

**Brandon Planning Commission Meeting - Draft
October 5, 2020**

Board Members Present: Michael Shank, Stephanie Jerome, Lowell Rasmussen, Ralph Ethier, Allie Walter, Allie Breyer, Bill Mills

Others Present: Jeff Biasuzzi

1. Call to order

Michael Shank, Chair, called the meeting to order at 6:01PM.

2. Agenda Approval

A motion was made by Lowell Rasmussen to approve the agenda. **The motion passed.**

3. Approve Meeting Minutes – September 21, 2020

A motion was made by Allie Walter to approve the Planning Commission minutes of September 21, 2020, as presented. **The motion passed.**

4. Zoning Administrator's Report

Jeff Biasuzzi reported he has not seen an application from the DRB for the high school project, but he has received a few more applications for permits. Mr. Biasuzzi had provided the Committee with a Word version of definitions and will go through the BLUO and add a different color for his proposed changes to the document. Mr. Biasuzzi noted this document goes back to 2018 and is used on a day to day basis.

5. BLUO Review and Discussion

Michael Shank advised the Committee had decided to review each section to determine if there is anything that needs defining and to identify either language that is not matching or defined. It was suggested to review the BLUO and determine what words or phrases have not been defined and find definitions, possibly using those provided by Mr. Biasuzzi. Mr. Shank questioned whether the VCT might also have definitions that are not found, and Mr. Biasuzzi noted they do have a selection of definitions. Mr. Shank noted the articles that were preassigned for each person to review: Articles 1 and 2 to be done by all, Article 2 – Primary Uses – Allie Breyer, Article 3 – Land Use District – Lowell Rasmussen, Article 4 – Accessory Structure – Allie Walter, Article 5 – Michael Shank, Article 6 – Performance Objectives – Michael Shank, Article 7 – Subdivision Regulations – Ralph Ethier, Article 9 – Wireless Communications – Stephanie Jerome, Article 10 – Administration – Bill Mills.

The Commission reviewed the first few articles for words and phrases that will require further clarification to be added to the Definitions section. (See Attachment)

Discussion also included some additional suggestions for changes to the BLUO. Jeff Biasuzzi suggested the BLUO could indicate either lot or parcel. Michael Shank suggested possibly using one or the other and Mr. Biasuzzi noted it would not be a stretch to see parcel and lot being the same. This item will be reviewed for clarification at a later date. Allie Breyer suggested substantial change and substantial progress and noted the West Rutland definitions are much more detailed. Mr. Biasuzzi also suggested having an article that defines both the Development Review Board and the Planning Commission. With regard to neighbors, abutters could be used but Mr. Biasuzzi stated neighbors could involve the general area. Mr. Biasuzzi noted mobile homes needs to be clarified in the definitions and he also suggested capitalizing the terms. Mr. Biasuzzi advised the State has revised the AAPs and suggested starting with the base statute and including the chapter and subsequent revisions otherwise the BLUO will have to be changed yearly. This would identify focus on subsequent revisions. Mr. Biasuzzi advised wind turbines are subject to local zoning and suggested combining Section 104(b) items

10 and 11 into one section that indicates alternative energy and generating plants which are not exempt under 30 VSA 248. Mr. Biasuzzi also suggested recreational vehicles should be clarified as there is an issue with using recreational vehicles as housing.

Mr. Biasuzzi noted the definitions he had provided the Committee were from West Rutland and were developed by going through a dozen different towns' definitions. Mr. Biasuzzi suggested those as improvements and stated the Committee could then improve upon those recommendations. Mr. Biasuzzi wished to clarify that a boundary line adjustment is not a subdivision and noted he likes using examples for high impact uses.

Mr. Biasuzzi provided an example of an issue as it relates to the BLUO: Ultravision wants to move into the vacant Vermont Tubbs building and wanted to rent all of the space left. The BLUO indicates high density multi-use up to 50,000 square feet is permitted use but over that is not allowed. Ultravision wanted to rent the 52,000 square foot building for light manufacturing. To allow for this use, they will be renting 48,000 square feet for the manufacturing and 5,000 square feet for office space, which the DRB has approved. It is not known where the 50,000 square foot figure came from. Mr. Biasuzzi recommended choosing a range rather than an arbitrary number. When the building was construction, it was industrial, but the BLUO changed and it went under a subsequent different set of rules. Mr. Biasuzzi noted another area is residential care homes that has a statute and this area can be made more restrictive, but not less restrictive. Mr. Biasuzzi stated in defining aquifer districts, if they do not agree with the map, there could be a conflict. The map is the easiest way for people to see the districts and suggested having a copy of the map available in the BLUO. Most towns have the maps signed and dated by the Planning Commission and Select Board to define the map as the official map. Lowell Rasmussen stated with high impact uses, the aquifer needs to be defined for managing contamination. Mr. Rasmussen also noted there needs to be more clarification on garages as they relate to ground water contamination. Mr. Biasuzzi noted there is room for improvement in this area. With the new River Corridors, item H in Section 301 may need updating and noted the River Corridors primarily addresses structures. Michael Shank noted this area will need researching. Mr. Rasmussen asked how Vermont handles abandon residential wells and Mr. Biasuzzi suggested that would likely go according to State regulations that municipalities would have to follow. Mr. Rasmussen suggested wastewater treatment and residential wells should also follow State guidelines. It was suggested adding the VSA information relating to aquifer districts. Mr. Biasuzzi also suggested adding definitions of conditional, permitted and prohibited uses. He noted there are specific definitions in the West Rutland document that outlines these items. Mr. Biasuzzi suggested Section 324 of the BLUO is restricting housing. He stated this is important in utilizing existing housing for new opportunities to add dwellings in Town. Mr. Biasuzzi advised there was a document published last month that talks about accessory dwellings and how they should be addressed to alleviate the housing crisis in taking existing housing and making it more productive. Mr. Biasuzzi noted both Sections 304 and 324 of the BLUO hinder this concept. Mr. Biasuzzi suggested addressing this as possible use providing the change is in accordance with the other parts of the BLUO. Mr. Shank thanked Mr. Biasuzzi for his input.

6. Old/New Business

There was no discussion held.

7. Date of Next Meeting

Next meeting – November 2, 2020 at 6:00PM via Zoom

8. Adjournment

The meeting adjourned by consensus at 7:45PM **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary