

**MORRISTOWN/MORRISVILLE
PLANNING COMMISSION
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Minutes of November 20, 2001

Members Present: Julia Compagna, Kevin Lane, Bruce Tomlinson, Sam Guy, and Bill Henchey

Members Absent: Kelly Rogers

Guests: Sonny Demars, Marc Cote, Dianne Cote, Sharon Rowell, William Rowell, Arthur Meade, Andi Valcour

The meeting was called to order at 7:05 PM. by Julia Compagna, Chair.

Julia opened the public hearing on use of agricultural structures (i.e., barns) for mini-storage rental units. The hearing was intended to gather input from barn owners. Julia recapped the status of the issue, going back over the past two years. The planning commission was concerned with making changes to permitted or conditional uses which would impact the entire Rural Residential/Agricultural (RRA) zoning district, the town's largest (approx 85% of the town area). The commission had asked the previous zoning administrator to table the issue while additional information was gathered. However, the previous zoning administrator included a provision allowing for mini-storage in barns as a conditional use (Section 426) in the most recent Bylaw revision without the commission or Selectboard's knowledge or consent. That section of the Bylaws has subsequently been rescinded. The commission is now considering whether to adopt such a bylaw and if so, what its provisions should be.

Bill stated that the commission was looking at this issue as one possible way for local farmers to increase their revenues, helping to preserve farm infrastructure in the community. Alternatively, the commission had to consider potential negative impacts, such as increased traffic, noise, etc., such use might cause.

Julia noted that barns are currently permitted to be used for 'seasonal storage' as a conditional use. Commercial mini-storage is authorized in the Commercial and Industrial districts. She had asked other towns and the Vermont League of Cities and Towns if there were any existing laws on this subject and found none. She said an inventory of existing barns in the town had been done; many are located along Route 100 and Stagecoach Road. She stated that if the exterior of the structure remained the same for barns used for mini-storage, that it would not constitute commercial development in the RRA district.

Kevin stated the need to define an "existing agricultural barn", establish signage requirements or restrictions, and identify anticipated traffic usage of customers going to and from mini-storage units. Sonny Demars and Andy Valcour both expressed the view that there would likely be less traffic at a barn mini-storage location than would be the case if it were an active farm and that there would not be large trucks or semi-trailers accessing such storage units. Bill asked if there would be restrictions on operating hours. Sonny Demars replied that commercial mini-storage locations needed to be accessible 24 hours a day 7 days a week.

Sonny Demars opined that mini-storage in barns won't save the family farm, but may in a small way help cover operating expenses. Some financially strapped farmers might chose to subdivide their property, sell off all but the barn, and then let the town take it for non-payment of taxes if they were unable to generate any revenues from it. He said there could be cases where non-farmers owned ag barns which they could put into use as mini-storage units. He also doubted whether there was much commercial potential for barn mini-storage units.

The commission and guests discussed what criteria should apply to barns used for mini-storage. What constitutes an "existing ag barn"? Sam asked whether there should be restrictions on what type of barn could be used. Julia questioned how "agricultural character and appearance" would be maintained. Marc Cote and Sharon Rowell expressed the opinion that the exterior appearance of any such barn would have to be maintained in its current state. Should there be a requirement that the facility have been used as an "active farm barn within the last X years? Does "ag use" lapse after a certain number of years? Bill asked whether the structure needed to be a certain number of years old (to help preserve 'traditional' character). Marc Cote suggested that the criteria could be size, rather than age, recent ag use, or 'traditional' appearance. William Rowell asked whether other types of accessory structures, such as outbuildings or sheds, could be considered for mini-storage units.

Bruce expressed concern that if a barn mini-storage operation failed the owners might seek to put the facility to other commercial uses, making the case that such activity would be a continuation of previously approved commercial development.

Julia stated that any mini-storage bylaw, which might be adopted, would likely be a conditional use. Through the Development Review Board's hearing process, the merits and impacts of each application would be closely scrutinized and concerned parties would have the opportunity to voice any concerns or objections. Sonny suggested that any draft bylaw the commission was considering be put out for public review before the commission votes whether to adopt it.

Sam said it might be possible to define a 'special use' district in certain areas within the RRA district allowing for barn mini-storage while not permitting it in all of the RRA district.

Having noted the consensus of opinions that barn mini-storage would not be a significant factor in preserving existing active farms, Julia asked what other ways might the Planning Commission be able to help farmers continue to actively farm their lands. She mentioned putting land into conservation trusts and the possibility of renting space on tall silos to telecommunications companies. Marc Cote asked about the tax consequences to the town and taxpayers of putting land into conservation trusts as well as how it benefits the landowner. Julia had a handout from the Vermont Land Trust, which spelled out the tax issues (attached); generally, it does reduce the town's tax base.

Bill asked whether it seemed that the public wants to move ahead on this issue. If permitting this type of activity was not going to serve the goal of helping struggling farmers, was it worth it to proceed? Sonny Demars said there appears to be sufficient demand in the local community for additional mini-storage units based on the usage of current units in the Commercial and Industrial districts and the planned development at the WAJA Farm.

Sonny Demars said that available commercial space in those districts has been exhausted and that the Planning Commission might need to look at ways to make more space in the town available for commercial uses. Bill said some land in the Industrial and Commercial districts is currently used for septic systems. Some or all of these lands could be freed up for commercial development if the town sewer system is extended into those areas.

Julia said that the commission could review existing district boundaries and consider changes to add more space for commercial development. This would have to be carefully studied for potential impacts and take into account what areas have the requisite infrastructure to support commercial uses. The next review and revision of the Bylaws is due to begin in January 2002 and this would be the opportunity to examine this issue. She stated that it takes about four months to complete any changes to the Bylaws.

This concluded the public hearing on use of agricultural structures for mini-storage rental units.

The minutes of November 6, 2001 were reviewed. Julia moved and Sam seconded a motion to approve the minutes with a minor typographical change. All were in favor.

The commission reviewed its mail; no action was required.

Sam informed the commission that Bill Bourne had agreed to serve on the commission starting after the first of the year. Bill moved and Sam seconded a motion to recommend Bill Bourne for appointment to the Commission. All were in favor. Julia requested that the Zoning Administrator send Bill a letter welcoming him onto the commission. (The Selectboard formally appointed Bill Bourne at their November 26th meeting).

Julia asked the Zoning Administrator to review what, if any, permits had been issued for the old chicken coops on the former Mac Miller property on Cady Falls Road and advise the commission and Development Review Board if there were any issues to be addressed there.

The next Planning Commission meeting will be on December 4, 2001. The following items are on the agenda:

- Kathleen O'Neill will discuss closer cooperation between the Conservation and the Planning Commissions
- Discuss a draft barn mini-storage bylaw

The joint MPC/DRB/Selectboard meeting scheduled for December 18, 2001 will be postponed to January 15, 2002. The Planning Commission will hold a regular meeting on December 18th.

Julia moved and Sam seconded a motion to adjourn the meeting; the motion was approved unanimously. The meeting was adjourned at 9:00PM.

Respectfully Submitted,

Mark Leonard, recorder

Cc: Town of Morristown Selectboard
Morristown/Morrisville Development Review Board