

Morristown/Morrisville Planning Council
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Meeting Minutes of Tuesday 27 July 2021

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

Council Members absent: Steven Foster

Guests present: Bruce Wilder, Kathy Wilder, Peter Wilder, Dave Rowell, Mary Leikert, Steve Clayton, and Conservation Commission Members Kristen Connolly, Jessica Zehngut, and Ron Stancliff

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 5:15 P.M.

Prior meeting minutes – Member Van Anda moved to approve the June 22nd meeting minutes. A vote of 3-0-1 affirmed the motion, with Member Hancock abstaining.

Discuss: Mixed use on non-Rte. 12 section of Upper Main St. – It was decided to table this discussion until the August 10th Planning Council meeting.

Discuss: Delete split zone on Wilder Lot at 46 Howard Street – Chair Hancock explained that the High Density Residential (HDR) Zone was removed from a majority of the Wilder property a few years ago. He added that when this was done, he was unaware that the Development Review Board (DRB) could still give HDR zoning to the entire Wilder property via §201.3 of the Zoning Bylaws (Boundaries Dividing Lot Lines). Member Van Anda expressed a preference for §201.3 to recognize / enforce natural zoning boundaries, which for this property was the Pot Ash Brook. Member Goldstein spoke to ways that §201.3 could be amended as a compromise proposition. Kathy Wilder said that she has owned this 5+/- acres since 1965, raised her family there, and felt that this downzoning effort was a personal attack. Bruce Wilder said that his family should be in control of what happens to their land, and their property rights should not be pulled out from underneath them just because the property is currently for sale. He asked that the current zoning for the land, with its split HDR and MDR zoning remain unchanged. Dave Rowell, family friend and the realtor for the subject property, reminded everyone that the DRB has the choice as to what zone the property should be reviewed in as part of the permitting process. Conservation Commission Member Kristen Connolly, who lives across the street from the subject property, said that she is opposed to the Wilder property being given HDR zoning. Conservation Commission Member Ron Stancliff suggested that §201.3 of the Zoning Bylaws be rewritten so that the majority percentage of a split zone parcel would prevail for the entire parcel. Member Goldstein, after learning that there are potentially as many as 100 split zone lots in the Town, said he was uncomfortable talking about the zoning of just one parcel. Mr. Thomas explained that this evening's discussion was an extension of Mr. Stancliff's opposition to the DRB's recent split zone decision on Silver Ridge Rd, and that the Wilder lot just happens to be a large split zone lot that is currently for sale. Member Van Anda said that a 9-unit building does

not belong on Howard St. Bruce Wilder said there might be more agreement than was apparent, as he had already turned down an offer on the property from a developer who planned a condo development. Chair Hancock moved to rescind the proposed zoning change that would strip the Wilder property of its HDR Zone property rights. A vote of 4-0 affirmed the motion. Member Goldstein asked Mr. Thomas to research how other communities deal with split zone boundaries for the next meeting.

Discuss: Zone boundary changes for centerline and DRB split decisions – Mr. Thomas led the Council through the boundary description changes that resulted from prior DRB zone split decisions, and the elimination of using the edge of the road right-of-way for boundary descriptions. Mr. Thomas explained that §201.3 of the Zoning Bylaws directed the reader to use the centerline of roads and rivers to determine zone boundaries.

Discuss: Definition of Family – Mr. Thomas explained how the definition of Family was used under zoning, especially in relation to the DRB's recent permit renewal of the VT Foundation for Recovery drug and alcohol recovery house that has become problematic at 360 Maple Street. The conversation concluded that the existing definition of Family in the Zoning Bylaws was legal and appropriate.

Discuss: Burying powerlines in downtown Morrisville – Member Goldstein expressed a desire to bury the power and utility lines on the Route 100 sections of downtown Morrisville, and to sit on a committee charged with that planning. Mr. Thomas provided a very rough cost quote for this work from David Heller of MW&L that exceeded \$1.5M, with this quote assuming the line digging work was being done at the same time these roads were being repaved in the future. Mr. Thomas suggested that the Village voters could vote to allocate a % of their annual Village tax money to create a future pot of money that could grow large enough over the years to cover the cost of burying the utilities downtown. Member Goldstein said that Stowe bonded for the cost to remove its powerlines, and that they came down much easier than even he anticipated (as someone who physically worked on the project). The Council agreed that the endeavor was a worthy cause and directed Mr. Thomas to insert supportive language into the Town Plan.

Continued Public Hearing: 2020-2030 Town Plan comments – Mr. Van Anda used the evening's Town Plan public hearing comment period to encourage the Council to be thoughtful about all the new development happening in town, especially in relation to road capacity and traffic. Mr. Thomas said that the Census results, when released in a month, would indicate how much population growth there actually is, versus the potential that the new housing is being counteracted by shrinking household size. Mr. Goldstein said that the Town Plan should lobby for a study of Morrisville's future in relation to town capacity issues, and roads, much like the North End Circulation Study did for that area. Mr. Thomas said that he would add language to the Town Plan suggesting as much.

Discuss: Oxbow Park Grant Letter – The Council agreed by consensus to provide a letter of support for a grant seeking to illuminate the basketball court at Oxbow Park.

The meeting adjourned at 7:40 PM, submitted by Todd Thomas, Planning Director