

Morristown/Morrisville Planning Council

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Meeting Minutes of February 7, 2017

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

Planning Council Members Absent: None

Guests: None

Staff: Planning Director Todd Thomas

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.

Discuss: Act 250 MW&L sewer plant permit relief letter – Mr. Thomas presented the Council another draft response letter addressed to Act 250 requesting sewer plant permit relief. He added that the letter was accompanied by proposed zoning changes within the town's conservation subdivision bylaw. The Council reviewed the proposed zoning changes meant to ensure the permanent protection of prime ag soils. Upon a motion made by Member Paine, the Council authorized Chair Griswold to sign the letter as presented. The motion was affirmed by a vote of 7-0.

Discuss Limit location of Home Businesses and exterior uses – Mr. Thomas explained the differences between a Home Occupation and a Home Business to the Council. Mr. Thomas then discussed some of the regulatory issues with Home Businesses in town, especially with ones that were growing. Member Hancock said that it was important to make sure that when a Home Business grew to a size where it was disrupting the residential character of a neighborhood, that this business move into a business zone. In order to help ensure the integrity of a neighborhood's residential character, Mr. Thomas was instructed to draft the following changes to the Home Business Bylaw:

1. Rewrite the Home Business section so it is not as duplicative of the Home Occupation section.
2. Ensure that exterior vehicle storage used for a Home Business meets setback requirements.
3. Change the existing three on-site employee Home Business limitation to a limit on the number of employee car trips each day at a Home Business. This would keep large work crews from loading up and off-loading each day at Home Businesses, which is one of the more frequent complaints the zoning office receives. This problematic occurrence skirts the current bylaw requirements because the employees are not working "on-site."
4. Require that Home Businesses are only eligible for landowners, not just business owners renting a home business space. Mr. Thomas said that he thought the intended limitation of allowing residential businesses use was the property owner being accountable to his/her neighbors for any business related disturbances of typical residential living. He said someone renting a business space could likely be less accountable to the neighbors regarding business related disturbances.

Discuss: Town Plan Energy Chapter certification – Mr. Thomas and the Council discussed a proposed submission to the Department of Public Service for a determination of substantial deference to the Town Plan for renewable energy applications. Given the Town's existing screening requirement for ground-mounted solar arrays greater than 15kw and the very dubious viability of the town's privately owned ridgelines for industrial sized wind energy, the Council decided not to submit its enhanced Energy Chapter to the Public Service Board. The submittal was deemed to be not worth the considerable effort. A vote of 5-2 affirmed that decision. Mr. Thomas was asked to place a discussion of the 15kw threshold for ground mounted solar on an upcoming agenda.

Discuss: Protocol for public zoning change requests – Mr. Thomas asked how the Council would like him to handle public requests for zoning changes. By consensus, the Council said they preferred to think about requests and not provide answers at the meeting the request was made. Member Streets said that expectations should be managed as such. Chair Griswold said that it was important that the public be allowed to speak to the Council, which in turn would give the Council valuable public feedback. Member Hancock said that the Town Plan should be kept in mind when the Council was faced with these zoning change requests from the public. He also asked that zoning change requests be directed towards a vision for the larger zone instead of about a specific property. Mr. Thomas thanked the Council for this feedback.

Discuss: Rte. 100 office use allowance (BJAMS to Airport) – Mr. Thomas explained to the members not present at the last meeting that Peter Bourne previously appeared before the Council to discuss the zoning along Rte. 100 between the Airport Business Zone and the Business Enterprise (BE) Zone. The Council discussed Mr. Bourne's argument that allowing office spaces in this Rte. 100 area will give new purpose to the older buildings therein than are no longer desirable residential properties because they are so close to a busy road. Member Snipp said that he did not want the Town's zoning to be the reason a building was left to fall into disrepair in such a visible area. The Council looked at the mapping of this area supplied for the meeting by Mr. Thomas. It was decided that the discussion of this question should be continued to the Council's next meeting.

Approve prior meeting minutes – Member Snipp moved to approve the January 17, 2017 meeting minutes. The motion was affirmed by a vote of 4-0.

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