

DRAFT
Brandon Planning Commission
March 18, 2013

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

Others present: Charlene Bryant, Tina Wiles

Call to Order:

Anne Bransfield called the meeting to order at 7:07PM.

Approval of Minutes:

A review and correction of the minutes was completed.

A motion was made by Linda Stewart and seconded by Jeff Guevin to approve the minutes of January 22, 2013, with corrections. **The motion passed unanimously.**

A correction to Paul Dreher and Brandy Saxton's names.

A correction to the sentence: Anne Bransfield will also be doing grant-writer training in the coming month.

Budget Report:

Tina Wiles stated currently Code Enforcement has a budget of \$14,600.00. There is \$5,000.00 in the budget for legal and \$3,000.00 for other contracted services. The fiscal year begins July 1st and there will be an additional \$3,000.00 available at that time for contracted services. The Planning Commission needs to ask the Select Board to transfer any fund balances left over from the current year to the next fiscal year. Tina Wiles will request a print-out of the expenses incurred to date. The Planning Commission will need \$9,000.00 to \$10,000.00 in the operating budget for the coming year to obtain a consultant. Brandy Saxton previously provided a quotation of \$6,500.00 for services related to Form Base Codes and an updated quote will be requested. Tina Wiles stated a planning grant could also be applied for.

A motion was made by Jeff Guevin and seconded by Anne Bransfield to spend the current funds available for a consultant and request additional funds in the next fiscal year for consulting services. **The motion passed unanimously.**

Public Comment Period:

There was no discussion held.

Collaboration with Public Works:

Tina Wiles advised that Brian Sanderson is considering a Tree Policy for Brandon and he would like to work with the Planning Commission on this effort. There are many trees down on McConnell Road and other areas around town due to the storm.

Zoning Administrator Discussion:

Tina Wiles distributed copies of the Vacant and Dangerous Building ordinance and the Sidewalk ordinance for the Planning Commission to review. Ms. Wiles suggested when making revisions to the Wildlife Corridor, the Commission could potentially combine that change with the suggested changes to the ordinances distributed this evening. Ms. Wiles stated it is the intent to have the Sidewalk and the Sign ordinance match, in particular where they relate to sandwich board signs. If the ordinances are not consistent, there could be issues. The changes include adding definitions, making the square footage the same and the distances from the wall the same. The existing Sidewalk ordinance has no distances and the change would make it clearer. The changes would then need to be forwarded to the Select Board for consideration, as this is a Select Board ordinance and would be enforced by the Select Board. The Town Manager has previously had jurisdiction for the Itinerate Vendor, Sidewalk Signs and Merchandise Display ordinances. The Sign ordinance in the BLUO has to do with signs on private property, whereas the Sidewalk signs and Merchandise Displays ordinances relate to signs on public property. Currently, there have been no changes made to the Vacant and Dangerous Building ordinance. The Planning Commission will review and discuss these ordinances at a subsequent meeting.

Tina Wiles also provided a copy of a Waiver for Setback document for the Commission's review. Ms. Wiles noted the Tree policy could be part of a Select Board ordinance if the Planning Commission decided to make this change. Ms. Wiles suggested inviting Paul Gurney, Tree Warden, to a subsequent meeting.

Ms. Wiles noted that Act 199, relating to groundwater, had been previously distributed for the Commission's review.

Ms. Wiles advised the Commission that there is a petition circulating for the Planning Commission to develop an ordinance banning the marijuana dispensary. She advised that anyone can ask the Planning Commission to do an ordinance. If there is less than 5% of the registered voters on the petition, they can present a draft ordinance to the Commission and the Planning Commission "may" review it, however, if there is more than 5% of the voters signing the petition, the Planning Commission "must" do an ordinance for submission to the Select Board for consideration. The Select Board then has the option to approve or disapprove the ordinance. Tina Wiles stated the intent of this petition would be if there is a request to change the location, they would be prohibited at that point to do so.

Wildlife Corridor:

a) Identify Proposed Zoning Overlay Boundaries

It was a consensus of the Commission to move forward with the concept of an overlay district. A discussion of the proposed zoning overlay boundaries for the Wildlife Corridor was held. It was noted that any property partially in the overlay district would be subject to the requirements of the overlay district.

Starting at the intersection of Route 73 and the Brandon-Sudbury line, then proceeding...

(Both Options)

...Southerly along the thread of Otter Creek to Otter Creek's confluence with Jones Brook, as the bank and confluence exist at the time a zoning application that may be affected by the Wildlife Corridor Overlay is made, then proceeding northeasterly along the southern bank of Jones Brook, as the bank exists at the time a zoning

application that may be affected by the Wildlife Corridor Overlay is made, then proceeding to the change in course of Jones Brook from northeasterly to southeasterly and roughly parallel to Franklin Street/Route 7, as existed in January 2012, then proceeding...

Option A: directly east to the center line of Franklin Street/Route 7, then proceeding southerly along the centerline of Franklin Street/Route 7 to its intersection with McConnell Road, then proceeding....

Option B: southerly along the foot of the rise that becomes Hawk Hill, to the northern property lines of residential lots on the north side of Rydon Acres, then proceeding easterly to the centerline of Franklin Street/Route 7, then proceeding northerly along the center line of Franklin Street/Route 7 to its intersection with McConnell Road, then proceeding....

(Both Options)

...Northerly along the centerline of McConnell Road to its intersection with Forest Dale Road/Route 73, then proceeding northeasterly along the centerline of Forest Dale Road/Route 73 to its intersection with North Street/Route 53, then proceeding northerly along the centerline of North Street/Route 53 to the Town limits, then proceeding along the Brandon Town line, easterly, then southerly, then westerly, then northerly, to the point of beginning.

Starting at the intersection of the thread of the Otter Creek and the Brandon-Sudbury line, then proceeding southeasterly along the thread of Otter Creek to Otter Creek's confluence with Jones Brook, then proceeding northeasterly along the thread of Jones Brook to a culvert under Franklin Street/Route 7, then turning northward and proceeding northerly along the centerline of Franklin Street/Route 7 to its intersection with Country Club Road, then proceeding northerly along the centerline of Country Club Road to its intersection with Forest Dale Road/Route 73, then proceeding northeasterly along the centerline of Forest Dale Road/Route 73 to the Brandon Town Line, then proceeding along the Brandon Town line, easterly along the centerline of the Gap Road/Route 73, then proceeding southerly, then westerly, then northerly, along the Brandon Town line to the point of beginning.

A motion was made by Jeff Guevin and seconded by Linda Stewart to accept the proposed outline of the Overlay district for the Wildlife Corridor. **The motion passed unanimously.**

b) Identify Components of the District

Tina Wiles asked how this overlay will impact property owners. It was noted that the Overlay district would not change the uses and the most critical part of the district is where the wildlife cross Route 7. The criteria for the district are still to be developed. Some suggestions for zoning in the Overlay district included minimizing the building envelopes, defining the distance from the highway for construction, no clear cutting, defining the length of driveways and where to site houses on properties. The Overlay district can likely be completed without changing the Town Plan as the Plan has specific enough language indicating the protection of habitat.

c) Assign Drafting Duties

Marty Feldman volunteered to draft an outline of the Wildlife Corridor components and will distribute to Commission members for review.

Anne Bransfield will email Kate McCarthy for suggestions on the Wildlife Corridor components.

Brandon-based Code:

Mr. Guevin provided ideas for the descriptions of the Form Base Code definitions that would include five transects that are defined by areas and those areas could have any kind of use. The transects include:

T1 – Natural (or Wildlands/Undeveloped/Protected area/Preserve/Open space/Limited development/Conservation district – may just fall under Wildlife Corridor Overlay rubric)

T2 – Rural (or Rural/Ag)

T3 – Suburban (or PN – Planned neighborhood)

T4 – General (or HDN – Historic district neighborhood; AN – Arterial neighborhood; Village center – i.e. Forestdale village)

T5- Center (or Downtown or Historic downtown)

“Special Districts” (SD1 – Historic district; SD2 – Wildlife corridor)

Mr. Guevin would like to provide a more descriptive name that would make them more understandable to the public. These are not zoning districts, but are ways to describe what each district is. It is not about the uses, rather what each district would look like.

Mr. Guevin provided a suggested breakdown of the areas in Brandon that would have zoning districts based on Streets/Corridors, Neighborhoods and Villages/Development nodes. Mr. Guevin distributed a proposed Site Visit Worksheet, noting the next stage in the process will be for the Commission members to do site visits and have a discussion on transects. In doing the site visits, the basic outline would be created for discussion with the public. Tina Wiles advised the tax map is also available on line and sections of the map can be printed for use in this process.

The Commission discussed inviting architects to the May meeting for a discussion on Brandon-based Codes from the information collected in this process.

Other Discussion:

A discussion of potential individuals interested in serving on the Planning Commission was held. It was noted that Natalie Steen and Gary Meffe have indicated they would review documents for the Planning Commission, but would not be available to serve on the Commission.

Linda Stewart urged the enforcement of the Sign ordinance and questioned whether there were any results from violations. Tina Wiles reported she is working daily on these issues, noting there are many variables and individuals providing information about signs and there are many signs to keep track of in town.

Next Meetings

. Monday, April 15, 2013

Adjournment:

A motion was made by Linda Stewart and seconded by Anne Bransfield to adjourn the meeting at 9:22PM.

The motion passed unanimously.

Respectfully submitted
Charlene Bryant
Recording Secretary
Brandon Planning Commission
March 18, 2013