

Town of Brighton
Development Review Board
Minutes of Hearing held August 18, 2015

In Re: Joseph Russo

Application No. 19-15

A public hearing pursuant to Section 313(Signs) as it relates to Section 210(5) Industrial District, of the Town of Brighton Zoning Bylaws was held August 18, 2015 on the above entitled application for a Site Plan Review/ New Sign Construction permit as filed by Joseph Russo/Sweet Tree Holdings, LLC. The proposed sign placement is at the site of the current business at 1 Sweet Tree Lane Island Pond, Vermont 05846.

Due notice of said hearing was provided to the following adjacent property owners identified by the applicant:

William & Susan Farrington

Richard Fillian

Vermont Electric

St. Lawrence & Atlantic R/R

Mike Worth

Joseph Boylan

Notices were mailed by Certified Return Receipt on August 7, 2015.

Public notice was posted in three locations in town, namely, the Town Clerk's Office, and bulletin boards outside the Island Pond Post Office and the Railroad Depot Building. It was also published in the Caledonian Record.

A site visit was held at subject property on August 18 at 4:30 p.m., with board members Peder Pedersen, chair; Alan Wing, Cliff Biron, Michael Clarke and Clerk, Margaret Muraca. Joseph Russo, the applicant was also present. Dana Jacobs did not attend the site visit.

At the site visit Joseph Russo reviewed the plans for the erection of a sign (Maple Guild) as documented in the application. The proposed dimensions are 8 ft by 6 ft , and 10 feet high. It was suggested that the sign should be placed at lease 30 feet off the road (down the embankment).

The public hearing was called to order at 4:50 p.m., by Peder Pedersen, Chair, with all the above named board members present. Joseph Russo, (the applicant), was present. Dana Jacobs did not attend the hearing.

The Chair read the warning that was publicly posted.

It was noted that the application was dated July 15, 2015 and referred to this Board on July 31, 2015, by the Zoning Administer for a site plan review.

Joseph Russo was sworn in by Peder Pedersen.

Section 313-Signs

The purpose of this section is to limit the use of signs to those purposes which serve the public interest.

(1) Signs in the Village and Industrial districts that are painted or mounted on a wall of a building shall not:

A. Extend above any part of the eaves or gables of the building upon which the sign has been placed.

(2) Signs shall not be painted or mounted on the roof of a building.

(3) Signs shall be designed and located in such a manner as to:

A. Not impair public safety.

B. Not restrict clear vision between a sidewalk and road.

C. Not be confused with any traffic sign or signal.

D. Not prevent free access to any door, window, or fire escape.

(4) Signs may be illuminated by a steady light, provided that such lighting will not illuminate or reflect onto other properties or into traffic.

(5) Flashing, oscillating, and revolving signs shall not be permitted unless necessary for public safety or welfare.

(6) Free-standing signs shall not exceed 32 square feet in the village district.

(7) Nonconforming signs shall be brought into compliance when they are replaced.

(8) Home occupation and residential signs shall not exceed 3 square feet, and be limited to one per residence.

(9) Signs on the face of the building at an angle shall not be more than 20 square feet.

The specifications were reviewed as they related to the proposed sign construction site, in this Industrial Zone-210(5).

Both non-board attendees and board members were given the opportunity to make comment and/or ask questions. Guests were then excused from the hearing.

The deliberative session(5:15 pm) was called to order. A review of Section 313 determined that the plan as presented met the requirements . Alan Wing made a motion to grant the permit with the stipulation that the sign would be erected at least 30 feet from the road (Route 105) in the area in the front of entrance to the building, which was seconded by Clifford Biron. A vote was taken and unanimously approved by the membership.

The meeting was adjourned at 5:20 p.m.

Dated at Brighton (Island Pond), Vermont this 18th day of August 2015.

Margaret Muraca, Clerk
Development Review Board
Town of Brighton

Cc: Peder Pedersen
Joseph Russo, Applicant
Town of Brighton, Clerks office
Dana Jacobs, Zoning Administrator
Joel Cope, Town Administrato

Findings of Fact

The following facts were found at the public hearing held August 18, 2015:

1. The hearing was called to order by the Chair at 4:45 p.m., and it was noted the site visit was made by the Board Members and others as previously named.
2. The warning was read by the Chair.
3. Joseph Russo, was sworn in by Peder Pedersen, Chair. The Chair also asked Board Members if they had any questions or concerns.
4. The requirements found in Sec.313- of the Town of Brighton Zoning Bylaws relative to signs in relationship to this 210(5)-Industrial District were discussed.

The purpose of this section is to limit the use of signs to those purposes which serve the public interest.

(1) Signs in the Village and Industrial districts that are painted or mounted on a wall of a building shall not:

A. Extend above any part of the eaves or gables of the building upon which the sign has been placed.

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(6) Free-standing signs shall not exceed 32 square feet in the village district.

(7) Nonconforming signs shall be brought into compliance when they are replaced.

(8) Home occupation and residential signs shall not exceed 3 square feet, and be limited to one per residence.

(9) Signs on the face of the building at an angle shall not be more than 20 square feet.

The Board determined that the site plan/application submitted meets all of the above outlined requirements. In addition, the Board finds that an additional requirement is needed. The sign is to be erected at least 30 feet from the road(Route 105) in the area in front of the entrance to the building.

Conclusion of Law

The following conclusions were determined from the public hearing held August 18, 2015.

Per the town's Zoning map the subject property is located in the Industrial District in Sec. 210(5) of the Zoning Bylaws.

Further, Sec. 313 of the Zoning Bylaws provided the safeguards the Board is to take into consideration when reviewing site plans and the Board finds that all issues specified therein have been adequately addressed by the applicant.

Deliberative Session

The deliberative session followed the public meeting with the same board in attendance.

Following discussion of the applicants' request for a Site Plan Review the following Motion was made:

Alan Wing made the motion to approve the site plan, with the stipulation that the sign be erected at least 30 feet from the road (Route 105) in the area in front of the entrance to the building.

Seconded by Clifford Biron - each Board Member voted affirmative.

Motion carried.

Deliberative Session closed at 5:20 p.m.

Dated at Brighton (Island Pond), Vermont this 18th day of August 2015.

Margaret Muraca, Clerk
Development Review Board
Town of Brighton

Cc: Joseph Russo, Applicant
Peder Pedersen, Chair DRB
Town of Brighton, Clerks Office
Dana Jacobs, ZA
Joel Cope, Town Administer

Town of Brighton
Development Review Board

In Re: Joseph Russo/Sweet Tree Holdings. LLC

1 Sweet Tree Lane, Island Pond, Vt.

Application No. 19-15

Decision

A public hearing pursuant to Section 313 of the Town of Brighton Zoning Bylaws was held August 18, 2015 on the above entitled application for a Site Plan Review/ Zoning permit as filed by Joseph Russo, for the construction of a sign at 1 Sweet Tree Lane, Island Pond, Vt. 05846

Notice of said hearing was provided to the following adjacent property owners identified by the applicant:

William & Susan Farrington

Richard Fillian

Vermont Electric

St. Lawrence & Atlantic R/R

Mike Worth

Joseph Boylan

Notices were mailed by Certified Return Receipt on August 7, 2015.

Public notice of said hearing was posted in three locations in town, namely, the Town Clerk's Office, bulletin boards outside the Island Pond Post Office and the Railroad Depot Building and published in the Caladonian Record.

A site visit on August 18, 2015 preceded the public hearing.

Board members who visited the site were Peder Pedersen, Chair; Alan Wing, Cliff Barnes, Michael Clarke and Margaret Muraca (DRB Clerk). Joseph Russo, the applicant was also present. Dana Jacobs did not attend the site visit.

The public hearing followed the site visit with the above named board members in attendance. Joseph Russo, the applicant was also in attendance. Dana Jacobs did not attend the hearing.

In an unanimous vote the Development Review Board Members

Peder Pedersen

Alan Wing

Clifford Biron

Mike Clarke

Margaret Muraca

voted to APPROVE the Site plan/Sign Construction at the property located at 1 Sweet Tree Lane, Island Pond, Vermont providing that the conditions stated previously are met.

Appeal Rights

If you should disagree with the Board's Decision, you may appeal to the Environmental Court. Such appeal must be made within thirty (30) days of the date of the decision. Failure to appeal within this thirty (30) day period will result in the loss of your appeal rights and this Decision shall be considered final.

Dated at Brighton (Island Pond), Vermont this 18th day of August 2015.

Margaret Muraca, Clerk
Development Review Board
Town of Brighton

Cc: Joseph Russo, Applicant
Peder Pedersen, Chair DRB
Town of Brighton, Clerks Office
Dana Jacobs, ZA
Joel Cope. Town Administrator

**Development Review Board
Town of Brighton
P.O. Box 377
Island Pond, Vermont 05846**

August 21, 2015

Joseph Russo/Sweet Tree Holdings LLC, Applicant
PO Box 437
Island Pond, Vt 05846

In Re: Application No. 19-15

Dear Applicant:

Enclosed herewith please find Minutes of the Hearing held August 18, 2015 with reference to your application for a sign construction at 1 Sweet Tree Lane , Island Pond, Vermont; together with the minutes of the Deliberative Session.

You will note there is a thirty day appeal period concerning this Decision.

Sincerely,

Development Review Board

Town of Brighton

By: _____

Margaret Muraca, Clerk

Cc: Chair, DRB (email)

