

Morristown/Morrisville Planning Council
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Meeting Minutes of March 15, 2016

Planning Council Members Present: Andrea Beeman, Etienne Hancock, Yvette Mason, Max Paine, Tom Snipp & Mark Struhsacker

Planning Council Members Absent: Paul Griswold (Chair)

Staff: Planning Director Todd Thomas

Guests: None

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: Reorganization – As required after Town Meeting, the Council reorganized. Member Paine nominated Member Caldwell as vice chair. A vote of 6 to 0 affirmed the motion. Member Struhsacker nominated Member Griswold as chair. A vote of 6 to 0 affirmed the motion.

Discussion: Add screening requirement for solar farms – Planning Director Thomas cited 24 VSA section 4414 regarding what a municipality may adopt for screening of a ground-mounted solar farm. As a metaphor, Member Struhsacker cited Vermont's billboard law, which was established so as to not sully the State's beautiful landscape. Member Struhsacker said that he would like to amend the Town Plan to prohibit solar installations in fields and only allow them on buildings (thereby protecting the natural landscape). Mr. Thomas talked about the screening requirements allowed by law and asked the Council if solar farm screening was desired along roadways. Member Hancock said no, but he would support a bylaw that requests screening from solar farms for abutting property owners who request it. Member Hancock added that solar does not permanently affect the landscape which is one reason why he supports it. He also said that he would support a town plan statement that solar installations on buildings are preferable to in our fields. Member Struhsacker said that ground mounted solar destroys view sheds and corresponding property values. Member Beeman said that our bylaw should default to requiring screening unless the abutting property owner does not desire it. Member Paine moved to require adequate planted screening robust enough to shield any home-site, including a home-site across a roadway, from view of a ground mounted solar array that is greater than 15 kilowatts and requires a Certificate of Public Good from the Public Service Board. The motion was affirmed by vote of 6 to 0. The Council concluded the discussion without a resolution as to what should be done with the Town Plan regarding solar farm screening, if anything. Mr. Thomas was asked to invite Craig Myotte, or his designee, from Morrisville Water & Light to explain the Speed Program and the net metering threshold at a future meeting. Mr. Thomas said that he would provide the draft solar screening bylaw as directed above at meeting when Morrisville Water & Light could attend.

Discussion: Change boundary between CB & MOR Zone? — Mr. Thomas said that he thought the Council should review the zoning boundary between the Mixed Office Residential Zone and the Central Business Zone along Upper Main Street. Mr. Thomas said that he felt like he was in the downtown when he walked on Upper Main Street east pass Cumberland Farms towards the library. He directed the Council toward a zoning map of this area that he prepared for the meeting showing that a majority of the lots along this section of Upper Main Street in the Mixed Office Residential Zone were nonconforming due to density. He cited Mike Bourne's property at 34 Upper Main Street which included nine apartment units on just 0.2 acres. He illustrated that under current zoning this parcel would need to be almost 2 acres in lot size to have nine apartment units thereon. Mr. Thomas said that adding the Central Business Zone to this short leg of Upper Main Street would make existing uses there conforming, like Mike Bourne's apartment complex, and hopefully also encourage some reinvestment in this area. Member Mason said that she liked the large front setbacks in this area when she walked to the library and therefore did not want to change the zoning. Member Hancock said that these large houses had already been cut up into apartment buildings and that he would support a zoning change. Mr. Thomas talked about a speculative state office building that may look to be located in the downtown, maybe even where this small section of residential zoning juts into the downtown on Upper Main Street. Member Mason said that she would be okay with adding downtown zoning from Puffer Church the library, but that she is opposed to extending the zoning to the south side of the Upper Main Street because she did not want the large homes there to be cut up into more rental apartments. Member Paine moved to include a proposed zoning change within the next update that added Central Business zoning from the Puffer Church on the west to the library on the east along the north side of Upper Main Street. The motion was affirmed by vote of 6 to 0.

Discussion: Regulating the repair of downtown buildings - Mr. Thomas referenced the recent article in the News and Citizen regarding the State Agency of Commerce and Community Development insisting that downtown Morrisville needed enhanced zoning for dilapidated buildings. Mr. Thomas said that nothing the State suggested would help with the vacant building problem typified in downtown Morrisville by the Nepveu Building. Mr. Thomas shared design review district and historic district statutes, along with municipal bylaws examples of each, provided by the State Agency of Commerce and Community Development. Using the 13 page Stowe Historic District Bylaw as an example, Mr. Thomas recommended that adopting such legislation would take our downtown in the wrong direction. He said that much of the success in the downtown in the past five years has been in simplifying the permit process and providing permit surety. He said that both State proposals were the antithesis of this approach by adding additional levels of regulation and permit unsurety with more local hearing requirements. Mr. Thomas added that he preferred to remain having Local DRB review of Act 250 permits to satisfy the State's "planning commitment" requirement. The Council unanimously agreed with this approach.

Discussion: Rte 12, Rte 15A & Copley Ave intersection - Mr. Thomas passed out a 2005 report regarding proposed improvements at this intersection. He said that he would be happy to discuss the recommendations in the report for intersection improvements if

the Council wanted to work on this effort at a future meeting once everyone had a chance to familiarize themselves with report.

Discussion: Issues poll suggested by a Selectboard member - Mr. Thomas said that Selectboard Member Dodge inquired if a poll should be undertaken by the Planning Council regarding legalization of marijuana and the recent homeless shelter discussion. Board members discussed that they had received ample feedback regarding the homeless shelter discussion over the last couple of months. Board members also discussed that they did not feel that a poll was needed regarding recreational marijuana legalization as the Council had already banned medicinal marijuana dispensaries in Morristown.

Discussion: Clean Businesses and not cheap stores – Mr. Thomas reminded the Council that they asked to discuss this agenda item a few months back. Due to the late hour, the Council asked to push this agenda item to the next meeting.

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

The meeting adjourned at 9:10 PM – submitted by Todd Thomas, Planning Director

