump HVAC Units                                              | \$13,480                     | 972                                     | -9,026      | 0      | \$1,327                             | 10.15          |
|                              | Attribute: | Replace (1x) 210MBH - 8 Ton RTU With (1x) 6 Tons - Heat Pump RTU System;                            |                              |                                         |             |        |                                     |                |
| 2                            | Title:     | Reduce HVAC Hours of Operation                                                                      | \$630                        | 49                                      | 6,021       | 0      | \$507                               | 1.24           |
|                              | Attribute: | Self Learning Smart Thermostat - (2x) Sensors                                                       |                              |                                         |             |        |                                     |                |
| 3                            | Title:     | Control External Air Leakage In Commercial Buildings                                                | \$2,493                      | 97                                      | 661         | 0      | \$251                               | 9.93           |
|                              | Attribute: | Perform air sealing of building through Installing 134x linear feet of door sweeps                  |                              |                                         |             |        |                                     |                |
| 4                            | Title:     | Improve Attic Insulation Levels                                                                     | \$2,970                      | 146                                     | 281         | 0      | \$313                               | 9.47           |
|                              | Attribute: | Improve existing attic insulation from R-11 to R-49 by adding Batt Insulation                       |                              |                                         |             |        |                                     |                |
| 5                            | Title:     | Install Fixed Tilt Solar Photovoltaic System                                                        | \$62,271                     | 0                                       | 32,543      | 0      | \$783                               | 79.51          |
|                              | Attribute: | Install fixed tilt 20KW Solar Photovoltaic System consisting of 20kW Rooftop Fixed Array PV System; |                              |                                         |             |        |                                     |                |
| 6                            | Title:     | Replace External Windows                                                                            | \$4,000                      | 246                                     | 665         | 0      | \$542                               | 7.38           |
|                              | Attribute: | Replace Wooden Frame & Double Glazing windows with new double pane windows rated at U-0.31          |                              |                                         |             |        |                                     |                |
| Totals for No/Low Cost Items |            |                                                                                                     | \$630                        | 49                                      | 6,021       | 0      | \$507                               | 1.24           |
| Total For Capital Cost       |            |                                                                                                     | \$85,215                     | 1,460                                   | 25,123      | 0      | \$3,217                             | 26.49          |
|                              |            | Interactive Savings Discount @ 10%                                                                  |                              | -151                                    | -3,114      | 0      | -\$372                              |                |
|                              |            | Total Contingency Expenses @ 15%                                                                    | \$12,877                     |                                         |             |        |                                     |                |
| Total for Improvements       |            |                                                                                                     | \$98,722                     | 1,358                                   | 28,030      | 0      | \$3,352                             | 29.46          |

**List of Recommended Energy Conservation Measures For HIGHWAY DEPARTMENT**

|                              |            | Description of ECM                                                                                                                             | Projected Initial Investment | Estimated Annual Energy & Water Savings |             |        | Total Estimated Annual Cost Savings | Simple Payback |
|------------------------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------------|-------------|--------|-------------------------------------|----------------|
|                              |            |                                                                                                                                                |                              | No.2 Oil                                | Electricity | Water  |                                     |                |
|                              |            |                                                                                                                                                |                              | (Gallons)                               | (kWh)       | (kGal) |                                     |                |
|                              |            |                                                                                                                                                | (a)                          |                                         |             |        |                                     |                |
|                              |            |                                                                                                                                                | (\$)                         |                                         |             |        | (\$)                                | (Yrs.)         |
| 1                            | Title:     | Replace HVAC Units With Electric /Heat Pump HVAC Units                                                                                         | \$23,725                     | 2,629                                   | -10,948     | 0      | \$2,404                             | 9.87           |
|                              | Attribute: | Replace (1x) 560MBH - 1.5 Ton RTU With (1x) 5 Tons - Heat Pump RTU System; (1x) 71.4MBH - 1.5 Ton RTU With (1x) 5 Tons - Heat Pump RTU System; |                              |                                         |             |        |                                     |                |
| 2                            | Title:     | Reduce HVAC Hours of Operation                                                                                                                 | \$1,261                      | 263                                     | 640         | 0      | \$367                               | 3.44           |
|                              | Attribute: | Self Learning Smart Thermostat - (4x) Sensors                                                                                                  |                              |                                         |             |        |                                     |                |
| 3                            | Title:     | Control External Air Leakage In Commercial Buildings                                                                                           | \$3,500                      | 526                                     | 0           | 0      | \$673                               | 5.20           |
|                              | Attribute: | Perform air sealing of building through Installing 260x linear feet of door sweeps                                                             |                              |                                         |             |        |                                     |                |
| 4                            | Title:     | #N/A                                                                                                                                           | \$0                          | 0                                       | 0           | 0      | \$2,018                             | 0.00           |
|                              | Attribute: | #N/A                                                                                                                                           |                              |                                         |             |        |                                     |                |
| Totals for No/Low Cost Items |            |                                                                                                                                                | \$0                          | 0                                       | 0           | 0      | \$4,067                             | 0.00           |
| Total For Capital Cost       |            |                                                                                                                                                | \$28,486                     | 3,417                                   | -10,308     | 0      | \$3,444                             | 8.27           |
|                              |            | Interactive Savings Discount @ 10%                                                                                                             |                              | -342                                    | 1,031       | 0      | -\$751                              |                |
|                              |            | Total Contingency Expenses @ 15%                                                                                                               | \$4,273                      |                                         |             |        |                                     |                |
| Total for Improvements       |            |                                                                                                                                                | \$32,758                     | 3,076                                   | -9,277      | 0      | \$6,760                             | 4.85           |

### List of Recommended Energy Conservation Measures For Emergency Services Building

|                              |            | Description of ECM                                                                                                                         | Projected Initial Investment | Estimated Annual Energy & Water Savings |             | Total Estimated Annual Cost Savings | Simple Payback |
|------------------------------|------------|--------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------------|-------------|-------------------------------------|----------------|
|                              |            |                                                                                                                                            |                              | Propane                                 | Electricity |                                     |                |
|                              |            |                                                                                                                                            |                              | (Gallons)                               | (kWh)       |                                     |                |
|                              |            |                                                                                                                                            | (a)                          |                                         |             |                                     |                |
|                              |            |                                                                                                                                            | (\$)                         |                                         |             | (\$)                                | (Yrs.)         |
| 1                            | Title:     | Reduce HVAC Hours of Operation                                                                                                             | \$630                        | 129                                     | 2,442       | \$360                               | 1.75           |
|                              | Attribute: | Self Learning Smart Thermostat - (2x) Sensors                                                                                              |                              |                                         |             |                                     |                |
| 2                            | Title:     | Replace HVAC Units With Electric /Heat Pump HVAC Units                                                                                     | \$19,411                     | 4,944                                   | -27,110     | \$4,682                             | 4.15           |
|                              | Attribute: | Replace (1x) 294MBH - 4.5 Ton RTU With (1x) 6 Tons - Heat Pump RTU System; (1x) 10MBH - 0 Ton RTU With (1x) 2 Tons - Heat Pump RTU System; |                              |                                         |             |                                     |                |
| 3                            | Title:     | Control External Air Leakage In Commercial Buildings                                                                                       | \$5,805                      | 942                                     | 783         | \$1,409                             | 4.12           |
|                              | Attribute: | Perform air sealing of building through installing 312x linear feet of door sweeps                                                         |                              |                                         |             |                                     |                |
| 4                            | Title:     | Replace Existing Water Heater With New Energy Efficient Units                                                                              | \$3,237                      | 1,475                                   | -14,434     | \$919                               | 3.52           |
|                              | Attribute: | Replace 1x 180kBtus Propane water heaters with 60-Gal,4.5-kW 2.33EF Heat Pump water heater                                                 |                              |                                         |             |                                     |                |
| 5                            | Title:     | Install Fixed Tilt Solar Photovoltaic System                                                                                               | \$138,614                    | 0                                       | 56,587      | \$4,906                             | 28.25          |
|                              | Attribute: | Install fixed tilt 49KW Solar Photovoltaic System consisting of 49kW Rooftop Fixed Array PV System;                                        |                              |                                         |             |                                     |                |
| 6                            | Title:     | Improve Attic Insulation Levels                                                                                                            | \$9,440                      | 471                                     | 61          | \$652                               | 14.47          |
|                              | Attribute: | Improve existing attic insulation from R-30 to R-49 by adding Batt Insulation                                                              |                              |                                         |             |                                     |                |
| Totals for No/Low Cost Items |            |                                                                                                                                            | \$630                        | 129                                     | 2,442       | \$360                               | 1.75           |
| Total For Capital Cost       |            |                                                                                                                                            | \$176,508                    | 7,833                                   | 15,888      | \$11,538                            | 15.30          |
|                              |            | Interactive Savings Discount @ 10%                                                                                                         |                              | -796                                    | -1,833      | -\$1,190                            |                |
|                              |            | Total Contingency Expenses @ 15%                                                                                                           | \$26,571                     |                                         |             |                                     |                |
| Total for Improvements       |            |                                                                                                                                            | \$203,709                    | 7,166                                   | 16,497      | \$10,709                            | 19.02          |

## List of Recommended Energy Conservation Measures For Fire Department

|                              |            | Description of ECM                                                                    | Projected Initial Investment | Estimated Annual Energy |             | Total Estimated Annual Cost Savings | Simple Payback |
|------------------------------|------------|---------------------------------------------------------------------------------------|------------------------------|-------------------------|-------------|-------------------------------------|----------------|
|                              |            |                                                                                       |                              | Propane                 | Electricity |                                     |                |
|                              |            |                                                                                       | (a)                          | (Gallons)               | (kWh)       | (Yrs.)                              |                |
|                              |            |                                                                                       | (\$)                         |                         |             | (\$)                                |                |
| 1                            | Title:     | Replace HVAC Units With Electric /Heat Pump HVAC Units                                | \$26,960                     | 1,576                   | -56,013     | \$646                               | 41.71          |
|                              | Attribute: | Replace (1x) 294MBH - 3 Ton RTU With (1x) 12.5 Tons - Heat Pump RTU System;           |                              |                         |             |                                     |                |
| 2                            | Title:     | Reduce HVAC Hours of Operation                                                        | \$1,576                      | 315                     | 1,437       | \$596                               | 2.64           |
|                              | Attribute: | Self Learning Smart Thermostat - (5x) Sensors                                         |                              |                         |             |                                     |                |
| 3                            | Title:     | Control External Air Leakage In Commercial Buildings                                  | \$1,861                      | 236                     | 1,762       | \$491                               | 3.79           |
|                              | Attribute: | Perform air sealing of building through installing 100x linear feet of door sweeps    |                              |                         |             |                                     |                |
| 4                            | Title:     | Replace Existing Water Heater With New Energy Efficient Units                         | \$3,157                      | 172                     | -1,733      | \$251                               | 12.56          |
|                              | Attribute: | Replace 1x 180kBtus Propane water heaters with 40-Gal,4-kW 2EF Heat Pump water heater |                              |                         |             |                                     |                |
| 5                            | Title:     | Improve Attic Insulation Levels                                                       | \$8,500                      | 315                     | 1,058       | \$591                               | 14.38          |
|                              | Attribute: | Improve existing attic insulation from R-10 to R-49 by adding Batt Insulation         |                              |                         |             |                                     |                |
| Totals for No/Low Cost Items |            |                                                                                       | \$0                          | 0                       | 0           | \$0                                 | 0.00           |
| Total For Capital Cost       |            |                                                                                       | \$42,054                     | 2,616                   | -53,489     | \$2,576                             | 16.33          |
|                              |            | Interactive Savings Discount @ 10%                                                    |                              | -262                    | 5,349       | -\$258                              |                |
|                              |            | Total Contingency Expenses @ 15%                                                      | \$6,308                      |                         |             |                                     |                |
| Total for Improvements       |            |                                                                                       | \$48,362                     | 2,354                   | -48,140     | \$2,318                             | 20.86          |

## List of Recommended Energy Conservation Measures For Town Hall

|                              |            | Description of ECM                                                                | Projected Initial Investment | Estimated Annual Energy & Water Savings |             |        | Total Estimated Annual Cost Savings | Simple Payback |
|------------------------------|------------|-----------------------------------------------------------------------------------|------------------------------|-----------------------------------------|-------------|--------|-------------------------------------|----------------|
|                              |            |                                                                                   |                              | No.2 Oil                                | Electricity | Water  |                                     |                |
|                              |            |                                                                                   |                              | (Gallons)                               | (kWh)       | (kGal) |                                     |                |
|                              |            |                                                                                   | (a)                          |                                         |             |        |                                     |                |
|                              |            |                                                                                   | (\$)                         |                                         |             |        | (\$)                                | (Yrs.)         |
| 1                            | Title:     | Control External Air Leakage In Commercial Buildings                              | \$1,489                      | 80                                      | 881         | 0      | \$176                               | 8.44           |
|                              | Attribute: | Perform air sealing of building through Installing 80x linear feet of door sweeps |                              |                                         |             |        |                                     |                |
| 2                            | Title:     | Reduce HVAC Hours of Operation                                                    | \$946                        | 28                                      | 2,193       | 0      | \$122                               | 7.72           |
|                              | Attribute: | Self Learning Smart Thermostat - (3x) Sensors                                     |                              |                                         |             |        |                                     |                |
| 3                            | Title:     | Replace HVAC Units With Electric /Heat Pump HVAC Units                            | \$18,872                     | 1,604                                   | -6,141      | 0      | \$2,557                             | 7.38           |
|                              | Attribute: | Replace (1x) 242MBH - 8 Ton RTU With (1x) 8.5 Tons - Heat Pump RTU System;        |                              |                                         |             |        |                                     |                |
| 4                            | Title:     | Improve Attic Insulation Levels                                                   | \$9,440                      | 353                                     | 339         | 0      | \$626                               | 15.08          |
|                              | Attribute: | Improve existing attic insulation from R-10 to R-49 by adding Batt Insulation     |                              |                                         |             |        |                                     |                |
| Totals for No/Low Cost Items |            |                                                                                   | \$946                        | 28                                      | 2,193       | 0      | \$2,528                             | 0.37           |
| Total For Capital Cost       |            |                                                                                   | \$29,801                     | 2,037                                   | -4,921      | 0      | \$3,360                             | 8.87           |
|                              |            | Interactive Savings Discount @ 10%                                                |                              | -207                                    | 273         | 0      | -\$589                              |                |
|                              |            | Total Contingency Expenses @ 15%                                                  | \$4,612                      |                                         |             |        |                                     |                |
| Total for Improvements       |            |                                                                                   | \$35,359                     | 1,859                                   | -2,456      | 0      | \$5,298                             | 6.67           |



## SELECTBOARD MEMORANDUM

**To:** Selectboard  
**From:** Brent Raymond, Town Manager  
**Date:** August 5, 2024  
**Subject:** Consideration of Zoning Bylaws proposed changes

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**Suggested Motion:**

Motion rejecting the amendments as proposed, and sending the proposed Zoning Bylaws back to the Planning Director and advisory Planning Council for modifications.

OR

Motion to have the Selectboard and Trustees prepare their own revised set of proposed Zoning Bylaw amendments for consideration and adoption.

OR

Motion to approve Proposed Zoning Bylaw Amendments as presented.

**Attachments:**

1. Morristown Zoning Amendment Report



**Review of the Morristown/Morrisville Proposed Zoning  
Amendments (Draft dated 4.15.2024) for consistency with the  
2022-2030 Town of Morristown/Village of Morrisville  
Municipal Development Plan**

*August 1, 2024*

*Prepared for the Town of Morristown by*



At the request of the Town Manager's Office, Sterling Mountain Community Planning & Design, LLC was retained by the Town of Morristown VT in June 2024 to conduct an independent review of a proposed set of zoning bylaw amendments (dated 4/15/24) for consistency with the adopted version of the Town of Morristown/Village of Morrisville's Municipal Development Plan.

Sterling Mountain Community Planning & Design's work in coming to the conclusions and recommendations found herein are the result of:

- Review of the currently adopted version of the *2022-2030 Morrisville/Morristown Town Plan* (adopted May 2022);
- Review of the *2023 Zoning Bylaws for the Village of Morrisville and Town of Morristown* amendments dated 4.15.2024 currently under consideration by the Selectboard and Village Trustees;
- Review of the video recording of the 1 April 2024 Morristown Selectboard meeting where the proposed amendments were presented by Planning Director Thomas;
- Review of the relevant portions of 24 VSA Chapter 117 concerning municipal plans and bylaws, and guidance offered by the VT DHCA regarding implementation of the HOMES Act; and,
- An in-person interview with Planning Director Todd Thomas, AICP conducted on 25 July 2024

This report has four parts:

- Summary of Findings and Recommendations
- Background:
  - The relationship between a Municipal Plan and Bylaws
  - What does "consistency with the Municipal Development Plan" mean?
- Analysis and Findings
  - Key policies and recommendations of the *2022-2030 Town of Morristown/Village of Morrisville's Town Plan*
  - Major changes proposed to the *2023 Zoning Bylaws for the Village of Morrisville and Town of Morristown*.
  - Analysis & Findings
- Conclusions and Recommendations

## Summary of Findings and Recommendations

Two significant aspects of the 2023 Zoning Bylaws for the Village of Morrisville and Town of Morristown amendments dated 4.15.2024 currently under consideration by the Selectboard and Village Trustees **do not meet the requirement of 24 VSA 4410 and 4411 for being in conformance with the currently adopted version of the 2022-2030 Morrisville/Morristown Town Plan (adopted May 2022)** because they do not:

*(A) Make progress toward attaining, or at least does not interfere with, the goals and policies contained in the municipal plan.*

*(B) Provide for proposed future land uses, densities, and intensities of development contained in the municipal plan.*

*(C) Carry out, as applicable, any specific proposals for community facilities, or other proposed actions contained in the municipal plan.*

These are proposed changes regarding:

- Eliminating the Medium Density Residential (MDR) and Mixed Office Residential (MOR) districts and rezoning these areas to Low Density Residential (LDR) with associated use, dimensional and density changes.
- Increasing the Minimum lot size in the Rural Residential with Agriculture (RRA) District from 80,000 to 120,000 sqft (2 to 3 ac)

As a result, it is recommended that the Morristown Selectboard and Morrisville Trustees not take action to adopt the proposed zoning amendments as currently recommended by the Morrisville/Morristown Planning Council. Available options include:

- Rejecting the amendments as proposed, and sending them back to the Planning Council for modification; or,
- The Selectboard and Trustees prepare their own revised set of proposed amendments for consideration and adoption.

## Background:

### The relationship between a Municipal Plan and Bylaws

A Town Plan establishes goals and priorities for how a community will grow and evolve over time, and is responsible for establishing the policy basis that will help a community create the conditions necessary for new development and public and private investments. As such, the Town Plan provides a basis for the development of local land use and development regulations, making future public investments, directing policies for municipal services and infrastructure, and is a prerequisite for many State incentive programs, grants, and loans.

#### ***Municipal Development Plan***

*“A statement of objectives, policies, and programs of the municipality to guide the future growth and development of land, public services, and facilities, and to protect the environment.”*

24 V.S.A. § 4382

Under Vermont statute (24 V.S.A. Chapter 117), a new Town Plan must be reviewed, revised, and adopted every eight years to best reflect the current trends, needs, and desires of the community. A plan must also be developed following the requirements established under the law, and be:

- Consistent with State Planning Goals and Enabling Legislation
- Compatible with approved Regional and municipal plans

Once the Town Plan is in place, development standards and regulations such as zoning and subdivision can be adopted to guide and shape new development, and the community can decide which public investments to make through tools such as a capital budget program and Official Map.

Municipalities in Vermont are not required to develop local plans and bylaws. However, should they intend to develop and utilize land use regulations such as zoning and subdivision controls, they **must first** have an adopted municipal plan in place that meets all of the requirements set forth under statute.

Standard urban planning practice requires that any local regulatory tools such as zoning, **must** serve to implement the policy direction established and set forth by a local land use plan.

Vermont is no different, and this relationship is codified in state enabling statute regarding local and regional planning and development (24 VSA Chapter 117):

24 VSA § 4410. Regulatory implementation of the municipal plan

*A municipality that has adopted a plan through its bylaws may define and regulate land development in any manner that the municipality establishes in its bylaws, provided those bylaws are in conformance with the plan and are adopted for the purposes set forth in section 4302 of this title.* (emphasis added)

24 VSA Chapter 117 goes on to require:

24 VSA § 4411. Zoning bylaws

*(a) A municipality may regulate land development in conformance with its adopted municipal plan and for the purposes set forth in section 4302 of this title to govern the use of land and the placement, spacing, and size of structures and other factors specified in the bylaws related to public health, safety, or welfare.* (emphasis added)

**What does “conformance with the Municipal Development Plan” mean?**

As noted above, regulatory tools like zoning must be developed “in conformance” with the duly adopted Town Plan. Vermont statutes define what constitutes “conformance” as follows:

*24 VSA§ 4303. Definitions. The following definitions shall apply throughout this chapter unless the context otherwise requires:*

*6) “Conformance with the plan” means a proposed implementation tool, including a bylaw or bylaw amendment that is in accord with the municipal plan in effect at the time of adoption, when the bylaw or bylaw amendment includes all the following:*

*(A) Makes progress toward attaining, or at least does not interfere with, the goals and policies contained in the municipal plan.*

*(B) Provides for proposed future land uses, densities, and intensities of development contained in the municipal plan.*

*(C) Carries out, as applicable, any specific proposals for community facilities, or other proposed actions contained in the municipal plan.*

Upon preparation of a proposed zoning bylaw amendment, the local Planning Commission (in this case the Town's Planning Director and Planning Council) is required to prepare a report describing the proposed bylaw and stating how it meets the requirements found in statute including conformance with the Town Plan.

24 VSA § 4441. Preparation of bylaws and regulatory tools; amendment or repeal

*(c) When considering an amendment to a bylaw, the planning commission shall prepare and approve a written report on the proposal. A single report may be prepared so as to satisfy the requirements of this subsection concerning bylaw amendments and subsection 4384(c) of this title concerning plan amendments. The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title and shall include findings regarding how the proposal:*

*(1) conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing, and sections 4412, 4413, and 4414 of this title;*

*(2) is compatible with the proposed future land uses and densities of the municipal plan; and*

*(3) carries out, as applicable, any specific proposals for any planned community facilities.*

Such a report for the zoning amendments currently under consideration can be found at the end of the packet prepared in anticipation of the May 14 Public Hearing of the Morrisville/Morristown Planning Council.

## Analysis and Findings

### Key policies and recommendations of the 2022-2030 Town of Morristown/Village of Morrisville's Town Plan

Like many communities across Vermont, Morrisville and Morristown's Municipal Plan strongly emphasizes three recurring themes – housing, growth in and around the village, and protecting rural character as illustrated in this section of the opening chapter:

*“...our community desperately needs the **new housing** being provided by these new residential townhouse and multi-family developments that are being built in the village. Demand to live within our community has never been greater than at the time of this writing (late 2021). The town plan, in Chapter 2, therefore designates certain parts of our community for zoning changes, and **increases in residential density**, to accommodate the need for future residential growth. Meanwhile, this same Land Use Chapter, looks to **preserve the existing rural feel** of the undeveloped, or lightly developed, remote sections of the town, while also protecting the ridgelines that give our town its scenic backdrop.” (p.2, emphasis added)*

The Land Use Chapter of the Plan is where a majority of the policies and actions can be found regarding how the Town and Village intendeds to further these three themes.

### Changes proposed to the 2023 Zoning Bylaws for the Village of Morrisville and Town of Morristown.

The 2023 Zoning Bylaws for the Village of Morrisville and Town of Morristown amendments dated 4.15.2024 includes nearly 3 dozen proposed changes – some minor corrections or improvements, and several changes either made necessary by, or in response to, statutory changes made by the VT Legislature during the 2023 session under the Housing Opportunities Made for Everyone (HOME) Act, Act 47 (S.100).

A complete list of the proposed amendments are as follows, with the most significant changes proposed in response to the HOMES Act highlighted in **bold**:

**§201.1 - Delete Mixed Office Residential (MOR) Zone & Medium Density Residential (MDR) 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 NID #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 - Ad 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.

## Analysis & Findings

In undertaking this review of the *2023 Zoning Bylaws for the Village of Morrisville and Town of Morristown* amendments dated 4.15.2024 it is impossible not to be aware of statutory changes included in the 2023 HOMES Act. Perhaps the most significant changes for many Vermont communities were requirements that all local zoning bylaws **must**:

- Allow duplexes anywhere single-unit homes are also allowed with no additional requirements or restrictions than for single-unit homes.
- Allow as a as a permitted use multi-unit housing of 4 units or less in areas served by municipal water and sewer where year-round single-unit homes are also allowed with no additional requirements or restrictions than for single-unit homes; and,
- Allow for 5 or more dwelling units per acre for each allowed residential use in areas served by municipal water and sewer where year-round single-unit homes with no additional requirements or restrictions than for single-unit homes.

As such, many of the proposed 2024 changes to the Morrisville/Morristown bylaws were prepared directly in response to these new HOMES Act requirements. The remainder of this report will be focused on two of these changes, and consider the extent to which they:

(A) Make progress toward attaining, or at least does not interfere with, the goals and policies contained in the municipal plan.

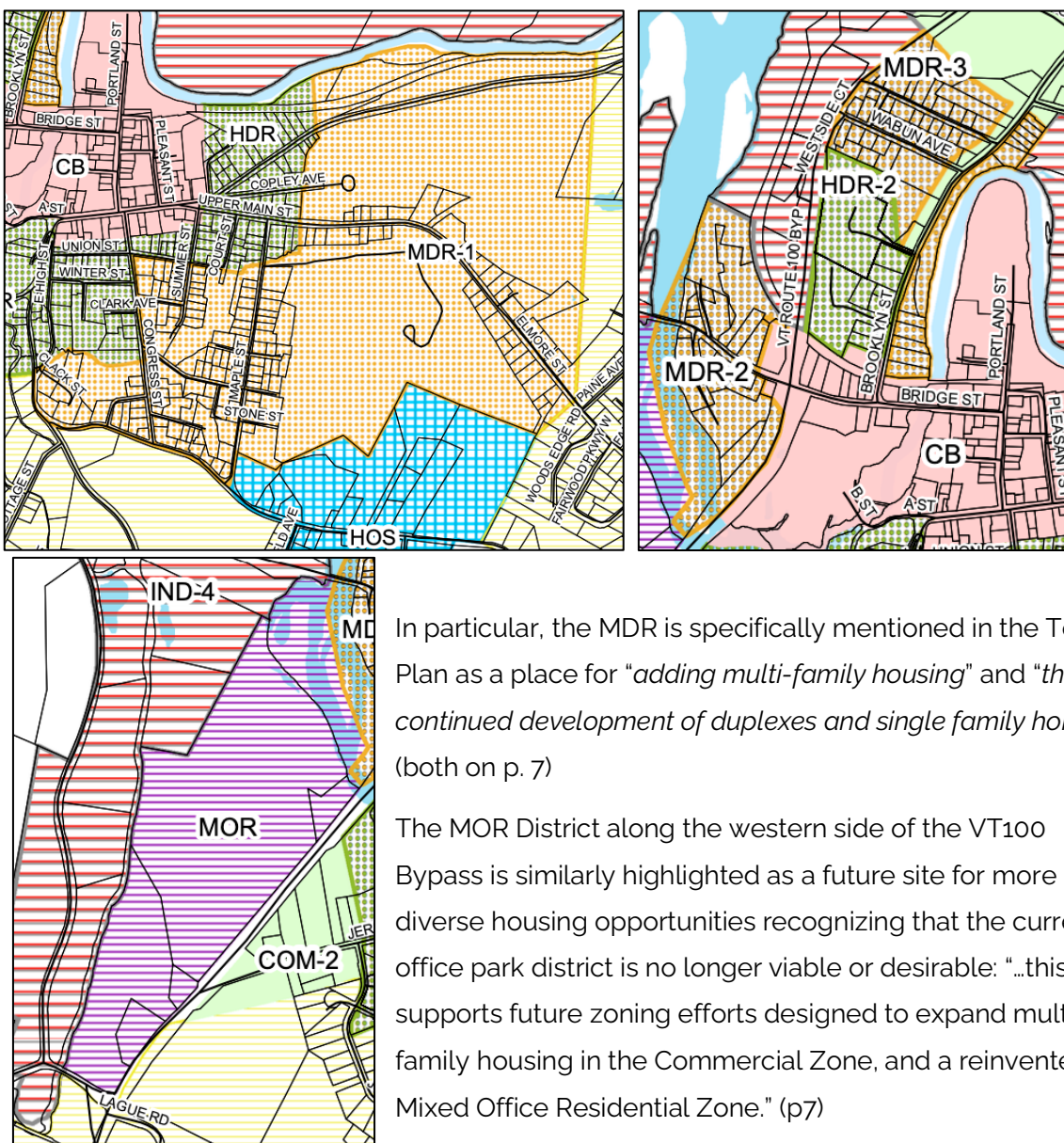
(B) Provide for proposed future land uses, densities, and intensities of development contained in the municipal plan.

(C) Carry out, as applicable, any specific proposals for community facilities, or other proposed actions contained in the municipal plan.

*(Excerpted from 24 VSA§ 4303)*

**1. Medium Density Residential (MDR) and Mixed Office Residential (MOR) districts have been eliminated, and areas rezoned to Low Density Residential (LDR) with associated dimensional and density changes.**

One of the more significant changes proposed is the elimination of two entire zoning districts - Medium Density Residential (MDR) and Mixed Office Residential (MOR) - and their conversion to Low Density Residential (LDR). Both the MDR and MOR districts illustrated below are adjacent (or near-adjacent) to the center of Morrisville and areas intended for the most intense mixed-use and residential development.



In particular, the MDR is specifically mentioned in the Town Plan as a place for "adding multi-family housing" and "the continued development of duplexes and single family homes" (both on p. 7)

The MOR District along the western side of the VT100 Bypass is similarly highlighted as a future site for more diverse housing opportunities recognizing that the current office park district is no longer viable or desirable: "...this plan supports future zoning efforts designed to expand multi-family housing in the Commercial Zone, and a reinvented Mixed Office Residential Zone." (p7)

Chapter 10 – Housing of the Town Plan furthers the importance of creating new housing opportunities, and specifically the intention of providing for more multi-unit housing such as duplexes and multi-family 3 or more:

*"While our community has been and is always supportive of varied forms of housing (from apartments, to condos, to starter homes, and larger single-family homes), the Planning Council must incentivize, through its zoning allowances, the creation of significantly more small-sized housing stock. While there is clear and immediate need for all types of housing in our community, this plan strongly supports efforts to create more owned housing within our community, including multi-family housing, condos, townhouses, and single-family homes." (p. 47)*

*"...it is of paramount importance that the Planning Council ensures that the town's zoning, which was previously an impediment to the construction of new housing, continues to allow and even promote the construction of new housing in areas designated for such in the Land Use Chapter of the Town Plan." (p. 47)*

However, the elimination of the MDR and MOR districts includes as a change to the Use Table (Sec. 204.5a) that no longer allows for the creation of new duplexes by making them neither a permitted or conditional use (3 and 4 unit multi-family housing was never permitted in either district) in the newly expanded LDR.

Proposed changes to the Dimensional Standards (Sec. 204.5b) for the newly expanded LDR are reduced to mirror those of the former MDR and MOR districts, and as a result provide for the opportunity for more housing on smaller lots. However, a new Maximum Lot Size/Density of 8,000 sqft is added in the Hospital (HOS) and LDR districts which has the effect of preventing the creation of any new duplexes in this area. The exception to this would be Class 2 and 3 development in LDR (outside of service area) which has a min lot size larger than the proposed maximum so would need to allow for duplexes.

As a result, the proposed changes will render these areas exclusively single-family zones and prevent the creation of new duplexes and multi-family housing contrary to the stated objectives found in the Town Plan,

**FINDING:**

This proposed change to the 2023 *Zoning Bylaws for the Village of Morrisville and Town of Morristown* is **not in conformance** with the 2022-2030 *Town of Morristown/Village of Morrisville's Town Plan*:

- The areas subject to the proposed zoning changes related to the elimination of the MDR and MOR and rezoning these areas to LDR are recognized in the Town Plan as places clearly intended for the expansion of duplexes and multi-family housing (not just smaller single-family homes). While the Town Plan recognizes an intention to encourage more home ownership and retain existing ratios of rental to owner-occupied housing, there are no subsequent policy statements or actions suggested to preserve single-family housing and that would modify the intention for the expansion of multi-unit housing and justify the proposed rezoning.
- The proposed changes would prevent the creation of new duplexes and multi-family housing rendering these areas exclusively single-family zones, and as a result has the effect of interfering with stated goals and policies contained in the municipal plan and not providing for proposed future land uses, densities, and intensities of development contained in the municipal plan.

**2. Minimum lot size in the Rural Residential with Agriculture (RRA) District is to be increased from 80,000 to 120,000 sqft (2 to 3 ac)**

The other significant change proposed is an increase in the minimum lot size in the Rural Residential with Agriculture (RRA) District from 80,000 to 120,000 sqft (roughly from 2 to 3 acres). The RRA District encompasses virtually all of the rural parts of Morristown outside of the core surrounding Morrisville. The proposed change is in response to new HOMES Act requirements, and a fear of duplexes (and rentals) sprouting up all over town.

While the Town Plan and zoning bylaws are fairly weak in how they address the more rural and natural parts of town (Conservation Subdivisions of 3 or more lots are required in this area as the primary tool to protect sensitive resources), the Town Plan is actually quite clear regarding proposed changes to this zoning district: "*This plan also supports reducing the*

*current 80,000 ft<sup>2</sup> minimum lot size to no more than 40,000 ft<sup>2</sup> minimum lot size in less remote parts of the Rural Residential Agricultural Zone." (emphasis added, p. 7)*

**FINDING:**

This proposed change to the *2023 Zoning Bylaws for the Village of Morrisville and Town of Morristown* is **not in conformance** with the *2022-2030 Town of Morristown/Village of Morrisville's Town Plan*

- The proposed enlargement of the minimum lot size in the Rural Residential with Agriculture (RRA) District is in direct conflict with a stated objective in the Town Plan to reduce the minimum lot size for this district, and as a result has the effect of interfering with stated goals and policies contained in the municipal plan and not providing for proposed future land uses, densities, and intensities of development contained in the municipal plan.

## Conclusions and Recommendations

Two significant aspects of the *2023 Zoning Bylaws for the Village of Morrisville and Town of Morristown* amendments dated 4.15.2024 currently under consideration by the Selectboard and Village Trustees **do not meet the requirement of 24 VSA 4410 and 4411 for being in conformance with the currently adopted version of the 2022-2030 Morrisville/Morristown Town Plan (adopted May 2022)** because they do not:

*(A) Make progress toward attaining, or at least does not interfere with, the goals and policies contained in the municipal plan.*

*(B) Provide for proposed future land uses, densities, and intensities of development contained in the municipal plan.*

*(C) Carry out, as applicable, any specific proposals for community facilities, or other proposed actions contained in the municipal plan.*

These are proposed changes regarding:

- Eliminating the Medium Density Residential (MDR) and Mixed Office Residential (MOR) districts and rezoning these areas to Low Density Residential (LDR) with associated use, dimensional and density changes.
- Increasing the Minimum lot size in the Rural Residential with Agriculture (RRA) District from 80,000 to 120,000 sqft (2 to 3 ac)

When there is a conflict between a Town Plan and proposed bylaws, one of them will need to change. In this case the current Town Plan – even with its current weaknesses – is in alignment with statutory planning goals and related regulatory requirements, and as a result the bylaws would appear to be a better place to focus the community's efforts. Additionally, it is important to note that the intended limitations on duplexes and 3 and 4 unit multi-family housing within areas served by municipal water and sewer that are at the heart of the proposed amendments are no longer permissible under more recent statutory changes in the 2024 Legislative Session recently concluded (Act 181, §52).

As a result, it is recommended that the Morristown Selectboard and Morrisville Trustees not take action to adopt the proposed zoning amendments as currently recommended by the Morrisville/Morristown Planning Council. Available options include:

- Rejecting the amendments as proposed and sending them back to the Planning Council for modification; or,
- The Selectboard and Trustees prepare their own revised set of proposed amendments for consideration and adoption.

Possible modifications to be included in a revised set of proposed amendments might include at a minimum:

- Delete the proposed increased the Minimum lot size in the Rural Residential with Agriculture (RRA) District from the Dimensional Standards Table (Sec. 204.5b)
- Delete the proposed Maximum Lot Size/Density from the Dimensional Standards Table (Sec. 204.5b)
- Restore the Medium Density Residential (MDR) and Mixed Office Residential (MOR) districts with the smaller proposed dimensional standards for LDR or HDR. An alternative

for the MOR District is for it to become part of the MDR District. (Sec. 201.1, 204.5a and 204.5b)

- Modify the Use Table to indicate that single-family, duplexes and multi-family 3 & 4 are permitted uses in all districts served by municipal water and sewer. (Sec. 204.5a)
- Modify the Use Table to add a new category for multi-family 5 or more as a permitted use in CB and HDR and a conditional use in COM and HOSP, (Sec. 204.5a)



## SELECTBOARD MEMORANDUM

**To:** Selectboard  
**From:** Brent Raymond, Town Manager  
**Date:** August 5, 2024  
**Subject:** Jersey Heights three-acre rule stormwater permit

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### **Suggested Motion:**

Motion to draft a letter of intent to ANR as the responsible party to serve as the permittee on the Jersey Heights operational stormwater permit. As per ANR's requirement, "Letter should articulate that the responsible party will support advancing the project through final design and construction, intent of the responsible party to be identified as permittee in the Notice of Intent filings, and understanding that upon issuance of the permit, the permittee is formally accepting responsibility for the permitted stormwater system and for complying with all terms and conditions of the permit. The letter should also acknowledge the requirement for O&M for the life of the project."

### **Attachments:**

1. VT ANR Morristown draft M&D table July 2024

**Table 1. Milestone and Deliverables schedule:**

| Part I: Final Design and Permit Obtainment                                               |                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                          |                                     |
|------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| Cost reimbursements for Part I deliverables Not to Exceed \$79,000                       |                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                          |                                     |
|                                                                                          | Milestone                                                                                                                             | Deliverable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Due Date                                                                                                                                 | Budget                              |
| 1                                                                                        | Establish the responsible party for the operational stormwater permit and the long-term Operations & Maintenance (O&M) of the project | A letter of intent from the responsible party to serve as the permittee on the operational stormwater permit. Letter should articulate that responsible party will support advancing the project through final design and construction, intent of responsible party to be identified as permittee in the Notice of Intent filings, and understanding that upon issuance of the permit, the permittee is formally accepting responsibility for the permitted stormwater system and for complying with all terms and conditions of the permit. Letter should also acknowledge the requirement for O&M for the life of the project | *November 22, 2024                                                                                                                       | Part I Deliverables<br>NTE \$79,000 |
| 2                                                                                        | Secure commitment from all affected landowners                                                                                        | Provide letters of commitment from all affected landowners who may be required to grant easements or other access, indicating their intent to participate in the project and grant the necessary access for project installation and regular inspection and maintenance.                                                                                                                                                                                                                                                                                                                                                        | *March 1, 2025                                                                                                                           |                                     |
| Note: Must complete Deliverables 1 – 3 prior to invoicing for other Part I Deliverables. |                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                          |                                     |
| 3                                                                                        | Complete town procurement for final design services and obtainment of the operational stormwater permit.                              | Provide a copy of the signed contract with the design engineer and a statement of reasoning for the selection of the contractor, if applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | *March 1, 2025                                                                                                                           |                                     |
| 4                                                                                        | Meeting(s) with landowner and other stakeholders to discuss planned projects                                                          | Summary of meeting(s), including meeting outcomes, and planned actions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | *The first day of each month throughout agreement term until 100% design is complete<br>(Final update due no later than August 31, 2026) |                                     |
| 5                                                                                        | 60% design complete                                                                                                                   | Preliminary Design Report (include synthesis of prior completed project deliverables, 60% designs, including draft engineering feasibility analysis per General Permit 3-9050 and verification of review of proposed design by the Stormwater Program; identify all required landowner access points                                                                                                                                                                                                                                                                                                                            | *May 1, 2025                                                                                                                             |                                     |

|                                                                                                                                                                                               |                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                           |                                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
|                                                                                                                                                                                               |                                                                                                                                                    | required for project maintenance; identify all required permits and provide Permit Navigator Report Number.                                                                                                                                                                                                                                   |                                                                                                                                                           |                                                                                       |
| 6                                                                                                                                                                                             | 100% design complete (if applicable, depending on prior design work completed for project)                                                         | Final Design Report (include synthesis of prior completed project deliverables, 100% designs, written landowner commitment to implement project, and final cost-estimate with a level-of-effort document and construction engineering oversight, if needed, and contingency); provide documentation of completed landowner access agreements. | *September 01, 2025                                                                                                                                       |                                                                                       |
| 7                                                                                                                                                                                             | Submission of complete application (Full Notice of Intent) for coverage under Stormwater General Permit 3-9050 to DEC Stormwater Program           | Completed application, site plans, and engineering feasibility analyses                                                                                                                                                                                                                                                                       | **September 01, 2025                                                                                                                                      |                                                                                       |
| 8                                                                                                                                                                                             | Stormwater Permit obtained                                                                                                                         | Documentation of permit obtained                                                                                                                                                                                                                                                                                                              | *January 01, 2026                                                                                                                                         |                                                                                       |
| 9                                                                                                                                                                                             | Permit documentation                                                                                                                               | Documentation of other required permits secured (if applicable)                                                                                                                                                                                                                                                                               | *January 01, 2026                                                                                                                                         |                                                                                       |
| <b>Part II: Construction</b><br><b>Must complete Part I Deliverables prior to payment for Part II Deliverables</b><br>Cost reimbursements for Part II deliverables Not to Exceed \$206,007.50 |                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                           |                                                                                       |
| 10                                                                                                                                                                                            | RFP for construction of permitted stormwater system issued and contractor selected (if applicable)                                                 | Copy of RFP, signed contract, and statement of reasoning for contractor selection (if applicable)                                                                                                                                                                                                                                             | *January 01, 2026                                                                                                                                         |                                                                                       |
| 11                                                                                                                                                                                            | Implementation update(s); BMP(s) implemented, Clean Water Project Sign installed during construction if the project is considered publicly visible | Interim report(s) (includes summary of work to date, percent progress, construction photos, including Clean Water Project Sign photo, if applicable)                                                                                                                                                                                          | *The first day of each quarter of the calendar year from beginning construction until project completion (Final update due no later than August 31, 2026) | Part II Deliverables NTE \$206,007.50 plus any unspent funds from Part I              |
| 12                                                                                                                                                                                            | Project complete                                                                                                                                   | Final Performance Report using template provided; provide Initial Statement of Compliance (pursuant to authorization under General Permit 3-9050); press release; post-implementation photos; Form 430                                                                                                                                        | *August 31, 2026                                                                                                                                          | \$31,667.50 or a minimum of 10% of total award held until final deliverables received |
|                                                                                                                                                                                               | <b>TOTAL BUDGET AVAILABLE</b>                                                                                                                      | <b>Total</b>                                                                                                                                                                                                                                                                                                                                  | <b>\$316,675.00</b>                                                                                                                                       |                                                                                       |

\*Due dates for these interim deliverables may be able to be extended upon written approval by the State.

\*\*Failure to complete this specific milestone by the indicated due date may result in award cancellation.



## SELECTBOARD MEMORANDUM

**To:** Selectboard  
**From:** Brent Raymond, Town Manager  
**Date:** August 5, 2024  
**Subject:** Consideration of a Special Local Election on November 5, 2024

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### **Background:**

Below is a suggested motion based on items being discussed this evening that require a town wide vote, warnings and notices. The Selectboard will choose which items move forward, if any, to a Special Local Election.

### **Suggested Motion:**

Please indicate in your motion a,b,and c, if any.

**Motion to direct the town manager and the town clerk to prepare a warning and notice for a special town meeting to be held on November 5, 2024, to include:**

- a. Adoption of the proposed charter as presented
- b. Borrowing an amount not to exceed \$200,000, to be financed over a period not to exceed 20 years, to pay for the State's required stormwater infrastructure improvements in the Jersey Heights neighborhood.
- c. Creation of a special tax assessment district in accordance with 24 V.S.A. Chapter 87, §3251 through §3256 to pay for the state's required stormwater infrastructure improvement in the Jersey Heights neighborhood.

### **Attachments:**

None