

**Brandon Planning Commission Special Meeting - Draft  
July 5, 2022**

**Board Members Present:** Jack Schneider, Bill Mills, Ralph Ethier, Robert Foley

**Others Present:** Jeff Biasuzzi

**1. Call to order**

The meeting was called to order at 6:05PM by Bill Mills – Vice-Chair.

**2. Agenda Approval**

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

**3. Approve Meeting Minutes – June 6, 2022**

A motion was made by Jack Schneider and seconded by Ralph Ethier to approve the Planning Commission minutes of June 6, 2022. **The motion passed unanimously.**

**4. Zoning Administrator Report**

Jeff Biasuzzi provided a written report. Mr. Biasuzzi reported he attended the last Select Board meeting to provide an update. In summary, the number of permits for this fiscal year was up 17% from the year before, but lower than the 2020 year as many people were building decks and porches during the pandemic. There has been a solid number of house permits relative to Rutland County. The Jeromes have turned their office building into three condominiums. The DRB has approved the Black Diamond project that has now gone to Act 250. The owners will start construction of single-family homes and keep them for rental properties. The Planning Commission has received the 45-day notice to file with the PUC for the Steinberg Road LLC solar project. Red Clover Brewery is looking to construct a new building. At the Select Board meeting, they agreed to do advertising for the vacant Planning Commission seat and had previously moved to reduce the Planning Commission membership from 7 to 5 members, with Sue Gage volunteering to be an Alternate in the event of a quorum issue. Cannabis action will be done through a local Cannabis Control Board. The BLUO Animal section will be combined with the free-standing Animal ordinance. The Signage section was also discussed. There are three approved sign ordinances with ultimately Section 407 of the BLUO as the dominating ordinance which has to be clarified. Mr. Biasuzzi spoke with the Select Board Chair today and was advised the Select Board is waiting for the Planning Commission to make a recommendation or relay their findings to the Select Board on the MHG Solar project before they act on this project. It was noted that MHG Solar had presented to the Planning Commission and the Planning Commission provided a recommendation to the Select Board for a letter of support to the PUC. It was noted that Liz Gregorek, prior Planning Commission Chair, had submitted the letter to the Select Board. Mr. Biasuzzi advised the Select Board and the developer were looking for the letter of support and noted the developer would like a letter from the Planning Commission, Select Board, and the regional Planning Commission to obtain the maximum number of renewable energy credits. Bill Mills will provide Seth Hopkins with a copy of the letter that had been drafted by Ms. Gregorek. Jack Schneider requested clarification on combining the three sign ordinances. Mr. Biasuzzi stated there are three legally approved sign ordinances, with one just for road signs that does not deal with retail sales. Another has to do with the Central Business District alone about banners. Now that the Route 7 project is complete, the Select Board would like to see them taken down as the exemption is no longer in place. The last ordinance relates to signs for private businesses on public land. The Select Board has had several discussions about this, but this is not the way to amend Section 407 of the statutory ordinance. The Select Board would like to see a more comprehensive and clear Section 407. With regard to the merchants placing sandwich boards in the park, there is concern with traffic distraction. The Select Board denied the Farmer's Market request to place signs through the growing season until fall in the park. The application they submitted did not meet the qualifications for review. Mr. Schneider noted there was a concern the signs are close to the road and create a traffic issue. Mr. Biasuzzi advised there was discussion at the Select Board meeting that the Town's Highway Department removes signs in the right of ways. For private signs off-premise on public land, the Select Board has

indicated they have to be 24½ feet from the center line. Mr. Biasuzzi stated with regard to the Woods Lane violation, there has been notice of violation issued twice and the cars were cleaned up to almost full compliance. They are now advertising a detailing business and probably do not have a home occupation permit and there is an unpermitted change of use. He noted the landlord is supportive of the tenant. Mr. Biasuzzi stated this is a cost to the Town as this is time-consuming and if this violation goes to court, it is a \$2000 expense. Bill Mills asked if the Select Board has indicated how soon they would like a revised signage ordinance. Mr. Biasuzzi advised a time had not been indicated but they had asked that this request be brought back to the Planning Commission for their action and he noted that signage may be more important than other ordinance revisions. Mr. Biasuzzi stated once permit season slows down, he could provide a marked-up BLUO with suggestions of where he sees issues.

## **5. Energy Committee (BEC) Report**

Jack Schneider stated the Energy Committee (BEC) is up to 7 members and there will be Transportation, Generation and Conservation sub-committees. The BEC had a float in the July 4<sup>th</sup> parade and will be participating in the Davenport Festival at Estabrook Park this Saturday from 11am to 6PM. There are 19 different sponsors with GMP the leading sponsor. There will be various electric vehicles and potentially an electric motorcycle. One of Senator Sanders staff will read a letter, Governor Scott will be present to read the proclamation, and a professor from UVM who has built three Davenport motors will give a presentation. One of the three motors he has developed will be housed in the Brandon Museum.

## **6. Election of Officers**

Bill Mills advised his commission ends June 2023 and everyone else is on the Committee until 2024 or 2025. Jack Schneider suggested waiting until the new member is appointed before electing officers. Jeff Biasuzzi suggested all members of the Committee could assist on a meeting-by-meeting basis and he could assist with the development and posting of the meeting agenda. Mr. Mills noted he is available to chair the August meeting. Mr. Biasuzzi advised Sue Gage can fill in when needed, with notice. This item was tabled pending the filling of the position.

## **7. BLUO Review – Incorporate Definitions**

Ralph Ethier advised he used the West Rutland definitions and Google for the definitions he provided. Jeff Biasuzzi stated West Rutland is having VLCT review their draft zoning that will include definitions. VLCT will assure the document is legal and will make suggestions or corrections and feedback should be received by the end of July. Robert Foley and Jack Schneider will complete their definitions and provide to the Board Chair.

Jeff Biasuzzi advised the Select Board would like to see a cohesive signage document for Section 407; they would like to see details for temporary signs in the park that people could access. He noted the zoning rules for signage do not have enough detail and suggested the Planning Commission could review the results of the survey concerning signage. Mr. Biasuzzi stated there is an item in Section 407 that indicates 2 event signs could be placed up to 21 days twice a year and noted that signage should be on the property for which one is advertising. There had been discussion about feather signs and temporary signs should be defined, as there is no definition of what temporary is. The two 21-day sign regulation is for special events. Mr. Biasuzzi advised in most towns 90 days is considered temporary, but some towns do have up to a year. Mr. Biasuzzi stated everything could be placed in the BLUO and a free-standing document would not be needed. Mr. Biasuzzi noted that without a definition for temporary, enforcement is difficult. The State statute has to be followed with regard to zoning and cannot be changed without an approved process. Mr. Schneider requested the information about the approval process for zoning changes. Mr. Biasuzzi noted the changes have not been tracked currently and suggested drafting the new language with tracked changes for review at a subsequent meeting. He could make the notations and create a running document of changes for the Planning Commission to review, and if acceptable there would need to be someone to tie them into a readable form.

## **8. Old/New Business**

Bill Mills asked when the Town will advertise for the vacant position. Mr. Biasuzzi will check with Mr. Atherton on this. Mr. Mills requested the membership review the three sign ordinances prior to the next meeting. Mr. Biasuzzi will send the

survey results to the Commission members. He noted what seems to be missing is the Central Business District ordinance, but it is available on the Town's website. Mr. Biasuzzi recommended incorporating that ordinance into the BLUO and defining temporary. He also suggested when working with a section of the ordinance, a footnote can be included referring to either another section or definition that might be applicable. The definition could then provide specifics for a cross reference.

#### **9. Date of Next Meeting**

Monday, August 1, 2022, at 6:00PM.

#### **10. Adjournment**

A motion was made by Jack Schneider and seconded by Ralph Ethier to adjourn the meeting at 7:26PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary