

FILE COPY

**MORRISTOWN/MORRISVILLE
PLANNING COMMISSION
P.O. BOX 748
MORRISVILLE, VT 05661
Phone (802) 888-6373
Fax (802) 888-6378**

Minutes of January 3, 2006

Members Present: Bill Henchy, Steve Benson, Bruce Tomlinson, John Meyer, Richard Duda, Andrew Volansky

Members Absent: Kelly Rogers

Guests: Steve Rae, Kevin Lane, Lorraine Smith

Recorder: Mark Leonard, Zoning Administrator (ZA)

Bill called the meeting to order at 7:00 PM. There were no meeting minutes to review as the previous meeting was held jointly with the Morristown Select Board and Morrisville Village Trustees on December 6, 2005; minutes of this meeting were prepared for the Select Board.

The ZA reviewed the Select Board's December 21, 2005 letter to the Planning Commission addressing two subjects raised at their Dec 12 public hearing on the proposed bylaw changes. The two subjects were the proposal to allow the ZA, instead of the DRB, to conduct subdivision pre-application reviews and proposed changes to restrictions on illuminated signs. The second question dealt with new restrictions on existing illuminated signs. The letter asked the Planning Commission to review its proposed changes on these subjects.

The ZA presented a draft response that stated the Commission's view that the change of review authority for subdivision pre-applications would not diminish public involvement in the process and would streamline the process.

Kevin Lane, who had raised the issue at the Dec 12 public hearing, expressed his concerns that the DRB is not adequately scrutinizing subdivision applications, at either the pre-application stage or in warned hearings, with the result that not all review standards are being effectively applied. He said that he feels the current pre-application review gives an application a sense of "pre-approval", making it more likely it will be approved at a warned hearing. He said that removing the DRB from the pre-application review will make a flawed process worse.

Bill responded that the purpose of the pre-application review is to determine if the proposal contains all the relevant information and that it broadly conforms with the Town Plan and subdivision bylaws before a warned hearing is scheduled. It is not a 'pre-approval' and the existing bylaws clearly state that any findings in the pre-application review do not bind the DRB to an eventual decision on the application. He also stated that the ZA may have more technical information and knowledge of applicable town programs and the bylaws than the DRB and would be in a better position to determine if a given proposal conforms to those programs.

Richard said it sounded to him that Kevin's concerns had more to do with how the DRB conducts its reviews using the current approval standards than its role in the pre-application process. If that is the case, he suggested that Kevin or anyone else having the same concerns should address them to the DRB or the Select Board.

Steve Rae said the pre-application review provides the first notice of a subdivision proposal and offers an opportunity for interested parties such as the Conservation Commission to review the proposal and work with the developer when changes that benefit both the public and the developer can be made before too much time and money has been invested in it. If not done by the DRB, and reported in their meeting minutes, he wondered how the public would be aware of such plans at this stage. Bill offered that the ZA could report any reviews he conducts, along with a copy of the preliminary site plan, to the DRB for inclusion in their minutes.

Lorraine Smith said she was present to address her concerns regarding the need for more communication with and input from the general public on this and all zoning matters. Bill noted that very few people attend the commission's regularly scheduled meetings. He said concerned citizens have a responsibility to be involved. Andrew agreed there needs to be more public involvement and better communication and asked Lorraine if she had any suggestions on how to accomplish that. She noted that the town web site is not up to date with meeting minutes

FILE COPY

and suggested it could also be used to advertise upcoming DRB hearings, recent permit approvals, and DRB decisions. The ZA said he would ensure that web postings were timely and current.

Following the departure of the guests, members discussed how to proceed with the proposed bylaw amendments. Bill noted that there is no urgency to making the change of pre-application review authority, while expressing his view that it still makes sense to do. Rather than see the complete set of bylaw amendments held up while trying to satisfy the concerns raised over this change, he asked if the members would consider removing this proposal from the rest of the amendments and consider it again in the next round of updates. On a vote of four in favor, two opposed, the members agreed to recommend this course of action to the Select Board.

The members discussed the Select Board's comments regarding illuminated signs and repeated their position from previous meetings that the current sign restrictions are dysfunctional and needed to be changed to make them uniform, fair, and enforceable. They agreed with the draft response to the Select Board that further clarifies the deficiencies with the existing restrictions and explains the rationale for the proposed changes.

The ZA said he would revise the commission's response with the changes discussed this evening and have a new draft for their review before week's end to submit to the Select Board.

Due to the lengthy discussion on these issues, members agreed to defer discussion on setting an agenda and goals for the new year until the next meeting.

On a motion by Bruce, seconded by Steve, the meeting adjourned at 8:50PM.

Respectfully submitted,
Mark Leonard, recorder

Minutes approved on: 1/17/06 BH/JM