

Morristown/Morrisville Planning Council
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Meeting Minutes of Tuesday 9 November 2021

Council Members present: Steven Foster, Joshua Goldstein , Etienne Hancock (Chair), Tom Snipp, and Allen Van Anda

Council Members absent:

Guests present: Attorney James Mahoney, Darlene Lumbra, Dale & Pam Allen, Marc Cote, Barb & Richard Haskins, Christopher Mercia, Mary Ann & Ed Wilson, Cynthia Lyon-Hill, Alan Audet, Hazel & Gordon Bowen, Larry Foster, Mark Hill, Pat McCuen, Sheun Poon, Mary Ann & Ed Wilson, Jamie Brewster, and Charles Burnham

Staff: Planning Director Todd Thomas

Call to Order: Chair Hancock called the meeting to order in the Community Room of the Old Tegu Theatre at approximately 5:00 P.M. Member Van Anda moved to add a discussion of the September 28th Planning Council meeting minutes to the agenda. The Board agreed by consensus, and added said topic to the end of the meeting agenda.

Prior meeting minutes – Member Foster moved to approve the October 26th meeting minutes. A vote of 4-0 affirmed the motion, with Member Van Anda abstaining.

Discuss: Neighbor meeting for IND#2 (Houle Ave east) – The Council met with invited property owners who could be impacted by a potential zoning change for the IND#2 area (Houle Ave East to the intersection of Harrel Street & VT Route 15 E). Certain businesses in this area, including Sunrise Development and Mary Ann & Ed Wilson expressed concern or opposition to the potential zoning change. Residential property owners in this area wondered if a mixed-use zone could be appropriate. Planning Director Thomas said that mixed-use zones are generally not recommended with residential and industrial uses, as they are widely believed to be incompatible. Attorney Mahoney, representing Sunrise Development of 559 Harrel, Street agreed. Upon a question from Cynthia Lyon-Hill, Mr. Thomas explained that the current industrial zoning prevented him for approving a single new house anywhere in this zone. The neighbors, the Council, and Mr. Thomas worked through different variations for splitting this area between Low Density Residential Zone and the current Industrial Zone. The first zoning change iteration of all residential was rejected, but the second zoning change iteration, with both sides of Houle Ave becoming residential (potentially minus LWI Metal Works), along with the south side of Harrel Street, with the remaining area staying zoned industrial was reasonably well received. The Council said it would continue the discussion of this zoning change iteration at its December 14th meeting.

Discuss: Duhamel Gravel Pit letter request – Jamie Brewster reappeared before the Planning Council requesting that a letter be drafted to the Selectboard regarding the description of the Duhamel Gravel Pit in the Town Plan. Specifically, Mr. Brewster submitted a proposed letter dated November 9th (which is included as page 3 of these minutes). Mr. Brewster also submitted a his historical recount of the permitting for the Duhamel property (which is included as page 4 of these minutes). Chair Hancock said

that he researched the 1991 Town Meeting vote in old editions of the *News & Citizen* in an attempt to better understand the intent behind the purchase of the Duhamel property, but he could not find any reference to recreational use of the property. Mr. Brewster said that reclaimed areas of the Town's Duhamel gravel pit should not be counted towards the preserved open space area. Member Foster disagreed that reclaimed areas in gravel pits cannot be considered part of the dedicated open space, and cited Section 510 of the Zoning Bylaw that specifically allows for such. Mr. Thomas introduced Charles Burnham who worked on the Town's original Act 250 application for the Duhamel gravel pit. Mr. Burnham said that the word recreation was never mentioned as part of the Town's intent to buy the Duhamel property, nor was the word included in the Town's original permit application to Act 250. He emphasized that the property was purchased solely for the gravel resource, and added that the word recreation was first introduced by the Act 250 permit for the property. Member Foster thanked Mr. Burnham, and said that the existing Town Plan language apparently does match the intent of the Duhamel property purchase. Accordingly, the Council, by consensus, decided not to send the letter to the Selectboard and Trustees as drafted and requested by Mr. Brewster.

Discuss: Morrisville/Morristown 2020-2030 Town Plan comments – Planning Director Thomas reminded Council Members of the upcoming November 15th (Selectboard) and November 17th (Village Trustee) warned public hearings on the proposed Town Plan. Mr. Thomas noted that he had received additional Town Plan language change requests in recent days. In regards to Mr. Burnham's comments about protecting gravel deposits, the Board agreed that the 3 year sunset limitation for unused gravel pits in the Town Plan, if such language was problematic, could be replaced by language encouraging industry standard best practice performance standards.

Discuss (agenda addendum): September 28th meeting minutes – Member Van Anda said that he was displeased that the minutes of the September 28th meeting were modified at the last Council meeting to remove his remarks about Village Trustee Bob Heanue. He therefore moved to "name" Trustee Bob Heanue for his hostile, contentious, and intimidating behavior toward the Planning Council at the September 28, 2021 Planning Council Meeting. The motion did not receive a second, and a motion to adjourn was approved instead.

The meeting adjourned at 7:10 PM, submitted by Todd Thomas, Planning Director