

**MORRISTOWN/MORRISVILLE
PLANNING COMMISSION
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Minutes of November 17, 2009

Members Present: Bill Henchey, Max Paine, John Meyer, Reeves Larson, Paul Griswold

Members Absent: Andrew Volansky, Lauren Traister

Staff: Mark Leonard (ZA), Bill Rossmassler (LCPC Planner), Heidi Krantz (Community Coordinator)

Guests: Town Administrator Dan Lindley, Brian Shupe (VT Natural Resources Council), Sandy Levine (Conservation Law Foundation) Morristown Conservation Commissioner Steve Rae

Agenda: see attached

Chairman Bill Henchey called the meeting to order at 7:00 pm and introduced the guests. He noted that Town Administrator Dan Lindley had been added to the agenda to discuss staffing issues.

TA Lindley addressed the pending departure of ZA Leonard and proposed to combine the ZA position with the planning functions currently being contracted to LCPC and the Town Health Officer (THO) function. He felt there were efficiencies in having the zoning & planning functions performed by the same person, adding that there might also be some cost savings. He said the THO function is currently performed by the ZA and is on an 'as needed' basis not typically requiring a great deal of time.

Dan said he hoped to advertise for the combined, full-time position immediately, with the objective being having a replacement in place by early January 2010. He asked if he & Community Coordinator Krantz could participate in the Planning Commission's interviews of qualified candidates to help ensure that the eventual nominee is not only the best choice for zoning administrator but also would work well as a part of the town staff.

ZA Leonard explained the duties & desired qualifications for both the ZA and THO positions. He suggested that the PC review all applications at their December 15 meeting and hold a working session the following week (Dec 22) to interview the most qualified applicants so that the PC could make its recommendation to the Select Board before the end of the year. He advised he can remain in his position through mid-January, albeit on a reduced schedule after the first of the year.

Bill H said the PC's goal in this process, besides selecting the most qualified person, was a 'seamless' transition from the current contract planning arrangement with LCPC to the proposed realignment of this function under the new ZA. He did not want to see the PC's work schedule over the next 6-8 months delayed due to this change. Dan replied that the current contract runs through June 2010 and even if the Town opted to terminate it with 90 days' notice, the LCPC planner would likely be available through April as a minimum. Bill agreed to have Dan & Heidi participate in the interviews.

Bill invited Brian Shupe & Sandy Levine to address the Commission. Brian gave a brief presentation on the Smart Growth Collaborative (SGC), explaining that his organization (VT Natural Resources Council) and Sandy's (Conservation Law Foundation) are among a number of groups who comprise the SGC. He highlighted the SGC's membership, purpose, and role in helping communities address growth issues. With regard to the Planning Commission's current review of growth issues along the Route 100 corridor, he said communities have three primary tools to manage growth along highways: zoning, access management, & sewer service. The presentation also highlighted the challenges to adopting smart growth policies.

Reeves asked if 'Smart Growth' really meant no growth. Brian acknowledged this as a valid criticism, but said to him it really means managing growth in a smart way. He said communities in Vermont and around the country are having to re-think the prevailing automobile-centered development patterns in view of an energy-constrained future. Such re-thinking dovetails with the principles of smart growth: denser development in & around town & village centers, with restricted growth in outlying areas.

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Bill asked if retail store size limits can be a tool for smart growth. Brian provided examples of such limits in towns in the Northeast US.

Leon Whitcomb asked who has jurisdiction over access management & permits along Route 100, being a state highway; the state or the town? Brian said the state issues access permits, but can't overrule town zoning in doing so. The state (Agency of Transportation) will usually try to limit new access to the highway, especially when there are multiple non-residential uses at a given location, to prevent traffic & safety problems.

Bill asked how to deal with the varied 'grandfathered' uses along the corridor that may be at odds with efforts to implement smart growth practices. Sandy replied that what may be viewed as bad land use decisions in the past should not justify bad decisions for new development.

Bill said the biggest challenge he sees in adopting smart growth principles is educating the community about those principles and convincing them of the benefits property owners & the community as a whole would derive from doing so. Brian acknowledged this is a big problem, especially when the costs of smart growth development often come long before the benefits are realized and are often borne by the property owner while the benefits accrue to the community. Brian said the SGC can provide technical assistance & education to communities addressing growth issues such as the Route 100 corridor.

John, citing the possible establishment of a new 'growth node' or pocket around the airport, asked if there are smart growth tools, as well as examples of other such areas, for creating a new growth center there. Sandy said one tool is transfer of development rights, although she noted this can often be difficult to accomplish in largely rural Vermont.

Bill, noting the CLF's efforts to oppose development in many high-profile projects around the state, asked if Sandy had heard anything in Morristown's plans that CLF might oppose. She said it seemed the Town, through its Town Plan and new zoning bylaws, was trying to smartly manage growth and did not see any objectionable projects or policies. Brian added that a new growth center around the airport, with compatible uses allowed, would not run afoul of smart growth policies.

Bill asked how the Town might limit the impacts of the planned bypass on surrounding areas and complement the existing village center. Brian said limiting access along the bypass route, focusing zoning along the bypass on through-traffic uses, and limiting or prohibiting strip development along the route would minimize adverse impacts and help preserve businesses in the village center. He added planning for gateways on both ends of the bypass and the center access to the village to steer visitors & consumers to the existing business areas.

Bill R advised that the subject of the next meeting (December 1st) will be a discussion with the Morristown Conservation Commission on the same topics as this evening's discussions.

The ZA advised that the new zoning bylaws were going to the printers and would be posted on the Town & LCPC websites within the next few days. Hard copies would be provided to PC members at the next meeting.

On a motion by Max, seconded by Reeves, minutes of the November 3, 2009 meeting were reviewed and accepted as presented.

The meeting adjourned at 8:55 PM.

Respectfully submitted:
Mark Leonard

Minutes approved on: 12/1/09