

Morristown/Morrisville Planning Council
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Meeting Minutes of Tuesday 14 September 2021

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

Council Members absent:

Guests present: Selectboard Member Bob Beeman, Andrea Beeman, Community Development Coordinator Tricia Follert, Development Review Board (DRB) Member Laura Streets, and Village Trustee Bob Heanue

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 Snipp moved to approve the August 10th meeting minutes. A vote of 4-0 affirmed the motion. Member Goldstein called into the meeting just after this vote.

Discuss: New regulation to ban private property food trucks and mobile vendors? – Planning Director Thomas reminded the Council that Selectboard Member Brian Kellogg had previously asking for zoning changes that banned mobile vendors, including food trucks, that do not have an existing brick-and-mortar presence in the town. Mr. Thomas referenced the research contained in the meeting packet that he was asked to compile regarding how surrounding, and peer, communities regulate mobile vendors, including food trucks. Community Development Coordinator Tricia Follert, and DRB Member Laura Streets, spoke out against any proposed regulations for private property food trucks and mobile vendors. Ms. Follert explained that one of these food truck operators may be downtown Morrisville's next restaurateur. Ms. Streets said that in her event coordinator experience, food trucks draw in customers, who also spend money at other businesses while in the area. Village Trustee Bob Heanue asked about the cost of annual iterant vendor permits for food trucks, versus the cost of a zoning permit for a brick-and-mortar restaurant. Member Foster moved to take no action on proposed regulations for private property food trucks and mobile vendors. A vote of 5-0 affirmed the motion.

Continued Public Hearing: 2020-2030 Town Plan comments – Mr. Thomas presented the Council with a package that contained excerpts from the Town Plan that he thought would be discussed in greater detail by the Selectboard and Village Trustees as their upcoming annual joint meeting. Village Trustee Bob Heanue, and Selectboard Member Bob Beeman, queried, and debated, certain topics in the proposed Town Plan with the Planning Council. The Council agreed to a few tweaks to the presented town plan, including language that tempered support for Clark Park, deleted support for Red Tree Lane access to the Town's Duhamel Gravel Pit, clarified the Village owned Bugbee Springs parcel will have to be purchased (and not donated), added support for reconfiguring the intersection of Routes 12, 15A, and Copley Ave, and deleted language

about coordinating large capital expenses proposed by the Selectboard, Village Trustees, and School Board. Mr. Thomas said he would make these changes as directed, and send out a revised Town Plan draft in the coming days.

Discuss: Mixed use on non-Rte. 12 section of Upper Main Street – The discussion resumed regarding Graham Mink’s request to delete the ground floor commercial requirement (§207e of the Zoning Bylaws) for the non-Route 12 section of Upper Main Street (between the Green Dragon restaurant and the War Memorial). Member Van Anda said that this zoning change was not needed, as a simple DRB waiver could currently be granted to delete the ground floor commercial space requirement in this area. Member Goldstein moved to take no action on the request to delete the ground floor commercial requirement on the non-Route 12 section of Upper Main Street. The motion was affirmed by a vote of 5-0.

Discuss: Zone boundary changes for centerline and DRB split decisions – The Council discussed zoning boundary changes that resulted from recent DRB split zone decisions per §201.3 of the Zoning Bylaws. It was noted that the Conservation Commission has been very active in protesting this section of the Zoning Bylaws lately. Member Goldstein moved to take no action towards changing the Zoning Bylaw’s §201 Boundary Interpretation language, as he said he trusted the DRB to do what is in the town’s best interest in these circumstances. Members Hancock and Van Anda disagreed. Chair Hancock added that he was not concerned with how a split zone may create an additional house lot on Silver Ridge Road, but he did care about how such a split zone determination could forever change something like the 4.2 acre Wilder property located at 46 Howard Street. Member Hancock offered that the village could maybe be treated differently than the Town in these split zone instances, and that acreage thresholds could also be established as part of any zoning change with how split zones were treated. Mr. Thomas said he would work on, and propose, improvements to the §201 Boundary Interpretation language for the next Council meeting.

Discuss: IND vs Com Zone at 540 VT Route 15 West – Mr. Thomas said that he had been in contact with Pat McCuen about her property at 540 VT Route 15 West. Mr. Thomas explained that he denied a marijuana dispensary at this location, which scuttled Ms. McCuen’s proposed sale of her building. He added that Ms. McCuen was not in favor of a marijuana dispensary, but she was also not in favor of how the Industrial Zoning of her property did not allow retail uses (when retail sales were allowed across the VT Route 15W at Leo’s Small Engines). Council Members discussed this issue and decided not to make any changes at this juncture between the COM Zone, which allowed retail, and the IND Zone, that did not allow retail. There Council agreed by consensus that it should revisit the IND Zoning of Houle Ave (and east to the intersection of VT Route 15W and Harrel Street) after the Town Plan approval process, and the following Zoning Bylaws update is finished later this winter.

The meeting adjourned at 7:00 PM, submitted by Todd Thomas, Planning Director