

**Brandon Planning Commission**  
**June 4, 2012**

**Planning Commission Members Present:** Anne Bransfield, Phyllis Aitchison, Marty Feldman, Linda Stewart

**Others present:** Charlene Bryant, Tina Wiles, Robert Black

Anne Bransfield called the meeting to order at 7:06PM.

**Approval of Minutes:**

A motion was made by Phyllis Aitchison and seconded by Linda Stewart to approve the May 21, 2012 minutes.  
**The motion passed unanimously.**

A motion was made by Linda Stewart and seconded by Phyllis Aitchison to approve the March 19, 2012 minutes. **The motion passed unanimously.**

**BLUO Update – Definitions Section:**

**Abandonment** - Marty Feldman questioned if the DRB can determine anything without a notice or hearing pursuant to 753 under the Abandonment definition. Mr. Feldman stated it seems processes are constantly being repeated and he feels it would be good to clean up the definitions and eliminate reference to other sections, as this causes confusion. Tina Wiles stated it looks like the first sentence; “may hold a hearing” tells her it may be an administrator’s authority. Ms. Wiles felt it should read the DRB “shall hold a hearing”, not “may hold a hearing”, in the 753 definitions. Mr. Feldman felt it should be a definition and not an explanation of the process, as it gets very confusing. Tina Wiles asked if it is necessary that the DRB determine if a structure is abandoned or would it be better for criteria to be developed for the Zoning Administrator to make the determination. She stated if the definition is strong enough, it should not be an issue. Ms. Wiles suggested taking out the first two sentences. Mr. Feldman also suggested removing “pursuant to 753 (H)” as it is redundant. Tina Wiles stated the town does not have an Abandonment Ordinance currently and suggested coming back to this definition at a later date.

**Accessory Dwelling** - Tina Wiles stated there are new statutory regulations for Section H207. Phyllis Aitchison felt what is currently written is very good. Ms. Wiles stated there are some new provisions that the current definition will need to be compared to. An Accessory Dwelling used to have to be within the same structure, but there has been a change recently received indicating it can be a separate dwelling. Tina Wiles suggested it could read “as defined by and subject to provisions of 736”. She noted this is probably the way the Abandonment definition should be written, as it is based on criteria.

**Accessory Use or Structure** – Anne Bransfield noted it was agreed at the last meeting to remove everything after; “For Example...” Tina Wiles stated that a garage may be considered an accessory use. Linda Stewart stated 736 refers to apartments, but does not refer to a trailer or shed.

**Alteration** – Tina Wiles stated there are a couple of different definitions provided. A suggestion was made to use the first definition provided by Ms. Wiles, with the removal of the notes.

**Aquafir Recharge** – Phyllis Aitchison questioned if the definition would remain the same whether there is an overlay or not. Tina Wiles stated there would still be a recharge area, but could be defined on a map. Marty Feldman requested to remove the term “of stratified drift”, as there could be fractured bedrock. The Committee was in agreement with this change.

**Automobile Sales and Service** – it was changed to read “See Motor Vehicle Sales and Service  
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**Basements** – it was suggested to remove the words “on all sides”. Tina Wiles felt that this should be clarified to read partly or wholly below ground level rather than subgrade.

**Bed & Breakfast** – it was felt the definition should remain the same.

**Bedroom** – Tina Wiles indicated the state defines a bedroom by the size of a room, proximity to bath and living area. Tina Wiles will review the state statute relative to the rental code for their definition of a bedroom.

**Building** – Marty Feldman felt it should be more defined and the issue appears to be the intent of the use of the structure. It was felt that the definition should not be too restrictive. Structures such as temporary, portable garages are being used on a permanent basis and items of this nature could potentially be separated out. Tina Wiles stated perhaps the wording should be more specific. It was felt that tents, lunch wagons, trailers, and school buses should be separated out.

The building definition was defined as a structure designed for habitation, shelter, storage, trade, manufacture, religion, business, education, and the like. As a structure or edifice encompassing a space within its walls and usually covered with a roof, including but not limited to a house, garage, shed, greenhouse, lean-to or barn.

**Business Frontage** – has been defined in the Sign Section.

#### **Segment 6 Route 7 Project Design Subcommittee:**

Mr. Black provided a large poster of the consolidated Segment 6 Route 7 design with an overview of the downtown portion as an information and education piece for the public viewing. It was suggested that the poster could be displayed in the town office. The poster shows how Route 7 will change around Central Park and Mr. Black noted there are several areas that could potentially be fine-tuned. Mr. Black felt there could be thousands of dollars saved with some redesign and it is hoped that a meeting can be held with the design team to discuss some considerations. Mr. Black stated there have been a number of factors that have changed since the original Segment 6 design. Mr. Black provided a memo that he is proposing for cost and time savings. He noted he would hate to have the town spend more money, when there are some items that could be simplified, as well as some safety concerns addressed. Linda Stewart was hoping that at least the Town Manager and Select Board Chair could view the changes. It was proposed there could be some work sessions held during the last 2 weeks of June with the Select Board and engineers of the project to hear some of the considerations being proposed. Mr. Black noted the gazebo is proposed to be very close to the road and is a strategic piece of the town park. He stated some of the others improvements are minor such as the location of the crosswalks near the pathways. Tina Wiles stated the Water Department is going to be discussing the project soon with property owners affected concerning the easements. Mr. Black feels it is worth a discussion and a chance to re-evaluate for cost-savings with the project. Ms. Bransfield stated there could potentially be funding through Complete Streets. Mr. Black stated there are many good designs in the project, but if there could be the possibility for some open discussion, it may pay some dividends. Tina Wiles questioned if the Downtown Brandon Alliance is in agreement with the Design Committee and Mr. Black noted they are in agreement with the suggestions.

#### **Municipal Planning Grant Discussion:**

Tina Wiles stated priority is being given to towns that have plans for flood hazard areas. She noted this is not to say that Brandon could not get grants related to infrastructure, such as the pipes downtown that are being replaced. Ms. Wiles stated the Planning Commission would not be requesting these types of grants, as that would be the authority of the Public Works Department. The Planning Commission could request grants for bringing the Zoning Ordinance in compliance with the Town Plan. Ms. Wiles noted preference is also being

given to towns who are implementing flood and fluvial erosion plans. Anne Bransfield stated when more information is received; the Planning Commission will consider applying for these grants.

### **Wildlife Corridor – Next Steps:**

Anne Bransfield advised she has received recommendations from Jamie Fidel and Kate McCarthy of VNRC. Ms. Wiles also provided handouts titled “Facilitating Innovative Agricultural Enterprise” and “Model Local Ordinance on Complete Streets”. Tina Wiles stated the agricultural exemption is becoming a big problem.

### **Other Business as Needed:**

Anne Bransfield questioned if Jeff Guevin’s appointment to the Planning Commission is on the Select Board’s next meeting agenda and Tina Wiles noted she believes this will be discussed at the next meeting along with the DRB appointments.

Tina Wiles stated the town now has a Hazard Mitigation Plan and the Regional Planning Commission has also approved a Regional Mitigation Plan. The town has approved their section of the Regional Mitigation Plan that has several identified priority items. Ms. Wiles has reminded the Select Board of the priority items that include the need to decrease fire risk to the town office, address flooding across Route 73, Bridge 114, to flood-proof and fire-proof the Town Clerk’s office, address accidents and relocate the town office outside the Flood Hazard Zone. Ms. Wiles has questioned why the town is not taking the opportunity to relocate the town office as they their services should not be in a flood zone. It was noted this is a perfect opportunity for the town to move the offices out of the flood zone, with some suggested locations being the 2<sup>nd</sup> and 3<sup>rd</sup> floors of the Smith Block or the building that houses the post office. It was suggested that the Planning Commission submit a memo reiterating that this is requirement in the Hazard Mitigation Plan. It was also noted that FEMA is reviewing the Hazard Mitigation Plan and non-conformance could potentially affect future grants. Linda Stewart noted there are exceptions for historic structures in a flood plane zone. Tina Wiles stated the building that housed the town office is considered a historic structure so they would need to elevate it out of the flood plane area, but they also need to make it safer than it was before.

Anne Bransfield requested the Planning Committee members review the Complete Streets information that Tina Wiles had distributed for discussion at the next meeting.

### **Public Comment Period:**

There was no discussion held.

### **Adjournment:**

A motion was made by Anne Bransfield and seconded by Phyllis Aitchison to adjourn the meeting at 9:15PM.  
**The motion passed unanimously.**

Respectfully submitted

Charlene Bryant  
Recording Secretary