

Agenda for the Planning Commission

Regular Meeting & Hearing held on Thursday, April 28, 2022 ~ 5:30 PM

Virtual Meeting Only

Join Zoom Meeting

<https://us06web.zoom.us/j/86361584630?pwd=R0MxRytMWG1nemJDZTZ6WU9KTjR3QT09>

Meeting ID: 863 6158 4630

Passcode: 482262

Phone: 1 (929) 205-6099 US (New York – Long distance rates will apply)

1. Call to Order
2. Adjustments to the Agenda
3. Public Comment (*for something that is not on the agenda*)
4. Old Business:
 - a. Approval of Minutes of the Regular Planning Commission meeting March 24, 2022
 - b. Approval of Minutes of the Regular Planning Commission meeting April 14, 2022
5. New Business
 - a. Open Public Hearing for draft revisions of the Unified Development Ordinance Sign Sections 3107.H. Temporary Signs, and Figure 3.9 Window Signs
 - i. Opening Remarks by the Planning Commission
 - ii. Presentation of the draft revised sections 3107.H Temporary Signs, and Figure 3.9 Window Signs
 - iii. Questions and answers, any testimony
 - iv. Decision to close public hearing or recess public hearing
 - v. Decision to vote to forward draft revisions of the Unified Development Ordinance sign sections to the City Council for Consideration of a first reading
 - b. Future meetings format discussion – hybrid versus virtual
6. Staff Updates
7. Roundtable
8. Adjourn

Planning Commission meetings are open to the public.

For questions about accessibility or to request accommodation, please call (802) 477-1465.

Barre City Planning Commission

March 24, 2022 Meeting Minutes

Present: David Sichel (Chair), Jackie Calder (Vice Chair), Michael Hellein (Secretary), Amanda Gustin, Thomas Lauzon, Becky Wigg

Absent: None

Staff: Janet Shatney (Director of Planning, Permitting & Assessing)

Visitors: Clare Rock (CVRPC), Blaine Hoskins (CVRPC)

1. Call to Order

5:30pm

2. Adjustments to the Agenda

Move CVRPC presentation to item 4 below Public Comment.

3. Public Comment

No public comment.

4. CVRPC Municipal Plan Check-in meeting

Clare Rock, CVRPC Senior Planner, and Blaine Hoskins, CVRPC Assistant Planner, attended to check in during the eight-year municipal planning cycle. The CVRPC regional plan is due to be updated in 2024. The CVRPC has worked in a consultant capacity in the creation of other municipal plans, and has programs to help municipalities create climate and energy plans or provide GIS work hours.

Gustin asked if it was possible for the CVRPC to assist with recruiting. Rock said it was an interesting idea she would take to the executive director.

Hellein said that the Planning Commission had planned to create a new plan before 8 years elapsed on the current plan, and the next plan would involve more public input. Rock said that the CVRPC can help with guidance and connecting to funding opportunities.

5. Old business

A. Approve amended meeting minutes of January 27, 2022

A. Calder stated that Lauzon's name should be added to the votes for the failed

motion.

Motion: Approve minutes as modified. Gustin, second Calder, all voted to approve excepting Wigg abstaining.

B. Window signage discussion

i) Temporary signs

Changes were approved in the January 27 meeting

ii) Previously recommended window signs language

Shatney had provided proposed language

iii) Planning Commission January vote and discussion

Mackenzie encouraged the Commission to adopt the failed motion from January. Shatney stated she was concerned that the definition of a clear background is subjective. The commissioners discussed how to find a compromise that would receive a majority of votes.

Motion: Gustin, Second Lauzon. On Figure 3-9 Wall signage, under "Signable Area", Letter A- Maximum coverage area will be changed to 40% maximum, Letters B-C specifying maximum dimensions will be struck; Under "Location", Letter D specifying height above ground will be struck. Under "Miscellaneous", the sentence beginning with "Applied plastic or vinyl..." will be struck. "Windows must have a clear background" will be struck and replaced with "Window coverage area shall be calculated in accordance Section 3107.I Sign Area." Everything else as presented remains. Lauzon, Gustin, Calder, Wigg, Sichel in favor. Hellein opposed. Motion carried.

C. Zoning as it relates to housing

i) Density

Gustin suggested reviewing zoning to allow for greater density. Sichel mentioned the possibility of allowing more units in existing districts. Shatney said she was trying to get the previously created density map from the consultant who worked on the Unified Development ordinance. Gustin suggested maybe the GIS help from CVRPC could be used to make an updated one. Lauzon suggested a density bonus for cluster development. Hellein mentioned looking at the Barre Town zoning map to make our zoning density more contiguous.

To be approved at the April 28, 2022 meeting

ii) Parking

Shatney said that there are challenges that come up when removing parking minimums from snow removal to metering.

iii) Accessory Dwelling Units

Sichel observed that the state statutes for accessory dwellings have changed and we should update ordinance to reflect them so our ordinance is not what prevents construction. Calder requested written materials on all three of these topics be made available before we consider them in the future.

6. New Business

A. Zoning as it relates to housing

Already covered in old business C.

B. Future meetings discussion

The Commission is willing to have future work meetings to make progress on updating the housing

7. Staff Updates

Shatney had nothing more to report.

8. Roundtable

Wigg asked about the Berlin planning materials in the packet. Shatney explained that Berlin is making changes to their town center master plan and is having a public meeting, and the materials are informational.

Hellein reported that the Barre City Transportation Advisory Committee submitted an application for the CVRPC to do a traffic calming design study of Berlin Street between Route 62 and North Main Street, and it was selected to move forward.

Shatney noted that Hellein was appointed as the Barre City representative to the CVRPC Transportation Advisory Committee.

9. Adjourn

7:03pm, **Motion Gustin, Second Hellein, unanimous vote to adjourn.**

Barre City Planning Commission

April 14, 2022 Meeting Minutes

Present: David Sichel (Chair), Jackie Calder (Vice Chair), Michael Hellein (Secretary), Amanda Gustin, Becky Wigg, Rosemary Averill, Joe Reil

Absent: None

Staff: Janet Shatney (Director of Planning, Permitting & Assessing)

Visitors: Michael Boutin, Samantha Hiscock, Peter Anthony, Jake Hemmerick

1. **Call to Order:** 5:30pm
2. **Adjustments to the Agenda:** None.
3. **Public Comment:** No public comment.
4. **Old Business**
 - a. **Accessory Dwelling Unit (ADU)**

Shatney went through the current criteria in zoning for an ADU, and what must be changed. Discussion about owner occupying, driveways, use of land, bedrooms, parking, subordinate uses, off-street parking, bedroom numbers and studio spaces, and square footage and even when the landowner sells and what happens, were all discussed. Other parts of the development ordinance can dictate what can and cannot happen, With 9 criteria that an ADU must meet now, discussion followed:

Clarifications for understanding that the eliminating any parking requirements for the ADU, and to rely on other parts of the zoning were agreed upon.

The 9 criteria under 3202.A have been discussed to look like the following:

- i. revise item (1) to mirror state statute
- ii. leave item (2) as is
- iii. remove item (3) in its entirety
- iv. leave item (4) as is, it mirrors statute
- v. leave item (5) as is, it mirrors statute
- vi. remove item (6) in its entirety
- vii. revise item (7) to state that this use is exempt from the parking minimums, but keeping the reference to them so they know what is being exempted
- viii. items (8) and (9) are left as is

To be approved at the April 28, 2022 meeting

The rest of the ADU sections 3202.B through 3202.D are left as is.

Discussion over bundling ordinance changes or pushing each piece forward ensued, and if the commission agrees at the next meeting, the ADU language could be pushed forward on its own.

5. **New Business:** None.

6. **Staff Updates**

Shatney said in addition to the staff report, she wanted to let the commission know where we ended up with the issue of the poorly written DRB decision from last August 2021, that in consultation with 3 attorneys, it is better left the way it is, and that combined with the written minutes and listening to the recorded hearing, it is clear that the intended outcome was to deny the sign request. Hellein wanted the Commission to know that a change that Shatney has instituted with the DRB is that they will meet the following month to approve any decisions and minutes, regardless if there is an application or not, this way, any errors can be caught so this does not happen again. Also, that the DRB met the prior week for a fence variance to eight feet high which was granted.

There has been one applicant for the permit administrator position, so it is being renoticed in multiple ways.

Calder asked about the RK Miles projects, and wondering if it had anything to do with the historic Thwing building, and they do not.

Gustin asked about meeting virtually or hybrid for future meetings, and Sichel said it will go on the agenda for the next meeting, but we will meet virtually only for the April 28, 2022 meeting and hearing.

7. **Roundtable**

Averill said she was thankful to be on the commission, and looking forward to seeing where things go, and thanked Shatney for the packet of materials.

Reill also stated he was glad to be a part of this, and looking forward to future discussions, there is a lot to learn.

8. **Adjourn**

7:01pm, **Motion Wigg, Second Hellein, unanimous vote to adjourn.**

- (g) The sign message must not change more than once every 15 minutes.
 - (h) Electronic message signs that will be illuminated after dark must have their brightness adjust in response to ambient light levels. The total light output of the sign must not exceed 20 lumens per square foot of sign area after dark. The Development Review Board may further limit the intensity of the sign’s illumination as deemed necessary to achieve the purposes of this section and protect the character of the neighborhood.
- (3) **Internally Illuminated Signs.** Internally illuminated signs where allowed must conform to the following unless otherwise specified in this section:
- (a) There must not be more than one internally illuminated sign per lot.
 - (b) The total light output of fixtures illuminating the sign must not exceed 10 lumens per square foot of sign area.
 - (c) The sign must not be illuminated when the business is closed.
 - (d) Internally illuminated pole, monument, projecting or hanging signs must not exceed 12 square feet in area, or the maximum sign area specified in [Figure 3-9](#) through [Figure 3-20](#) as applicable.
 - (e) Internally illuminated blade signs must not exceed 20 square feet in area.
 - (f) Internally illuminated wall signs must be designed as channel letter signs.
 - (g) Internally illuminated signs must be constructed with either: an opaque background and translucent text and symbols; or a colored background that is darker than the text and symbols
 - (h) Internally illuminated signs must not flash, brighten, dim, change color or otherwise be animated.
 - (i) Not more than 30% of the area of an internally illuminated sign may be used for advertising a product(s) available on the premises.

3107.H **Temporary Signs.** A temporary sign is any non-permanent sign designed to advertise a business or event for a limited period of time. Temporary signs are allowed to advertise limited period of time openings, sales or special events, or for informational purposes supplementary to the business, or temporary signs advertising a business while a permanent sign is being prepared. No permit for a temporary sign will be required, in accordance with the following:

Figure 3- 8: Temporary Sign Table

<u>1 – 30 days in any 12-month period</u>	<u>See Fee Schedule</u> no permit required, no fee
<u>31 – 180 days in any 12-month period ¹</u>	<u>See Fee Schedule</u>

¹ Any temporary sign in place after 180 days shall be considered a permanent sign and a new sign zoning permit must be obtained or violations shall be issued.

- (1) ~~Property or business owners may purchase a permit to display temporary signs in accordance with Figure 3-8.~~ Temporary signs, including temporary window and/or door window signs, may provide information regarding product names, logos, prices, and names and/or logos of financial sponsors.
- (2) ~~The Zoning Administrator may only issue one permit per lot, or one per business for lots with multiple uses.~~ Temporary signs may not be placed in a public right-of-way or as stated in 3107D.
- (3) ~~The permit for a temporary sign authorizes the holder to display one or more signs provided that the total sign area does not exceed 36 square feet.~~ No permit is necessary for the posting of temporary window signs that do not cumulatively exceed 20% of the total window area; are each less than four (4) square feet in size, and are posted not earlier than two (2) weeks prior to the event and are removed within three (3) days after the event.
- (4) Grand Opening Banners. Any business opening a new business or in a new location may place one (1) banner on the property where the business is situated for a period of up to thirty (30) days, provided the banner does not exceed twenty-four (24) square feet.
- (45) ~~The permit holder~~ Temporary signage must:
 - (a) ~~Be s~~ Securely attached a temporary sign to a window, door, building or a permanent ground-mounted sign.
 - (b) Not install permanent footings, posts or similar structures to support a temporary sign.
 - (c) Not illuminate a temporary sign.
- (56) Barre City will consider temporary signs that do not meet the above, and are not readily movable to be permanent signs subject to all applicable provisions of this section and require a permit.

~~Figure 3-8: Temporary Sign Table~~

1-30 days in any 12-month period	See Fee Schedule
31-180 days in any 12-month period¹	See Fee Schedule

~~¹ Any temporary sign in place after 180 days shall be considered a permanent sign and a new sign zoning permit must be obtained or violations shall be issued.~~

3107.I **Sign Area.** Sign area will be determined in accordance with the following:

- (1) The sign area will include all the elements that serve primarily to communicate the sign's message and not the structural elements supporting or serving as a

Figure 3- 11: Window Sign

UC-1	UC-2	UC-3	MU-1	MU-2	MU-3	R-16	R-12	R-8	R-4	GB	IN	CON	CIV
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>									



Description

The window sign type is often professionally painted or applied directly on the inside of the window consisting of individual letters and designs. Window signs offer a high level of craftsmanship and visibility, and are often used for small professional offices.

Size

SIGNABLE AREA

A	Area per shopfront window	20 <u>40</u> % max
B	Width	5 ft max
C	Height	36 inch max

Location

D	Height above ground	5 ft min
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Window signs must be applied directly to the inside of the glass.

Miscellaneous

~~Applied plastic or vinyl cut letters are strongly discouraged and are prohibited in the DRO district.~~

~~Window signs must have a clear background. Window coverage area shall be calculated in accordance with Section 3107.I Signable Area.~~

~~Window signs must not be illuminated.~~

STAFF REPORT

Planning, Permitting & Assessing – weeks of 04-15-22 and 04-22-22:

- Finished the 2022 LEMP (Local Hazard Mitigation Plan) for the Emergency Management Director that will need approval at the April 26th Council Meeting;
- Attended the CVPRC monthly commissioner's meeting on April 12, 2022;
- Met with the owners of Pearl Street Pizza and involved staff as to how to move forward with their requested outdoor seating in the Ped-Way's approval at City Council;
- Participated in the bi-weekly Department Head meeting on April 19, 2022;
- Attended a Fair Market Value Training on April 14, 2022;
- Completed and submitted the 2022 Project and Expenditure Report to the US Treasury for the City's ARPA funds – I am the designated Point of Contact for Reporting, and the Authorized Representative for Reporting;
- Working with Vermont Emergency Management to close out the 2015 Stormwater projects and get final reimbursements;
- Worked with Downstreet Housing on the final pieces needed to complete the Granite City Apartments application to ACCD for \$500,000 (Bromur Street and the old Ward 5 School renovations);
- Spent time with a developer interested in purchasing 3 properties in the North End, including the Snack Shack for a Little Caesar's drive-through restaurant, have heard nothing since 2 weeks ago;
- Attended the Permit Navigator Portal Training last week – this portal replaces state permitting people that used to assist the general public in telling them what they needed for state permits for their project;
- Spoke with the Director of the Good Samaritan Haven regarding permit changes he would like to make for the Shelter hours among other things;
- Assisting Poultney Town Clerk in how to complete the Municipal Plan and Bylaw when adopting revisions to zoning or municipal plans;
- Assisted the now-resigned members of the Energy Committee so that they got me their resignation letters that I can forward for City Council procedures;
- Working on some required letters for permit conditions for both the Downstreet Housing's Recovery Residence and the Turning Point Center application currently in review;
- Have issued over the last 2 weeks 4 building, 7 electrical, 1 flood hazard and 2 zoning permits;
- Have 4 building permit applications ready for Code Enforcement's review and approval before I can issue;
- Receiving business's PVR-4004 forms for personal property: the State requires them to send to the Town Clerks where they are located, but the City of Barre does not tax personal property, therefore, we file them away for now;
- Finished the 8 Circle Street DRB Decision in draft and sent out for review by the DRB members – to date I have not received any comments for changes needed;
- Received an application for 87 and 89 S. Main Street properties to be redeveloped as part of the Aubuchon's site plan work. This review will go in front of the DRB for the May 5 hearing, presented by the owner Metro Development and contractor Lajeunesse Construction. 89 S. Main is the Wild Electric building and former auto garage, which is proposed to be demolished and site plan review for revised parking area; and 87 S. Main is the building in the rear, proposed to be Aubuchon's outdoor living showroom and storage area, with a standalone proposed greenhouse on the property.