

**Brandon Planning Commission Meeting - Draft
November 1, 2021**

Board Members Present: Ralph Ethier, Liz Gregorek, Todd Nielsen, Allie Walter, William Mills, Lowell Rasmussen, Bob Foley

Others Present: Jeff Biasuzzi

1. Call to order

The meeting was called to order at 6:04PM.

2. Agenda Approval

A motion was made by Lowell Rasmussen and seconded by Bill Mills to approve the agenda. **The motion passed unanimously.**

3. Approve Meeting Minutes – October 4, 2021

A motion was made by Lowell Rasmussen and seconded by Bill Mills to approve the Planning Commission minutes of October 4, 2021. **The motion passed unanimously.**

4. Zoning Administrator Report

Jeff Biasuzzi provided a review of his report that was distributed to the Board members. There was a normal number of permits submitted. Dollar General is still looking for a store location. Jack Schneider of the Energy Committee hosted officials from Solarfest who toured the village. They have selected three locations; a piece on the south end of Steinberg Road and a piece next to Estabrook field and the piece they like most is on the Arnold District Road past the former Vermont Tubbs location. The land has Act 250 permits and road permits. The Steinberg Road location has an old barn they could use and it has an existing footprint that is easier for the Act 250 process. They have State land they can lease long-term and have talked with the Agency of Natural Resources. Their committee will be having a meeting to decide and currently they are favoring the site next to the water tower. They are also considering adding a seasonal campground to the location. Lowell Rasmussen reported the SolarFest people are due back in November and are looking for a permanent facility. Brandon seems to be high on their list of areas they are considering and the question is whether they can find the land they want for the price they want to spend. The Energy Committee is trying to facilitate their visits and Bill Moore is also involved in this process. Liz Gregorek asked if this is an annual event. Mr. Rasmussen reported they have one major annual event but also sponsor smaller events throughout the year.

5. Sign Ordinance Review

Jeff Biasuzzi suggested changes to Section 407. Liz Gregorek stated the plan talks about the size calculation and asked how the Zoning Administrator came up with the suggested changes. Mr. Biasuzzi provided a draft sign regulation from another town and identified the sections the Brandon Planning Commission would find pertinent that includes definitions and a sign ordinance that provides information on sign size in connection with building size. If the Commission wants to use that formula, the section could be included in the Sign ordinance. It is more appropriate for towns that have different store front sizes and Brandon has enough storefronts and this type of signage approach could be used. The simplest is to have a maximum size. Mr. Biasuzzi noted there have been several businesses that would like to have a bigger sign. Allie Walter stated there was talk about updating the sign material and Mr. Biasuzzi suggested tightening up Section 407.c.4 to say construction of wood, metal, or faux wood. Mr. Biasuzzi noted manufacturers can create a sign to look like weathered wood or raise the insignia and is what the industry uses because they are inexpensive and durable. The prior Planning Commission wanted to assure that signs were not internally lit. Mr. Biasuzzi stated signs are very expensive, noting the Hannaford sign is \$65,000. Ms. Walter suggested going through what should be added or changed using Mr. Biasuzzi's

suggestions and then poll the businesses. Mr. Biasuzzi suggested Under Siting: adding Item 7 that all signs must be well maintained and Item 8 that will indicate when a business is closed, the sign shall be removed within a specified amount of time. It is important to keep the signs or banners looking good and when moving on, the sign must come down with the property owner being liable for the sign.

Allie Walter asked for comments from the Commission on the Zoning Administrator's suggested changes to Section 407. Bob Foley thought it is a good draft the way it is outlined. Mr. Biasuzzi suggested using italicized text for the proposed recommendations for change and then for each section leave lines for input through each section. Mr. Biasuzzi volunteered to develop a form for the survey. Mr. Biasuzzi stated the Planning Commission is tasked with developing a draft for the Select Board to review and approve. The Planning Commission will hold a hearing of the final draft prior to submitting to the Select Board for their review and hearings. The Planning Commission hearing is the way to see what the public thinks about the document. It is hoped to get better feedback from the survey to minimize opposition if the businesspeople have had input prior to the hearing. Ms. Walter suggested the survey could be sent out through the DBA or the Chamber. Mr. Biasuzzi suggested also incorporating it in the Town Report as an insert. Mr. Biasuzzi will draft a sample format for the Commission's review.

Mr. Biasuzzi drafted information about farm animals in urban areas from recommendations of various information sources. The current rules for Brandon indicate every farm animal keeper must go to the DRB for approval that is a 60-day process with an expense. Mr. Biasuzzi noted the Planning Commission could indicate no permit is required if minimum requirements are outlined and met. This would then alleviate the need for everyone to go before the DRB. If one has this type of animal as a pet, there could be a limit set for the number of pets. It was noted Brandon's requirement is inadequate currently and indicates farm animals are conditional use and require a permit submitted to the DRB. Mr. Biasuzzi will obtain a copy of a published document titled, Recommended Standards for Poultry in Urban Locations to share with the Planning Commission. Liz Gregorek stated Section 619 covers the subject and asked why there is a request for more details. Mr. Biasuzzi noted the document he will share is a comprehensive document that defines the standards, enforcement triggers and outlines if the animal owner exceeds the rules. He also noted there is a clear definition of a public nuisance that would provide a standard to follow.

7. BLUO Review

Todd Nielson reviewed Article 10 - Administration. Mr. Nielson did not think that any changes were needed. He stated it was all very clear and made sense to him. Jeff Biasuzzi advised Article 10 is based on State statute 24VSA Chapter 117 that started zoning. This has been amended several times and the result of the state law is the language in Article 10. He noted it is boilerplate in what he must do and suggested trimming it down and clarifying some items. One thing that has come up is whether a Certificate of Occupancy needs to be issued. Some towns require a certificate of occupancy and that usually includes formal inspections for code compliance for electrical, lead paint, etc. for commercial properties. If a new house is built, some towns require minimum compliance. The Certificate of Occupancy (CO) requires the permit is completed in accordance with the terms of the permit and noted Brandon has interesting language in 10.07(c). He has gone through lots of files and COs are not very common in Brandon. In the floodplain regulations, it is required. Lowell Rasmussen asked where the energy standards are in the BLUO and Mr. Biasuzzi advised the Energy Plan is a free-standing document in Brandon. Mr. Biasuzzi noted the Zoning addresses Town permits but does not address other State permits. Mr. Biasuzzi will provide the Planning Commission members the 2020 version of the BLUO.

For Article 9, Bill Mills will review and provide input at the next meeting.

8. Old/New Business

Liz Gregorek will ask the Fire Department the question about hazardous material that is in the BLUO.

Lowell Rasmussen provided an update on the Energy Committee, which is a sub-committee of the Planning Commission. The Committee has a new Chair, Jim Emerson, who has been very active in developing goals for the Energy Committee. Each Committee member has been assigned goals to work on that include: submitting monthly articles to the local newspaper, providing support for SolarFest, creating a survey for residents of Brandon and identifying stakeholders who may be interested in energy. They assume the Planning Commission may be interested in providing input on what questions should be asked in the survey. They are also working on a proposal for ARPA funds. The timeline for the survey is to work on identifying stakeholders, develop the survey and get it out by March. Mr. Biasuzzi suggested having it available at Town Meeting and inserting it in the Town Report. Mr. Rasmussen stated the RRPC's assessment of Brandon's energy is on the website. There are three distinct areas that include renewable energy, transportation and residential heating and cooling. Solar development will likely happen and will probably produce more energy than the Town uses. The heavy lifters are the transportation and fuel oil.

Jeff Biasuzzi advised it is budget season and asked if the Planning Commission has a separate budget line in the Town budget. The Select Board is scheduling budget meetings that will include discussions with committees and it was suggested it would be appropriate to request funds for the FY22/23 budget for adoption of the BLUO. Mr. Biasuzzi suggested \$2,000 for the budget for attorney fees for adopting the BLUO document. VLCT's rate is \$110/hour and they review the document for compliance with civil rights rules, legality, and conflicting language. They also look for accurate legal definitions. He noted there are planning grants available for housing-related projects that could be tied into energy efficiency and that grant application is due November 15th.

9. Date of Next Meeting

Monday, December 6, 2021, at 6:00PM

10. Adjournment

A motion was made by Liz Gregorek and seconded by Bob Foley to adjourn the meeting at 7:39PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary