

Draft
Brandon Planning Commission Meeting
March 21, 2016

Planning Commission Members Present: Jeff Guevin, Linda Stewart, Marty Feldman, Phyllis Aitchison

Planning Commission Members Absent: Anne Bransfield, Frank Bump

Others present: Anna Scheck

Call to Order:

The meeting was called to order at 7:08PM by Jeff Guevin, Planning Commission Chair.

Agenda Approval:

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

Approval of Prior Meeting and Hearing Minutes:

A motion was made by Phyllis Aitchison and seconded by Linda Stewart to approve the minutes of the March 7, 2016 and February 1, 2016 Planning Commission minutes. **The motion passed unanimously.**

New Business:

. Other Business as Needed

It was questioned whether there will be Planning Commission members present for the upcoming DRB hearings. Anna Scheck advised one of the hearings is for conditional use. There are also two other hearings that will be heard tomorrow night.

Old Business:

. Zoning Administrator Report

The Planning Commission reviewed the information and permits provided by the Zoning Administrator. Anna Scheck advised she received the document, Policies and Systems Changes, at a Rutland Regional Planning Commission meeting. She noted there were speakers that recommended including this information about liquor in town plans and in town ordinances. Jeff Guevin stated this subject came up during a recent Main Street meeting with regard to an outside consumption event. It was noted that outside consumption in a public area is possible; however, it requires a permit and roping off the area. Ms. Scheck noted this information talks about tactics for having discussions with businesses. Anna Scheck reported she has several more applications that she needs to process. Mr. Guevin asked if the Planning Commission has the desire to address municipal zoning laws that address alcohol or marijuana. Mr. Guevin noted that with form base zoning, if someone wants to open up an Amsterdam-type coffee shop, it would need to be determined if the town will allow that type of business. This item can be reviewed after the legislature has acted upon this subject.

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

Jeff Guevin continued a review of the Brandon-Based Code with Part 2: Public Standards. The code applies to the Town and not private developers; however, it could apply equally. Mr. Guevin stated this relates travel lanes to speed limits. Anytime the town wants to change a road; based on the travel lane width, it would dictate the speed limit. The way this could get implemented is with Segment 6 as the town will have to decide the speed limits. In the downtown, it may make sense to reduce the speed limit. With the T5 Downtown area, it could indicate that there cannot be a 35mph speed limit. Mr. Guevin suggested the downtown could be 15mph. Anna Scheck stated there is a separate traffic ordinance and it was noted this section could serve as the study. For the most part, it will not apply to the existing roads, but whenever a road is redone, it would apply. Ms. Scheck stated there is discussion of rewriting the traffic ordinance and this could be helpful in that process. Mr. Guevin will discuss this section with the Public Works Director and suggested that Mr. Burlett could possibly attend a Planning Commission meeting to discuss. It was noted that Mr. Burlett may also have information about traffic load. Mr. Guevin stated the zoning is supposed to guide not only private development, but also public development. This section will need additional work as this is a template and was not adjusted for the town. There is not currently information in the BLUO with regard to roads. Marty Feldman stated with regard to this type of information, the document could be more specific with the roads. Once the districts are developed, the roads could be specified. Public Frontage descriptions were tabled for a future discussion. Civic Space descriptions – Jeff Guevin stated this relates to the public standards and requires people to make public space from private land. It was the decision of the Planning Commission that this would not be a requirement, except in the case of PUDs. If there is a Planned Unit Development, it specifies that a certain amount of civic space needs to be dedicated. Under Part 3 – Development Plans – Mr. Guevin stated this section relates to large developments or planned unit developments and further discussion will be required for this section. Part 4 – Lots and Building Plans – Mr. Guevin noted that for Section 400(b) there will be other standards and site plan review will be required. The Zoning Administrator will review all site plans. There will be performance standards included, which will be taken from the current Brandon Land Use Ordinance (BLUO), Article VI. Performance Objectives and Standards.

The Commission completed a review of the current BLUO performance standards. Mr. Guevin suggested if more relaxed sign criteria are considered in the future, it would make sense to place it under Performance Standards. Section 600 – Standards - will be included in the Brandon Based Code. Section 601 – Wastewater - Mr. Guevin noted the State has the authority over wastewater. Anna Scheck stated for town sewer, there has to be a permit and capacity fees are required to be paid. Ms. Scheck noted the current standards that the State and the Town have do not mirror one another. Mr. Guevin questioned if the ordinance requires more than what the State does. Ms. Scheck noted with private septic, the Town is not involved, only the State. If someone is connecting to the town sewer, they are required to also have a town sewer permit. Mr. Guevin suggested the wording could be simplified and Ms. Scheck suggested any changes to this section be discussed with the Public Works Director. Mr. Guevin noted there are three possible scenarios – obtaining a state permit, or obtaining a permit from the state and town or receiving a letter from the state indicating that a permit is not required. Mr. Guevin stated since the Town does not have authority over wastewater, the section could be condensed. Ms. Scheck stated much of the time this comes into play with subdivisions. Section 602 - Land Locked Parcels – it was noted this is state law that one cannot create a landlocked parcel. Ms. Scheck stated one can have a right of way that is at least 20 feet in width. Section 603 - Water Supply – this section will be included as is. Ms. Scheck stated there are also access fees paid for water capacity. Section 604 - Traffic – it was decided to keep Items (a) and (b) the same. It was suggested to change the language in Item (c) from Administrative Officer to “the Town Manager or his Designee”. The language will be tightened up with regard to safety concerns. This section will be based on the road standards and will be used as the criteria for the DRB to make decisions. Section 605 - Driveways – it was suggested to revisit this section at a future meeting with the Public Works Director. Section 606 - Historical Natural Area Protection – Mr. Guevin stated this does not define wetlands. This section will be

revisited after review of the Town Plan, as there are specific recommendations in the Town Plan that could be included in the zoning. Section 607 – Slopes and Erosion – this section will remain as written. Section 608 - Noise – it was questioned how the zoning ordinance can be enforced if the Zoning Administrator does not have a decibel meter. Mr. Guevin suggested changing “other times of the day” to “all other times” and include a scale of decibels. Section 609 – Vibration – this section to remain as written. Section 610 – Smoke, Section 611 – Fly Ash, Dust, Fumes, Vapors, Gasses and Other Forms of Air Pollution and Section 612 – Odors – all sections will remain the same. Section 613 – Fire, Explosive or Safety Hazard – Ms. Scheck stated this section was previously included more for identifying violations. Jeff Guevin suggested this section is not necessarily under zoning. Continued review of the BLUO Performance Standards was postponed to a subsequent meeting.

Next Meeting:

April 18, 2016 @ 7:00PM at the Brandon Library – Regular Meeting

Adjournment:

A motion was made by Linda Stewart and seconded by Marty Feldman to adjourn the meeting at 8:52PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary