

PLANNING COMMISSION
August 24, 2022
MEETING & PUBLIC HEARING

Planning Commissioners: Ken Mason, Curtis Carpenter, Dan Guest, Travis Glodgett, Alivia Bertolini-Libby (via Zoom)

Public Official(s): Nicole Gratton- Planning Director, Dan Daley- Selectboard member, Christian Thompson- Selectboard member

Press: Paul Hayes- Caledonian-Record

Public: Joe Buzzi, Sarah Lafferty, Amanda Phelps, Kelly Deth, Darcie McCann, Amy Bean, Bob Howland, Ryan Grant, Shane Switser, Joe Allard, Tracy Gilman, Bill Walker

Mr. Mason chairs the meeting, which is called to order at 6:00p.m.

Agenda changes- None.

Mr. Mason seeks **approval of the minutes** from the August 10, 2022, meeting. Mr. Carpenter makes a motion to approve the minutes. Mr. Glodgett seconds the motion. The Commission **votes 5-0**.

Comments from the public on non-agenda items: None.

Current Business:

Public Hearing: Mr. Mason reads the warning (attached). Mr. Mason reviews the rules for the public hearing.

- (1) *ARTICLE XVII: DEFINITIONS: Signage: means any device including graphic, alphabetic, or pictorial presentation used to convey commercial messages seen from the public thoroughfare or right-of-way. This definition specifically excludes merchandise normally displayed in a storefront window, public art and murals, or flags.*

Ms. Gratton reviews the current definition of signage and outlines the changes, mainly clarification of what is included in the definition of a sign and what would not be considered signs.

Kelly Deth: Asks if the display of buildings for sale in the windows of her real estate business would be considered "merchandise" or if they would be a sign. Mr. Mason answers Ms. Deth's question that real estate postings are merchandise, not signs, as that is what is sold at that establishment.

Sarah Lafferty: reiterates that words, logos, images are going to be considered as signs, that may not have been considered a sign previously.

Bob Howland: Asks if for sale signs (measuring 4x8') would require a permit. Ms. Gratton addresses the question by referring to 16.5.1, for sale signs are exempt signs.

Tracy Gilman: Asks about the definition of a "setback".

Mr. Carpenter makes a motion to close this portion of the public hearing. Mr. Glodgett seconds the motion. Commissioner Bertolini-Libby clarifies that the public comment consisted of agreement of the new definition. The Planning Commission votes: 5-0.

- (2) (2) Article XVI: SIGNAGE: Please see attached copy of proposed changes to Article XVI: SIGNAGE. Sections in Article XVI: SIGNAGE to be renumbered. Redline is also available online at www.lyndonvt.org/zoning-bylaws

Ms. Gratton shares the overview of changes; signage is not diminishing, it is augmenting. The proposal works on a proportional model, with a 1:1 ratio of building lineal footage to square footage of signage. For very small businesses/buildings the ratio would be 1:1.5. The square footage of signage (building and freestanding/protruding) does have a maximum square footage allowed. The total number of signs would increase from 2 signs in commercial to 3.

Kelly Deth: Asks why the Signage Bylaw proposal has come forth for change. Mr. Glodgett shares that the DRB requested more clarification about signage for their decision-making purposes. Asks about what the point of creating a bunch of non-conforming businesses (regarding their signage) would be. Mr. Glodgett shares that the bylaws needed to be updated and this was the attempt to improve the signage bylaw for the community and for the DRB.

Kim Crady-Smith: Asks about signs that predate zoning bylaws. Mr. Carpenter answers with buildings not meeting the bylaws would be non-conforming and as long as no changes are made, there is nothing that the business would need to do. At the point that changes are desired, changes would need to be made to meet the bylaws. Shares appreciation that the Planning Commission took on the update, because it is a big job and takes careful consideration.

Sarah Lafferty: Shares that the amendments provide clarity. 60' buildings would have 60 square feet of signage. She believes that buildings that are only 20 feet long would look silly with 20 square feet of signage. She advocates for a 1:2 ratio of building lineal feet to signage square footage with a minimum. She believes that the maximums defeat the purpose of improving signage for businesses. Sarah thinks the proposal would be counterproductive to business improvements.

- Change MAX to MIN
- Change 1:1 to 1:2

Ms. Lafferty asks about entities such as Powers Park, Fisher Field, Shonyo Park. Ms. Gratton shares that those signs would be freestanding signs and would be allowed freestanding signage at the square footage per the district.

Ms. Lafferty recommends a change to 16.13.1 so that the DRB has the discretion to conditionally approve signage at a greater square footage rather than only being able to conditionally approve the number of signs.

Darcie McCann: asks about 16.1 "non distracting to vehicular traffic" and wants to include language about signage that is available for pedestrians. Asks about the definition of a "business plaza". Ms. Gratton reads the definition and shares that if a change is requested, the Planning Commission should be addressed at a future meeting. Asks how many businesses would be affected by the proposal. Mr. Carpenter notes that the number of businesses affected would be none, until they made changes to their signage at which point, they would be required to come into conformance with the bylaws. Asks about awnings (16.9) for a building versus signage for a business. Ms. Gratton shares that the definition for signage notes that a sign is a device used for commercial messages, not an address. Asks about 16.10, freestanding signs- would separate businesses within the same structure be required to fit within the maximum square footage of signage for freestanding sign. Mr. Guest shares that a good representation of a business plaza is the building behind the car wash, and they do share the freestanding sign. Ms. Lafferty thinks that a minimum of signage would solve the problem.

Tracy Gilman: Asks about the definition of a business plaza, wondering if the entities within the Brick Building on Depot Street would be considered a business plaza. Ms. Gratton reads the definition of a "business plaza", noting that the definition identifies a business plaza as sharing a common curb-cut, access

facilities, or parking areas. Ms. Gilman also shares that the street trees hinder visibility to businesses and the traffic speed limit on Depot Street. Asks about an “event sign”. Mr. Glodgett shares examples of an event sign. Mr. Carpenter shares examples too. Asks about setbacks on sandwich boards. Mr. Glodgett shares that permanently affixed freestanding signs must be 4’ away from the road/right-of-way.

Mr. Carpenter makes a motion to close this portion of the public hearing. Mr. Glodgett seconds the motion. Travis Glodgett shares that his own business does not meet the signage bylaws. The proposal takes a step toward making signage clearer in definition and also balance equity of allowed signage and business promotion. The Planning Commission votes: 5-0.

- (3) *(3) Proposed zoning map amendment: Parcels 09-028 and 09-027 South to change from Industrial District to Commercial District Please see proposed map amendment on the website: www.lyndonvt.org/zoning-bylaws*

Ms. Gratton shares that the proposal came forth from the landowners who are seeking to build a house on a newly created subdivided lot. The lots are in the industrial district, which is the only district that housing is not a permitted or conditional use. The lots are currently mostly wooded, with one dwelling unit on 09-028, and is the business operation location for Northern Gas. The change from industrial to commercial would allow for housing to be a use on that parcel and still accommodate the use of the lot as a truck terminal by Northern Gas. The neighboring district is commercial, which these two parcels would join.

Mr. Carpenter makes a motion to close this portion of the public hearing. Mr. Glodgett seconds the motion. The Planning Commission votes: 5-0.

- (4) *(4) ARTICLE VI: OFF STREET PARKING REGULATIONS: Addition to 6.2 All Other Districts: Accessory Dwelling Units (1 bedroom or less): 1 per unit Accessory Dwelling Units (2 bedrooms or more): 2 per unit*

Ms. Gratton shares that this was brought on by State Statute changes that require municipalities to amend their bylaws to require no more than 1 parking space for Accessory Dwelling Units with one bedroom or less. The parking requirements for ADU’s with 2 bedrooms or more are at the discretion of the municipality, and the Planning Commission is proposing to have ADU’s with 2 bedrooms or more require 2 parking spaces as is required by all other units of housing.

Mr. Carpenter makes a motion to close this portion of the public hearing. Mr. Glodgett seconds the motion. The Planning Commission votes: 5-0.

Mr. Carpenter makes a motion to close the public hearing. Ms. Bertolini-Libby seconds the motion. The Planning Commission votes: 5-0.

Mr. Glodgett makes a motion to recommend the amendments (1), (3), and (4) to the selectboard. Mr. Carpenter seconds the motion. The Planning Commission votes: 5-0.

Mr. Carpenter makes a motion to not recommend the amendment (2) to the selectboard and to return the proposal to the Planning Commission for revision. Ms. Bertolini-Libby seconds the motion. Mr. Carpenter notes that the Planning Commission will take the public feedback and make changes to the proposal to then re-warn and hold a future public hearing. The Planning Commission votes: 5-0.

The next meeting is scheduled for Wednesday September 14, 2022, and will be held both in-person and on Zoom. Mr. Glodgett makes a motion to adjourn. Mr. Guest seconds the motion. The Commission votes: 5-0.

The meeting adjourned at 7:25 p.m.

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