**Braintree Planning Commission**
**Regular Meeting Minutes DRAFT**
**September 19, 2024**
**7:00pm**
**Braintree Town Office, 932 Vermont Route 12A, Braintree, VT 05060**
**Virtually: Join Zoom Meeting**
**https://zoom.us/j/92791782101?pwd=cE85LytjcFdWcnhpMU40K3V0L0N3UT09**
**Meeting ID: 927 9178 2101 Passcode: 836662**

The meeting was called to order at 7:04. Present from the Planning Commission were Paul Kendall, Malcolm FitzPatrick, Jennifer Phipps and Nathan Cleveland. Jackson Evans could not attend. Also present in person was Two Rivers Ottauquechee Regional Commission (TRORC) planner, Kyle Katz. Joining remotely was Sandy Cooch, town representative to TRORC and newspaper correspondent.

Sandy mentioned that she was interested in helping with a story in the local Herald Newspaper to help publicize the information on the Town Zoning By-law updates and highlight some of the proposed changes that have been discussed.

Paul Kendal made a motion to approve the planning commission minutes from May 2024. Malcolm Fitzpatrick seconded. The motion passed.

Paul Kendal made a motion to approve the planning commission minutes from August 2024. Jenn Phipps seconded. The motion passed.

Kyle Katz (TRORC) presented updated on Section 4 of the Town Zoning Bylaws and focused on the section related to floodplains. This section will be sent to the State Floodplain Manager for their review and comment. Malcolm highlighted recently passed Act 121 related to river corridors and how the town should incorporate any new requirements into our zoning as the Act 121 indicates that the State will be taking over permitting within the identified river

corridors.

Reviewing Chapter 5 (Administrative Permits) brought up the need for the town to ensure the Town Zoning Administrator is trained and following procedures and policies when reviewing a zoning permit application. PK and MF expressed concerns that the ZA is not following permit posting requirements and asked that the Selectboard be notified of these concerns.

The next Planning Commission Planning Commission meeting is scheduled for 10/17/24 and will focus on updates to Chapters 6 and 7 of the zoning bylaws. The PC discussed the need for a public forum to be scheduled. MF and PK were concerned that the proposed edits to the zoning bylaws would not be ready. NC expressed a need for the town residents to comment and share their priorities, and not just focus on the changes that the PC is working on. A list of major updates would be provided along with all public comments received and discussed at the public forum. NC expressed the need for the public forum to be a platform for the PC to seek input that will then be worked into the final draft of the Zoning bylaws prior to the adoption process that includes a public hearing by the PC and then a separate public hearing by the Selectboard prior to final adoption of the draft zoning bylaws. P. Kendal made a motion to "tentatively" schedule the public forum for January 16, 2025. J. Phipps seconded the motion; the motion passed, M. Fitzpatrick abstained.

The Planning Commission discussed a letter of support for a Vermont Community Development Program (VCDP) grant application that the town is submitting on behalf of Green Mountain Economic Development Corp. in support of a proposed renovation of a building on Rt. 66 in Randolph that will be leased by the Orange County Parent Child Care Center to operate a 88 person early childhood education facility. N. Cleveland recused himself from the discussion as he works for VCDP. P. Kendal made a motion to have Jackson Evans sign the

letter of support. J. Phipps seconded. The motion passed with N. Cleveland abstaining.

Meeting adjourned at 9:09 p.m.

The meeting was turned over to Kyle Katz to lead the planning commission through a review of the newly updated Neighborhood Residential District Map. Before discussion began, Malcolm FitzPatrick expressed that he did not feel he had had enough opportunity to make suggestions to the Zoning Bylaw Re-Write in a line-by-line manner. He further noted that he felt that the process was not what he had expected and that he felt the most of the changes were coming from Kyle/TRORC without enough input from the Planning Commission. Kyle explained in general terms the rewriting process he has followed, which was defined at the beginning of his time working with the Planning Commission: Working from the existing bylaw, he updates sections that deal with housing and flood mitigation, bringing them in line with current laws and accepted practice, as per the Town's Bylaw Modernization Act and Flood Hazard Mitigation Grants. These sections are then presented to the Planning Commission for

review and discussion at their subsequent meeting. Paul Kendall noted that he disagreed with Malcolm's statement about not having opportunities to comment. Paul used a recent example of some suggestions that he had sent to Kyle and the planning commission via email and that Kyle had addressed and incorporated into the plan and maps prior to the current meeting. Malcolm asked Kyle to go through the current draft of the town plan and identify things that were added by him that were not required by law. Jackson Evans suggested that this was not the highest and best use of Kyle's limited grant funded time. Paul suggested that once the rewrite process is substantially completed (as early as October), that the Planning Commission review a "cleaned up" new draft along with a draft showing the tracked changes since the beginning of the rewrite process. This would allow for a side-by-side comparison of where we started and how we got to a rewritten draft. Malcolm also reminded the Planning Commission that they needed to still review suggestions made from outside of the Planning Commission (such as those submitted by the Development Review Board). The discussion was then redirected back to a review of the order of the day and the review of the Zoning District Map.

Kyle noted that based on Paul's suggestion, the 500 and 1000 foot buffer surrounding the various zoning districts be made to scale so that property owners and the zoning administrator can more easily determine where their property and project may fall. Kyle asked that the Planning Commission determine the boundaries of West Braintree and South Braintree (see action item 1).

Following the review of the map, Kyle reviewed a document sent to the Planning Commission which provided additional edits to the zoning districts. The new language in this document further clarified the district buffers.

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The next item on the agenda was the continued review of Section 4 of the Bylaw Draft beginning where the Planning Commission left off at Section 4.10.6.2. Malcolm FitzPatrick noted that he is uncomfortable with the use of the River Corridor language as it has implications for how rebuilding can occur following flooding events. His concern is that restrictions on rebuilding will force out property owners with limited means. He requested that the Planning Commission consider whether or not to include river corridor language in the updated bylaw.

Under additional business the Planning Commission adopted the following motion: "The Planning Commission supports the Town of Braintree's application to the Vermont Community Development Program's Implementation Grant on behalf of the Green Mountain Economic Development Corporation and Orange County Parent Child Center. The OCPCC's project to develop a child care center in Randolph will benefit Braintree families, provides opportunities to participate in multi-town partnerships and is in keeping with the goals of the Braintree Town Plan." The motion was passed with three votes in favor and one abstention by Malcolm FitzPatrick.

With no additional business to conduct, the meeting was adjourned.

NOTE: Next Regular Meeting: October 17, 2024 at 7:00pm

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