

**Brandon Planning Commission Meeting - Draft
June 6, 2022**

Board Members Present: Jack Schneider, Lowell Rasmussen, Bill Mills, Ralph Ethier

Others Present: Jeff Biasuzzi

1. Call to order

The meeting was called to order at 6:07PM by Bill Mills – Vice-Chair.

2. Agenda Approval

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

3. Approve Meeting Minutes – May 2, 2022

A motion was made by Lowell Rasmussen and seconded by Jack Schneider to approve the Planning Commission minutes of May 2, 2022. **The motion passed unanimously.**

4. Zoning Administrator Report

Jeff Biasuzzi reported there were 16 applications processed, with 2 going to the DRB that he is awaiting feedback on. Black Diamond Builders purchased the vacant 12-acre parcel across the street from their location. They want to install a 3-building commercial business on 3 of the acres. This had to go through Act 250 and part was done by the DRB who reviewed Criteria 6, 7 regarding impacts to municipal services, schools, and the neighborhood. Mr. Biasuzzi has not heard back from the DRB on this subject. With regard to cannabis, a father and son have each applied for fencing to enclose 1000 square feet for cannabis patches. They do not have the cultivator licenses yet. A couple of single home permits were received and the remainder are smaller additions. The WWTP has received approval from the DRB for their project. Mr. Biasuzzi currently has 6 applications to review and a couple of violation issues to address.

5. Energy Committee (BEC) Report

Jack Schneider reported the BEC has a new member, Erin Ballantine, who has a background in solar. He also noted that the BEC will be losing Lowell Rasmussen as a member. The BEC will have a float in the July 4th parade. The Davenport E-Fest will be the following Saturday at Estabrook Park and will include electric cars, buses, vans, and possibly an F-150 truck. This is a free event and open to the public, with preferred parking available for all who arrive in an electric vehicle. Lowell Rasmussen has put together a survey for regarding energy usage that will be available both in hard-copy and on-line. Mr. Rasmussen will speak to Sue Gage about having hard copies available at the Town Office. Barbara Noyes-Pulling of the RRPC has offered the use of their Survey Monkey account as of July 1st for the on-line survey.

6. BLUO Review – Incorporate Definitions

Bill Mills just received the definitions from Liz Gregorek and suggested the Planning Commission members who had not received the list will need time to go through the definitions that were assigned to them. Lowell Rasmussen advised he will resend the definitions he completed to the Committee and noted some were based on the West Rutland's definitions. Jeff Biasuzzi advised the West Rutland Planning Commission provided their definitions to the VLCT to be reviewed by their legal team to assure the language is appropriate. The definitions can be used once they are vetted through the VLCT. There are two staff attorneys at VLCT that have zoning backgrounds. Mr. Rasmussen stated he used Wikipedia for definitions that he did not find in the West Rutland document. Mr. Biasuzzi stated if there is a section of the zoning rules that identify an item or use, it needs a definition.

Jeff Biasuzzi stated cannabis-related activities need to be included in zoning. The State is the final authority and other regulations would go through the local Cannabis Control Board, which will be similar to the Liquor Commissioners. Mr. Biasuzzi noted the BLUO does not address shipping containers. Another possible change Mr. Biasuzzi suggested is the subject of accessory structures as it is in two different locations in the BLUO and is a confusing format. Mr. Biasuzzi stated typically attorneys ask for a compliance review for house sales and if there is a shipping container with no permit, the property would not be compliant and it could hold up a sale. Mr. Biasuzzi suggested the Planning Commission consider a larger accessory structure and noted that some towns want shipping containers regulated but currently there are no towns that restrict their use. It was noted the goal was to finish the definitions by the next meeting. Mr. Biasuzzi provided an outline of the process for proposed changes to the BLUO. Copies of the proposed changes have to be sent to abutting towns, the regional planning commission and the state with a report indicating how they comply with the Town Plan. There will need to be a Planning Commission hearing and if significant changes are required from the hearing, those changes would be made and another hearing would be required. Once the document is finalized, it is forwarded within 150 days to the Select Board and they will hold a hearing. If significant changes are made, it would be sent back to the Planning Commission for revision. Mr. Biasuzzi noted there has been a lot of input on accessory structures and one item that will also come up in Brandon is the requirement for ¼ acre for each proposed dwelling unit. For a housing project, it would require more area than is available in the village limits. He noted currently there is a desire to compress housing back to the village centers. A dwelling unit is defined as a privatized space with sleeping, bathing, and cooking facilities. A duplex would be considered 2 dwelling units. Lowell Rasmussen noted that for the last 1½ years, the concentration of the Planning Commission was to identify definitions and suggested getting the definitions completed with Mr. Biasuzzi's help in reviewing the hot buttons. Mr. Biasuzzi noted concern with Brandon's farm animal zoning as many people have to go to the DRB for permitting. Mr. Rasmussen stated accessory structures and animals may be two areas to review in terms of content, outside of the definitions. Mr. Biasuzzi advised once a draft document is developed by the Planning Commission, the approval process can begin. The draft can be placed on the Town's website and a public hearing can be scheduled. Mr. Biasuzzi suggested some other areas for updating could be language for fences, RVs, and soft signs like banners, in addition to the accessory structures and accessory dwellings. Mr. Biasuzzi will forward Mr. Mills the West Rutland definitions to be shared with the Committee.

7. Old/New Business

Bill Mills suggested tabling the appointment of new officers until Liz Gregorek has sent her formal resignation to the Town Manager.

Lowell Rasmussen reported he will be advising the Town Manager that he will be resigning from the Planning Commission after the August meeting and noted he has enjoyed working on this Committee. Jack Schneider noted that individuals interested in participating on the Planning Commission would submit their letter of interest to the Town Manager. Jeff Biasuzzi advised the Planning Commission can also recommend to the Select Board to appoint the Zoning Administrator as an alternate in the event there is not a quorum.

8. Date of Next Meeting

Monday, July 5, 2022, at 6:00PM.

9. Adjournment

The Commission adjourned by consensus at 7:20PM.

Respectfully submitted,

Charlene Bryant
Recording Secretary