

**Brandon Planning Commission Special Meeting - Draft  
May 2, 2022**

**Board Members Present:** Liz Gregorek, Jack Schneider, Lowell Rasmussen, Robert Foley

**Others Present:** Jeff Biasuzzi

**1. Call to order**

The meeting was called to order at 6:09PM by Chair – Liz Gregorek.

**2. Agenda Approval**

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

Add Energy Committee Report under New Business.

**3. Approve Meeting Minutes – April 19, 2022**

A motion was made by Lowell Rasmussen and seconded by Robert Foley to approve the Planning Commission minutes of April 19, 2022. **The motion passed unanimously.**

**4. Zoning Administrator Report**

Jeff Biasuzzi reported since the last Planning Commission meeting there were four more applications approved and there has been a steady stream of applications. One application will be referred to the DRB for a new self-storage unit. Mr. Biasuzzi attended a zoom meeting on April 20<sup>th</sup> with the Agency of Natural Resources. There were two permit specialists present. Rick Oberkirsch has been the permit specialist for this area. They have produced a website where the general population can access the permit system that will free up the specialists to be regional coordinators. Mr. Oberkirsch now has the four southern Vermont counties. His associate, Jeff McMahan, has the northern counties. They did a seminar that will be available on-line. There will be information available on-line and in paper form to assist people with the various rules. Questions on past permits will also be readily available. The software assists in determining what permits are required for a given project. VLCT announced today there is a webinar about the cannabis regulations and the process. The Town of Brandon is a subscribing member and will support appropriate panels on tuition for the seminars. Mr. Biasuzzi asked any Planning Commission member who plans to attend to contact him as the Town will reimburse them for the webinar. If someone does not have zoom capacity at home, something could be arranged at the Town Hall. Mr. Biasuzzi did not have feedback on how the Town wants to proceed on this subject. Mr. Biasuzzi noted there are usually 50 or 60 permits received per year, with some going through the DRB process. The number one permit is for detached accessory structures and the second is for decks. Some are for commercial projects and signage. Mr. Biasuzzi stated he sees a soft reduction in permit applications, likely due to COVID

**6. BLUO Review**

Liz Gregorek had sent the Commission members a copy of the draft BLUO that Michael Shank had developed and noted the Commission had reviewed this version through Article 6 and changes were noted in red. Lowell Rasmussen stated the intent was to include the definitions that are needed. Jeff Biasuzzi advised the West Rutland draft of their zoning is available on their website and has definitions that can be used. They received a planning grant of \$3,000 to send the zoning regulations to VLCT to be vetted for legal errors and conflicts. Ms. Gregorek did not see any big changes made in Brandon's draft BLUO and noted she has a list of words and phrases that were found in the BLUO that need definitions. Mr. Biasuzzi advised the list is not complete but were the ones found when the prior Planning Commission was going through the articles. Mr. Biasuzzi provided an example of the format for the West Rutland zoning plan and noted every town's format can be different. Ms. Gregorek stated the definitions need to be developed and a determination made of where to place them, either with the topic or at the end of the document. Mr. Biasuzzi advised some words or phrases will

be referenced in several different sections and suggested those items be in alphabetical order at the end or beginning of the document. It was decided to maintain the definitions at the end of the document where they are currently listed. Mr. Biasuzzi suggested definitions can be borrowed from other towns and noted there are a lot of good definitions to draw from in the West Rutland and Wallingford zoning plans. Mr. Biasuzzi will forward the West Rutland version of definitions to the Commission members. He noted by June, VLCT will have reviewed West Rutland's plan.

Liz Gregorek reviewed the draft changes to the BLUO. Ms. Gregorek questioned if there were any comments or suggestions for Section 407 that had been previously discussed. The Commission was in agreement with the revision of this section. Jack Schneider stated under Land Use Permits: 104(b)(2) regarding Accessory Structures that it indicates 20 feet from all lot lines. In Section 402(c) Setbacks for Accessory Structures, required setbacks for accessory structures indicate the side that faces the neighbor be 80 feet and 5 feet from the rear line. Lowell Rasmussen stated the 20 feet, which was the original language required variance requests to place sheds, which is the most common request. The DRB agreed to move the boundary line to be 5 feet away from the rear line. It was suggested to keep 104(b)(2) Accessory Structure as is and adding a note to refer to Section 402(c) Setbacks for Accessory Structures. Accessory Structures in 402(c) to read: No more than 10 feet in height, not to exceed 120 square feet and cannot be placed closer than 10 feet off the lot line. Under Section 102(c) it was the consensus to use neighbors rather than abutters, and to use this term throughout the document. In Section 104(1) – it was agreed to change parcels to lots. Section 104(2) - add demolition. Section.104(7) add - "of a mobile home" after replacement. Section 104(a)12 – add "See Section 800". Section 104(b)(3)(a) - change from farm structure to agricultural structure. Section 104(b)(5) – add "and landscaping" after gardens. Section 104 – change lot lines to property lines. Section 106 – keep property line. Section 405 – change language for in-home bed and breakfast to short-term rentals.

Ms. Gregorek noted the verbiage for the definitions are to be defined. She will split the list of definitions to be created between the Commission members to define and forward to her. Mr. Biasuzzi will send West Rutland's definitions to the Commission members for a reference.

A motion was made by Lowell Rasmussen and seconded by Robert Foley to authorize the Commission Chair to send the edited draft of the Brandon Land Use Ordinance to the Select Board. **The motion passed unanimously.**

## **7. Old/New Business**

### *. Energy Committee Update*

Jack Schneider reported he provided a presentation to the Select Board on an EV police car and noted the Board liked the research but decided to go with a gas vehicle. The Police Chief pledged to purchase an EV the next time the department is in need of a car. Jim Emerson also provided a presentation on a proposed 150 kW solar project to be located at the capped landfill on Corona Street for a potential use of ARPA funds. The Town would like to use ARPA funding for municipal projects and are open to other suggestions for its use. They do not have to commit until 2023 with completion of projects by 2026. Liz Gregorek thought educating people regarding Efficiency Vermont options would be a good idea. Mr. Schneider stated there are a lot of programs and rebates available. Lowell Rasmussen reported the Energy Committee will be sending out a survey to local businesses and residents to determine a baseline for the Town's energy use. Ms. Gregorek suggested having surveys available at the local concert series as this would be a good audience.

Liz Gregorek advised that she would be stepping down from the Planning Commission. The Commission members thanked Ms. Gregorek for her leadership and service on the Planning Commission.

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

Monday, June 6, 2022 at 6:00PM.

## **9. Adjournment**

A motion was made by Robert Foley and seconded by Lowell Rasmussen to adjourn the meeting at 7:57PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary