

FINAL
Brandon Planning Commission
October 7, 2013

Planning Commission Members Present: Marty Feldman, Jeff Guevin, Anne Bransfield, Tracy Wyman

Others present: Charlene Bryant, Max Ferro, Brandy Saxton, David Ploof, Linda Ploof, Mary Coombs, Robin Bennett, Art Doty, Tina Wiles, Jason Borah

Call to Order:

Anne Bransfield called the meeting to order at 7:15PM.

Public Comment Period:

Mary Coombs stated the neighbors located near the parcel on 44 Carver Street have been said that it has been sub-divided; however, the tax bill for this property has no reference of a subdivision. There is no documentation of a separate parcel and there is a substantial amount of fill that is proposed to be brought in to enable a trailer to be placed on the property. Tina Wiles stated this application is waiting a DRB decision. Ms. Coombs was told that Mr. Atwood and Tina Wiles were on her property and she was under the impression that the abutting neighbors should be provided 24 hour notice. Ms. Wiles said the reason she was in the area was because of what was being appealed and she was gathering facts. Ms. Coombs stated none of the abutting owners were notified and the land use permit is not valid. Ms. Wiles said that the listers can tax contiguous properties on one tax bill, which is what they have done with this property. The division of the properties is noted on the tax map and is a state sub-divided lot. Anne Bransfield suggested Ms. Coombs meet with Ms. Wiles to review the information on the property. Justin Borah wished to address the general view of the Town Plan to deal with trailers within city limits or historic limits. Mr. Bora stated as a historic place, a change to the aesthetics is unwanted and a trailer coming into an area does change the feel. Mr. Borah suggested there may need to be an amendment to the Town Plan. Anne Bransfield said the Planning Commission is in the process of doing an update and the comments this evening will be taken into consideration. Marty Feldman noted there are state requirements about putting restrictions on manufactured mobile homes. As a town, there is a requirement to follow state laws and restrictions. Mr. Borah wanted to be sure that Brandon is enforcing the state standards. It was noted that regulations can be instituted, however, there is very specific language that can be used and one cannot say that a mobile home is less legal than another building. Ms. Coombs noted that Mr. Atwood already has a house and he has chosen to move in a 30-year old trailer. Mr. Borah questioned placing a trailer in a historic district and requested to see a map of the historic village. Jeff Guevin said that state law applies across all districts and one cannot ban mobile homes and they need to be treated the same way as a stick-built home. Mr. Guevin said this is a DRB issue. Max Ferro asked the Planning Commission to put some historic preservation regulations in the Form Base Code, as this would prevent the parking of a trailer in a historic district. It was noted that in 1976, Carver Street was included in the National Archives as a historic district.

Max Ferro provided a sampling of the Burlington zoning regulations that related to protecting their historic district, noting the City of Burlington has since decided to throw out the regulations. If something like this were done, there would be benefits to tourism and to the individuals living in town. Mr. Ferro stated the community has some differing opinions and his comments are based on his experience in development. He noted if someone were to fund the project relating to the falls in the downtown, it would benefit the town, however, there are considerable costs involved in this project. He stated sometimes recommended ideas do come to

fruition. Ms. Bransfield noted that sometimes individuals in the town get confused with who represents the town and those who are volunteering their services. Mr. Ferro said he will enjoy working together with Tina Wiles on any of the ideas submitted by the Design Committee, noting there are varying opinions and ideas within the Design Committee.

Ms. Coombs requested a copy of the subdivision previously discussed. She viewed a town map but the property is all referenced as portion. Tina Wiles stated it depends whether the map was recorded or just filed with zoning. Ms. Wiles stated the property has a town subdivision permit. The only course of action that can be taken is an appeal to the DRB decision to the environmental court and it would be an appeal to the decision to issue to the permit. There was no regulatory section of the ordinance involved and the appellant stated the mobile home impact on the stream. Notifications will be sent to anyone who was at the hearing. It was noted that the Planning Commission's responsibility is to develop the rules, which are then approved by the Select Board, and the DRB enforces those rules.

Town Manager Introduction:

Anne Bransfield introduced Robin Bennett as Brandon's new town manager. Ms. Bennett said her priority is getting the staff back into the town office. There has been progress made in cleaning out the office building. The town is currently awaiting reconciliation of the claim with the insurance company. The insurance company has been willing to work with the town and the town will come out of it as best it can. The projected timeframe to be back in the town office is by year-end. She is being brought up to speed with the Segment 6 Waterline Project and grants that have been applied for. The deadline for getting into the river is November 15th, with a completion date of February 15, 2014. Ms. Bransfield said the Planning Commission is willing to assist the town manager wherever possible in her efforts to establish a capital plan. Ms. Bennett said the first discussions of the budget process will begin tomorrow. Ms. Bransfield also noted that Ms. Bennett was instrumental in assisting the Planning Commission in submitting a state planning grant. Mr. Doty stated if the town is considering any of the suggestions put forth by the Design Committee, it would be behoove the town to consider them before the other projects are put in place. Tina Wiles stated there has been a FEMA grant application submitted for the overflow culvert. Ms. Bennett and she had a lengthy meeting with VTrans to discuss combining the projects that include the bridge and the two parks.

Approval of Minutes:

. Planning Commission Meeting of September 4, 2013

This item was tabled to a subsequent meeting.

Brandon Based Code:

. Overview - Brandy Saxton

Brandy Saxton provided a proposed outline for the completion of the Form Based Codes project. The plan would be similar to how a zoning ordinance is set up. There would be a regulation plan and description of the transect zones. Some of the activities in this section have been started. The next section would be the public standards that would involve street sections, public lighting, landscaping and civic spaces in the public right of way. The development plan is where there is an opportunity to improve the rural context in determining the different types of developments that can occur, such as cluster subdivisions, and to come up with models and sets of standards that would guide those. The section similar to the conservation subdivision would include

community types; transect zones, civic zones, thoroughfare standards and density calculations. The fourth piece would be lot and building plans. Ms. Saxton has examples to deal with pre-existing development, building placement, parking standards, landscape standards, sign standards and lot/ building retrofit. The plan would also include a summary table outlining the most important items. It needs to be determined how much of the current ordinance is going to be folded into the Form Base Codes, such as hazard mitigation, lighting, noise, drainage, storm water management, riparian and wetland buffers, traffic, wildlife corridor, energy and affordable housing. Ms. Saxton noted many of these items are built from individual blocks that would tie into multiple organizations. Ms. Saxton stated the Planning Commission needs to work on transects out from the center of town. The Planning Commission is scheduled to be on the Select Board's October 14th agenda for a presentation on the Form Base Codes.

Ms. Saxton proposed providing Items 1 through 3 to the Planning Commission for review at their October 21st meeting. For the November 4th meeting, she will complete Items 4 through 6 for review. The architectural standards will be complete for the November 18th meeting. Once she has a rough draft of the architectural standards, she will provide them to the Design Committee for their input. Tina Wiles asked if there are different standards for the downtown versus the rural and village areas. It is thought the standards would apply to the downtown business district and the main corridors. The architectural standards are not the same as the historic standards, but are more of a portion scale. It was noted that once the Town Plan expires in May 2014, no regulations can be adopted until the Town Plan is revised and approved. It was suggested the recommendations from the Regional Planning Commission be incorporated in the rewrite, which will include an updated Child Care section, a Resiliency chapter and updated information on Hazard Mitigation. Ms. Wiles said the state has a check-list of what should be covered in a town plan.

Other Business as Needed:

. MPG Application Status

Anne Bransfield reported Jeff Guevin and Robin Bennett did a phenomenal job on the regional planning grant that was recently submitted. The grant would fund a variety of items for the Planning Commission that would include consultants, advertising and events such as the Watershed Forum.

. Visioning Session Later in October

The next scheduled Planning Commission meeting will be held on October 21st and will include a discussion of the recommendations to be made to the Select Board concerning the Town Plan. It was noted the new Form Base Codes will be consistent with the current Town Plan. The recommendations will also include the new statutory regulations.

. Schedule the Next Town-wide Group Working Session

From the last town-wide Group Work Session, there were some charges given, with one being communication and cooperation. A suggestion was made to set up a quarterly meeting of the groups in town, with the next meeting to be held during the Planning Commission's November 4th meeting. Invitations will be sent to the groups who attended the first session. Anne Bransfield has requested help with the mapping for Brandy Saxton that will save the town money. Ms. Bransfield said a Brandon representative to the Regional Planning Commission is needed and she will contact Richard Baker to ask if he is interested in filling this vacancy.

Sidewalk Ordinance Current Business Discussions:

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Anne Bransfield has been talking with Bernie Carr concerning the sidewalk ordinance. Mr. Carr would like to talk with the business community and serve as a representative of the businesses for a discussion with the Planning Commission concerning the Sidewalk Merchandise ordinance and Section 407 of the BLUO. There are general concepts of the sandwich board ordinance that are in question. Mr. Carr will advise the Planning Commission of a time convenient for discussion. Tina Wiles suggested the businesses come prepared with something in-hand for consideration. Ms. Wiles offered to meet with Mr. Carr to discuss the differences. Tracy Wyman asked how much of the ordinance will change with the Form Base Codes. Ms. Saxton stated these could be folded into the Form Base Codes. It was noted that the Sidewalk Merchandise ordinance relates to items on public property. Marty Feldman said Janet Mondlak has requested the minutes from previous Planning Commission meetings for posting on the town's website. It was suggested that Jeff Guevin be provided access for updating the Planning Commission's web page. Marty Feldman will contact Janet Mondlak to request access for Mr. Guevin.

Jason Borah questioned the process for requesting changes to the Town Plan. For suggestions to the Town Plan and zoning ordinance, the public can email suggestions to bplan@sover.net. Any changes to the documents would need to go through the statutory requirements and approval by the Select Board.

Next Meetings:

October 21, 2014 – Regular Meeting - Visioning Session

November 4, 2014 – Regular Meeting – Continued discussion with Brandon Groups

November 18, 2014 – Regular Meeting

Adjournment:

A motion was made by Mary Feldman and seconded by Jeff Guevin to adjourn the meeting at 9:00PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary