

Morristown/Morrisville Planning Council
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Meeting Minutes of Tuesday 7 May 2019

Council Members Present: Joshua Goldstein, Etienne Hancock, and Tom Snipp
Council Members Absent: Linda Greaves, Steven Foster, and Allen Van Anda
Guests: Bob Heanue, Graham Mink, Selectwoman Judy Bickford, Jim Lovinsky of Lamoille Housing Partnership, Dan McLaughlin, and Joanne Godfrey
Staff: Planning Director Todd Thomas

Call to Order: The meeting was called to order in the Community Meeting Room of the Old Tegu Theatre, 43 Portland Street, at approximately 6:05 P.M.

Prior meeting minutes – Approval of prior minutes was tabled due to the public hearing.

Warned Public Hearing for 2019 Zoning Changes – The Planning Council opened the public hearing for the proposed 2019 zoning changes. Planning Director Thomas led the Council and the audience through the following proposed changes.

- a. §200 Delete Business Enterprise & Special Industrial zones, plus HOS Zone name change
- b. §201 Minor revisions to boundary interpretation and rounding requirements
- c. §204 Revise variance & waiver language, incentivize affordable housing via new waiver
- d. §204.5a Add “use matrix” to revise and summarize all permitted and conditional allowances
- e. §204.5b Add “dimensional matrix” to revise and summarize all dimensional requirements
- f. §205 Housekeeping for General Zoning Requirements
- g. §206 Revise existing design criteria rules
- h. §207 Add historic preservation criteria for core downtown streets
- i. §320 Modernize & update the §320 Special Flood Hazard Area (SFHA) bylaw
- j. §340 Housekeeping changes in the Environmental Resource Area bylaw (EPA)
- k. §400 Housekeeping changes throughout section
- l. §401.1 Remove permit exemption for accessory structures within the §320 SFHA
- m. §401.6 Delete prohibition on marijuana dispensaries
- n. §402.1 Create 10 year sunset for permit renewals
- o. §405.5 Establish a 500 ft² minimum dwelling unit size in the Central Business Zone
- p. §422 Clarify and add road frontage eligibility to 20 foot right-of-way allowance
- q. §423.4 Increase accessory apartment size limit from 30% to 40% of heated part of site ft²
- r. §424 Clarify and increase Tiny Dwelling Unit footprint size from 300 ft² to 500 ft²
- s. §432 Clarify that non-conforming uses and structures can be maintained and repaired
- t. §433 Clarify non-conforming uses in the §320 SFHA
- u. §434 Delete temporary use regulations
- v. §450 Make housekeeping changes to minimum parking requirements for deleted uses
- w. §470 Exempt downtown wayfinding signs, zoning change housekeeping & goodrepair rule
- x. §480 Clarify that the Bulk Storage of Fuel Use is not allowed in the §320 SFHA
- y. §482 Development on Class 4 Roads, regardless of use, requires Conditional Use
- z. §483-4 Housekeeping changes to auto repair & gas station uses, new gas station canopy rules
- aa. §488 Condense recreation vehicle and storage trailer language into a single section
- bb. §495 Delete land use regulations for Private Airstrips
- cc. §503 Allow DRB to require pedestrian and/or vehicular connection to adjacent properties
- dd. §510 Add in protecting §320 SFHA as a purpose of the Conservation Subdivision bylaw
- ee. §610 Modernize DRB membership number and alternate number

- ff. §700 Condense and streamline §700 subdivision application and approval procedure
- gg. §800 Condense & streamline §800 subdivision requirements & design, require cul-de-sacs
- hh. §900 Definitions: Housekeeping changes, including the modification of existing uses, the creation of the following new uses (Base Flood Elevation, Compensatory Storage, New and Start of Construction, Recreational Vehicle, Special Flood Hazard Area, Substantial Damage, Violation), and the deletion of the following uses (Area of Special Flood Hazard, Auction Facility, Drive-In Restaurant or Refreshment Stand, Flood Hazard Boundary Map, Floodproofed or Floodproofing, Floodway Fringe Area, Light Industry, Manufacturing, Personal Use Airstrip, Public Office and Facilities, Regional Planning Commission, Salvage Depot, Seasonal Storage, Special Industry, Storage Yard, Wholesale Distribution, Front, Side & Rear Yard).
- ii. §1000-§1120 Zone Boundaries: Make various small housekeeping changes to all zones with the goal reducing the reliance on using property lines as zoning boundaries, reduce the area of the Uptown Commercial Zone by downzoning the northern half of the old Langdell Farm parcel to Low Density Residential, change the Business Enterprise Zone into the Mixed Office Residential Zone, downzone the James Rd lots from Commercial to Industrial, make the northern peninsula of the Business Enterprise Zone into an Industrial Zone, delete the Special Industrial Zone, bring the High Density Residential Zone out to Jersey Hghts and east to the bottom of high school hill (Park St), delete the tail of the former Mixed Office Residential Zone on Park St and downzone it to Medium Density Residential, clarify that a portion of B&B nursery is included in the adjacent Low Density Residential Zone, expand the Low Density Residential Zone at Route 100 south in close proximity to the village including underutilized areas such as Hess's junkyard and the vacant daycare land across the street.

Jim Lovinsky spoke on behalf of the Lamoille Housing Partnership against the proposed zoning change that would limit multi-family housing in the Hospital Zone to Health Care Facility uses. He urged the board to allow more than just single-family homes and duplexes in the area around the hospital. He said that a Conditional Use allowance should be allowed so large apartment complexes and mixed uses could be developed for people like seniors and workers that want to live in close proximity to the hospital. Joanne Godfrey urged the Board not to grant the zoning change for the Morristown Corners / Cadys Falls area that was requested by Ray Belanger Jr. at the last planning meeting. She said the Council should be protecting working farms and open landscapes such as this, not converting them into housing. The Council did not move forward with the Belanger zoning change. The Council agreed with Graham Mink and that the proposed minimum dwelling unit size requirement in the Central Business Zone would not move forward.

During the discussion of the proposed changes to the subdivision regulations, the Council noted that the Selectboard had suspended the prohibition on Town taking ownership of dead-end roads. The Council expressed concern that the current case-by-case policy was already impacting how subdivisions in the development process were being laid-out. The impetus for developers to build connecting roads was reportedly already dissipating.

A comment from Dan McLaughlin about protecting the land between the rail trail and Lake Lamoille closed out the hearing. The Council decided to vote on the zoning change at its upcoming May 21st meeting.

The meeting adjourned at 7:45 PM, submitted by Todd Thomas, Planning Director