

Morristown/Morrisville Planning Council
PO Box 748 / Morrisville, VT 05661
Phone (802) 888-6373

Meeting Minutes of Tuesday 23 August 2022

Council Members present: Joshua Goldstein, Etienne Hancock (Chair), John Meyer, and Tom Snipp

Council Members absent: Steven Foster

Guests: Tim Magee, Selectboard Member Judy Bickford, Development Review Board Member Christy Snipp, Conservation Commission Co-Chairs Ron Stancliff & Kristen Connelly, Engineer Tyler Mumley, Jessica Dambach, David Heller, Bob Bortree, Tom Cloutier, Graham Mink, Luke Aupperlee, Kristin Marriott, Henry Hamel, Ben Miller, Mary Lou Nichols, Jim Lovinsky, Gary Briggs, and approximately 30 other members of the public that did not speak at the meeting.

Staff: Planning Director Todd Thomas

Call to Order: Chair Hancock called the meeting to order under the tent adjacent to the clubhouse at Copley Country Club at approximately 6:00 P.M.

Discuss: Lamoille County Star Gazers light pollution proposal – Planning Director Thomas submitted proposed lighting related zoning changes for review. The Council Members, by consensus, agreed to include these written zoning changes (originally suggested by the Lamoille County Stargazers) as part of the coming 2022 zoning change.

Discuss: §207 Historic Preservation zoning changes – Mr. Thomas explained that he recently worked with Chair Hancock to rewrite several sections of the Section 207 Historic Preservation zoning change proposal as a result of community feedback, and concerns expressed by the Village Trustees at their August 3rd meeting. As a result, Section 207 as it regulates commercial and multi-family properties in the Central Business Zone, and in the Brooklyn Street Section of the High Density Residential (HDR) Zone, was revised as follows:

1. Jersey Heights was completely removed as a regulated area from Section 207.
2. All new residential dwelling units in the to-be HDR zone must have a private front door that exits on ground-level, which encourages the existing townhouse style development in this neighborhood to be mimicked by new development (instead of larger apartment buildings with interior access hallways).
3. All new residential units in the CB Zone and Brooklyn Street must be provided with common deck (sized for all residents at any one-time) or a private patio or private deck for each individual unit.
4. Replacement windows that do not meet the Section 207.3(o) criteria have been allowed, and window mounted air conditioners facing the road are now prohibited.
5. In Section 207.4, the specific historic buildings were called out by Contributing Structure Number in the 1983 Historic District that will need to be replaced in-kind in terms of front façade and 30 feet of lot depth if they are razed or consumed by fire. Previously, the language just called for commercial buildings to be preserved, and allowed single family homes and accessory buildings to be

demolished in this area. Mr. Thomas said that he thought the previous language allowed for too much discretion, and the new language is precise. He explained that the building forms that would be protected by Section 207.4 are identified by Contributing Structures number on page 11 of the meeting package.

Council Members discussed these proposals. Mr. Thomas was instructed to move the new non-architectural requirements out of Section 207 and into Section 206 (Design Criteria) on the Zoning Bylaws. Via a comment from Graham Mink, Mr. Thomas was also asked to rewrite the new requirement for exterior deck access for new multi-family developments. Henry Hamel pointed out that the new draft of Section 207 was missing window trim requirements. Mr. Thomas said that this was an omission and he would correct that. Jim Lovinsky spoke to the State historical requirements that he needs to meet when he develops a new multi-family building for Lamoille Housing Partnership. Mr. Thomas said that would edit Section 207 per the evening's discussion and warn the new draft as part of the September 27th zoning change public hearing, which would take place at 5:00 PM under the tent at Copley Country Club.

Discuss: Proposed zoning changes for 2022 – Mr. Thomas went through all of the zoning bylaw changes proposed for the 2022 update. These changes were as follows:

- §201 Add detail to and edit boundary line description language
- §204.4 Clarify maximum waiver applicability language
- §204.5a Revise “use matrix” to clarify Special Industry use & Site Plan Approval for large projects
- §204.5b Edit dimensional table and notes for lower Brooklyn Street (west) zoning change
- §206 Add exterior access, outside space, flat roof, & lighting requirements to Design Criteria
- §207 Major additions to historic preservation criteria & protect many contributing historic buildings
- §340 Add new steep slope protections and make other edits to local environmental resource areas
- §402.1 Revise permit expiration language to give ZA discretion on renewals
- §405 End harsher zoning treatment of corner lots, and clarify waiver allowance
- §415 Remove measurement of yard area from 25% Home Business allowance
- §422 Allow ZA to approve new lots accessed by 20' right-of-ways & minor edits to DRB approvals
- §470 Edits to sign bylaw to account for content neutrality legal requirements, dark-sky lighting, etc.
- §482 Modify new Conditional Use requirement for Class 4 roads to allow for in-fill development
- §484 Edit special gas station rules to clarify front setback requirement
- §485 Very minor edit changing “district” reference to more modern zone where allowed language
- §488 Revise rules for RV/camper parking, their use as a Primitive Camp & use during construction
- §490 Revise lighting rules to better comply with dark-sky initiatives
- §500 Revise Site Plan Requirement for new compost rules & require multi-family cluster mailboxes
- §503 Make very minor change to modernize condition of approval language
- §510 Make various changes to conservation subdivision bylaw, delete density bonus, require lotting
- §610 Minor language change to reflect joint appointment of Development Review Board
- §612 Match State statute for public warning periods
- §620 Correct zoning bylaw cite for severability
- §710 Change minor subdivision definition so only 1 new lot can be created at a time (instead of 2)
- §720-760 Make minor revisions and improvements to subdivision approval process
- §810 Add Town Plan compliance subdivision standard
- §820.4 Offer more site specific diameter guidance for cul-de-sac sizing & give DRB flexibility

- §820.5 Codify existing process for the naming of new subdivision roads
- §900 Definitions: revise definition for Fence, Recreational Vehicle, Short-Term Housing, and Special Industry, Storage Trailer, / add Primitive Camp & delete Preliminary Plat definitions
- §1000 Zone boundary changes for Sewer Service Management Area, Central Business, Commercial, Industrial, High Density (Brooklyn St.), Medium Density, & Low Density Residential.

Mr. Thomas explained that the altered zoning change language for the HDR Section of Brooklyn Street originated from the Brooklyn Heights condo association. He said this change moved the Wickart apartment building at 41 Brooklyn Street into the Central Business Zone, which allowed for a less dense 4,000 ft² of land area per unit in the rest of the HDR Section of Brooklyn Street (west side only). The Council received various public comments regarding the proposed zoning changes from Selectboard Member Judy Bickford, Development Review Board Member Christy Snipp, Conservation Commission Co-Chairs Ron Stancliff & Kristen Connelly, Tim Magee, David Heller, Ben Miller, Graham Mink, Engineer Tyler Mumley, Luke Aupperlee, Kristin Marriott, Tom Cloutier, Jessica Dambach, Henry Hamel, Mary Lou Nichols, Jim Lovinsky, and Bob Bortree. As a result of these comments, changes were made to the proposed wording for new steep slope rules (eliminating slope regulations on driveways and utilities), how permits could be renewed when the approved project was not completed within the allotted 2 years, and the Development Review Board was given more discretion regarding not requiring cul-de-sacs. Gary Briggs said that he did not like the newly proposed 8 feet minimum front setback required on Brooklyn Street (measured from the outside edge of the sidewalk). He said he wanted larger 30-50 foot front setbacks measured from the edge of the road on Brooklyn Street. Member Goldstein responded that these existing front yards were more appropriate for housing, especially in a village area located between downtown Morrisville and Uptown Morristown. Member Goldstein added that he is a fan of moving buildings closer to the road, especially for traffic calming. He said that the proposed massing for village/downtown areas is completely in line with urban planning, and as housing growth continues up Brooklyn Street, new development being located closer to the road will not only be appropriate, but beneficial. Mr. Thomas explained how the zoning change process and timeline for the benefit of the audience, and said that these zoning changes would be have their first public hearing at the September 27th Planning Council meeting, which would begin at 5:00 PM and be held under the tent at Copley Country Club.

Prior meeting minutes – Approval of the prior meeting minutes were tabled due to Member Foster’s absence.

The meeting adjourned at 8:40 PM, submitted by Todd Thomas, Planning Director