

**Special Brandon Planning Commission Meeting  
March 16, 2020**

**Board Members Present:** Michael Shank, Stephanie Jerome, Lowell Rasmussen, Ralph Ethier

**Board Members Absent:** Bill Mills, Allie Walter

**Others Present:** Jeff Biasuzzi, Devon Fuller, Jeff Stewart, Linda Stewart

**1. Call to order**

Jeff Biasuzzi called the meeting to order at 6:25PM.

**2. Agenda Approval**

A motion was made by Stephanie Jerome to approve the agenda. **The motion passed.**

**3. Approve Meeting Minutes – February 3, 2020**

A motion was made by Michael Shank to approve the Planning Commission minutes of February 3, 2020 as presented. **The motion passed.**

**4. Zoning Administrator Report**

Jeff Biasuzzi reported it has been a quiet month with five permits submitted. One was for a conditional use for farm animals. For those who want to keep chickens, etc. Brandon has a rule in the Zoning Ordinance. Mr. Biasuzzi noted the DRB usually keeps their decision making in-house and they have a hearing scheduled for March 26<sup>th</sup> and will likely have a decision ready at that point. The issues with farm animals in urban settings are waste control, noise and feed storage. Mr. Biasuzzi noted there is room for improvement in tightening up the legislation. Stephanie Jerome noted the Planning Commission did improve that part of the BLUO regarding this item. There was a review of area towns done regarding this subject and Rutland City had a good one. Mr. Biasuzzi stated to qualify as a farm, the requirement is based on the number of animals. If a property qualifies as a farm the jurisdiction transfers to the Department of Agriculture. In terms of range management, there is usually so many square feet per animal, but it is more of how the owner is handling their land. Mr. Biasuzzi suggested there could be a maximum and perhaps the Department of Agriculture could provide recommendations of how many per square feet. Ms. Jerome volunteered to research this subject and suggested providing the local stores that sell chicks information to distribute to customers. Mr. Biasuzzi reported there were also permits submitted by Mae's Place that is moving to 28 Park Street and Foley's Taco and Bean LLC that the Town is awaiting additional documentation. Mr. Biasuzzi advised there will be a VLCT training seminar for Planning Commission members on Friday, May 29<sup>th</sup> in Ludlow that the Town will pay the registration fee for any members wishing to attend. Additional information will be forthcoming.

**5. River Corridors Update**

It was noted the plan will be to use FEMA's LiDAR satellite mapping, as opposed to the current flood plain maps in the future, which will probably change the flood plain maps and will be more reliable. Rutland County has a new Flood Plain Manager and at an orientation it was discussed that within five years the maps will be available. They will be useful for planning and zoning but will require training. Jeff Biasuzzi noted he is not certified as a Flood Plain Manager but is looking into grant money for some training. Michael Shank noted he would like to move the River Corridor amendment forward to the Select Board.

A motion was made by Stephanie Jerome to move the River Corridor and Flood Plain regulation changes to the BLUO to the Select Board for their consideration. **The motion passed.**

Jeff Biasuzzi reported the appropriate municipal meetings will be held as scheduled going forward, but there may be restricted attendance. The warning on the Select Board's public hearings would be within 30 days, however, both hearings could be scheduled close to each other. Mr. Biasuzzi will talk to the Town Manager concerning scheduling the hearings. So far, Mr. Biasuzzi has not received any feedback on the River Corridor and Flood Plain changes to the BLUO.

Stephanie Jerome requested an update on the new process for notifying abutting neighbors about permit applications. Jeff Biasuzzi reported the process of publishing the notice in the newspaper was rejected due to cost. Mr. Biasuzzi has simplified the notification to a trifold flyer that provides information on the permit document that is getting recorded and for additional information, people are asked to contact the Town Office. Mr. Biasuzzi noted that with the warm weather coming soon, there will be more permit requests received and will require more hours for processing.

## **6. Old/New Business**

Linda Stewart stated before construction began, in the creation of the BLUO the former Planning Commission put had in the BLUO that signs would not advertise any brand name signs. Rite Aid and Hannaford did the right thing and covered their windows. There are now several places that advertise a brand name product. There was also a restriction for waving signs. Ms. Stewart asked what happened with those restrictions. Stephanie Jerome advised that when Segment 6 started and there was concern about local businesses, it was allowed to have additional signage during the construction time. There are specifics about the waving signs, but they are not meant to be continuous. As soon as the construction is completed, there will be changes. Jeff Biasuzzi stated the issue about product advertising is not in the BLUO and it is also contestable. It was noted the neon signs are restricted except for "Open" signs that are not blinking or moving. Michael Shank would like to have the DBA, Planning Commission and Chamber of Commerce meet to discuss the signs that would be desired for the Town to proactively engage businesses. Mr. Biasuzzi stated there is freedom of speech and the Town has the authority to regulate the location, type, size and illumination, however, the Town has no authority on the message. It was noted the signage has gotten smaller in the village. Mr. Biasuzzi noted the new Walgreen's sign conforms to the sign ordinance, but it does not create a perfect solution due to the number of lights that illuminate the sign. Mr. Biasuzzi stated the DBA sent letters to Walgreens, Hannaford's and Dunkin Donuts requesting to erect signage that is in line with the historic look and feel of the Town. Mr. Shank thanked Mr. Biasuzzi for his work with the Walgreen's sign.

Jeff Stewart and Devon Fuller of the DBA were present to discuss the charge from the State to enhance and protect the economic vitality of the downtown. Mr. Stewart stated the situation is changing because of the coronavirus. The ordinance that prohibits people from parking on the street due to the winter will be coming to an end. There are places to park and designated parking lots, but the people living in the Smith Block are parking on the street. The Town needs to come up with a parking policy and it was thought that it is the Planning Commission's role to assist with this effort. Michael Shank suggested the DBA and Town meet to discuss this subject with the Planning Commission or a 3<sup>rd</sup> party to facilitate the discussion. In terms of policy, Mr. Shank asked what is needed. Mr. Stewart stated there is no policy right now. At some point, the lot will be paved behind the Mobil Station. Devon Fuller stated the DBA wanted to talk with all the stakeholders once the construction is completed to be proactive on these issues. Mr. Fuller thought it will need to be determined what will happen with the parking lot, however, part of the problem is the wintertime parking and how to handle that. Bernie Carr of the Chamber of Commerce had advised that part of the problem is people are parking behind Café Provence due to the street parking restrictions in the winter. Mr. Stewart stated the DRB approved the Smith Block indicating adequate parking was within ¼ mile, but it did not get follow-up in advance of renting the units. There are now situations with people parking in the most convenient spots that affected the Aubuchon Store. One suggestion for the

municipal parking lots was to require them to be striped as there will be less confusion if the parking lots are striped. With the Smith Block, they own land down to the river and hired Naylor/Breen to create off-street parking. Mr. Biasuzzi advised that half of the Smith Block land is in the floodway, the other half is in the river corridor and at the top of the bank is a hazardous erosion area that cannot have fill placed there. The banks can be armored, and a retaining wall was built, however, it is in the Town's right of way and there is some disagreement about this area. Mr. Stewart stated the Town looks great and will be more attractive for the merchants and the DBA wants to see that they have adequate parking for their customers. Mr. Shank suggested having a special meeting with the right stakeholders and the Planning Commission can facilitate it. It was suggested representation from the Planning Commission, Select Board, Town Manager and DBA be present. Mr. Biasuzzi stated Bob Read will be installing a bridge to his property and Devon Fuller noted he had talked about offering parking. It was noted that once the parking spaces are available it will be important to educate the business owners on not parking in front of their businesses. The DBA would like to be proactive to determine solutions. Mr. Biasuzzi noted Park Street has some deep lots that have underutilized land and perhaps some property owners might be interested in leasing property behind the main buildings for off-street parking. Mr. Shank advised he will get the core members together and move forward on scheduling a meeting.

Stephanie Jerome provided a legislative update. The Act 250 legislation's new iteration will not require Act 250 permits for downtowns and villages to promote, enhance and encourage business. They are trying to enhance neighborhoods around villages. Many towns have older housing stock and there are houses that have been cut up into small apartments. There will be tax credits offered to renovate these homes which will be a positive action for the small towns in Vermont. There will also be tax credits for restoring the rental housing stock. This will help fix the housing stock that is existing, especially around the downtowns and villages, and will be a good incentive. Jeff Biasuzzi stated the only town that requires certificates of occupancy is West Rutland. In Brandon, there is a rental code officer that does a tremendous amount of work on the rental code certificates. Ms. Jerome stated Brandon has great historic housing, and this will assist in renovating these buildings. It was suggested to contact R.K Miles, Brandon Lumber, etc. once there is information on the legislation. Mr. Shank reported the Energy Committee had cohosted a heat pump workshop with the McKernon Group and there will be another workshop with Fisher once they have updated their location.

## **8. Date of Next Meeting**

Next meeting – April 6, 2020 at 6:00PM at the Town Office.

## **9. Adjournment**

**Motion** by Stephane Jerome to adjourn the meeting at 7:22PM. **The motion passed.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary