Braintree Planning Commission
Regular Meeting & DRAFT Minutes
March 20, 2025
7:00pm
Braintree Town Hall, 5397 Vermont Route 12A, Braintree, VT 05060

Nathan Cleveland called the meeting to order at 7:00pm. Present from the Planning Commission were Nathan Cleveland, Paul Kendall, Jackson, Jennifer Phipps & Malcolm FitzPatrick. Lou Helmuth and Sandy Vondrasek Cooch was in attendance from the public.

The first item on the meeting agenda was public comments. Lou Helmuth had volunteered to review the revised draft zoning bylaws and had suggestions related to the conditional use provisions within the draft. He felt referencing Act 250 standards do not apply to the typical development seen in Braintree, and felt that there could be more direct clear language. Through his review of the draft he also identified the need to better define the 1 acre subdivision "waiver' and a discussion ensued on how the town would be able to enforce conformance a 1 acre subdivision to prevent additional subdivisions through deed restriction. The planning commission noted that this was an area that needed more consultation from TRORC. Lou also noted that density in village districts and "Rural 2" supported focused development where density as appropriate. He also noted that zoning of higher density along Rifford Brook would be at risk of flooding as has happened in the past. Malcom FitzPatrick raised concerns with Accessory Dwelling Units and potential "absentee landlords". Malcom also raised concerns with property sales that are above the fair market value, and how to allow a 2nd unit to be subdivided. Lou Helmuth noted that the review of the draft bylaws was a large task and would forward his additional comments to the planning commission.

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Malcom FitzPatrick as who develops the forms that the Development Review Board (waiver and variance forms were examples used) and who is ensuring that the Zoning Administrator is following the zoning requirements correctly. Discussion ensued and the Planning Commission will follow up with TRORC for guidance.

Next on the agenda the draft meeting minutes from 2/20/25 Planning Commission meeting were reviewed. Paul Kendal made a motion to approve the minutes with edits provided by Malcom FitzPatrick. Malcom FitzPatrick seconded the motion. The motion passed with Nathan Cleveland abstaining as he was not at the 2/20/25 meeting.

Next on the agenda to be discussed was the "parking list" from the January Public Forum. Discussion ensued and Malcom FitzPatrick noted that the workplan and timeline to complete the draft zoning bylaws needs to be more clear; he suggested moving the definitions section to the beginning of the document and define better the allowed versus not allowed uses for each zoning district. He suggested a workflow diagram be created to assist applicants and the town ensure the proper process is followed. Discussion ensued on proposed lot width minimums and maximums and how proposed zoning changes would create non-conforming lots but would encourage development in appropriate areas to be more dense. Malcom asked if there was a state statute that would help us understand how to address potential issues that the draft bylaw changes would create related to non-conforming lots.

Nathan Cleveland identified Driveways on our parking lot list to work on as it had been identified multiple times at the public hearing as needing more work to better define public road,

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vs private driveways, or private road (ie accessing multiple lots/housing units); the subdivision requirements related to access beyond the town right of way was discussed as comments that the Planning Commission received noted that the drafted language for design standards were too robust related to width, grade drainage etc. Nathan will reach out to TRORC to ask for examples from towns on the design standards.

Additional business; TRORC will be attending our April 17, 2025 Planning Commission meeting to provide an update on the new state zoning requirements related to the Act 250 changes that promote housing development in 3 “tiers” as well as designated village centers, designated down towns and other state designation areas.

Malcom FitzPatrick noted he was not re-appointed to the Development Review Board and felt that the process to replace him was not conducted correctly though his term had expired. Nathan Noted that he would email the Selectboard to raise this concern.

Jenn Phipps noted that she is unable to meet the time required to be on the Planning Commission and will resign after our April meeting. She will continue to serve on the Development Review Board. Nathan thanked Jenn for all of her years of service on the Planning Commission and her contributions to the Town Plan update and now the work with our zoning bylaws.

Paul Kendall made a motion to adjourn the meeting, Malcom FitzPatrick seconded the motion. The motion passed unanimously.

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Meeting adjourned at 8:40 p.m.

The next regular meeting of the Planning Commission is scheduled for 04/17/25 at 7pm at the Town Clerk's Office.

Respectfully submitted,

Nathan Cleveland

03/20/25

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