

DRAFT
Brandon Planning Commission
August 19, 2013

Planning Commission Members Present: Marty Feldman, Jeff Guevin, Linda Stewart, Anne Bransfield

Others present: Charlene Bryant, Robert Black, Brandy Saxton, Tina Wiles, Priscilla McKeighan, Chris Stone, Kate McCarthy, Emma Zavez, Ethan Swift

Call to Order:

Anne Bransfield called the meeting to order at 7:08PM.

Approval of Minutes:

This item was postponed to the next meeting.

Public Comment:

Summit at the Falls Discussion:

. Robert Black of the Design Committee on progress to date and remaining preparation for the September 7 watershed forum at Town Hall

Robert Black and Ethan Swift provided information on the preparations for the September 7th Summit at the Falls event. The speakers for the Summit will be Tina Wiles, Ethan Swift and Shannon Pitlik. Blaine Cliver will be asked to do a short historical presentation. Additional people will be needed to assist with the break-out sessions. Robert Black will develop information on the Greenways and paths for recreation discussion. The corridor study will be posted on the town web page. Items outstanding include the development of take-aways, food and child care for the event. Anne Bransfield will be talking with Jane Coolidge and Tina Wiles will speak with the Girl Scouts concerning potential help with child care. There will be discussion with Kathy Mathis about ideas for food. It was suggested that the Foxcroft Farm program could potentially assist with food. Robert Black provided handouts for posting around town.

Forestry Issues in the Draft Wildlife Corridor Overlay District:

. Chris Stone, Rutland County Forester to discuss forest cover, zoning authority and other related topics

Chris Stone, Rutland County Forester, was present to discuss the state statute regarding tree regulation. It was questioned whether there are regulations regarding clear cutting. Mr. Stone stated he would need to review the law, as there is no definition of that term and would need clarification. The statute relates to silviculture, which is done in a forested setting and is essentially growing trees as a crop. Harvesting is the main mechanism to regulate density. Silviculture is the growing and tending of trees and does not apply to city/state trees or urban forests. It does not apply to small groups of trees and is generally meant to be the tending of forest trees for some value. Mr. Stone noted that trees are not generally planted to replace those cut for timber. He also noted that in certain areas, such as Hawk Hill, when an area is fully occupied, the only way to make room for trees is to cut down some trees. It was questioned what could be done if a DRB requires trees to be planted to reduce the envelope when someone clears to build a house. Mr. Stone advised there would need to be a decision-

making system developed and a list of approved trees compiled. It was noted that a negative list of trees not to plant would likely be smaller. Norway Maple and Black Locust are considered evasive. It was suggested one of the state-wide lists could be used, with additions to the list if desired. Mr. Stone suggested referencing known materials that have been established. It was suggested that property owners could be encouraged to contact the Forest Service regarding information on plantings. It will be important to outline the intent of the regulation and state what is to be accomplished. It was noted the intent of the regulation will be to safeguard forest cover to enable the wildlife to move between habitat blocks. Mr. Stone advised there is not much of a time difference between natural regeneration and established plantings. When one is changing from a forest to a field, one is undertaking a change of fields and not establishing silviculture. The question was raised as to how to insure silviculture practice is consistent with state standards. Mr. Stone advised there are only a small number of laws pertaining to timber harvesting. Over 2500 feet, the state can require a permit. There is a Heavy Cut law that requires state review if there is a certain intensity of cutting 40 acres or larger. The other issue people encounter is erosion and water control regulations, if there is discharge into a waterway. The rules are under revision and there will be a new set published in the near-term future. Kate McCarthy indicated it is appropriate to define building envelopes, lengths of drives and clearing that relates to development, not silviculture.

Brandon Based Code:

. Brandy Saxton of Place Sense to discuss timeline and tasks re: next phase of the BBC

Brandy Saxton was present to discuss the detailed agendas for the public meetings. Linda Stewart has been in contact with a representative from the Merchant's breakfast and they have requested the presentation be done at the October breakfast. It was proposed to have two breakfasts in September. The Farmer's Market representative has indicated this type of informational booth is not something that is allowed during the market. A suggestion was made to provide information on Saturday at the Transfer Station in the morning and at Hannaford's in the afternoon. An information session to be held on Thursday afternoon, with a location to be determined, in place of the Friday morning Farmer's Market. The Commission was in favor of this suggestion. The downstairs of the town hall was determined to be the best location for the larger events. Anne Bransfield will confirm the use of the town hall for all of the major events. With regard to the Breakfast focus group, this could be done sooner and other potential dates could be suggested. Ms. Saxton has allocated an hour for this discussion and she is envisioning discussing two broad questions; 1) what are the problems and changes needed and 2) what type of development and characteristics should be developed. This meeting will be low tech, with a general discussion, a wrap up and a handout of information. Details that include a date, location, time and an invitation list will need to be determined.

The community visioning session will be the kick-off public evening event scheduled for Thursday, September 12th. There will be a slideshow that will provide information on the Form Base Code. A mapping exercise will be done in small break-out groups, with each group to include a member of the Planning Commission. A clean footprint map will be completed prior to this event. The mapping exercise will be town-wide, however, when transects and coding are done, it would be better to concentrate on the village area, with the rural areas to be done at a later time. The focus on details would not be acquired if the entire town is done and the rural areas would be the natural second phase of the project. The village and the rural areas would have a different emphasis. Ms. Saxton will email the Planning Commission maps to discuss how far out to go initially with the project. Ms. Saxton provided information on the mapping exercise to the Planning Commission, with the intent to build connections for the positive aspects and areas of improvement. Information will be identified on places that are heavily used and areas that are not heavily used.

The preference survey to be done at the Transfer Station, Hannaford's and a location to be determined on Thursday would include photos and a survey on choosing the pictures relating to the questions. This will be done somewhat geographically and the questions will concentrate on what will be appropriate and what will not be appropriate for the downtown, the Route 7 corridor and some other residential streets. The idea is to provide different options for people to think about and determine what should go where. The Planning Commission suggested groups of streets would be appropriate. Mr. Guevin will review this item. There would also be a handout to provide individuals information on what Form Base Code is and the schedule for upcoming events.

During the open house work session, the local architects will be needed. This session will start in the later afternoon and continue into the evening and the purpose of the open house will be to put together the information needed for the session on Saturday. The place maps, matric results and inventorying will be the base material for the work session. This information will be used to create transects from the place mapping and preference survey. Illustrations will be developed to graphically illustrate this information. It is Ms. Saxton's goal to have a rundown of the different transects, such as several T3 and T4 streets, and the downtown business area. As many professional people as possible will be needed for this session. Ms. Saxton suggested inviting some of the regional planning individuals for this session. Ms. Saxton will provide the Planning Commission revised inventory sheets.

The community workshop that is scheduled for Saturday, September 21st from 9AM to Noon will begin with an overview, followed by a break-out group exercise. The main activity will be to delineate the neighborhoods and apply transects to them, using the same base map. This will be a similar exercise to the place mapping exercise. The goal is to spend 90 minutes on the mapping in the small groups, followed by a round robin discussion to determine where there is consensus and common themes. Facilitators will be needed for the small groups.

The final event will be a 45-minute results presentation at the Select Board meeting of September 23rd. A suggestion was made to present this information to the Select Board prior to the meeting to summarize the activities done, with the presentation of the draft transect and a question & answer session during the meeting. Ms. Saxton suggested mailing postcards to the residents, advertising in the newspaper and making announcements at local group meetings to get the word out regarding the upcoming events.

Draft Wildlife Corridor Overlay District

. Kate McCarthy and Emma Zavez of Vermont Natural Resources Council to review final issues and language re: existing draft language and intent

A review of the draft language and suggested changes for the Wildlife Corridor Overlay District was completed. Under section x.00, Jeff Guevin requested Kate McCarthy provide the names of the scientists noted in this section. It was noted that it would be a good idea to map and attach the connectivity corridors as delineated by the Staying Connected Initiative. A decision needs to be made whether the setback in the critical crossing overlay is 500 feet or 1000 feet. Ms. McCarthy suggested 1000 feet is safer, however, in reviewing the lots, they are typically 500 feet. One standard in the critical crossing area is no new roads are allowed, only driveways. The setback and frontage of the overlay are important points. Jeff Guevin will work on the silvaculture section. In discussing temporary structures, the decision was made to define them as one recreational season or six months. The zoning administrator can approve some items in the wildlife corridor, but the property owner is also subject to the regulations of the Brandon Land Use Ordinance. There will be standards and special requirements for development and as the Planning Commission moves towards Form Based Codes, the terminology will be geared towards that effort. Ms. McCarthy stated administrative review and DRB review are supplemental review standards within the underlying district. Ms. McCarthy will rework this section and

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provide a rewrite to the Planning Commission. Under section x20, administrative review, the standard indicates what happens if one is building. The decisions being made by the zoning administrator are usually a function of the DRB. If the applicant does not agree with the zoning administrator, they can go to the DRB for review. Ms. McCarthy advocates everything be conditional use. She stated these are great standards and help evaluate development in the wildlife corridor, but there is no site-specific evaluation and questioned what will be required in the application process. It was suggested that a Google picture could be required. As a fair way for both the DRB and the applicant, a suggestion was made to include language suggesting the applicant consult with the Vermont Fish and Game. Ms. McCarthy will provide a standard for section x20.b to describe the maintenance of a forested buffer by the edge of the road to facilitate wildlife crossing. Ms. McCarthy noted there may be grants available to develop a natural resources inventory. With regard to defining the size of the development envelope, it was suggested it be no more than 25% of the pre-existing tree cover as defined. Ms. McCarthy stated that enforcement is more important and she feels it is appropriate to place this in the zoning by-laws. The length and width of driveways are a good way to start. There was a discussion about the length of driveways and there was a suggestion of including the maximum length between 200 and 300 feet. The driveways in the non-critical crossing areas have different standards. It is the intent to have cover close to the Route 7 for the wildlife crossing. Brandy Saxton suggested creating lot layers in the Form Base Code concept to assist with this issue. With regard to fencing, it was noted there should be an 18-inch clearance at the bottom and should consist of smooth wire. An acceptable height for wildlife was indicated to be four and one-half feet. There was a suggestion to eliminate the fence standard altogether, however, a decision on this subject has not been made. Ms. Saxton noted it may be a good time to think about grouping uses into broader areas. Ms. McCarthy recommended once the draft is complete to the satisfaction of the Planning Commission it be forwarded to the town's attorney for review.

Other Business as Needed:

For the near-term future, the Planning Commission meetings will be scheduled for the 1st and 3rd Mondays of each month.

Next Meetings:

September 4, 2013
September 7, 2013 – Summit at the Falls
September 16, 2013

Adjournment:

A motion was made by Anne Bransfield and seconded by Linda Stewart to adjourn the meeting at 9:35PM.
The motion passed unanimously.

Respectfully submitted,

Charlene Bryant
Recording Secretary

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