

Morristown/Morrisville Planning Council
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Meeting Minutes of Tuesday 28 September 2021

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

Council Members absent:

Guests present: Development Review Board (DRB) Member Laura Streets, Marci Young, Dan McLaughlin, Pat McCuen, and Conservation Commission Members Ron Stancliff, Jenifer Andrews, Kristen Connolly, Jim Pease, and Jessica Zehngut

Staff: Planning Director Todd Thomas

Call to Order: Chair Hancock called the meeting to order under the large white tent adjacent to the Copley Country Club Clubhouse at approximately 5:00 P.M.

Prior meeting minutes – Member Foster moved to approve the September 14th meeting minutes. A vote of 5-0 affirmed the motion.

Continued Public Hearing: 2020-2030 Town Plan comments – Mr. Thomas presented the Council with a draft Town Plan that included language suggested language deletions that came out of a Selectboard and Village Trustees joint Town Plan working group meeting. Member Van Anda said that this working group meeting was not publicly warned, and he did not agree with the proposed Town Plan language deletions for many reasons, including the deletions not being done as part of a public process. He asked that the strike-through used to designate the proposed Town Plan language deletions be removed (effectively putting the deleted language back into the plan). Development Review Board Member Laura Streets asked Member Snipp to clarify which hat he was wearing at this meeting, since he is both a Village Trustee, and a member of the Planning Council. Member Snipp said he was seated at the table as a member of the Planning Council, and that he planned to make the same votes on the plan in both of his roles. He added that he would recuse himself from a potential vote if a conflict presented itself. Member Van Anda said that he is opposed to the steep slope language being deleted from the Town Plan. Conservation Commission Member Jessica Zehngut agreed. Conservation Commission Member Kristen Connolly said that the steep slope language in the plan was not the most recent draft of said language. Planning Director Thomas said he would look into this and ensure that the language in the plan matched the companion proposed zoning for steep slopes. Member Foster moved to forward the Town Plan to the Village Trustees and Selectboard (per 24 VSA Section 4384(f)) provided that the new strike-throughs are deleted, and the steep slope language is made up-to-date. A vote of 5-0 affirmed the motion.

Discuss: Zone boundary changes for centerline and DRB split decisions – Mr. Thomas presented proposed improvements to the Zoning Bylaw's §201 Boundary Interpretation language, as requested at the previous Planning Council meeting. He explained that the proposed revision provided a clear decision-making hierarchy when the DRB has to determine the zoning for a property that is located in multiple zones. The

Council asked Mr. Thomas to add the word “existing” before the word “road” in §201.1, and rework Section 201.4 after Conservation Commission Stancliff questioned if this section about the town line dividing a property was even needed.

Discuss: Tesla mega-pack battery storage at 1380 LaPorte Road – Mr. Thomas noted that Member Goldstein asked for a discussion of the Tesla mega-pack battery proposed at 1380 LaPorte Road. The Council decided, by consensus, to ask for full screening of the new battery installation, which is similar to how a ground mounted solar array would be treated. Mr. Thomas said that he would write a letter to the Public Utility Commission noting the request for full screening of the battery installation in all seasons, that the new landscaping be maintained, and noting that this section of Route 100 is a designated scenic byway.

Discuss: IND vs Com Zone at 540 VT Route 15 East – Pat McCuen appeared before the Council regarding the zoning of her property at 540 VT Route 15 East. Ms. McCuen explained how the Industrial Zoning of her property did not allow retail uses, and that she would like to introduce retail sales at her location to help her business survive (especially since retail sales were allowed directly across the VT Route 15E at Leo’s Small Engines). Mr. Thomas recommend that the Council reverse the zoning of a portion of the IND #2 Zone, so Houle Ave, east to the intersection of VT Route 15E and Harrel Street, became residential again.. He explained that such a change would make the 5 parcels actually used as industrially therein become grandfathered (pre-existing non-conforming), which would also make the 28 existing residential properties in this area move from non-conforming to conforming. Chair Hancock moved to add any needed language to the Town Plan that supported such a zoning change. A vote of 5-0 affirmed the motion. Member Foster moved to reconsider the previously approved moved to forward the Town Plan to the Village Trustees and Selectboard (per 24 VSA Section 4384(f)). A vote of 5-0 affirmed the motion. Member Foster moved to forward the Town Plan to the Village Trustees and Selectboard (per 24 VSA Section 4384(f)) provided that the use of strike-through therein is deleted, the steep slope language is made up-to-date, and the IND #2 Zone change from Houle Ave east to the intersection of VT Route 15E and Harrel Street was included therein. A vote of 5-0 affirmed the motion.

The meeting adjourned at 7:15 PM, submitted by Todd Thomas, Planning Director