

**Brandon Planning Commission Meeting
November 6, 2017**

Board Members Present: Stephanie Jerome, Ethan Nelson, Bill Mills, Lisa Rovi

Also in Attendance: Anna Scheck – Zoning Administrator

1. Call to order

Stephanie Jerome, Commission Chair, called the meeting to order at 6:02PM.

2. Agenda Approval

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

Add ratification of actions of the 10/2/17 Meeting under the Consent Agenda

Add Approval of Minutes of the September 5, 2017 Planning Commission meeting under the Consent Agenda

3. Consent Agenda

a. Ratify Actions of the Planning Commission Meeting of October 2, 2017

A motion was made by Ethan Nelson to ratify the actions of the Planning Commission for the meeting of October 2, 2017. **The motion passed unanimously.**

b. Approve Planning Commission Minutes – October 2, 2017

A motion was made by Ethan Nelson to approve the Planning Commission minutes of October 2, 2017. **The motion passed unanimously.**

c. Approve Planning Commission Minutes – September 5, 2017

A motion was made by Lisa Rovi to approve the Planning Commission minutes of September 5, 2017. **The motion passed unanimously.**

4. Zoning Administrator's Report

Anna Scheck stated there have been 8 applications received with all being approved. There was one application in the flood hazard area that will require the owners to follow the Flood Hazard regulations that are stringent.

With regard to violations, one of the properties on Newton Road is continuing their clean up, however, there is another Newton Road property that has several cars added. Ms. Scheck has attempted to contact the owner but has not received a response to date. This property will likely be ticketed for a zoning violation. The Maple Street property that had partially burned has now been cleaned up. The bank had taken it over and the house has been secured and the property has been cleaned up. The Town does not have an ordinance for abandoned properties. It was

questioned if the Planning Commission should work on this type of ordinance and Ms. Scheck noted this could be a separate ordinance, but likely through the Select Board. There have been complaints regarding the permitted junk yard on Paint Works Road. Ms. Scheck noted the wind had blown down the fence. If a neighbor is standing in their doorway, they should not be able to see the vehicles. Ms. Scheck has talked with an investigator from the State and they are working with the owner to bring this property into compliance. Ms. Scheck advised there have been complaints regarding the Foley Brothers business due to cars parked on the road and animals allowed on private property. Stephanie Jerome stated there has been an explosion of interest in the brewery that has been an inclusion on the neighbors. Ms. Scheck noted Act 250 is now involved. The owners have conditional use and there was a stipulation that there would be no vehicles parked on the road and no trucks over 24,000 lbs. going over the bridge. The owner had indicated there will be a privacy fence/screening installed. Ms. Scheck has talked with Bill Burke at Act 250 and noted the owners will have a process to follow in applying for a change in intensity for the business.

Ms. Scheck reported she attended a fall planning and zoning forum and provided the Planning Commission information on healthy communities.

Ms. Scheck reported she has spoken with the Rutland Regional Planning Commission concerning the Davenport Solar project and they will be reviewing that project again. She also sent the RRPC the Sign Ordinance for their review.

5. Discussion/Clarification of Signage During Route 7 Construction

Anna Scheck provided the minutes of the 11/21/16 Planning Commission meeting and 1/9/17 Select Board meeting that discussed signage during the Route 7 construction. Ms. Scheck was not sure if the changes to the temporary signage was valid when made by the previous Planning Commission Chair. The Select Board had requested clarification and it was noted that the change was for temporary signs relating to the Segment 6 Route 7 project. All permanent signs still needed to conform to the sign ordinance. Ms. Scheck suggested the Planning Commission may want to amend the change for further clarification. Stephanie Jerome agreed any permanent signs should conform to the sign ordinance. Ms. Scheck suggested a new motion for the construction project to clarify whether the signs are allowed when the construction is in specific area of the Town. Bill Mills suggested staying with the temporary signage aspect, i.e. banners, flags and lit signs that specifically draw attention to the business during the construction in that area. Mr. Mills stated the construction area draws people's attention away from the businesses, unless they have a purpose for stopping. Ethan Nelson suggested placing the signs on the temporary fencing, which would not revoke the other signs that are on the buildings that are permanent. Mr. Mills noted when doing a particular section that does not have a fence; it would preclude having an area to place the signs. Ms. Scheck stated this is a temporary situation and it would not require the change be added to the ordinance, as that type of change would require going through the hearing process. Mr. Mills questioned what the active area of the construction project would consist of. Ms. Jerome stated the town should be business friendly-during this construction project and suggested the area be to the north end to Steinberg Road and to the south end to the American Legion.

A motion was made by Bill Mills to allow temporary signage in the active construction area of the Segment 6 Route 7 project from the American Legion at the southern end to Steinberg Road

to the north that would consist of signage such as a banner or flag that can be easily removed.
The motion passed unanimously.

The motion will be brought before the Select Board for their information.

6. Discussion/Review of Land Use District Map

Anna Scheck opened the conversation on the land use district map. Stephanie Jerome stated she would recuse herself from conversation on this item because she has two properties on Union Street. It was noted there are businesses at the top of Union Street: Hannaford's, Rite Aid, Brandon Thrift Shop and the Senior Care home and at the lower end of Union Street there are four or five businesses in the building owned by the Jerome's, plus several businesses in the Grainery. Traditionally, the area around the railroad has been commercial, however, this area is now zoned Neighborhood Residential. Ms. Scheck stated up until 2005 it was zoned Industrial, High-Density use and in the 2006 ordinance it had been changed. There had been discussion during the work on the Town Plan to change the land use map. Ms. Scheck suggested the Planning Commission may want to review all of the districts and determine if changes should be made. Ms. Scheck noted "spot zoning" should be avoided. The current districts include Neighborhood Residential, Aquifer Protection Area, High-density Multi-use, Rural Development and Central Business District. Ms. Scheck will email the Planning Commission members a pdf file that can be enlarged for easier viewing. It was noted that the Aquifer is likely correct. Ms. Scheck stated Union Street and the area near Goldspink Avenue are problem areas. A suggestion was made to connect business districts; however, Ms. Scheck noted the problem is that Union Street is a mix-use area, with several residents mixed in with the businesses. Ms. Scheck suggested when the Land Use ordinance is rewritten; the Land Use map could be changed at that time. Ms. Scheck advised that if the Planning Commission wanted to keep the districts the same, only the map would need to be changed. Bill Mills volunteered to review the Land Use map and Land Use ordinance and provide input to the Planning Commission at the next meeting. Ms. Scheck advised that the only proposed changes made to the Land Use ordinance to date are the Agricultural Uses.

7. Discussion of Sign Changes – BLUO 2017

Stephanie Jerome reported she has provided the proposed changes to the Sign Ordinance to Bill Moore, Dave Atherton and Bernie Carr to review and provided input. Ms. Jerome provided information on feedback that she had also received from another party that included the need to address signs when there are two or more business under one roof.

Ethan Nelson suggested there could be reconsideration regarding internal lit signs, as he has recently visited a town that had no internally lit signs in their businesses and he understood the reasoning for an ordinance with restrictions. He stated it could be possible for Brandon to look intentionally historic. Stephanie Jerome suggested there could be a requirement that there are no internal lit signs. Anna Scheck asked if the signs on the canopy lighting over gas pumps will be accepted. Mr. Nelson noted the lighting in that town had been down-facing external bulbs. Bill Mills asked about items such as monitors that could display information in a window or small decorative lights that are in some of the local businesses. Anna Scheck noted monitors are not addressed in the current ordinance. It was noted that the monitors would be for foot traffic and would be considered part of their display for business. It was questioned if there are grants

available to assist with the signage. Ms. Scheck stated there are planning grants that are available to assist with bringing experts in to discuss this item.

Stephanie Jerome stated it was also suggested to delete the types of material used. The Committee was in agreement with this change. All signs will be constructed of material compatible to signs in the area.

Stephanie Jerome stated there was a question whether there is a reference to the DRB for variances and appeals, as there should be a mechanism for the DRB to allow for a waiver. Ms. Scheck stated there is a process for a variance or a waiver as any signs not permitted are prohibited and all other sign permits will be referred to the DRB. There is a process to refer people to the DRB if the Zoning Administrator cannot issue a permit and it would be considered a conditional use.

Ms. Jerome stated there was also a question on reusing existing signs or rebranding, as to whether it has to go through a new sign process. Ethan Nelson volunteered to rewrite the information for grandfathered or refurbished business signs.

Anna Scheck stated there was a section on prohibited signs such as advertising billboards, internally illuminated signs except open signs and neon signs that have moving parts that has contradictory statements in it.

Ms. Scheck asked if cluster signs were discussed and it was noted there was discussion on this topic and it was thought they should be encouraged.

Ms. Jerome stated additional input is being obtained from Mr. Moore, Mr. Atherton and Mr. Carr for more discussion on this subject.

8. Other/New Business

Ms. Jerome provided information that Ms. Scheck had received at the planning conference concerning a bicycle program in the town of Morristown.

It was noted that an advertisement has been placed in The Reporter for letters of interest to fill the vacant seat on the Planning Commission.

9. Date for Next Meeting

December 4, 2017 at 6:00PM – Monday – Brandon Town Hall – Planning Commission Meeting

10. Adjournment

A motion was made by Bill Mills to adjourn the meeting at 7:36PM.

Respectfully submitted,

Charlene Bryant
Recording Secretary

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