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MORRISTOWN/MORRISVILLE
PLANNING COMMISSION
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Minutes of July 21, 2009

Members Present: Bill Henchey, Kelly Rogers, Max Paine, Andrew Volansky, John Meyer

Members Absent: Reeves Larson, Paul Griswold

Staff: Mark Leonard (Morristown ZA), Bill Rossmassler (LCPC Planner)

Chairman Bill Henchey called public meeting to order at 7:00 pm.

Following up on discussions at the Select Board's July 13th meeting, Andrew asked if the other members were prepared to offer alternatives to the proposed 75,000-square foot retail store cap. It was noted that the developer who came to the July 13 Select Board meeting said that such a cap would likely preclude Wal-Mart from looking at Morristown for one of its stores; they use a 150Ksf model.

Bill H said he had offered up the idea of modifying the 75Ksf cap to be a limit on the building footprint without limiting additional floors (i.e., a two-story, 150Ksf store on a 75Ksf footprint) at the Select Board meeting. He noted that such a configuration would not likely meet many of the national retailers' requirements, as they prefer having all their retail space on one floor.

Bill H asked if the Select Board could accept, reject, or modify portions of the proposed bylaws while leaving others for future consideration. The ZA reviewed the statutory requirements regarding bylaw amendments (24 VSA 4442), noting that the SB may make whatever changes, to include deleting certain, modifying, or adding proposed changes, it wishes. Should it make 'substantial changes in the concept, meaning or extent of the proposed amendment' it would be required to warn another public hearing. It also requires the Planning Commission to amend its original bylaw amendment report to the Select Board to reflect, without the opportunity to make its own changes, the Select Board's revisions.

Bill R noted that one of the Select Board members asked if the proposed changes, particularly those that remain the most contentious, are consistent with the Town Plan. It was unclear to Bill who was tasked to review the Plan, the Town Administrator or the Planning Commission. Either way, he (Bill R) felt that the PC ought to weigh in with its views on how the proposed bylaw changes were consistent with the Town Plan.

Bill H agreed that the PC should offer its views on the proposed changes' consistency with the Town Plan and directed Bill R to review the Plan and identify policies, goals, & recommendations that support the proposed bylaw changes. Bill R expressed some reservations about doing this, given his dual role as both contract planner for the Planning Commission and planner at LCPC. He said he might need to run any inputs he makes through either the TA or LCPC director.

Bill H questioned whether there was a conflict of interest inherent in using an LCPC staff member in the Town planning contractor position. Bill R said there was some inherent conflict, but it was manageable. Bill H reiterated that the contract is written so that the contract planner works under the direction of the Planning Commission.

Bill R said it was unlikely that he could have the Town Plan interpretation ready for the Select Board's next meeting on July 27th. Rather, he plans to have it out to the Planning Commission for its review and comments at their next meeting on August 4th and provide it to the Select Board on August 10th.

The ZA presented a minor change to the zoning bylaws on ponds (section 426) that addresses a deficiency in the current bylaw dealing with Highway Superintendent review of ponds that might impact nearby Town roads. He requested the PC's consent to having the Select Board add this late change to the set of bylaws under consideration, rather than holding off until a subsequent bylaw amendment. The members agreed, adding that this would be included in any revisions that the Select Board might make and take up at another public hearing.

Bill R reviewed a list of studies over the past 20 years or so dealing with Route 100. Summaries of those studies and their recommendations should be available to the members at the next meeting. He also reviewed last year's unsuccessful Municipal Planning Grant (MPG) application dealing with the Business Office Park/Business Enterprise District (BOP/BED) infrastructure planning. The PC will discuss whether to re-submit this application or come up with a proposal on another topic for this year's MPG at the next meeting.

The ZA said he had received Kelly Rogers' letter of resignation from the Planning Commission and that the vacancy would be advertised starting this week.

On a motion by Max, seconded by John, minutes of the July 7, 2009 meeting were reviewed and accepted as presented.

The meeting adjourned at 8:15 PM.

Respectfully submitted:
Mark Leonard

Minutes approved on: 8/4/09