

Morristown/Morrisville Planning Commission
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Meeting Minutes of June 4, 2013

Planning Commission Members Present: Andrea Caldwell, Etienne Hancock, Reeves Larson, Max Paine, Tom Snipp & Mark Struhsacker

Planning Commission Members Absent: Paul Griswold (Chair)

Staff: Todd Thomas, Zoning Administrator & Planner

Guests: none

Call to Order: The meeting was called to order at approximately 7:05 P.M.

Approve prior meeting minutes – Member Paine moved to approve the May 7th meeting minutes. A vote of 5-0-1 affirmed the motion, with Member Snipp abstaining.

Public Hearing: Potential Fall Zoning Changes Plan – Zoning Administrator Thomas discussed the following potential zoning changes for a Fall bylaw update with the Commission: §203.4 Town-line boundary, §203.6 rounding for zoning calculations, §233m add Light Industry to IND Zone, §233d remove Commercial Use from IND Zone, §262g remove Dwelling Unit Multi-Family from RRA Zone, §269.4 & §278 allow Res additions LVGC & AB Zones, §401.1 add Reasonable Modifications, §401.6 ban Medical Marijuana Dispensaries, §405.4 allow driveways in Village side & rear setbacks, §432.5 add Residential Use exception for small lot foreclosures, §436 add admin approvals for non-conform structures, §451.1 add admin approval of public parking waiver, §472 & §473 expand sign size to 25sf in Special Industrial & Special Use zones, §473b create uniform sign height in Village & Town, §473d add corner lot sign bonus, §478 reduce temporary signage from 180 to 30 days, §478 increase sign max to 50% of business windows (from 25%), §478 create sign exemption for on-site factory sales, §770.1 require gross and net plat lot acreages, revise definition for Accessory Retail & Food, add definitions for Lot Coverage, Setback, Prime Ag Soils and Reasonable Modification, delete definitions for Boarding House, Dwelling Unit Seasonal, Structure Height, Highway Commercial Facility, Hospice, Hotel, Motel, Trucking & Shipping Terminal, Change zoning for Lanphear & Village water tank parcel, change Sewer Service Management Area for Village water tank parcel and Cadys Falls Road.

Of the above potential zoning changes, the Commission discussed removing the existing Commercial Use from the Industrial Zone at the greatest length. Mr. Thomas pointed out that one reason to do this would be to protect Industrial zoned land from other uses being permitted thereon via the “catch-all” Commercial Use. Member Hancock pointed out that the Commission was spending a considerable amount of time trying to find new lands in Town zoned for Industrial, Light Industrial and Business/Professional Office uses and that it made a lot of sense to protect existing Industrial zoned lands from retail commercial use. Commission Members agreed that there is currently ample land zoned Commercial that allows for retail, citing the dozens of acres still available on the old Langdell farm property. Member Struhsacker said that he agreed it was important to

protect the Industrial Zone from nonindustrial uses, but expressed a desire to retain the ability of smaller local retail establishments like Leo's Small Engines to locate in an Industrial Zone if desired. The Commission decided to remove the Commercial Use from the Industrial Zone, but acknowledged that this change might warrant more discussion amongst the property owners or ultimately with the Selectboard.

Mr. Thomas noted that Leo's Small Engines was already the subject of a zoning change on the agenda, which required that Class 3 Development be allowed in the Commercial Zone. Mr. Thomas also noted that the Commission was going to have to go through some sort of process to figure out what business zone it would like to assign to the Village's water tank parcel. Mr. Thomas suggested that the two most likely zones were Industrial or Business Enterprise. He noted that one of the main differences between the two zones was that the Industrial Zone does not legislate or prescribe what the building looks like, whereas the Business Enterprise zone does by requiring such things as minimum façade requirements, along with other public realm improvements such as sidewalks. Commission Members debated if it mattered what the buildings look like in this area since the Village's water tank parcel was a bit off the beaten path. Mr. Thomas said that this discussion would need to be undertaken in a larger public forum with the residents of the area. The Commission agreed and said such a meeting should be undertaken in the coming months.

The Commission also asked Mr. Thomas to clarify if the proposed ban on Medical Marijuana Dispensaries would also ban methadone clinics. Mr. Thomas said that it would not and that the ban on Medical Marijuana Dispensaries was limited to exactly that use. The Commission discussed if it also wanted to ban methadone clinics. It was decided that Mr. Thomas would add this discussion to his working zoning change list.

The meeting adjourned at approximately 9:00 PM – submitted by Todd Thomas, ZA