

**DRAFT**  
**Brandon Planning Commission Meeting**  
**June 5, 2017**

**Board Members Present:** Stephanie Jerome, Ethan Nelson, Lisa Rovi

**Board Members Absent:** Phyllis Aitchison

**Also in Attendance:** Anna Scheck – Zoning Administrator, Elizabeth Murray, Michael Norris

**1. Call to order**

Stephanie Jerome called the meeting to order at 6:00PM.

**2. Agenda Approval**

A motion was made by Stephanie Jerome to approve the agenda as presented. **The motion passed unanimously.**

**3. Consent Agenda**

*a. Approve Planning Commission Minutes – March 27, 2017*

A motion was made by Stephanie Jerome to approve the Planning Commission minutes of March 27, 2017. **The motion passed unanimously.**

**4. Norris Brothers Solar Development Presentation of Proposed Solar Project**

Michael Norris, Managing Partner of Norris Brothers Solar Development, provided the Committee information on the proposed solar project that will be located in Brandon. Mr. Norris advised the project will be located along Route 7 and will be accessed from Wheeler Road. The project will not be visible from Route 7, with the 11-foot solar installation placed in the sand pit and hidden by 20-foot berms. Mr. Norris reported they have completed six of these projects with little impact to the areas and no complaints received. There will be no concrete used and the decommissioning plan is in place. This project will contribute to Vermont's energy goals for the area. It has been confirmed that the renewable energy credits will remain in Vermont. Mr. Norris advised this project presents a 35-year life span for these utilities. It was confirmed during the Certificate of Public Goods process that there is no adverse impacts on items such as endangered species, wetlands, etc. Mr. Norris also provided information on the tax benefits.

Anna Scheck questioned whether there will be the need for infrastructure such as power lines. Mr. Norris advised that there is already a three-phase line from the quarry operation and the project will only need a 40-foot extension.

Stephanie Jerome read the letter that Norris Brothers had given to the Select Board regarding approval of the project.

A motion was made by Ethan Nelson to approve the Norris Brothers proposed solar project. **The motion passed unanimously.**

**5. Zoning Administrator's Report**

Anna Scheck provided the Zoning Administrators report to the Committee that outlined the permit activity, violations and applications referred to the Development Review Board (DRB).

Ms. Scheck reported the Chamberlain building is going to be redeveloped that will include a single-family house with the remainder of the building being a living unit with a commercial workspace. The exterior of the building will be preserved so that it complies with the central business district. This application has been sent to the DRB for approval.

## **6. New Business**

### ***a. Discussion of Possible Amendments to Section 407 – Signs of the BLUO***

Anna Scheck reported concerning the mural request by the Brandon Artist Guild; there is a reference in the ordinance concerning artistic displays that have to follow state statutes. The state statutes indicate a mural can be placed on a building in the business district, however, it has to be painted directly on the building surface. The Brandon Artist guild has requested to do the murals on canvas and attach them to the building so that they can be interchangeable. Ms. Scheck has spoken with the Agency of Commerce and Community Development and they have reaffirmed that the mural has to be placed on the brickwork. Ms. Scheck stated the Select Board may be able to approve this or there could be a change in the land use ordinance to allow this under the signage ordinance, but with no words for advertising. This would require a change to the sign ordinance. Stephanie Jerome asked when the Artist Guild wants to do this and Ms. Scheck advised they have come to her several times regarding this request. Ms. Scheck stated based on the zoning decision, she will leave it up to the Select Board to make the decision. It was suggested the Planning Commission Chair might want to be in on that discussion. It was noted the Artist Guild does not want it to be considered a sign.

Ms. Scheck stated the second request relative to signage was from the Brandon Senior Center. The Center placed a sign at the end of Park Street in the past, which is not allowable. It has been discussed by the Select Board to allow the Senior Center to place a sandwich board in the park, as it is allowable on town property. The Select Board has approved the Senior Center placing their sandwich board sign in the park to announce their events.

Ms. Scheck distributed copies of sign ordinances from Randolph, Bristol, Vergennes and Middlebury for the Committee's use in their rewrite of the ordinance.

### ***b. Act 174 – Discussion of Future Energy Changes to the BLUO***

Anna Scheck distributed maps and the targets for Brandon relating to Act 174, the Energy legislation. All towns in the state have to meet certain energy standards by the year 2050. Ms. Scheck stated by 2025, 25% of all energy consumed in the state should be renewable; by the year 2030, the percentage increases to 40% and by 2050, the state's requirement is 90%. The document provides information on the current electric usage and the maps outline the best sites for solar, hydropower and wind. Ms. Scheck stated the Planning Commission needs to review the maps and provide input to the RRPC. Stephanie Jerome stated Ms. Scheck and she attended a meeting on energy plan development. The plan has to be complete by fall and the RRPC will assist the towns in the development of their plans. Ms. Jerome stated the plan will be a general guide on how the town will meet the renewable energy goals for the future. In towns that have an energy plan in their town plans, Ms. Scheck advised they could obtain "substantial deference" and the Public Service Board will review the requirements outlined by a town when making decisions on projects. Ms. Jerome advised the maps can also be viewed on the RRPC website. Anna Scheck will confirm with the RRPC regarding the input from the Planning Commission relative to the energy maps. Ms. Scheck noted the RRPC has an Energy Committee that is made up of representatives from various towns in the region.

### ***c. Act 64 – Vermont Clean Water Act and Affects to Agricultural Regulations (RAP)***

Ms. Scheck stated the Planning Commission needs to begin discussion about changes to the regulations relating to Act 64 that affects roads, agriculture and natural infrastructure. Ms. Scheck suggested beginning the work around agriculture. There should be discussion of how to regulate and what the Planning Commission wants to regulate. Small farms are now designated and there are many things that could be regulated. There is also a storm water section relating to erosion and keeping waters clean. Ms. Scheck noted the town's regulations have some information regarding agriculture. The local planning commission will now have to regulate agriculture uses that do not fall under the Department of Agriculture's definition of small farms. Ms. Scheck stated for some items, there could be a nuisance ordinance separate from the agriculture ordinance to handle those situations. Ms. Scheck stated anyone that currently has chickens would be grandfathered.

Ethan Nelson reported he has received a complaint from Lisa Kenyon, as she believes she still has rats due to a neighbor's coop being too close to her property. Ms. Scheck noted she has also had discussions with Ms. Kenyon and suggested she come before the Planning Commission regarding this issue. Ms. Scheck noted there had been a prior complaint and Ms. Scheck had a representative from the Department of Agriculture review the situation and it was determined that the rats were not coming from the chickens. Ms. Scheck noted she went inside the chicken house and it was spotless. There was the possibility that the rats were coming from either Champlain Farms' or the McDonald's dumpsters in the past. The Agriculture Investigator felt Ms. Kenyon should get an agriculture exterminator to come and determine where the rats were getting in. Stephanie Jerome stated the Planning Commission needs to review how other towns are handling these types of situations. Anna Scheck will look into this situation.

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

Stephanie Jerome stated she sees three major items that the Planning Commission needs to work on with the first being the signage ordinance. Ms. Jerome thanked the Planning Commission members for the information they obtained regarding other towns' sign ordinances. The RRPC suggested the Town of Mendon is a very good town ordinance and permit application to follow. The second item is the energy plan and the third item is the changes in the regulations regarding clean water and agriculture relative to Act 64. Ms. Jerome suggested each Planning Commission member concentrate on one topic. Lisa Rovi volunteered to work on the agriculture ordinance. Anna Scheck noted the Town Plan was approved February 22, 2016 and other than the items that need to be changed, the Planning Commission has time to do a rewrite of the plan. Ethan Nelson and Stephanie Jerome will rework the sign ordinance. Bill Mills was assigned the energy plan, with Elizabeth Murray assisting. Ms. Scheck requested she be advised of all potential changes to the ordinances, as she could note problems with changes. It was noted Brandon's signage ordinance is the most cumbersome ordinance from the information received from other towns' ordinances. It was suggested Ms. Rovi review other towns' ordinances with regard to the changes being made due to Act 64. The RRPC has offered to do a land use training and energy plan development training for the Planning Commission members.

#### **7. Date for Next Meeting**

June 19, 2017 @ 6:00PM - Town Hall (To include RRPC Land Use and Energy Plan Development Training)

#### **9. Adjournment**

A motion was made by Stephanie Jerome to adjourn the meeting at 7:48PM. **The motion passed unanimously.**

Respectfully submitted,  
Charlene Bryant  
Recording Secretary