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# Public weighs in on new sign ordinance and other zoning changes

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By Lisa Loomis

At a well-attended public hearing to take comment on proposed changes to Waitsfield's sign ordinance and other parts of the town zoning, planning commissioners received kudos for being so responsive to the public.

The planning commission, on December 2, held a hearing to take comments on new language in the zoning ordinance that permits temporary sandwich board signs and also loosens regulations and definitions governing "special events."

The issue of sandwich board signs has been contentious for several years, with area businesses putting them out along the road despite a town prohibition against such signs. Last year, working with the Mad River Chamber of Commerce, the planning commission began to rework the sign ordinance.

## SANDWICH BOARD SIGNS

Planning commission chair Steve Shea explained to those present at this week's meeting the result of working with the chamber (and its survey of local businesses) as well as reviewing how other towns treat sandwich boards, sign ordinances and enforcement.

"The current regulations do not allow temporary signs. We've added a provision designed to let businesses have temporary signs to advertise special events or sales. They have to be on premise and can be up for a total of 9 days in a row, or 14 days (total) a month, and not more than 60 days total a year," Shea explained. Additionally, the size of allowable temporary signs was increased from six square feet to eight square feet.

He went on to explain that the state bans temporary signs on the right of way of Route 100 and hence the town could not allow businesses located off Route 100 to have temporary signs in the Route 100 right of way.

Town Administrator Valerie Capels asked the planning commission about how the new ordinance would be enforced and Shea explained that the commission's proposal is to create a system where people receive tickets paid through the judiciary system.

## GET A TICKET

"If people abuse the system, they'll get a warning and they can either comply or get a ticket," Shea said.

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Select board member Charlie Hosford asked who would track how long businesses had had signs up for.

"In coming up with this proposal, we argued about that aspect. Our hope is that a majority of the business owners will comply," Shea said.

Planning commissioner Robin Morris added, "I think enforcement is an issue. A lot of people will comply and see their neighbors get away with breaking the regulations without consequences if we don't have a proper enforcement system."

#### FAIR AND ENFORCEABLE

Chamber director Susan Klein expressed appreciation for the planning commission's efforts on the issue and said that the chamber's economic development committee looked at the proposed sign ordinance and found it fair and enforceable. She also pointed out that when temporary signs are left out day after day people cease to see them. She also expressed approval of the commission's proposal to exempt "open" signs from the sign ordinance.

AnneMarie DeFreest asked the commissioners about banners for nonprofit community or cultural events and was told that they are exempt from the sign regulations. Agricultural signs are also exempt.

The proposed changes also change how the town handles and permits special events. Shea explained that a special event is defined as an event attracting at least 75 people and people can have up to two such events, attracting between 75 and 150 people a year without getting a permit. For events attracting 151 to 250 people, property owners will need to come to the town for a conditional use permit and for events attracting more than 250 people, property owners will need a town festival permit.

#### TRUST AND INTEGRITY

"This requires a climate of trust and integrity to enforce," said planner Brian Fleisher.

"It would be great to talk to the select board about the whole enforcement issue," Morris added.

Select board chair Charlie Hosford said, "I can see there is a whole other layer here of enforcement and ticketing."

"Do you think ticketing is a good idea or bad idea?" Shea asked.

"The whole issue of enforcement becomes a nightmare," Hosford said.

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"Ignoring it becomes a nightmare too," Shea added.

## DATABASE

Mark Grosby, a former select board member and currently a member of the conservation commission, suggested that the town create a database that business owners could access to sign up for temporary signs on a daily/weekly basis. He said the list of allowed signs could be printed out for the constable and those not on the list would get a ticket.

Select board member Bill Parker said that whether Grosby's proposal on signs or some other proposal for signs and special events was used, it would take people knowing that an ordinance is going to be regularly enforced to create compliance.

"What we need is a town-wide policy on enforcement. I think we need the select board and town's attorney to create a policy," Morris said.

## VERY PRO-BUSINESS

Regardless of how the enforcement issue is resolved, DeFreest said she was excited about the change of perception and direction from the various town boards and the shift towards a very pro-business stance.

Klein said she felt that peer-to-peer pressure would work best on the sign enforcement and said she did not think it needed to be heavy handed.

"But I do think this is a direction for the select board to consider in terms of enforcement. Do we allow them to self-enforce, ticket them, and pull their permits? The select board will be discussing this in the near future. Where would you like to see that discussion go, in terms of enforcement?" Parker asked.

## EVEN-HANDED

"There needs to be even-handed consistent enforcement of the ordinance and we don't have that yet. If we're not going to have that, the regulations only penalize the honest people," said planning commissioner Russ Bennett.

"As you broaden the regulations and expand uses now, that's the time to enforce the policies. Broadening things opens the door for enforcement policies. You should seize the moment," DeFreest suggested.