

**MORRISTOWN/MORRISVILLE
PLANNING COMMISSION
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Minutes of July 15, 2008

Members Present: John Meyer, Andrew Volansky, Bill Henchey, Lauren Traister, Max Paine, Steve Berson

Members Absent: Kelly Rogers

Staff: Mark Leonard (Morristown ZA), Chip Sawyer (LCPC Planner)

Also Attending: Dana Wildes, Bob Beeman, Chuck Turley, Ron Stancliff, Amy Walker, Leon Whitcomb, Rhoda Bedell, Mike Rousell

Chairman Bill Henchey called meeting to order at 7:00 pm and reviewed the agenda. He noted that there was no meeting on July 1st due to lack of a quorum of Planning Commission members. He turned the meeting over to Chip Sawyer to review draft revisions to the Business Office Park (BOP) zoning district. Chip reviewed the proposed revisions (copy attached), noting that he had incorporated 'common' language found in the bylaws of similar-sized commercial districts on other Vermont towns and other states.

Bill addressed the concern about the entire district becoming retail uses, rather than the mix of various commercial uses the Planning Commission has envisioned for this district. Even if a retail store size cap of 75,000-square feet (as proposed in the draft revision) were incorporated, what would prevent five or ten stores of that size each being established in the district?

Bill proposed restricting retail structures to 40,000 square feet, with no single retailer within the structure exceeding 15,000 square feet. He noted that even that size was large than most existing retail stores in town, other than the two large grocery stores (Price Chipper & Hannafords, each in the 55Ksf range). By comparison, Menard's Agway store is 10Ksf and the former Union Carbide building is 25Ksf.

Jim Mahoney, representing the Bishop Marshall School's interests, relayed a conversation he'd had with Ken Harvey, another BOP landowner. Ken described a meeting with LEDC director Art Sanborn, Select Board member Dave Yacavone, Village Trustee Dana Wildes, and Morrisville Water & Light (MW&L) director Craig Myotte. They are looking at ways to finance & provide municipal water & sewer service to the BOP via Bridge Street, across Ken's property. One option is to obtain state and/or federal development grants. This would require some kind of mixed-use development that would have to include a residential component.

Dana Wildes expanded on Jim's comments and said this was the beginning of a complex process that could result in providing the necessary utility infrastructure most people feel is needed for the BOP to be developed as planned. The ZA, noting that the Planning Commission has spent several months dealing with the BOP issue while the remainder of the district reviews await, expressed concern over this new effort sidetracking the overall bylaw revision process. He asked if the proposed BOP revisions as currently presented are sufficiently broad to encompass the types of development that might come from the effort. Dana and Jim said they felt they were.

Referring to the draft revisions, Chuck Turley said they seemed to be too vague. He said definitions and review standards must be clearly defined in order to be effectively administered. He questioned whether the extensive design review standards proposed in the BOP would be applied to other existing commercially zoned areas. Bill said no, they were intended only for the BOP, but that the Planning Commission is considering other, broader design review criteria for conditional uses in other areas.

Amy Walker (Conservation Commissioner) said she remained concerned about how this area would be developed and what it would look like. She cited signage, access, and reduction of prime agricultural land among her concerns. She added that she did not think Lamoille Area Recreation Center

(LARC, formerly CREW) should be included within the BOP district. Bill said that LARC board members Sam Guy and Donny Blake had both expressed their desire for LARC to be included in the BOP.

Mike Roussell, representing the Bishop Marshall School, said the Planning Commission has done a good job balancing competing interests. The school does not, however, favor a fixed percentage of allowable retail use within the BOP, believing that would hinder or otherwise restrict investor/developer interest in the property.

Turning to the question of district boundaries, Chip felt that this issue needs to be considered later in the process, along with discussion on any potential Route 100 corridor district. He expressed concern about the current single access point into the BOP (off the proposed bypass route at the Bishop Marshall School), stating that a second access from the Bridge Street end was desirable.

Bill said the 'future use' map in the Town Plan showed the BOP expanding to the south to Morristown Corners Road and to the west to Cadys Falls Road. He said the several non-conforming uses within the expanded area could be converted to more appropriate non-conforming uses under the current zoning restrictions if they did not fall within the uses listed for the BOP.

Bill suggested extending the southern boundary to include the Bedell/Whitcomb and Balu properties to the south of Morristown Corners Road. The rest of the board concurred. Bob Beeman asked if they would consider including his property on the east side of Route 100, across from the proposed BOP southern extension. Bill said he felt that area would be considered for inclusion in the potential Route 100 corridor. Bob noted that his property and the adjoining Cheng property had poor soils for on-site sewage disposal and would benefit from hooking up to the municipal sewer.

The ZA drew the proposed BOP district boundary extensions on the zoning map.

Bill asked if BOP property owners would be required to hook up to municipal water & sewer service. Chip said that would be part of the Sewer Service Area (SSA) discussion, noting that the current BOP bylaws list all development as Class 1, meaning both municipal water & sewer service is provided. He added that having municipal services would be the best course, eliminating the need to set aside land for sewage disposal areas.

Max Paine asked whether sewer service would be extended along Cadys Falls Road. Chip said it was included in the proposed Sewer Service Area.

Ron Stancliff said he believes the multiple owners of properties within the BOP should combine their resources and efforts to come up with a common plan or vision for the area which will satisfy their individual goals.

Dana Wildes provided an update on the SSA process and sewer plant expansion. He said the plant's Act 250 permit requires the Village & Town to show how development within the proposed SSA will mitigate impacts on prime ag soils. He urged the Planning Commission to act quickly to adopt bylaws that address this issue so that the Act 250 permit condition is satisfied. Asked how that could be done, he suggested an interim zoning amendment, de-coupling this issue from the larger zoning bylaw revision. Such an amendment might create a SSA overlay district.

Dana said there will be a joint meeting of the Trustees, Select Board, Planning Commission, and MW&L in early August to consider how to deal with this issue. Bill said the PC will plan for a 45-minute discussion of the SSA as the first item on the August 5th agenda, before taking up discussion of possible changes in the Rural Residential with Agriculture (RRA) zoning district.

Minutes of the June 17, 2008 meeting were accepted on a motion by Lauren Traister, seconded by Andrew Volansky.

On a motion by Andrew Volansky, seconded by John Meyer, the meeting adjourned at 9:10 PM.

Respectfully submitted:
Mark Leonard

Minutes approved on: 8/5/08