

Morristown/Morrisville Planning Council

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Meeting Minutes of July 18, 2017

Planning Council Members Present: Paul Griswold (Chair), Etienne Hancock, Max Paine, Tom Snipp & Laura Streets

Planning Council Members Absent: Yvette Mason & Mark Struhsacker

Guests: Ron Stancliff, Polly Liese, Scott Thompson, Jonathan Bridgman & Ron Boomer

Staff: Planning Director Todd Thomas

Call to Order: The meeting was called to order in the Community Meeting Room of the Town Offices at 43 Portland Street at approximately 7:00 P.M.

Discuss: Public art DRB consideration – Tricia Follert appeared before the Council advocating for a public art consideration within the Town's zoning bylaws. Planning Director Thomas said that this request was put to the Selectboard during the zoning change process and they seemed amenable to it. Chair Griswold said that "art" is hard to define, especially in a regulatory framework. Member Hancock said a zoning carrot should be offered to the developer in exchange for a durable public art installation. Member Griswold suggested tax stabilization as the carrot. Member Streets said that the public art consideration must be mandatory, but voluntary. Ms. Follert said that she would rewrite her proposed public art bylaw taking into consideration these comments.

Discuss: Real estate for-sale signs – Mr. Thomas introduced a citizen proposal to ban real estate for-sale signs. Chair Griswold said this change would make it harder for a for-sale-by-owner transaction. Various Members discussed the ban and decided such a ban was more of a Stowe issue and that the ban attempts to solve a problem that does not exist in Morrisville. There was no support for this proposed sign bylaw change.

Discuss: Tree ordinance adoption – Polly Liese appeared before the Council proposing that the town adopt both tree and view ordinances. A tree ordinance, if adopted, would add a layer of regulatory protection for street trees. She said that if the town had a tree ordinance, an active tree warden, and met additional eligibility criteria, it would be eligible to join nine other VT communities in receiving "Tree City USA" designation. Ms. Liese also asked the Council consider adopting a view ordinance. She described how she has been losing her mountain views over the years from growing trees; and that some new tree plantings will potentially grow up to block her remaining views unless trimmed. She added there are other landowners in Town who have lost or are losing their mountain views due to tree growth outside their control. Ms. Liese concluded by emphasizing a five-step dispute resolution view ordinance enacted in Malibu that appears efficient and effective. Member Griswold described the loss of views at his home over the years and asked Ms. Liese if the Council could study these issues and readdress them at a future meeting. Mr. Thomas said that he would reforward Ms. Liese's topical research email.

Discuss: Adopt "Builders Acre" lot size – Member Paine suggested that the Council examine adopting "builder's acres" for lot sizes instead of the currently used standard

acre zoning. Mr. Thomas explained that a builder's acre simply makes it much easier to lay out a 200x200, 40,000 ft² lot. Council Members unanimously said it would be confusing to recognize 40,000 ft² as an acre instead of 43,560 ft².

Discuss: Zoning change approval process postmortem – Mr. Thomas relayed the votes in which the Selectboard and Village Trustees approved the Council's proposed zoning changes. He said that there was ultimately no need to downzone the Fairwood Parkway neighborhood because both the Trustees and Selectboard voted to eliminate the multi-family use in the Medium Density Residential Zone. He explained that the Trustees approved the zoning as proposed without adding the Firewood Processing Use in the Village. The Selectboard then in turn decided to not allow the Firewood Processing use anywhere until it could be revised so as to meet the Trustee's approval.

Discuss: Failed definition for Firewood Processing – Continuing the Firewood Processing Use discussion, Mr. Thomas asked the Council what the next step would be on this issue. There was discussing about halving the maximum amount of wood that could be processed, as well as a discussion about a minimum setback from adjacent property lines for processing. The Council decided to table this issue until further notice.

Discuss: Definition for Shelter (per Village Trustees) – Mr. Thomas explained that when the Village Trustees voted to approve the proposed zoning changes, they asked in what zone a Shelter could be allowed be reexamined. Council Members discussed that the Trustees likely did not fully understand the legal ramifications of this directive. The Council, by consensus, decided to make the Shelter and the Dwelling Unit Single-Family Uses Conditional Uses instead of Permitted Uses in the High Density Residential Zone. Mr. Thomas said that this change would be included as part of the next zoning update.

Discuss: Rte. 100 Profession Office allowance (Selectboard) – Mr. Thomas explained that Peter Bourne appeared before the Selectboard on the night of the zoning approval vote asking that the Business / Professional Office use be allowed on the dozen or so properties between the Airport Business and Business Enterprise Zones. He said that the Selectboard unanimously directed the Council to study the requested zoning change. Member Snipp said that he thought Mr. Bourne would be able to get this zoning change approved no matter what the Council did. Member Paine was supportive of this proposed zoning change as it would "clean the area up." Member Hancock was opposed to this zoning change as it would just allow the Town's businesses to sprawl further along the State highway to Stowe. Member Streets agreed with Member Hancock. Chair Griswold reversed his originally stated opinion and agreed with Member Hancock. After a long discussion the Council decided not to act on the Selectboard directive immediately. Chair Griswold said he would put this item back on an agenda in approximately six months.

Approve prior meeting minutes – Member Snipp moved to approve the May 2nd meeting minutes. A vote of 4-0 affirmed the motion (Member Griswold had departed).

The meeting adjourned at 9:05 PM.

– submitted by Todd Thomas, Planning Director