

`Morristown/Morrisville Planning Council
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Meeting Minutes of April 21, 2015

Planning Council Members Present: Andrea Beeman, Paul Griswold (Chair), Etienne Hancock & Mark Struhsacker

Planning Council Members Absent: Yvette Mason, Max Paine & Tom Snipp

Staff: Planning Director Todd Thomas

Guests: Bob Beeman, Brian Kellogg, David Polow & Julie Marckres

Call to Order: The meeting was called to order in the Community Meeting Room of the Tegu Building at 43 Portland Street at approximately 7:05 P.M.

Discussion: Review Town Plan Hearing Schedule – Mr. Thomas provided the Planning Council with a revised town plan hearing schedule. He said that the schedule was revised to fit the availability of the Trustees and Selectboard members. The town plan hearing dates would be May 18, June 8 and June 22 with the vote on the proposed town plan update taking place on July 6. The Council decided to meet on Tuesday, May 19 to discuss any changes made to the plan at the prior night's legislative body hearing. Mr. Thomas said he would adjust the schedule accordingly and recirculate it in the morning.

Discussion: BE Zone sidewalk discussion w/ Selectboard rep – with Selectboard Members Beeman and Kellogg present, Julie Marckres appeared before the Council requesting that they reconsider the sidewalk requirement in the Business Enterprise Zone. She stated that "a sidewalk to nowhere" did not make any sense. Dave Polow said that he would likely use this section of sidewalk, if constructed, when he runs in this area as it is heavily trafficked. Member Griswold said that Ms. Marckres had previously agreed to the installation of this sidewalk during the last zoning change which was done partially to facilitate the use of 1072 LaPorte Road for her business. Member Griswold also cited elements of the town plan such as the wellness chapter that encourages the availability of infrastructure like sidewalks so residents could make healthy lifestyle choices. Selectman Beeman explained the conversation that took place at last week's Selectboard meeting for those Planning Council members that were not in attendance. There was a discussion of cost responsibility (developer versus taxpayer) for sidewalk construction at that meeting which carried into the present discussion. There was also discussion about the ways in which money could be appropriated for the sidewalk now by the developer, but built later by the town. Selectboard Member Kellogg said that he supported such a time provision as he did not think it made sense to require a sidewalk to be built in this area now. Mr. Thomas said that there is no statutory availability for such a timing mechanism, other than the three-year maximum bonding period that is currently allowed. Mr. Thomas said that he was more concerned with having by-right permitting surety via clear and attainable standards in the zoning than he was with a section of sidewalk existing or not south of Morristown Corners Road. Member Hancock suggested that the town plan should offer better guidance as to where sidewalks should be added and not added throughout the town. He also cited the example of the Demars hardware store build in the

North End when there was nothing else around it, but now it is surrounded by other development. He suggested that the Council keep the sidewalk requirement as is because the long-term vision for the Business Enterprise Zone suggested that other development would take place in the future around Ms. Marckres property.

Discussion: Zoning for dilapidated building facades – Mr. Thomas explained that he was asked at last week's Selectboard meeting what recourse the town had to require improvement for properties like Chris Ransom's on Foundry Street and others like it. Mr. Thomas explained that he just received an opinion from the State Legislative Council that existing statutes could be used by towns to dictate repair or maintenance of buildings. Mr. Thomas distributed existing §440 of the zoning bylaw as it related to the cleaning up of a building site. Mr. Thomas said this was a scarcity used section of the zoning bylaw, but it could compel the cleanup of sites such as the Ransom property, the Foss property and potentially even the Green Dragon property. Mr. Thomas said he would like to amend §440 of the existing bylaw with the next zoning change so it spoke more directly to broken or boarded up windows. He also noted the issue with grandfathering in regards to changing the existing bylaw versus compelling changes to existing conditions at some of the aforementioned sites that needed to be cleaned up. It was agreed by all, including the Selectboard members present, that zoning letters regarding the cleanup of these properties should be sent. Mr. Thomas noted that there may be a corresponding legal challenge from at least one of the aforementioned property owners. Selectboard members spoke to the additional willingness to defend a zoning violation versus a junk ordinance citation. Mr. Thomas said that these letters will be sent out within the week and that he would put something on Front Porch Forum about this issue as well.

Approve prior meeting minutes – Member Struhsacker moved to approve the April 7th meeting minutes. The motion was affirmed by a vote of 4-0.

The meeting adjourned at 8:30 PM – submitted by Todd Thomas, Planning Director