

Morristown/Morrisville Planning Council
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Meeting Minutes of Tuesday 9 March 2021

Council Members present: Allen Van Anda, Steven Foster, Joshua Goldstein, Etienne Hancock (Chair), and Tom Snipp

Council Members absent:

Guests present: Selectwoman Judy Bickford, Village Trustee Bob Heanue, MW&L General Manager Penny Jones, Engineer Tyler Mumley, and Conservation Commission Members Ron Stancliff, Jenifer Andrews, and Jessica Zehngut

Staff: Planning Director Todd Thomas

Call to Order: Chair Hancock called the meeting to order electronically via Zoom at approximately 5:05 P.M.

Prior meeting minutes – Member Snipp moved to approve the February 23rd meeting minutes. A vote of 3-0-1 affirmed the motion, with Member Foster abstaining.

Discuss: Alternative means to regulate steep slopes – Engineer Tyler Mumley joined the Council to discuss the potential regulation of steep slopes. Mr. Thomas explained that proposed steep slope regulations were rejected unanimously by both the Selectboard and the Village Trustees over the winter. Mr. Thomas and Engineer Mumley opined that the need for single-family home application to appear in front of the Development Review Board was likely a large part of the reason why that zoning proposal failed. Member Foster agreed to a perceived reluctance to regulate single-family homes and the land thereon in this regard. Engineer Mumley suggested tying DRB approvals, and perhaps administrative zoning approvals on steep slopes, to the Vermont Low Risk Site Handbook for Erosion Prevention and Sedimentation Control (https://dec.vermont.gov/sites/dec/files/wsm/stormwater/docs/StormwaterConstructionDischargePermits/sw_low_risk_site_handbook.pdf). Mr. Thomas said he would amend §506, §632, & §860 of the zoning bylaw to include better steep slope protections, with the possibility of also offering similar protections for the development of single family homes on steep slopes. Ron Stancliff suggested defining steep slopes as 25% or greater, instead of the previous steep slope threshold of 20%. Jenifer Andrews agreed, echoing the need to regulate and protect the steep slopes in our community. Mr. Thomas said he would bring revised zoning for steep slopes to the next Council meeting.

Continued Public Hearing: Town Plan comments – Planning Director Thomas began the continued public hearing for the proposed Morrisville/Morristown Town Plan by walking the Council through written comments received since the last meeting. The first Town Plan comments reviewed were from Selectwoman Bickford. Per her comments, it was decided to change the language regarding defunct gravel permits from “shall” to “should,” so as to not slam the door shut on the possibility of bringing old gravel pits back to life. It was also decided to strongly encourage, but not require green e911 signs on new residences. The Council discussed minimum lot size comments submitted by Ron Stancliff and Gary Nolan. Mr. Stancliff suggested the minimum lot size in the Rural

Residential Agricultural Zone be expanded from 80,000 ft² to 88,000 ft². Gary Nolan, Chair of the Development Review Board, submitted written comments requesting that the minimum lot size in the Rural Residential Agricultural Zone be reduced from 80,000 ft² to 40,000 ft². Mr. Thomas said that Mr. Stancliff's request is a minor fractional density change that did not need to be included in the Town Plan, but opined the Council needed to have language in the Town Plan to support Mr. Nolan's suggested lot size change if such a suggestion was to be acted upon later with revised zoning regulations. The Council by consensus agreed to put language in the plan suggesting a study of 40,000 ft² lots in close-by areas (i.e. less rural parts) of the Rural Residential Agricultural Zone. Member Van Anda suggested a desire to get village water and sewer services to any new 40,000 ft² lots that were created in the future. The Council then discussed comments from MW&L that were represented at the meeting by General Manager Penny Jones. Mr. Thomas said that the Village Trustees requested that references in the Town Plan supporting a methane / anaerobic digester be deleted because it was shown to be uneconomical. A discussion ensued regarding this uneconomic finding and the report it was detailed in. Chair Hancock requested a copy of this report be submitted for review. It was agreed that Mr. Thomas would rewrite sections of the Town Plan where the digester was mentioned to clarify that such an effort would not be run or owned by MW&L. Ms. Jones said she would have to speak to the Village Trustees to determine if this revised language was acceptable. Member Van Anda noted for the record that he was disappointed that MW&L did not seem open to a green energy sourced generated by an available local waste stream. Ms. Jones responded that the feasibility study for the digester was based on a few flawed assumptions, including trucking of waste from Johnson, and a sewer plant upgrade happening within 5 years, which currently was not needed for at least 10 years. Mr. Thomas said the Trustees also wanted language removed from the plan that supported the town taking-over MW&L owned water and service services. Member Snipp, who is also a Village Trustee, said that he was uncomfortable putting this language, and additional village and town merger language, into the plan until all the impacts thereof were fully understood. The Council decided to rewrite this language so the impacts of water and sewer services being sold to the town would be studied only if and when both the Selectboard and Trustees assented thereto. Mr. Thomas was directed by the Council to rewrite that language in the Town Plan that supported further merger of the village and town governments along the same lines: full study and agreement by both Boards before the study could commence. Mr. Thomas noted that the Village Trustees and the Selectboard will have final say and over the Town Plan language. Ms. Jones said that the Trustees would need to discuss and agree to all of the above revised Town Plan language. Chair Hancock expressed the desire to receive similar comments regarding the proposed Town Plan in writing from the Selectboard. After a discussion about taxes paid by the village to the town, it was agreed that a minor town plan rewrite was needed regarding school education taxes paid by electric rate payers. Upon a comment from MW&L General Manager Jones, Mr. Thomas said that the Town Plan hearing would remain open at the Planning Council level until the 2020 Census data was received in the coming weeks. It was agreed to continue the town plan public hearing until March 23rd at 5:15 P.M. A vote of 5-0 affirmed the motion.

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