

**BRANDON DEVELOPMENT REVIEW BOARD HEARING
DRAFT MINUTES
SEPTEMBER 10, 2019
CONDITIONAL USE #6035**

**APPLICANT: COMPASS MUSIC & ARTS FOUNDATION LANDOWNER: JIM & NANCY
LEARY**

BOARD MEMBERS PRESENT: Sam Stone, Bob Clark, Tom Bohler

OTHERS IN ATTENDANCE: Greg Smela, Frank Spezzano, Etorina Spezzano, Lorraine Kimble, Warren Kimble, Edna Sutton, Stephen Sutton, Kerrie Quinn, Tom Brown, Joan Rowe, Jack Schneider, John Moulton, Ed Thomas, Christine Gahagan, Alyssa Mohl, Jamie Simpson, Nicholas Tocci, Brent Buehler, Russ McColman, Gary Meffe, Joshua Collier, Claire Black, Nancy Leary, Jim Leary, Judith Rielly, Gordon Nailor, Bernie Carr, Kjell Thompson, Sharon Stearns, Lyn DesMarais, Laura King, Eve Beglarian, Jeff Biasuzzi.

The hearing was opened at 7:21pm

The warning was read and found to be in order.

Edna Sutton, Stephen Sutton, Kerrie Quinn, Christine Gahagan, Alyssa Mohl, Jamie Simpson, Nicholas Tocci, Brent Buehler, Russ McColman, Gary Meffe, Joshua Collier, Claire Black, Nancy Leary, Jim Leary, Gordon Nailor, Kjell Thompson, Sharon Sterns, Lyn DesMarais, Laura King and Eve Beglarian were sworn in.

The following people requested interested party status: Sharon Stearns (900 Pearl Street), Lynn DeMarais, Gordon Nailor (929 Pearl Street) Kjell Thomas. Interested party status was granted.

Jeff: Read the definition of the Community Support and Recreational Facility from the BLUO.

Jim: Our status of landowner is no longer valid as the barn and acreage has been sold to Compass Music and Arts Foundation as of last week.

Josh Collier: I am the artistic director of the Barn Opera. We have been in operation for almost two years at Brandon Music, since around February 2017. We have simply out grown our shows and people can not get tickets to the shows at Brandon Music. People from all over the country and out of the country have been coming to the Barn Opera's.

We have sought out many different venues, since it is Barn Opera we have wanted to keep it in a barn. We found the Leary Barn, which is post and beam. We are looking to have an occupancy of no more than 120 people.

The barn is in wonderful condition. The music will be all acoustic. The barn will be insulated so that the music would not be heard by the neighbors.

When we found the barn, it already had many solar panels, we are looking to create the space as one of the first theaters in the country to be carbon natural.

Would be using a parking lot with an impervious surface. We have already talked to someone about creating this type of parking lot and the plans have been created.

We would not be changing the appearance of both the inside and outside of the barn. There is already a drive way between the smaller barn and the larger barn, this would continue to the parking lot that would be directly behind the barn.

The operas would be happening quarterly and we would like to continue to do this year round. Would like to continue gaining community support through these Barn Operas.

Jeff: There is an outline of the current barn and the interior in which the foot print would not change. The impervious parking is an innovative approach. It will not impact the wetlands or create any clearing of the historic barn yard. There will need to be talk about water and sewer and the permits that he has already been working towards.

Josh: As far as the ACT 250, they have met with Bill Burke and have cleared checklist with both wetlands and for river corridor. They are waiting for the waste water permit to be cleared.

Our idea for wastewater is to have a contained system with ADA accessibility. We have talked with Dundon's plumbing in Orwell. He has a contained system that will be on site, after each event it will be serviced by Dundon's. There is a clause that water cannot be on the property.

Sam: The Act 250 will need to come back to the board once it has been warned as a separate hearing and the Act 250 permit request will be reviewed by the board at that time.

Sam: In terms of the cycle of use for the building, I know there are quarterly performance. What will the traffic look like, how many people are rehearsing, what are the hours of the day?

Josh: The artist arrival, is the Monday preceding the performance, 12 people are the most people we have had as a cast of the opera. They will be shuttled in as most arrive by plane and do not have their own cars. The rehearsals start at 12:00pm and ends at 10:00pm. The rehearsals happen the Monday, Tuesday, Wednesday before a performance. The actors/musicians are there and will not be exiting until the performance is done. There will be an influx of cars between 6:00pm to 7:15pm, when cars will be coming into the property. 10 pm to 11 pm at the latest the cars will be leaving from the performance.

Sam: One week every three months is when the rehearsals/performance will happen. Are there trucks and crew members that will be coming in as well?

Josh: We are hoping that those items will be built on site and that there will be no trailers or big trucks being brought in for performances.

Kjell: We own the land abutting the property, we have a right away through their property. As far as the sewer is concerned. I appreciate putting in a holding tank. I don't know if that is considered ok for the zoning, if they can put a tank there. Where are you going to dump the sewer?

Josh: We are going to have a trailer with the toilets, there will be no holding tank. Dundon's will put a hose to it and will take it away after each performance.

Jeff: The difference for the sewer is that this is for occasional events, not continued used for a household.

Kjell: There are going to be people using that facility one week every couple of months.

Josh: We will have a contract with Dundon's that any time there is any occupancy in the building they will be taking care of the waste from the trailer.

Kjell: There is no insulation in the building?

Josh: There is no insulation now but we will be insulating the whole building.

Kjell: Will the fire trucks be able to go through the bridge?

Josh: The fire trucks can go through.

Kjell: Will there be any lights that I have to worry about?

Josh: There will be no light pollution with the types of lights that will added to the barn.

Sharon: Added into testimony Exhibit A (a list of residents on Pearl Street that that have signed a petition and an e-mail to Jeff Biasuzzi)

Sharon: I had asked Jeff B for information in regards to the DRB hearing for this permit and Jeff stated that he would keep me informed. On 9/9/19 I realized that I had not received any information on when the hearing was. I received information from Jeff today and had not received the information that I requested before the hearing.

Sharon: The barn is right near the trail that we use to ride our horses. We have some significant issues with traffic and policing issues with the traffic on the road. We struggle to get the road maintenance we need for the road as well. From the Barn Opera website, they are planning on hosting the barn opera quarterly and other events as listed on the website. This means that this is not a quarterly event. Submitted Exhibit B (copies of the information off the Barn Opera Website)

The bridge is very dangerous. There is no sight and local people know how the bridge works, however people that are not from Brandon will not know.

It sounds like where they are going to park the cars is on a ledge. I question whether the people will park in the parking lot or if they will park on the road instead.

Russ: Where are the 23 neighbors located that signed the petition? What constituted a neighbor?

Sharon: Residents of Pearl Street who are concerned with the traffic.

Russ: Are the people concerned about traffic?

Sharon: They are concerned about the events that will be happening as well.

Russ: What about the gymkhanas?

Sharon: There are only 10 horse trailers that are there at a time.

Sam: I understand everyone's points on what is going on. We now have everyone's names on the list who are concerned. Lets answer the questions that were raised.

Russ: There will be no restaurant or bar in the barn. There will be no plumbing in the barn. When the people show up for the performances, they will be showing up from 6pm to 7pm. We will have monitors on both ends of the bridge to make sure there is no problem. Parking is not on the ledge, there are plans drawn up for the parking lot and it accessible and flat, for 60 cars in the parking lot. There will be no parking on the road, that will not be allowed. The parking lot will be manned. We are talking about 60 cars over an hour period, 8 times per year. There is more traffic on the road now than when we would have the opera there.

Sam: There is no restaurant or bar in the building. You are going to have parking attendants, monitors on both sides of the bridge to make sure it is safe and that people will not be parking on the road. You would be turning people away if there is not a safe parking spot for people to be at. Because this is a conditional use permit, we can make conditions on the permit and try to make sure the conditions follow that of the concerns of the community.

Josh: There was mention of events that could happen. We do not have any plans on other events happening at the barn opera, there are no contracts for anything else in place.

Sharon: The website states that there will be cafe tables and wines and beer for before the operas.

Sam: What we are going on is what is on the application, there will be no bar or restaurant approved in the application as it is not requested for the permit.

Sharon: I want to make people aware that peoples GPS shows Pearl Street as a route for those residing at the lakes in the summer, so that during lake season we see more traffic. The traffic will drop off in the fall and winter.

Gordon: We do have excessive traffic on Pearl Street, people are routed down Pearl Street as they think that it is Route 144. We have more traffic than there is on 73. If you try to back our of your yard, people will have a hard time in doing so when traffic is going to the Opera and would hope that someone would stop to let you out.

Stephen Sutton: Because the traffic is that busy, the extra impact will be a lot smaller and contained. As the owners of Brandon Music, we have hosted Barn Opera and we live on a very quiet road. We have had not only quarterly operas but weekly music and have up to 50 people there at a time. When the Barn opera operates, there is always an attendant for parking. There are no tickets available at the door, the tickets need to be reserved ahead of time. With the amount of people who are attending it is not like a pop concert, there may be four extra people for the performance. Our neighbors have not heard anything and have not complained about parking. The potential problems have been looked at in advanced and have been researched in advanced as well.

Edna Sutton: I want to reassure people that we are respectful of Brandon as a community and our concerns are to work with and not against the people we are trying to serve. A lot of work was done

before the permit was completed, if we have not thought far enough we will look into the concerns of people that were brought up tonight.

Bob: Sharon read from your website various functions that you were offering from Compass Music. Were those for the new barn or the present location?

Edna: Some will take place at Brandon Music and some at the Compass Music and Arts Center. This will make Brandon very attractive. We want it to be an attractive part of Pearl Street and want to make it a good balance to the barn opera.

Jeff: I did say in my e-mail to Sharon that I would keep her in the loop, I did forget to add you to the list and I apologize for not doing that. Just to let people know the process a poster goes onto the building that the permit request is for and public notices are in various locations throughout the town, notified in the newspaper and to the abutting property owners.

Jim: I did put the sign up and is visible from the road.

Kjell: For fire prevention, the water lines are not that large that go through the bridge? That would not be enough for fire prevention?

Josh: I have spoken with Fran Cobollard, in discussing this as far as fire prevention is concerned we would need three exits and a fire alarm that goes right to the fire station and we would be all set for the location.

Sam: As part of the Act 250 permit the fire department will need to sign off on it.

Kerrie: It sounds to me like this is not in my backyard kind of thing. I understand the concern and have lived somewhere and not wanting to have change. I think this will be a good thing and that I am in full support of the barn opera.

Sharon: It is a residential neighborhood. I know how much traffic is going through there daily.

Laura: I am on the board of the Compass Arts Foundation, Brandon Opera is a part of that. I lived on Route 73 for the first 23 years I was in Brandon. I thought we lived on a quiet road and there was quite a change in the traffic patterns. We are a place that people like for a love of nature and the arts. I am looking towards the change in a historic structure. I don't think repurposing the structure goes towards sprawl, not just as a member of Compass but as a Brandon resident. The fact that we know the barn will not deface the view and it will bring people here is a good thing.

Alyssa: I am on the Compass Board and was a resident of Pearl Street. There are two wood businesses that are on that street and there are tractor trailers that are traveling on Pearl Street daily. It has never been a quiet residential road, I do not believe that the impact will be that of the tractor trailers that go to the wood businesses.

Josh: In response to the idea that we did not think about the idea of the entertainment usage. We know from the Leary's that the gymkhana's are not just occasional. We were going to add to the entertainment usage of the property.

Eve: I live on 10 Pearl Street, the early part of Pearl Street, that I never thought of as quite. There are trains and tractor trailers along with the cars. The camp I own on Birch Hill is a quiet road, we need to think of Pearl Street as a traveled road and there is a serious uptick of traffic on that road. 60 cars per quarter is not going to change that. In the mean time you have the space that has not been used as a dairy farm in a while. You have a vibrant company that is trying to do new things and we should be excited about it. This is not about rock shows and commercial profit making stuff, this is about building community through the arts.

Nick: I am from Nashua, NH. As someone who is coming into a small town, I have never felt not welcome here, I have felt a sense of community with everyone I meet. With Barn Opera, it has been the most beautiful thing that this has brought the family community together. I can come together with these individuals and be a part of it and it has been life changing. I think if people put their fears aside and will get to know it they will appreciate it.

Claire: I have lived in Vermont and moved away last year. When I was here last summer, I took a drive and decided to go down Pearl Street. Barn Opera is not just for the artistic scene and is involving the youth of the town. Instilling the arts in our kids is a huge step in insuring we do not lose the arts. The people who attend these operas are typically older. They are considerate to whatever neighborhood they will be traveling to. From traveling around it seems like anything off Route 7 will be considered residential.

Jim: I think that the majority of traffic will be coming from downtown Brandon, however other people will be traveling from Route 30 to the Barn Opera.

Sharon: Times of the increase in traffic would be from 6:00pm to 11:00pm.

Gary: Every neighborhood has problems and have issues that they do not necessarily like. We cannot have everything that we all want in our neighborhood. We need to compromise.

No further testimony, the hearing was closed at 8:48pm.

Respectfully Submitted,

Hillary Knapp
Development Review Board, Clerk