

**Brandon Planning Commission Special Meeting - Draft
April 19, 2022**

Board Members Present: Ralph Ethier, Liz Gregorek, Jack Schneider, Lowell Rasmussen

Others Present: Jeff Biasuzzi

1. Call to order

The meeting was called to order at 6:02PM by Chair – Liz Gregorek.

2. Agenda Approval

A motion was made by Jack Schneider to approve the agenda. **The motion passed unanimously.**

3. Approve Meeting Minutes – March 7, 2022

A motion was made by Jack Schneider to approve the Planning Commission minutes of March 7, 2022. **The motion passed unanimously.**

4. Zoning Administrator Report

Jeff Biasuzzi provided a written report. There has been an uptick in permits with five approvals today. There is still not an approval from the DRB for the wastewater treatment plant. The DRB will be receiving an application for a conditional use for a piece of property at the north end of Town to put in a large self-storage business. Mr. Biasuzzi is working on a new application form. This would not involve the Planning Commission and is an in-house form. Jack Schneider asked if the Smith Block has three retail spaces. Mr. Biasuzzi noted there were two separate entrances for Aubuchons and the antique store is occupying the middle space and there is now a vacant space on the south end for a new business. The Jerome property on Union Street that has eleven office spaces will be reconfigured into three condominium units, with the permits secured for this renovation. Mr. Biasuzzi noted in the neighborhood residential section, there is an existing requirement that multiple family housing has 10,000 square feet of lot area per dwelling unit. He noted by today's standards that is very large and is contrary to the new zoning regulations of making existing empty spaces walking distances to services more developable. He noted there is a need for more housing units and the current zoning is considered outdated. The rules are now to try to use everything one can to provide more housing in the urban community and avoid sprawl.

5. Energy Committee Update

Jack Schneider reported the Energy Committee was tasked by the Select Board to look into the use of ARPA funds for a solar installation and there will be a potential to add a 150kW project on the landfill off Corona Street that is town-owned property. The Select Board also tasked the Energy Committee to research an EV police cruiser. As part of the Green Fleet Policy, alternative fuel vehicles need to be considered. The Energy Committee will be submitting a presentation at the next Select Board meeting. Dave Atherton has \$60,000 for a police cruiser and the Police Department has been considering a gas-powered Ford Explorer at \$46,000 that would be fully loaded. A Tesla or Ford Mach-E would cost in the the low \$60,000. The EV cruisers would do zero to 60mph in 3.5 seconds. The next Energy Committee meeting is scheduled for May 2nd at 5PM.

6. BLUO Review – Farm Animals (Section 619)

Jeff Biasuzzi noted that chickens in the village setting have been creating more issues in recent years. Liz Gregorek thought the Farm Animal Section of the BLUO is quite thorough. Mr. Biasuzzi advised the Animal Control Ordinance is under the authority of the Select Board and thought that some of this section is going to be incorporated in the Animal Control Ordinance. Mr. Biasuzzi noted the Animal Control Ordinance only addresses certain types of animals and nuisance animals that smell, are noisy or are aggressive are the issues. Ms. Gregorek stated Section 4 does address

nuisance animals. Mr. Biasuzzi noted this could suffice and then remove it from the BLUO and if there are other rules that apply, it could be referenced in the BLUO.

7. Discussion of Animal Control Ordinance

Liz Gregorek noted that exotic animals and service/emotional support animals are not specified. She will suggest to the Town Manager that guidance regarding these animals be included in the Animal Control Ordinance. Jeff Biasuzzi suggested consulting with the Town Manager before moving forward with any changes to the BLUO. He noted the Select Board will likely be giving the Zoning Administrator the duties of enforcing the Animal Control Ordinance.

8. Discussion and Decisions on Signage (Section 407 – BLUO)

Liz Gregorek had reviewed the Section and the survey results from local businesses and noted there were a few items to be worked on. In prior discussions, there was a comment about illumination of the open sign under lighting. Jeff Biasuzzi suggested a 2-square-foot sign that is only lit when the business is open be included and noted it would go under Exemptions in Section 407. He noted it could be added as another type of sign that does not need a permit and suggested limiting it to one open sign per business under Section 407(b)(4), letter (h). Additionally, Ms. Gregorek noted there was discussion about feathered signs and banners. Robert Foley had suggested adding a separate section for banners. Mr. Biasuzzi suggested “temporary” could be either 6 months or 12 months as he thinks 21 days is too short. The 21-day timeframe that is currently the existing language would be for a short-term event or presentation to highlight a special event like an opening or sale of a product. Mr. Biasuzzi stated fabric signs are costly and are used to attract the day-to-day public on a continuous basis. They are not temporary to advertise a specific event but are being used as a new form of a permanent sign. Lowell Rasmussen stated the businesses are going to reuse them due to their cost and the challenge is when does it become too long. Mr. Biasuzzi suggested determining what is business-friendly and not overregulated. The maximum of two temporary signs or banners and additional two temporary signs of no longer than two periods of 21 days were noted on the business survey, but there were no comments received. Temporary sign language is common in zoning due to the various events that happen. Mr. Biasuzzi advised many towns have thought about specifying a particular number of months for items like signs, outside displays, or tents, as they are generally used around summer. If a six-month period is specified, it would cover the summer season. Mr. Rasmussen suggested three months could cover if it is a seasonal temporary promotion. Mr. Biasuzzi noted merchants are going to want to start early and go longer, particularly with the tourist traffic. Jack Schneider did not object to six months, though it seemed to be a little long. Ms. Gregorek noted it does allow for flexibility. Mr. Biasuzzi advised if it is desired that a sign is posted longer, it would require a permit. Ms. Gregorek advised the Planning Commission had presented the 6-month timeframe in the business survey. Mr. Rasmussen suggested extending to six months and if there are complaints from the public, the section could be revised. This could be trialed for six months and determine what the public will tolerate. It was a consensus of the Committee to eliminate the two additional temporary signs for special events. With regard to banners that many towns are placing across streets, Mr. Biasuzzi advised the State will allow these banners for special events but noted there would be an issue with the current 15-square foot requirement. Mr. Biasuzzi also suggested eliminating any confusion that a sign made out of fabric is not in the same category as a rigid sign and suggested a banner as an example of a category of soft signage. He noted that wind-driven and balloon signs need to be addressed. Mr. Rasmussen stated the temporary signs are addressed for six months and suggested flexible or inflated signs would require a permit. Ms. Gregorek suggested adding verbiage for a banner/soft/feather sign. Mr. Rasmussen stated since they are environmentally degradable, there needs to be verbiage about maintaining them. Ms. Gregorek will craft verbiage and email to the Committee members for their review and discussion at the next meeting. Ralph Ethier questioned signs on public property like in the parks. Mr. Biasuzzi noted signs should be confined to the premise of the business being advertised.

9. Discussion of Cannabis Rules - Retail

Jeff Biasuzzi thought the Town is planning to develop a Cannabis Commission and this item would not be under the authority of the Planning Commission. Mr. Biasuzzi advised he received an inquiry regarding a small-scale cultivator license permit. He noted there are no structures involved and cannabis is not exempt under the Ag rules, as there are no rules in regulating growth of anything.

10. Old/New Business

Liz Gregorek advised the Town is part of the RRPC (Rutland Regional Planning Commission) and in speaking with the Town Manager, he noted he is currently representing the Town on this Commission and would like a member of the Planning Commission to be a representative of the Town. They meet ten times per year, currently by zoom. Jeff Biasuzzi stated the RRPC usually likes for towns to have a principal or an alternate in attendance. Jack Schneider reported the Energy Committee works with Barbara Noyes-Pulling of the RRPC and volunteered to be the representative from the Planning Commission. Ms. Gregorek will advise Mr. Atherton and asked Mr. Schneider to touch base with the Town Manager.

Ms. Gregorek noted in her discussion with the Town Manager that he is also updating the local Hazard Mitigation Plan. The meetings on this topic are once a month for 6 months and he would like a representative from the Planning Commission to assist. Jeff Biasuzzi advised this Plan is for obtaining a higher E-RAF rating in case of natural disasters like windstorms, flooding etc. If a town adopts an emergency management plan, it gets points that lower the town's required economic participation in case of a natural disaster. The maximum that a town has to fund is 25% of the cost of a natural disaster if they do not have a mitigation plan. The federal government and state pay the other 75%. If a town has a mitigation plan, 7% is the maximum amount they are responsible for. Mr. Biasuzzi noted participation in these meetings does not require a lot of time and typically the planning commission would assist in developing rules for emergency preparedness. Ralph Ethier volunteered to be the Planning Commission representative to assist with updating of the Town's Hazard Mitigation Plan. Liz Gregorek will ask Dave Atherton to reach out to Mr. Ethier regarding the meeting schedule and specifics of the Plan.

11. Date of Next Meeting

Monday, May 2, 2022 at 6:00PM.

12. Adjournment

A motion was made by Lowell Rasmussen to adjourn the meeting at 7:33PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary