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**MORRISTOWN/MORRISVILLE  
PLANNING COMMISSION  
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## **Minutes of January 6, 2009**

Members Present: Bill Henchey, Kelly Rogers, Max Paine, Andrew Volansky, Reeves Larson, John Meyer

Members Absent: Steve Berson,

Staff: Mark Leonard (Morristown ZA), Bill Rossmassler (LCPC Planner)

Guests: Rhoda Bedell, Leon Whitcomb, Steve Rae, Jennifer Desautels

Chairman Bill Henchey called public meeting to order at 7:00 pm and reviewed the agenda.

Bill Rossmassler reviewed the Stowe landscaping standards that had been discussed at the previous meeting. Several sections were amended or eliminated before the Commission agreed to include them as new conditional review standards in Section 630 of the bylaws.

Bill R presented updated maps of the revised zoning district boundaries and the Sewer Service Management Area (SSMA). Several members discussed how to identify prime agricultural soils (PAS parcels greater than 10 acres within the SSMA). Several minor errors were noted; Bill said he would correct these and have updated copies on hand for the January 20<sup>th</sup> public hearing.

Bill R then went through the summary of changes to ensure all proposed changes were listed and presented as the Commission had decided during the course of the bylaw revision process. He and Commission members discussed the order in which the proposed changes would be covered at the public hearing; all agreed to save the most contentious proposals to the end in order to ensure that the other changes were addressed.

Under the Business Office Park (proposed to be re-designated as the Business Enterprise District), the ZA raised concerns about consistency in identifying permitted, conditional, and prohibited uses in all zoning districts. He noted the BOP/BED would be the only district that delineates 'prohibited uses'; all others only list permitted and conditional uses, with anything not listed not allowed. Similarly, the BOP/BED would be the only district with additional conditional use standards that only apply within that district. Commissioners agreed to delete the proposed 'prohibited uses' in the BOP/BED, along with associated definitions, and amended several of the BOP/BED-specific conditional use standards.

Under Section 510, Planned Unit Development (PUD), a new subsection 517.1, Legal Requirements, was reviewed. The subsection proposes to say that the DRB may require protected open space within a PUD to be preserved either by easement or fee by the Town or other organizations. The ZA felt that this was redundant, noting that the existing language in Section 517, Open Space, provides the DRB the opportunity to establish conditions in any PUD approval on the "ownership, use, and maintenance of such lands as it deems necessary to assure the preservation of such lands for their intended purpose", while proposing to strike the remaining language "provided this municipality is at least 50% owner of such open space or the development rights of such open space". The language to be stricken was cause for concern in that it obliged the Town to take an ownership interest in private property. The commission agreed to delete the proposed new section 517.1

Jennifer Desautels, of Trudell Consulting, spoke on behalf of their client CCS Development Corporation regarding proposed changes to the district boundaries and setback requirements on the CCS (formerly Langdell) property (parcel #08-090) located along VT Route 15, Center Road, Trombley Hill Road, and Frazier Road. The Commission had previously proposed to extend the Commercial District boundary to include the entire 44-acre parcel and to establish a 200-foot minimum road setback along the portion of the District with road frontage on Trombley Hill and Frazier Roads. The intent of establishing such a deep setback was to ensure that any potential commercial and/or PUD/residential development on this portion of the CCS parcel was kept away from existing residential properties along these roads.

Ms Desautels said that CCS was fine with a 200' setback along the Frazier Road frontage on the eastern side of the parcel as they had no plans to develop that part of the property. They were concerned, however, that a 200' setback from the intersection of Center Road and Trombley Hill Road to the Trombley Hill-Frazier Road intersection would eliminate almost three acres of area that could otherwise be used. Commissioners agreed to modify the proposed setback so that it begins with the 45-foot setback required throughout the Commercial District at the Center Road-Trombley Hill intersection and extends on an angle from that point to a point 200' back from the centerline of Trombley Hill Road on the adjoining Lambert property (parcel #08-091).

Minutes of November 18 and December 2, 2008 were reviewed and accepted as presented.

The meeting adjourned at 9:20 PM.

Respectfully submitted:  
Mark Leonard

Minutes approved on: 1/20/09