

**Brandon Planning Commission Special Meeting
January 9, 2018**

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

Also in Attendance: Anna Scheck – Zoning Administrator

1. Call to order

Stephanie Jerome, Commission Chair, called the meeting to order at 6:03PM.

Stephanie Jerome welcomed Michael Shank as the new member of the Planning Commission. Mr. Shank advised that his work is focused on urban planning and is currently employed with the Urban Sustainability Directors Network and Carbon Neutral Cities Alliance. He would like to compliment his work with local implementation and is eager to learn about the local challenges. Mr. Shank moved to Brandon about 2 months ago.

2. Agenda Approval

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

Under New Business - Discussion of Green Lantern Solar Project

3. Consent Agenda

a. Approve Planning Commission Minutes – November 6, 2017

A motion was made by Bill Mills to approve the Planning Commission minutes of November 6, 2017 as amended. **The motion passed unanimously.**

Under Item 6 - A correction to the spelling of the Granary.

4. Zoning Administrator's Report

Anna Scheck reported there were a few permits that were issued. There are two applications for replacements in a mobile home park, with one due to a tax sale and one that was in a flood hazard area that has to go through the DRB due to the new fluvial regulations. There will also be an application submitted by Neshobe River Winery due to a change required through Act 250. The Town has local review over three criterion and will make a recommendation to Act 250. This property may also need a change of conditional use. There have been concerns about the traffic on the road and neighbor issues. Mr. Foley has submitted a sign permit application and Ms. Scheck is waiting for all information to be submitted. Stephanie Jerome requested a discussion of the mobile home permitting under New Business. Ms. Scheck reported there have been tax issues with mobile home moves in the past. For several years, the Town has not required a permit for a replacement in a mobile home park because all mobile home parks were considered Planned Residential Development. Rather than continually going to the DRB, the Planning Commission had indicated there was no reason for a permit if the size of the mobile was the same and there were the same number of bedrooms, however, it has become a problem when mobile homes have been moved and taxes were not paid. Ms. Scheck recommended a permit be required for the replacement of a mobile home. Ms. Jerome stated currently replacements may not be on cement pads and could create safety and health issues. Ms. Jerome would like to consider discussing the requirement of a permit under New Business because currently there is not a requirement for a permit if the size is not different. If a permit is required, health and safety issues and taxes could be addressed. Ms. Scheck stated

basic permitting would be important because sometimes the mobile homes are moved without notification and without paying taxes.

With regard to violations, Ms. Scheck reported there have been issues with junk cars. The violation on Newton Road had been issued a ticket. Currently the owner has removed most of the cars.

Ms. Scheck advised that a previous Planning Commission Chair had motioned for a moratorium on all signage during the Route 7 project, however, after review of this motion, it has been determined that the Planning Commission would be required to follow the process of amending the Zoning Regulations for this type of action. The Select Board does have the authority to allow for special signage; however, at this point no motion has been made.

Anna Scheck reported Conti Solar is proposing a solar project on Park Street Extension and has requested to be placed on the February Planning Commission meeting agenda to provide a presentation.

Michael Shank questioned the Town's view on these types of project. Anna Scheck advised there is a section in the Town Plan that provides basic recommendations. The Rutland Regional Planning Commission also has a section in their Plan that is still subject to approval. Once their Plan is approved, they will assist the individual towns with adding verbiage to their plans. Stephanie Jerome noted the Conti project borders McConnell Road and Park Street Extension. There was concern expressed that it would have high visibility. Ms. Scheck stated once Conti Solar submits their project to the Public Service Board, the Town will receive notification. Ms. Scheck noted the way the law is written, towns have to request party status for comments on any proposed projects. The Town's bylaws indicate a permit is not required for rooftop solar.

5. Discussion of Sign Changes – BLUO 2017

Ethan Nelson reported he had added the recommendation that was discussed to eliminate most lighting and decrease the height of signs to 10 feet. Stephanie Jerome advised that currently there is a very detailed Sign Ordinance and the Planning Commission would like to make it more user-friendly, with the idea that the signs need to be visible, while adhering to the small town ambiance. Ms. Jerome cited examples of signage viewed in Northfield and Bennington. Michael Shank noted multi-national corporations have adjusted to local scenes. It was noted that the height of future signs could be lower to not affect the view of historic buildings, such as the town hall. Anna Scheck advised the future Mobil Station's current signage permit indicates the sign be no higher than 10 feet, but they do have internally lit signs. Ms. Jerome stated Brandon is not the first town in this state to move forward with signage in this manner. It was noted the current signs in town are grandfathered. Ms. Jerome has had a conversation with Bernie Carr concerning the Sign Ordinance. Mr. Carr, as a business owner, indicated he feels strongly that whatever is inside the business window is part of their display and felt that there is over-regulating of internally lit signs. Ms. Scheck stated lit open signs are allowed up to a certain size, but there are not supposed to be moving signs. Bill Mills noted the state has indicated an ordinance cannot regulate what the sign says, but physical attributes can be regulated. Ms. Scheck suggested the ordinance could be revised to be user-friendly, but there should be specifics for applying the ordinance. Mr. Nelson suggested in the first section of his draft, the different types of signs are delineated and suggested adding open indicators with specifics on size. Ms. Scheck advised currently under Prohibited Signs, lit or moving signs are not permitted, but does not specifically state videos. Ms. Scheck also noted murals are allowed, but have to be directly painted on the surface. Michael Shank suggested reaching out to Bennington and Northfield to discuss their sign ordinances. Ms. Scheck noted light intensity and moving pictures are items that need clarity. Ms. Jerome suggested doing a comparison of the draft Sign Ordinance with the current Sign Ordinance to assure there are no missing pieces. Mr. Nelson stated form-wise he is glad to have reduced the ordinance, but content-wise he is agreeable to any changes. Ms. Jerome reported the Economic Development Director was also concerned with the neon lighting section. Ms. Jerome will reach out to Mr. Atherton, Mr. Carr, Mr. Moore and Mr. Bailey for further discussion of this ordinance.

Ms. Jerome questioned whether the Sidewalk, Sign and Display ordinance should also be included in this ordinance. Anna Scheck advised that item would require discussion with the Select Board because the ordinance was written by the Select Board. Ms. Jerome suggested there should be a Definitions Section added to the Land Use Ordinance when it is revised, rather than including definitions in each section. There will be continued discussion of the Sign Ordinance at the next meeting.

6. Discussion/Review of Land Use District Map

Stephanie Jerome recused herself from the discussion of the Union Street discussion of the Land Use Map. Bill Mills stated the Planning Commission had previously discussed a change in designation of the area around Union Street from Neighborhood Residential to High Density Multi-use due to the number of businesses on both lower and upper Union Street that include the businesses in The Granary, Union Street Grocery and the engineering group. Mr. Mills stated in reviewing the area, the High Density Mixed-use designation would make sense. Anna Scheck stated when making changes to the Land Use District Map, they should match the Land Use Ordinance. Ms. Scheck also noted there is the Future Land Use Map in the Town Plan and a Downtown District Map that changes will need to be incorporated in. Mr. Mills suggested in the change that part of Rossiter Street and Church Street could be done due to the number of businesses in those areas. Michael Shank suggested that for future planning, a train stop could potentially be added. Ms. Scheck advised that this area previously was zoned Industrial and was changed when the current map was revised. Ms. Scheck recommended the Planning Commission review the Land Use Map and determine what changes should be made to the map and assure that the changes are reflected in the Land Use Ordinance. It was suggested the Union Street area be re-designated as High Density Multi-use from the wastewater treatment plant to the top of Union Street. Bill Mills volunteered to continue to check for consistency between the Land Use Map and the Brandon Land Use Ordinance and highlight the problem areas for discussion at a future meeting.

Ms. Scheck advised Steve Schild of the Rutland Regional Planning Commission would need to go over the mapping changes with Planning Commission.

7. Old/New Business

a. mobile home permits

Anna Scheck advised this subject is outlined in Section 104 of the Brandon Land Use Ordinance and outlines the criterion for determining if a permit is required. A permit is currently not required if a replacement mobile home with an approved site plan is no larger and does not contain more bedrooms. Ms. Scheck suggested removing item (b)4, which would then require a permit for all mobile home moves.

A motion was made by Bill Mills to remove Section 104b(4) of the Brandon Land Use Ordinance and add the verbiage that a Land Use Permit is required for the replacement of a mobile home in a mobile home park. **The motion passed unanimously.**

b. Green Lantern Solar Project

Michael Shank reported the Green Lantern Project was presented at the Select Board meeting last night and the Select Board voted in favor of the project. The Green Lantern representative had indicated he would be in contact with the Planning Commission to provide a presentation. Stephanie Jerome suggested reaching out to Green Lantern to schedule a presentation at a subsequent meeting.

c. Bicycle Project

Ethan Nelson has had discussions with the Town Manager and Recreation Director concerning the start-up of this project. Mr. Nelson advised the process of starting this project would be to do outreach,

potentially on Front Porch Forum, for donations of bikes. It would require minimal funding for the purchase of combination locks. The bikes would be located in various areas around town and anyone wishing to utilize the bikes would need to sign a liability waiver at the Town Office, at which time information would be provided about how to unlock the bike and returning it. The Town Manager will discuss the concept with the Town's attorney. Mr. Nelson noted this project could be done in coordination with the DBA and Rec Department. It is hoped that the project can be released in May during the Rec Departments' Bike Safety Rodeo.

d. River Corridor

Anna Scheck advised the Rutland Regional Planning Commission will be working with the local Planning Commission for updates to the Town Plan relating to the River Corridor and Energy Plan. Ms. Scheck noted with the number of proposed solar projects, it will be important to update the Energy Section of the Plan.

e. Pittsford Planning Commission

A member of the Pittsford Planning Commission met with the Brandon Town Manager to advise of a meeting that their Commission is having Thursday evening concerning a discussion of language for town plans regarding wildlife corridors. An invitation was extended for Brandon staff to attend the meeting. Michael Shank of the Brandon Planning Commission will attend the meeting.

Ms. Jerome noted the Sign Ordinance and Land Use Map will be added to next month's meeting agenda.

9. Date for Next Meeting

February 5, 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 7:48PM.

Respectfully submitted,

Charlene Bryant
Recording Secretary