

**Brandon Planning Commission Special Meeting  
February 20, 2018**

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

**Board Members Absent:** Bill Mills

**Also in Attendance:** Anna Scheck – Zoning Administrator, Barbara Noyes Pulling – Rutland Regional Planning Commission (RRPC)

**1. Call to order**

Stephanie Jerome, Commission Chair, called the meeting to order at 6:05PM.

**2. Agenda Approval**

A motion was made by Ethan Nelson to approve the agenda with switching the Signage Draft Review prior to the Map Review and Discussion. **The motion passed unanimously.**

**3. Consent Agenda**

***a. Approve Planning Commission Minutes – February 5, 2018***

A motion was made by Michael Shank to approve the Planning Commission minutes of February 5, 2018 as amended. **The motion passed unanimously.**

Under Item 8 Old Business (last paragraph) – the word “list” should be corrected to read “lit” in the sentence beginning with: Mr. Moore asked for clarification of the internally....

**4. Presentation by Barbara Noyes Pulling – RRPC – Town of Brandon Energy Plan**

Stephanie Jerome introduced Barbara Pulling of the RRPC who was present to discuss the initial draft of the Town of Brandon Energy Plan for the Town Plan. Ms. Pulling advised the Town does not have to do a new energy plan as what is current in the Town Plan is fine. There are some new benefits to updating the Energy Section, with the major benefit providing the Town with “substantial deference”. If the Town goes in front of a public utility for a project that is being sited, the substantial deference would mean the public utility is supposed to consider the Town Plan more in-depth. The other benefit of an enhanced Energy Plan would be to provide the Town the option to select preferred sites and come up with a list or map that would provide information on where the Town does not want to see renewable energy. The goal is for developers to be able to look at a Plan to determine where sites are more favorable and this would provide an additional layer of information. Ms. Pulling stated it is not easy to come up with preferred sites, but in working with a small town noted that one of the Planning Commission members visited each of the town’s residents to determine those interested in being a preferred site. In a larger town, information was obtained from the residents by hosting meetings to determine those interested in being preferred sites. Ms. Pulling provided an initial draft plan for Brandon for the Planning Commission to work from, which included most of the information the state is looking for the energy planning. It was recommended the Planning Commission review what is in the current Energy Plan to determine what they would like included in the new plan. Mike Shank asked whether there are commercial and residential goals. Ms. Pulling advised the State has overall goals that used a model created in Stockholm to determine what it would take to get to the 2050 goals that the state has developed. There are also targets for the individual towns to reach megawatt hours for total renewable energy that would include hydro, solar, wind and biomass. All graphs come from the Stockholm model and it is a matter of taking the State goals and determining how a town the size of Brandon can meet them.

Stephanie Jerome thought the current Energy Plan is minimal and there are several solar projects in the making. Mike Shank was in favor of future goal setting because it puts in context the projects that are coming to Brandon. Ethan Nelson stated both recent presentations would have been a different experience with a more developed energy plan and would have smoothed out the process. Mr. Shank suggested the visuals should be understandable, as some of the color use is difficult to differentiate. Mr. Shank questioned how much work is needed to come up with a plan.

Barbara Pulling provided a 14-page checklist that would be used in developing the plan, noting the template would cut down on some of the time. After completing the template, it would probably take about 6 months to work through the rest of the information and the checklist. The Planning Commission would have to look at the resource maps for solar, wind, biomass and hydro to determine where the resources are and decide what the Town wants for preferred and constrained sites that would include bringing landowners into the discussion. The other area of work would be to enhance the action items, which are on the checklist. Mr. Shank asked if the local constraints include the sensitive wildlife areas. Ms. Pulling advised it is more of an adaptation of what the RRPC started with, which includes the known and possible constrained areas. In the known areas, the State does not want any renewable projects that include vernal pools and floodways. The possible constraints should be site specific. Mr. Shank asked if the State is calculating how much agriculture land is being switched over. Ms. Pulling did not know of a statewide tabulation, but the State has included all agricultural areas that are known, but it is up to the towns to determine the sites.

Stephanie Jerome had concern about the goals because Brandon has already done a lot in the area of solar and asked if the Town would be credited with what has already been done towards the goals. Ms. Pulling advised the State had determined the baseline from the information on certificates of energy and suggested keeping that baseline as everything that has happened since March 2017 would count towards the Town's goal. Mr. Shank stated Brandon is ranked 15<sup>th</sup> in the State and between 9 – 10% of residential solar potential has been erected according to Sun Common. The Town has participated in a lot of solar panel build-out as a town. Ms. Pulling stated the modeling is based on what the state goals are and the population of Brandon and its energy use, which was projected out to 2050. Mr. Shank questioned if the RRPC would be the point place for obtaining the data on the goals. Ms. Pulling suggested using the Vermont Energy Dashboard for obtaining information. Ms. Pulling suggested the Town may want to set up an energy committee that could be useful with developing a plan of this type and noted there are committees in northern Vermont that can be used as models.

Ms. Pulling advised the basic story line is to meet the ambitious state goals for energy in generating more electricity and moving away from fossil fuels. There is no way to influence all energy use, but what can be influenced is light duty transportation, residential and commercial heating and electricity use, which is what the plan is based on. The State has determined that towns can have some input in these areas. Mr. Shank advised that in terms of transportation, there has been discussion of a train stop in town and installation of charging stations. Mr. Shank questioned if renewable energy credits provided to municipal entities could be included in the total goal. Ms. Pulling advised if the renewable energy credits are generated in the town, it would be included in Brandon's dashboard, whether the credits go elsewhere. Mr. Shank questioned if the State has any resources for messaging for those entities that have moved towards energy improvements. Ms. Pulling stated the RRPC does not have a budget for this type of service.

Ms. Pulling advised the first steps towards developing an energy plan would be for the Planning Commission to understand the maps and look at the current Energy section of Brandon's Town Plan, as there are some things that might not be appropriate. One item would relate to restrictions on a renewable energy source, such as specifics on screening; as the Plan could not arbitrarily have it for just specific solar sites, but would have to apply to all projects; especially with the constraints to be sure there is language elsewhere that discourages the same. The Planning Commission could also review the High-

density, Mixed-use District to determine if there could be renewable energy in those areas, as most towns look at the industrial and commercial districts for solar and small wind. Most towns add to that the state-preferred list such as parking lots, old quarries, etc. Mr. Shank questioned the limitations on historic buildings and Ms. Pulling noted it is up to the town, plus a determination of what can be done to stay within the State Historic Register. This item should be listed in the plan, with a notation that the plan defers to the state and federal register for what can be altered. Ms. Pulling stated in looking toward 2050, there are going to be many technological advances in renewable energy and choosing a couple of preferred areas usually meets the target. Ms. Pulling suggested the Planning Commission evaluate why things have worked so well with developers in the past. Ms. Jerome stated the constraints of not taking up agriculture land and the requirement for screening has assisted with the past projects. Ms. Pulling advised that with a new plan, there would have to be screening constraints across the board with any projects and not just energy projects. Ms. Pulling suggested the Planning Commission come up with a set of preferred sites that do not require screening. Ms. Pulling will provide the Planning Commission a copy of the energy plan recently developed by the Town of Sudbury. Mr. Shank requested the four resource maps be emailed to the Planning Commission for their review. Ms. Pulling noted this is the State's attempt to provide the towns more say in the future energy projects, combined with the State's goals. The Committee thanked Ms. Pulling for the information provided. The Planning Commission will continue editing the draft energy plan to confirm the data is correct. Once the Planning Commission is comfortable with the document, the information will be discussed with the municipal staff.

## **5. Zoning Administrator's Report**

Anna Scheck reported the Aubuchon block goes to hearing on February 28<sup>th</sup>. The remainder of the information required for the two mobile homes has been received and will now be referred to the DRB. The former Lake Sunapee Bank will be placing new signs for Bar Harbor. There is an issue with the Davis house on Park Street in that it is zoned in the Central Business District, which prevents the owners from turning the property into a residential unit. This would require going before the DRB for a change in use because the zoning for the Central Business District would not allow for additional bedrooms due to sewer capacity. It is uncertain if the project will be completed. Ms. Scheck provided a map that outlined the Central Business District and noted that she had been asked if there could be consideration in changing Park Street to Neighborhood Residential. Ms. Scheck advised the Planning Commission could consider this request when doing the rewrite of the BLUO. Ms. Scheck received an inquiry about the JLB Enterprises property, however, noted there are many restrictions on that property. Ms. Scheck also received an inquiry about the Town's regulations regarding a compost technical service.

## **6. Signage Draft Review and Discussion**

Stephanie Jerome reported she has reviewed the current Sign ordinance and asked Anna Scheck to provide a list of conflicts with the current Brandon Land Use Ordinance (BLUO). Ms. Jerome also reviewed the new Sign ordinance draft and compared it with the current plan to determine if there are any outliers that need to be addressed.

Ethan Nelson advised the following change to the Purpose Section: (A) Purpose: The purpose of this Section is to: preserve and improve the existing attractive aspects of the Brandon environment; promoting the public welfare, convenience and safety of its inhabitants and visitors; conserve and enhance the value of properties; and encourage a suitable style and scale of outdoor advertising. This Section is enacted by the Town of Brandon Select Board under the authority it is granted to regulate signs set forth in 24 V.S.A. Section 4411. This ordinance is in cooperation with Vermont statute 10 VSA Ch. 21 found at: <http://legislature.vermont.gov/statutes/chapter/10/021>. It was suggested to also reference a link to the 2002 Brandon Workbook under Purpose. Anna Scheck will have the 2002 Brandon Workbook uploaded to the Planning Section of the Town's website.

Under the (B) Procedures Section, Anna Scheck brought up the subject of temporary signs. Stephanie Jerome recommended “temporary” be added to Item 2, lines b, c and d. Anna Scheck suggested the types of signs should be noted in line f, i.e. fairs, announcing auctions, civic events, etc. for temporary signs displayed no longer than 21 days. It was noted those items are listed in Item (b) and the addition of the word temporary in Item (b) should satisfy that requirement.

Under the (C) Prescriptive Section, the word “unpermitted” was replaced with “exempt” in Items (1) and (2). Mr. Nelson requested discussion of window signs under Item 1(c) as to whether the Planning Commission wants to include a percentage of window to be permissible, rather than the entire window. Anna Scheck noted concern with an entire window being covered. The current Plan indicates 30% and it was the consensus of the Planning Commission to maintain 30% of the total window space. With regard to digital images in windows, Ms. Scheck noted it is dependent on movement. For Item 1(d) Sandwich/Portable signs, Ms. Scheck advised the current plan limits 2 sandwich signs for a building with multiple businesses. It was the consensus of the Planning Commission to remove the restriction of the number of signs, with a recommendation that the signs be chalkboard and no larger than 10 square feet on one side of a two-sided sign. Mike Shank provided an example of the signage for Lilitz, PA noting all signs have the same look and feel and suggested all sandwich boards be consistent. With regard to Item 3 Dimensions (b): it was suggested the area of primary and freestanding signs be 24 square feet, which is in the current plan, except for signs advertising a home occupation would be 10 square feet. Under Item 4 Materials: it was noted all signs shall be constructed of wood, metal or alternative materials compatible with other signs within the surrounding area. It was the consensus of the Planning Commission to change the material to wood, metal or natural materials. Under Item 5 Lighting, it read; any lighting of a sign shall be external spot or other directed light, placed to avoid glare to passing traffic. It was recommended to indicate any lighting of a sign shall be external spot or other directed light, placed down facing to avoid glare to passing traffic. There shall be no fluorescent, neon, strobe, canopy, digital or moving lettering or illustrations on any signs. Item 6 Siting was added and reads: Movable and temporary signs will be placed on the site of business operation. Movable and temporary signage may be placed on public land in accordance with permission granted by the Select Board. Anna Scheck stated if the Planning Commission wants the Zoning Administrator to have review that goes beyond what is in the ordinance, it must be specified in the ordinance. Ms. Scheck noted there is a statement in the current BLUO that provides the Zoning Administrator a level of discretion and will provide the Planning Commission the wording. Mr. Nelson suggested a statement could be included under (b) Procedure to read: a permit with minor exceptions could be approved at the discretion of the Zoning Administrator.

It was suggested that any change in a business should require adherence to the new BLUO. Anna Scheck advised the current BLUO reads that all non-conforming signs will be brought into conformance when the signs are changed, upgraded or if there is a change of use. Ms. Scheck noted if someone were to change a name on a conforming sign, it would not require going through the process. It was the consensus of the Commission that nonconforming signs shall be brought into compliance at such time they are changed, upgraded or if there is a change of use or ownership. Conforming signs will be exempt from the process. Ethan Nelson recommended a rewrite of all sections that relate to the changes in the Sign ordinance. Anna Scheck suggested there could be change in the performance criteria. Stephanie Jerome suggested the timeline for the process be included in the ordinance. Ms. Scheck advised she has developed a two-page application for signs that could include the criteria for the application process. Mr. Nelson suggested an application be developed that follows directly from the ordinance. It was suggested to define a sign to be any outdoor advertising of any kind, which displays or includes advertisement of any goods or services. All signs shall be turned off at close of business. In the Definitions section of the BLUO, it was noted that several of the definitions could be removed, as they are no longer noted in the Sign section.

Mr. Nelson will provide Ms. Scheck the changes noted for signage. Ms. Scheck will update the draft BLUO with the proposed changes for signage and any reference to signage, farming, mobile homes and outdoor lighting for the Planning Commission’s review at the next meeting.

## **7. Map Review and Discussion**

This item was postponed to a subsequent meeting.

## **8. Old/New Business**

There was no discussion held.

## **9. Date for Next Meeting**

Monday, April 2, 2018 at 6:00PM – Brandon Town Hall – Planning Commission Meeting

## **10. Adjournment**

The Committee Chair adjourned the meeting at 9:10PM.

Respectfully submitted,

Charlene Bryant  
Recording Secretary