

Morristown/Morrisville Planning Council

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Meeting Minutes of December 16, 2014

Planning Council Members Present: Andrea Beeman, Paul Griswold (Chair), Etienne Hancock, Yvette Mason, Max Paine, Tom Snipp & Mark Struhsacker

Planning Council Members Absent: None

Staff: Planning Director Todd Thomas

Guests: Terry Hirschak, Tyler Hirschak, Tom Hirschak, Dena Hirschak, Julia Compagnia, John Hollar, Richard Duda, Carol Chanania, Emma Guider, Kim Hanson, Herman Hanson, Joni Lanphear, Marc Cote, Tracy Patnoe, Ernie Patnoe, Ed Wilson, Mary Ann Wilson, Polly McArthur, Charles MacArthur, Joanne Godfrey, Richard Godfrey, Heath Perras, Kirt Perras, Steve Leach, Lorinda Smith, Dennis Smith, Melissa LeBlanc, Scott King and Christy Snipp.

Call to Order: The meeting was called to order in the Community Meeting Room of the Tegu Building at 43 Portland Street at approximately 7:00 P.M.

Discussion: Potential Town Plan & Zoning Updates for Green Mtn Arena Area –

The Hirschak's attorney, John Hollar, provided a PowerPoint presentation of his client's property and plans for the green mountain arena parcels. If the Hirschak auction business was to be allowed to operate on the green mountain arena parcels, it would include the main headquarters of the company and host approximately 25 to 35 auctions per year, with some of those options being online. Attorney Hollar said that the auctions held on the property should be considered an accessory use of the proposed auction business. Attorney Hollar added that there was adequate infrastructure on-site and the property was well suited for an auction business. Chair Griswold spoke to the necessary town plan changes and zoning changes that would be needed to permit an auction facility on the green mountain arena parcels, which is currently zoned Rural Residential Agricultural. Chair Griswold added that if business zoning was to be added in the town outside the village for the green mountain arena parcels that he would like to consider all other requested zoning changes within a potential town plan update. Richard "Buckwheat" Lowe said that he would like his land south of Goeltz Road considered for a zoning change as well. Chair Griswold said that Buckwheat's land was already identified in the town plan as an area where business zoning could be added. Ed Wilson said that he does not like the town plan process and considers it to be un-American. Attorney Hollar said that he had a petition that he would like to submit that would amend the land use chapter as needed to allow an auction business to operate on the green mountain arena parcels. Scott Johnson said that his organization, the Family Center, would like to build a new facility on its land across Bridge Street from the green mountain arena parcels. He said that his organization is looking to partner with Lamoille Housing Partnership to add an affordable housing apartment complex as part of the Family Center's development proposal (to share the infrastructure costs). Amy Walker said that the flyer regarding the green mountain arena zoning issue that was included in *The Transcript* was misleading and contained factual inaccuracies. She asked the Hirschak Family to explain how they

intend to honor the conservation easement that sits on approximately 20 acres of the green mountain arena parcels. Atty. Hollar said that his client will comply with the law regarding the conservation easement. Amy Walker said that the green mountain arena parcels were special and irreplaceable and that due time should be taken before changing the town plan and zoning to convert this property to a warehouse and auction facility. Ed Wilson said that hockey rinks are not viable financially. Chair Griswold said he agreed and no one was considering the arena as a hockey rink anymore. The discussion moved to what could be done with the existing arena building under current zoning if it was no longer to function as an Recreation Facility/Indoor use. Planning Director Thomas stated what uses were allowed in the Rural Residential Agricultural Zone. Mr. Thomas noted that Seasonal Storage is a Conditional Use in this zone which could give some economic utility for the existing building as Mr. Hirschak awaited the outcome of the requested zoning process. Allen Church said that the land that the green mountain arena is located on is unique and irreplaceable and that there are many other places in town where an auction facility could operate and be welcomed. He added that he would like to see this land area preserved for a wildlife sanctuary, especially for birds. After a ten minute recess, Chair Griswold said that he would like to create a list of properties, like the green mountain arena parcels, that should be considered for expansion of business zoning as part of the town plan process. Parcels mentioned as potential hosts for new business zoning expansion, included the green mountain arena parcels, the Family Center parcel across Bridge Street from the arena and the Cote parcel on Park Street. Chair Griswold asked his fellow Council members and the remaining members of the audience to think about what other land areas should be evaluated for inclusion in the town plan as sites for potential business zoning expansion. Terry Hirschak said that she did not understand the timing of the town plan process as she was told that it would not be opened up again until 2018. Mr. Thomas said that the confusion about not being able to open up the Town Plan until 2018 was possibly due to his attempt to convey that he did not think that the Planning Commission was going to be open to another request to reconsider the use of the green mountain parcels after earlier requests have been denied by the Commission and the Selectboard the previous winter. Mr. Thomas added that the Hirschak's subsequent purchase of the green mountain arena parcels and evidence of changing public sentiment may persuade the Planning Council to vote in a different manner. Julia Compagnia asked Mr. Thomas to explain his job title and the difference between a Planning Commission and a Planning Council. Mr. Thomas said that it was a distinction without a difference as the planning function has no real power under Vermont Statutes and that all town plan and zoning changes ultimately rely on Selectboard approval. Member Hancock added that Town Plan changes that involve the Village also have to be approved by the Village Trustees. Chair Griswold closed the discussion by reminding everyone to submit land areas for consideration for expanded business zoning to the Council.

Approve prior meeting minutes – Member Paine moved to approve the December 2nd meeting minutes. A vote of 6 to 0 to 1 affirmed the motion with Member Hancock abstaining.

The meeting adjourned at 9:00 PM – submitted by Todd Thomas, Planning Director