

**MORRISTOWN/MORRISVILLE
PLANNING COMMISSION
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Minutes of September 7, 2010

Members Present: Bill Henchey, John Meyer, Max Paine, Reeves Larson, Lauren Traister & Andrew Volansky.

Members Absent: Paul Griswold

Staff: Todd Thomas (ZA), Bill Rossmassler (LCPC)

Guests: Public hearing sign-in sheet attached

Call to Order – Chair Henchey called the meeting to order at 7:00 PM.

§1130 Lower Village Gateway Commercial District Boundary – The Commission discussed the proposed boundary expansion of the district and agreed that it should expand across the street. Member Paine said that he did not want the corner lot on Jersey Way and Laporte Road included in the district. Member Volansky disagreed because the lot behind this property was already commercial and he believed that both lots should be treated as a package deal. Member Meyer and Member Larson agreed. The Commission then discussed Lance Lamb's property and decided that it should also remain in the proposed district. Member Volansky abstained from this part of the discussion. Resident Robert Budliger also agreed that this lot should be made commercial. The Commission unanimously decided to move forward with the district boundary as proposed.

§265 Lower Village Gateway Commercial District – ZA Thomas proposed some minor changes to the Conditional Uses in the district. Member Traister said that she only wanted full-service / table-top dining in the district, and did not want to see drive-in restaurants or fast food chains. The ZA said that such a restriction would likely require a change in the existing definition for "Restaurant" by excluding the definition of "Drive-In Restaurant or Refreshment Stand" there from. The ZA proposed making this minor change as part of the current zoning proposal. Chair Henchey and the Commission agreed, but said that clarifying where "Restaurant" and "Drive-In Restaurant or Refreshment Stand" is a Permitted / Conditional Use should be a top zoning change priority, as existing drive-in restaurants in Town would be made non-conforming by the change. ZA Thomas agreed to make it a top priority. The Commission directed the ZA to make two other corrections to redundant Conditional Use allowances and then unanimously agreed to move forward with the bylaw as revised.

§1140 Airport Business District Boundary – The Commission unanimously decided to

move forward with the district boundary as proposed.

§270 Airport Business District – The Commission reviewed the ZA's proposed Conditional Use corrections and found them to be acceptable. Resident Robert Budliger said that the airport was not the economic engine that the Commission and Bill Rossmassler advertised as such during the August 17th public hearing. The Commission then discussed the district's proposed setbacks. It was decided to reduce the larger front setback proposed along the west side VT Route 100 to match the front setback proposed on the east side of the road. No changes were made to any other setback requirements. The Commission unanimously decided to move forward with the bylaw as revised.

§345 Protection of Prime Agricultural Soils (PAS) within the Sewer Service Market Area – The Commission unanimously decided to move forward with the bylaw as proposed.

§470 Signs – ZA Thomas said that the small post-warning change to §475.7 of the Sign Bylaw was very important to the operability of the bylaw going forward. The Commission agreed to include this minor change with the other proposed changes to the sign bylaw. The Commission unanimously decided to move forward with the bylaw as revised.

Selectboard VCORD Community Visit Support Letter – The Commission reviewed and approved the draft letter to the Vermont Council on Rural Development supporting the Selectboard's request for a Community Visit.

MWL letter to District Commission #5 & PC Sewer Ordinance Discussion – Bill Rossmassler told the Commission that he became concerned after reading the new Sewer Policy that appeared to give the Village Trustees sole authority to expand sewer service outside the designated Sewer Service Market Area. Chair Henchey agreed that the concern was founded and suggested writing a letter to Craig Myotte asking that section 7C of the policy be amended. The ZA was instructed to draft this letter with the provision that if section 7C is not changed before VT District Commission #5 ruled on permit amendment request #5L0059-4, he would contact Ed Stanak directly to express the Commission's concerns. Mr. Rossmassler suggested prescriptive process wording be added to section 7C that guaranteed the Planning Commission a role in any sewer expansion decisions. The Commission agreed that it should be part of any planning process to extend sewer service outside the designated Sewer Service Market Area. The ZA received permission to try to work out this issue in the morning with Town Administrator Lindley and Craig Myotte of Morrisville Water and Light.

Approve Prior Meeting Minutes – Upon a motion by Member Paine, the minutes of the August 17, 2010 meeting were accepted as presented. The motion was affirmed by a vote of 6-0.

The meeting adjourned at 8:55 PM.

Respectfully submitted: Todd Thomas, ZA