

**Draft**  
**Brandon Planning Commission Meeting**  
**February 1, 2016**

**Planning Commission Members Present:** Jeff Guevin, Frank Bump, Linda Stewart, Phyllis Aitchison

**Planning Commission Members Absent:** Anne Bransfield, Marty Feldman

**Others present:** Anna Scheck

**Call to Order:**

The meeting was called to order at 7:05PM by Jeff Guevin, Planning Commission Chair.

**Agenda Approval:**

A motion was made by Linda Stewart to approve the agenda as amended. **The motion passed unanimously.**

The next scheduled Planning Commission meeting was changed to March 7, 2016.

**Approval of Prior Meeting and Hearing Minutes:**

A motion was made by Linda Stewart to approve the minutes of the January 4, 2016 Planning Commission meeting. **The motion passed unanimously.**

**Old Business:**

*. Zoning Administrator Report*

It was noted one of the gas stations in town has removed the electronic signs. There is a rotating sign at the Junction Store that the Zoning Administrator will address. Anne Scheck reported the owners of the Mobil Station have met with Dave Atherton and Daryl Burlett and the package is almost complete for submission to the DRB. The request will include a car wash, convenience store and Dunkin Donuts. Ms. Scheck noted all signs will require a variance, as they are much larger than what is in the ordinance. There is too much signage for the business and the canopy top is located in the flood hazard area. Ms. Scheck stated there are a lot of questions and suggested when the DRB hearing is set it may good for members of the Planning Commission to attend the hearing. The owners are also working with Daryl Burlett and Ray Counter regarding the capacity fees. Ms. Scheck will advise the Planning Commission when the hearing is scheduled. The abutters will also receive a notice of the DRB hearing. The project will not be required to have an access, as this will change with the Route 7 Project. It was noted that OV is looking into a new electric sign and it was recommended to contact the school's administrator to advise about the sign ordinance in town. Anna Scheck stated the Rutland Parent/Child Center also had to remove their sign. The owners of the Compass Center are working on a solution for the signs in their area.

Ms. Scheck provided the Planning Commission information on the permits she has been working on. Jeff Guevin requested clarification on the town's subdivision regulations. Ms. Scheck stated the town has different types of subdivision that include a boundary line adjustment. Single lot subdivisions do not have to go through a Board for approval. There are minimum lot sizes depending on the zone and in most areas it is two acres.

### **. *Town Plan Adoption Timeline***

The Town Plan is currently on the Town website. The Select Board will be holding their two hearings regarding the Town Plan during the month of February.

### **. *Sign Ordinance Memo***

Jeff Guevin provided information to the Planning Commission on the results of a review of the Sign Ordinance by attorney, Scott Woodward. There are a number of suggestions that Mr. Woodward provided and Mr. Guevin offered to draft the changes to Section 407 of the Brandon Land Use Ordinance based on the recommendations. Mr. Guevin advised the Sign Ordinance has different regulations based on whether it is commercial speech or not, which can cause issues and the ordinance would be subject to challenge. The town runs the risk that the Supreme Court could strike the entire ordinance if it is challenged. The Sign Ordinance can regulate time, place and manner. There can be regulations for size and whether it is lit or not, but cannot regulate content. Mr. Guevin noted there are not a lot of changes to be done, but temporary signs are exempt based on different types of events. An example of one of the areas to be changed in the ordinance is J7, as most of it is a content distinction. It was noted the Planning Commission should look at all temporary signs and come up with a single definition. There is also a specific exemption for "For Sale" for wood and agricultural products. The section that requires the most work is the Exempt Signs section, as the ordinance is treating them different from other commercial signs. Linda Stewart confirmed the only electronic signs allowed are "Open" signs. Mr. Guevin stated the only internal lit signs could be "Open" signs. The changes to the ordinance are necessary due to a recent change in the law. Mr. Guevin will work on the amendments as recommended by Mr. Woodward and will email the draft to the Planning Commission members for review once completed. Anna Scheck advised that Rite-Aid will be losing one of their signs due to the Route 7 project.

### **. *Brandon-Based Code & Review of BLUO***

The Planning Commission continued review of the Brandon Base Code to move the process forward on approving the Code. Mr. Guevin suggested a review of the prior Planning Commission minutes that outlined a line-by-line review of the Brandon Based Code (Recording Secretary to provide a copy to Planning Commission members). With regard to the Transect Code description, Mr. Guevin suggested keeping the organization similar to what is in the Brandon Land Use Ordinance (BLUO). Mr. Guevin requested the Zoning Administrator provide the members a Word version of the BLUO. It was noted there was discussion of using the term Zoning Districts within Transects. There will be more than one kind of District within with Transects. T1 is natural land that is dominated by natural vegetation and there is no building in this district. T2 is a district that is working land, primarily farm and forest. T3 is the village residential area. T4 is the village core and is based on the downtown designation language. T5 is the Brandon downtown business district. Examples of T3 would be Park Village, areas surrounding the downtown, Mt. Pleasant and the Forestdale Center. There will likely need to be more than one district in the T3 designation.

T1 Discussion: An example of the T1 designation was the Hawk Hill trail network. These areas would be unsuitable for development and would mainly be used for trails, natural recreation areas and swimming holes, with the description to include "no permanent structures". Mr. Guevin stated this area would include the Brandon Swamp, Hawk Hill, the Brandon Town Forest and the Wildlife Conservancy. The T1 is based on steep slopes and areas near the river that are already protected. It could include wording that the vast majority of this area is already conserved and development is forbidden. Temporary structures such as duck blinds or deer stands would be allowed. It was noted that responsible forest management would be acceptable and natural

recreation areas such as trails and primitive camping would be allowed, however, no permanent structures (definition to be developed) or pavement would allowed.

T2 Discussion: This district would be rural working lands. It was suggested to remove the wording “and renewal energy generation”. This area will likely be near the T1 area with gradually more density. This area will have variable setbacks, which mean some are very close to the road whereas some have a longer setback. Most of the structures in a T2 area will be one and two-story buildings. Civic space types could potentially have a recreation space, but likely more developed areas such as campgrounds, trailheads and boat launches. For new construction, it was suggested the setback should depend on the type of road and location of the building.

T5 Discussion: This district is the downtown area. The area is high density with no setbacks and two to four-story buildings. It was the consensus of the Planning Commission to change the wording to “Traditional Vermont Downtown Business District”. The district runs from Randall Road to Prospect Street and includes the Ayrshire building and the Brandon Library.

### **New Business**

#### **. *Other Business as Needed***

There was no other discussion held.

### **Next Meeting:**

March 7, 2016 @ 7:00PM at the Brandon Library – Regular Meeting

### **Adjournment:**

A motion was made by Linda Stewart to adjourn the meeting at 8:55PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary