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**MORRISTOWN/MORRISVILLE
PLANNING COMMISSION
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Minutes of November 16, 2004

Members Present: Richard Duda, John Meyer, Bruce Tomlinson, Bill Henchy, Sam Guy, Kelly Rogers, Andrew Volansky

Members Absent: none

Guests: Kevin Lane (Conservation Commission), Deanna White & Heather Sargent (Morristown Alliance for Culture & Commerce)

Recorder: Mark Leonard, Zoning Administrator (ZA)

Sam called the meeting to order at 7:05 PM.

Kevin Lane presented a draft of guidelines and criteria for use of the Morristown Conservation Fund (copy attached). The fund was created with a \$0.01 addition to this year's town property tax assessment, approved by the voters at the last Town Meeting. That one-time assessment has produced about \$17,000 for conservation projects. The guidelines and use criteria are to establish how the fund will be used.

Kevin, on behalf of the Conservation Commission, was looking for comments and feedback from the Planning Commission. He reviewed the criteria for identifying and recommending projects to the Select Board for use of the fund. He noted that the proposed guidelines called for a committee that would include one Planning Commission member to review applications.

Planning Commissioners were generally supportive of the proposed guidelines and criteria. Bill suggested that a rating or scoring system be created to rank-order applications to the fund. He asked if any other fund-raising options had been explored; Kevin replied that none had been to date. Bill said that he thought the town would likely be more supportive of the Conservation Commission's objectives to preserve land if they avoided a funding mechanism that continued to rely on property tax revenues. He also suggested the Conservation Commission develop a list of potential projects that they might want to submit for the fund.

John asked of the project review board would have permanent members or would draw on people from the identified contributing boards on an ad hoc basis. Kevin said that the committee would likely be formed on an 'as-needed' basis with individuals volunteering based on their interest in the proposed application. He did not anticipate a large number of applications, noting that \$17,000 doesn't go very far in acquiring land or development rights.

Kevin said he appreciated the comments and suggestions and would incorporate them in the draft proposal.

Deanna White and Heather Sargent presented the MACC's idea about installing civic promotion banners on utility poles in the village and in the north end commercial district. The Water & Light Department has agreed to allow the banners on their poles and would install them. The idea is to promote Morristown as a business, cultural, and shopping destination. Local businesses would pay for each banner (about \$300 each) and would be able to have a small logo or name of their business at the bottom of the banner. Profits from sale of the banners would go to MACC for its community improvement projects.

Deanna and Heather were seeking the Commission's views on whether these banners would be considered signs and if so, could they be allowed under the sign bylaws. They noted that for the area within the designated Downtown, state rules allow such banners, but it's unclear if they would be allowed outside that area. The ZA, with several commissioners concurring, felt that with the inclusion of any business name or logo, they would constitute signs under the zoning bylaw definition) and would not be allowed as they would be off-premises advertising (see section 475.8).

Planning Commission members felt that the idea was good, but that as things stood now the banners, with business names or logos, could not be permitted. If the Planning Commission wished to allow these banners, either the off-premises restrictions or sign exemptions (section 479) would have to be amended. The ZA explained the bylaw amendment process and timeline.

The ZA followed this discussion with a broader discussion of what the bylaws currently allow for signs and how many businesses are not in compliance. The sign bylaws (section 470) are fairly restrictive, presumably to balance the needs of businesses to advertise with a general public desire to prevent the over-commercialization of both the village downtown district and the commercial and retail centers on the north side of town. Of particular concern are illuminated signs and temporary or portable signs (such as 'sandwich boards' and other types of removable signs).

The bylaws (section 476) state "signs may be illuminated only during those hours that the business being advertised is open for business in the Central Business and Neighborhood Commercial districts (along Main Street, Portland Street, and Brooklyn Street up to Harrel Street) not later than 8:00 PM in all other districts." A drive through town on any evening shows that many businesses are not complying with this restriction, quite possibly being unaware of it. The ZA could start enforcing this bylaw, but it would have to be done uniformly with all businesses. Taking this action would likely provoke a negative response from business owners. Alternatively, the PC could consider revising the existing restrictions.

As regards temporary or portable signs, these seem to be proliferating, do not have permits, and are often in excess of the signage allowable for the business. Like the lighting issues, the ZA could start cracking down on this (to discourage other businesses who may be inclined to add these types of signs after seeing no action to remove the ones that have appeared), but it would have to be done in a uniform manner for all businesses.

The members agreed the issue should be addressed. They asked the ZA to investigate how other towns are handling these issues and to schedule public hearings on the subject. They requested that business owners be contacted to advise them of these hearings so that they could have informed input on any potential changes. The ZA said that these hearings could be incorporated into the bylaw amendment process to begin in the new year.

The ZA advised the members that the Select Board and Village Trustees had tabled their discussions on establishing a Town Sewer Service Agreement. Both bodies lauded the Planning Commission's work to define potential town sewer service areas, but disagree over the need for a new process and what that process should be.

The ZA relayed a request from Community Coordinator Heidi Krantz for the Planning Commission to pay for Christmas decorations at the Village gazebo, as has been past practice. On a motion by Sam, seconded by Bruce, the Commission unanimously approved the expenditure of up to \$100 from the Planning Commission budget for this purpose.

Bruce asked the ZA to check on several modular home components observed on the Cole property on Morristown Corners Road. (ZA note: Mr Cole has since come in and obtained a zoning permit to erect one modular home where he formerly had a barn with apartment; disposition of the second home is undetermined at this time.)

The meeting adjourned at 8:40 PM.

Respectfully submitted,

Mark Leonard, recorder

Minutes approved on: 12/21/04 BT/RD