

MORRISTOWN/MORRISVILLE
PLANNING COMMISSION
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Minutes of August 9, 2011

Members Present: Paul Griswold, Bill Henchey (Chair), John Meyer & Max Paine

Members Absent: Andrew Volansky, Reeves Larson & Lauren Traister

Staff: Todd Thomas, Zoning Administrator & Planner

Guests: Village Trustees Dana Wilde and Ed Debor. Residents Chapman Smith, John Belt, an unnamed resident of Fairwood Parkway, Kathy and Steve Demars

Call to Order: Chair Henchey called the meeting to order at 7:00 P.M.

Public Hearing: Proposed Amendments to the Zoning & Subdivision Bylaws for:

- a. Revise §346.4 Waiver of Developable Density Restriction – to remove the waiver for fee allowance, as said provision is not supported by statute.
- b. Revise §1120 Sewer Service – to add additional land to the defined Sewer Service Market Area (SSMA) §1120 boundary description. Proposed land being added to the SSMA includes the “Sugarwoods Parcel” (owned by Sugar Woods LLC) and the Demars Road subdivision (various owners). Parcels included within these aforementioned areas include all or portions of lots 08-007, 08-008, 08-009, 08-010, 08-011, 08-013, 08-014, 08-015, 08-016, 08-017-1, 08-023, 08-023-1, 08-023-2, 08-023-3, 08-023-4, 08-023-5, 08-023-6, 08-023-7 & 08-023-8.

ZA Thomas introduced the material for the scheduled warned public hearing. The proposed zoning changes, as listed above, were explained as being derived from the Village Trustees request to close out the conditions on the ACT 250 sewer plant permit and the recent request to add Demars Road to the Sewer Service Management Area (SSMA). ZA Thomas added that the Demars Road request was given genesis by a failing septic system on John Belt’s parcel, the soils of which lacked the capacity to house a replacement septic system. ZA Thomas explained that the warned zoning update also added the Sugarwoods parcel within the defined SSMA, as this parcel was recently determined to be inside the Village limits. Chair Henchey asked Dana Wildes and Ed Debor, the two Village Trustees in attendance, if the sewer plant had enough capacity to service Demars Road and a developed Sugarwoods parcel. Mr. Wildes said that sewer plant capacity was not an issue. Mr. Debor said that there was enough capacity to serve 30 years of growth. Chair Henchey said that he would like to hear from District Commission 5 regarding the previously requested permit relief request before approving the proposed SSMA expansion. Mr. Wildes said that there was ample time for the two approvals not to conflict and that any sewer line expansion would likely not be built until the spring at this juncture. ZA Thomas pointed out that the two legislative bodies had up to 120 days to approve the SSMA zoning change after the Planning Commission votes to approve it. It was decided by consensus that a vote would take place on the warned

zoning changes at the Commission's next regular meeting. ZA Thomas added that the warned zoning changes also included the previously discussed Prime Ag Soil Bylaw fix that eliminated the unlawful waiver for fee language.

Discussion: Potential Zoning Change for Sugarwoods Parcel – ZA Thomas said that any discussion of potential zoning changes for the Sugarwoods parcel were informal in nature and not included within the warned zoning hearing. He added that the zoning of this parcel should be reviewed due to the recent correction to the Village Boundary Line. Dan Wildes said that his Sugarwoods parcel, due to the error in the Village Boundary Line, was split between MDR and RRA zoning. He added that the MDR zoning was too dense for his proposed development, but the RRA was too restrictive. He said that he would be fine with the entire parcel being zoned LDR. Chair Henchey asked if Demars Road could handle all the traffic that would be generated by the development of the Sugarwoods parcel. Mr. Wildes said that the development was already permitted, but that a zoning change would allow him to revise his plans, possibly to include an assisted living center for senior citizens. Member Paine asked if there was sufficient water pressure for the development. Mr. Wildes responded that the water pressure met state standards. An unnamed resident of Fairwood Parkway said that he was concerned about the impacts and traffic from the development of the Sugarwoods parcel.

Discussion: Scheduling Next MPC Meeting – Commission Members decided to resume the regular meeting schedule, with the next meeting to take place on August 16th.

Discussion: ConComm Letter, Prime Ag Soil Zoning – The Commission reviewed an email from Steve Rae on behalf of the Conservation Commission. The letter asked the Planning Commission to readdress zoning to protect prime ag soil in the existing zoning bylaw. The Commission debated the request and decided to reevaluate the existing prime ag zoning as requested. The Commission decided that this was not a high priority zoning change, but that it should be placed in a reasonably prominent position on the "Working Zoning Change List." The Commission instructed ZA Thomas to update Mr. Rae regarding the aforementioned discussion.

Approve prior meeting minutes – Approval of the June 7, 2011 meeting minutes was tabled until a future Commission meeting. Upon a motion made by Member Griswold, the June 21 meeting minutes were accepted as presented. The motion was affirmed by a vote of 4-0.

Respectfully submitted: Todd Thomas