

Morristown/Morrisville Planning Council

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Meeting Minutes of April 5, 2016

Planning Council Members Present: Paul Griswold (Chair), Etienne Hancock, Yvette Mason, Max Paine, Tom Snipp & Mark Struhsacker

Planning Council Members Absent: Andrea Beeman

Staff: Planning Director Todd Thomas

Guests: Sheila Tymon, Sharon Whyte, Marci Young, Nina Church, Eleanor & Marvin Randall.

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.

Discussion: Regulating overnight guest rooms in the sharing economy – Mr. Thomas began the meeting by reminding the Council that it had previously decided not to regulate local property rentals done via websites such as Air B&B and Home Away. He explained that this policy left him, as the Zoning Administrator, regulating only the conventional bed-and-breakfasts (B&Bs) in Town and not the few dozen or so places similarly renting rooms on the Internet. He recommended that the Council develop policy that provided the same regulations for conventional B&Bs as website rentals like Air B&B. Guest Sheila Tymon, who runs a B&B in the village said that she did not see Air B&B as a threat and that she sometimes even rents her rooms at the inn using this website. Council members discussed that any threshold differentiating between zoning-exempt room rentals and room rentals that require a Development Review Board hearing should focus on neighborhood impacts of the rentals like noise, parking and traffic. It was decided, by consensus, that renting two guestrooms or less, assuming double occupancy, should be allowed by-right, but that renting more than two guestrooms at any one time on a short-term basis should require a zoning hearing with neighborhood input. Mr. Thomas said that he would draft up some language for review at the next Council meeting that would attempt to enact this new policy change.

Discussion: Replace Local Act 250 Review bylaw – Mr. Thomas directed the Council's attention to Newport's zoning bylaw for Local Act 250 Review. Mr. Thomas said that the Agency of Commerce and Community Development ruled that the Town's long-standing Local Act 250 Bylaw language was inadequate. Therefore, he recommended adopting Newport's Local Act 250 Bylaw word-for-word so the State cannot take issue with it. Member Hancock moved to do as such. The motion was affirmed by vote of 6 to 0.

Discussion: Rte 12, Rte 15A & Copley Ave intersection - Mr. Thomas said that this agenda item would be moved to the next meeting upon request of Member Beeman.

Discussion: Lot size and density for village residential uses - Mr. Thomas guided the Council through his handout explaining the existing requirement in the Village for minimum lot sizes to be larger than the land size requirement per residential unit. Mr.

Thomas said that this larger lot size than density size requirement favored the creation of apartment houses in the village. He said that reducing minimum lot sizes throughout the village to match the minimum density size requirement would level the playing field between apartments and single-family homes. Using the Low Density Residential Zone as an example, Mr. Thomas said that the current zoning would allow four residential units on builder's acre, but would not allow this same builder's acre to be used for two single-family home lots. Mr. Thomas said that he did not see the municipal interest in not allowing the same number of residential house lots on this parcel as apartment units. Mr. Thomas said that allowing smaller house lots would also positively affect housing affordability. After a lengthy discussion, the Council members agreed to level the playing field by equalizing lot size and density size in the Village as discussed. Mr. Thomas also spoke about eliminating the multi-family residential use in the areas not zoned for high density residential uses. In lower density village areas, it was agreed that two-family dwellings should become a Conditional Use. Mr. Thomas said that he would include these changes within the next zoning update. Mr. Thomas also noted that he did not think it was appropriate to reduce the minimum lot size in the Special Use/Hospital Zone down to the existing 4,000 ft.² minimum land area per residential unit. He said the existing requirement of 4,000 ft.² of land area per residential unit was much smaller than anything existing up by the hospital. He said that he thought that the 8,000 ft.² minimum lot size should stay the same and that the area size per residential unit should be doubled to match the minimum lot size. Mr. Thomas added that some input from the landowners in this zone should be obtained before moving forward with this change. Mr. Thomas was advised by the Council to ensure that this density change did not negatively impact zoning conformance for a property like Copley Manor. Mr. Thomas said that he would do as such prior to the next meeting and also invite this neighbors in this zoning district to the next Council discussion regarding this proposed minimum density increase.

Addition: Problems with LCPC & Regional Representation – Chair Griswold said that he added this agenda item for discussion to ensure that the Council was aware of the situation with the Lamoille County Planning Commission. Member Griswold and Member Mason updated the Council as to what transpired at the previous night's joint meeting of the Village Trustees and Town Selectboard regarding regional representation. Member Griswold & Mason discussed that the Selectboard & Trustees have some choices to make about regional representation, such as staying with LCPC, moving to a different RPC or unaffiliating. Member Griswold said that he was very surprised to hear the Lamoille County Planning Commission staff double-down on their actions regarding the Maplefields diesel pump at this meeting when that project was still without a permit after approximately 2 years of waiting. Mr. Thomas said that regional planning involvement in this single diesel pump project was wrong. He said that it was unfortunate to see the region's senior planner directing changes to small site specific details like internal parking lot line striping and pedestrian warning strips on the sidewalk when the these issues were clearly local and not even close to regional. Mr. Thomas reminded the Council that the current Executive Director of LCPC was not on the job yet during the Maplefields project, but that she stood by her staff on Monday night when they said that her RPC's involvement in the project was a good thing with a good result. Member Griswold pointed out that the senior planner at LCPC said that the roundabout had not

been built yet when the Maplefields site walk with the truck turning movements took place. Mr. Thomas said that this statement was not true, as the roundabout was already in place at that time. Mr. Thomas said that LCPC was also not truthful at that time regarding trucks having to go to Johnson if this diesel pump was not built for large truck turning movements, as there was already diesel pumps on the same property, across the street at Citgo and at the Irving across from Rock Art Brewery. Mr. Thomas closed the discussion by saying that he would keep the Council updated regarding any Selectboard or Trustee decisions regarding moving to the Northern Vermont Development Association for regional representation.

Approve prior meeting minutes – Member Paine moved to approve the March 15, 2016 minutes. A vote of 5-0-1 affirmed the motion with Member Griswold abstaining.

The meeting adjourned at 8:45 PM – submitted by Todd Thomas, Planning Director

