

Draft
Brandon Planning Commission Meeting
May 2, 2016

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

Planning Commission Members Absent: Anne Bransfield

Others present: Anna Scheck, Edna Sutton, Steven Sutton, Art Doty, Lee Kahrs, Doug Bailey, Dave Atherton, Seth Hopkins, Ann Chartrand

Call to Order:

The meeting was called to order at 7:00PM by Jeff Guevin, Planning Commission Chair.

Agenda Approval:

A motion was made by Linda Stewart and seconded by Phyllis Aitchison to approve the agenda as presented. **The motion passed unanimously.**

Approval of Prior Meeting and Hearing Minutes:

A motion was made by Linda Stewart and seconded by Phyllis Aitchison to postpone the approval of the April 18, 2016 Planning Commission minutes to the next meeting. **The motion passed unanimously.**

New Business:

. Other Business as Needed

- Signage Questions

Doug Bailey, representing the Brandon Select Board, noted the people from Compass Center recently attended a Select Board meeting to discuss the problem of signage at Park Village. The Town Manager and Public Works Director have viewed the signs in this area. One major problem is at the turn in where someone has stolen the Mulcahy Drive sign that is being replaced for the third time this year. Once entering into the Village, signs have been made up to direct people to the Compass Center, however, they have been asked to remove them. Mr. Bailey stated Dave Atherton and he attended the March 7th Planning Commission meeting to request the Commission review the sign ordinance. Mr. Bailey was in attendance to determine if there has been any headway. Linda Stewart stated one major problem is the confusing signage between Mulcahy Drive and Jones Drive; noting it indicates Jones Drive is private and then the cross sign also says Jones Drive, but it does not indicate that one must turn at the first Jones Drive sign. Mr. Bailey stated he did not realize that the road names changed. Steven Sutton stated there was one Compass Center red sign that is on the private drive. Mr. Bailey stated there is a fair amount of signage in getting to the Village, but once inside the Village it does get confusing. Dave Atherton stated Mr. Bailey and he attended the March 7th meeting to discuss the need for signage for businesses not on the beaten path, as it is the Town's concern that there are unique businesses that do not have road frontage. Mr. Atherton stated there has been a solution reached for this issue, but the Town sees this coming up again with other businesses. The Public Works Director and the Town Manager have discussed the possibility of changing the name of the circle to Mulcahy Drive, as this change would affect the least amount of

people. They are hoping to come up with a solution for the other businesses as well, but there are more businesses that this is happening to, particularly in Park Village. Mr. Atherton stated many businesses in Essex County are off the beaten path and they have nice cluster signs that are well done. Jeff Guevin stated the sign ordinance does allow for that, but there is an issue with the municipal signage and the designations of the curvilinear streets that run into each other. Steven Sutton noted his concern for safety as well. They do have a permit, subject to appeal, for a cluster sign; but the cluster sign ordinance is in need of rewriting as it seems to be designed to be a cluster sign for a building with a lot of tenants in it. There is slight ambiguity when one is talking about a number of lots that are not in the near vicinity of the cluster sign. He noted some of the ordinances are designed more for the town center. Mr. Sutton advised that people have indicated they do not notice the current cluster sign. Mr. Sutton also noted there is confusion with the Faivre Circle designation, as it does not exist anymore. When one goes to Google Maps, it shows the roads that were in existence 25 years ago. Art Doty advised that a GPS directs people to New Road, which is a road that does not exist. Ann Chartrand stated she works at the Child Center and several times a week trucks are trying to turn around to get to the cider plant. Dave Atherton suggested placing a couple more different colored street signs at the intersections that could help with clarifying the directional issues. Jeff Guevin did not think that the Planning Commission should write a special ordinance for just one area. He noted specific within the Park Village issue; there is a private signage problem, possibly a regulatory problem, a big problem with municipal signage and E911 signage and the GPS issue. He stated there could be a municipal cluster sign. Doug Bailey stated when continuing to rewrite the ordinance, perhaps there could be a variance to allow for these types of areas. Mr. Guevin stated this would not be waivers for just signs, but would be waivers for other items and the Planning Commission would be happy to resubmit the waivers to the Select Board for consideration. Dave Atherton stated the Town Plan was approved recently through the Rutland Regional Planning Commission. Mr. Atherton is glad to meet with the Planning Commission to revisit the Brandon Land Use Ordinance and the Town can be proactive in changing or adding items. Mr. Guevin stated in the rewrite, the Planning Commission is focusing more on corridors and are reviewing what are private land owners' obligations and the Town's obligations and how they match. They will invite the Town Manager to the meeting when they discuss design thoroughfare. Mr. Atherton stated the Town will work on the municipal signage. Anna Scheck noted the permit previously mentioned is in the Planning Commission's meeting packet.

- *Other Business as Needed*

There was no other business discussed.

Old Business:

. *Zoning Administrator Report*

Anna Scheck reported there were permits approved that included two variances for setbacks. There are two permits for replacement of a deck and the other was for the sign at Park Village. The two decisions concerning conditional use for the Mobil Station were issued. The Mobil variance for signs was denied and they are coming up with an adjusted application for signage. The conditional uses have been approved for the car wash, Dunkin Donuts and the gas station. Ms. Scheck noted the other conditional use concerning an environmental application is a non-issue. There is going to be work done with the Route 7 project that is connected with the drainage in that area. The Public Works Director has been discussing these items with the Mobil people. Jeff Guevin noted concern that there is not going to be proper drainage for the drive-thru and it will result in draining into the town's proposed parking lot. Anna Scheck stated they are addressing the drainage and they are working with an engineer regarding these issues. Ms. Scheck noted the owners have been working with the Public Works Director in this area and it was suggested the Planning Commission Chair email Daryl Burlett with any questions or concerns. Ms. Scheck noted there are changes being made to the measurements of the signs. There

will be no letters on the canopy, as one cannot have both façade and canopy signage. There is an exemption for pump islands and the only thing they want to put on them is the pricing. It was noted that the ordinance indicates the internal signs cannot be illuminated, except for an open sign.

. *Brandon-Based Code and Review of BLUO (Continued)*

Anna Scheck provided the Planning Commission with a copy of the waivers. Jeff Guevin suggested forwarding the document to the Select Board for their consideration. Mr. Guevin stated with regard to the signs, he does not feel that it is an ordinance issue.

Jeff Guevin noted the Brandon-Based Code was tabled at the last meeting and recommended going back through the ordinance to discuss the outstanding issues.

Brandon-Based Code Page 1-2 – Section 103 – Permit Process: (Section 104 (Land Use Permits) – Brandon Land Use Ordinance (BLUO) is the frame of reference). It was noted the demolition of a structure does not indicate size and the current BLUO indicates any structure over 500 square feet or any structure in the Central Business District (CBD). Anna Scheck thought it is important to keep the square footage in and the verbiage concerning the CBD. Ms. Scheck stated it does affect the assessment and a permit would trigger a re-assessment. It was noted the threshold figures should be the same for the permits to build or remove. Jeff Guevin suggested it could be noted that in lieu of a permit, it could be required to advise the Zoning Administrator when removing something. Ms. Scheck did not believe if a permit is not required, people would not advise the Town. Ms. Scheck stated in removing some structures, there could be state permits required. It was noted that nothing can be raised in the CBD without a permit. Mr. Guevin recommended keeping the following items of Section 104 of the BLUO; a(1), a(3) and a(7), add “replacement” into the list on a(2), a(4) – add “or extension” and combine with a(5) and a(6), remove a(8) and a(9), add a(10) (signage) into a(2) and a(11) to remain as is (development is a defined term in the Fluvial Hazard area and all definitions will need to be placed under one section). Mr. Guevin noted the definition of signs, structures and accessory structure will be adjusted. Beginning with Section 104(b) of the BLUO, there was discussion of whether a permit is required for a deck. It was noted that it depends on the size of the deck and whether it is non-conforming and meets setbacks. Item b(1) will be included, b(2) will be rewritten, b(3) – Anna Scheck stated there are going to be Department of Agricultural Use changes forthcoming. Jeff Guevin will research the upcoming changes from the State regarding regulations. He stated if there could be guidelines that have worked in urban areas it could provide options. Under (A) and (B) under b(3), with regard to notification to the Administrative Office, it was decided to maintain the regulations with a change in adding the Agency of Natural Resources and Agency of Forest, Parks and Recreation. It was decided to remove b(4) and b(5).

Next Meeting:

May 16, 2016 @ 7:00PM at the Brandon Library – Regular Meeting

Adjournment:

A motion was made by Linda Stewart and seconded by Phyllis Aitchison to adjourn the meeting at 9:04PM.
The motion passed unanimously.

Respectfully submitted,

Charlene Bryant
Recording Secretary

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