

**Brandon Planning Commission Special Meeting - Draft  
September 6, 2022**

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

**Board Member Via Zoom:** Robert Foley

**Others Present:** Jeff Biasuzzi, Dave Atherton

**1. Call to order**

The meeting was called to order at 6:03PM by Bill Mills – Vice-Chair.

**2. Agenda Approval**

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

Add Zoning Administrator’s Discussion of Bylaw Modernization Grants under New Business.

**3. Approve Meeting Minutes – July 5, 2022**

A motion was made by Bob Foley and seconded by Ralph Ethier to approve the Planning Commission minutes of July 5, 2022, as amended. **The motion passed unanimously.**

A correction to Section 4 – Zoning Administrator’s Report – change wording “single family homes” to “storage units”.

**4. Zoning Administrator Report**

Jeff Biasuzzi reported there have been 22 new permits issued since June 1<sup>st</sup>. Nothing too unusual with exception of the OVUU school district to install a modular classroom on their Neshobe Elementary School campus. That item went to the DRB and a public hearing was held but a decision has not been rendered yet. The Act 250 Coordinator is going to do an amended Act 250 permit on this project but not a full review. The West Rutland zoning regulations came back from VLCT and there were recommended amendments to the draft that he provided to the Planning Commission as it is a good summary of what was found with a legal review and would be universal to other towns. They focused on the draft language having clarity, easy to read formatting, and language that includes measurable standards. If zoning rules are too vague, they can be defeated in environmental court. They also focused on conflict with law and deemed approval. Mr. Biasuzzi reported Mr. Briscoe has contacted him regarding an application for 12 new apartments in the old Brandon High School and also had a discussion about parking. There has been no application received, but there may be a DRB review regarding a change of use for the building. Mr. Briscoe has been making progress and has received State grant funding for engineering as there is a big emphasis on ARPA funding for housing. The Town’s Cannabis Control Board has deferred to the State for operating. Mr. Biasuzzi has asked the Town to develop a document and has also made recommendations to separate the aromatic standards. The Woods Market farm is donating acreage to the Vermont Land Trust. Dave Atherton noted they are likely in current land use and Mr. Biasuzzi stated a large portion of it is wetland and is a way to donate land that the owners could likely not use anyway.

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

Jack Schneider reported the BEC met just prior to this meeting and they discussed Solarfest who is putting on their first event on Saturday from Noon until 10PM. There will be music, workshops, and electric vehicles on display. The BEC will share information from Efficiency Vermont and other agencies at the event. Efficiency Vermont will be doing a “Button-up” program this fall. The BEC now has four sub-committees: Transportation, Generation, Conservation and Education and each group meets independently. There are a number of volunteers who will help do research and spread the message. The Transportation group is doing research for a 15-passenger electric van and will provide Mr. Atherton with their

findings. One of the BEC's goals is to educate the community and businesses on incentives and rebates for energy savings. They will also be assisting the Select Board in making decisions on items like electric vehicles and equipment.

## 6. Election of Officers

Dave Atherton has advertised for the Planning Commission vacancies but has received no responses. Sue Gage has volunteered to be an Alternate and Mr. Atherton has encouraged the Planning Commission to reach out to him if they need his assistance. There is a grant opportunity available to assist in getting the zoning regulations updated. This item was tabled for consideration at the next meeting.

## 7. BLUO Review – Incorporate Definitions

Bob Foley proposed to table this item to a subsequent meeting. Mr. Foley requested a copy of the original email for the items that he was to work on.

## 8. Old/New Business

### *Zoning Bylaw Modernization Grants:*

Jeff Biasuzzi reported the State Agency of Commerce and Community Development has a \$650,000 grant for municipalities with an emphasis on housing. One way they are looking to assist in permitting housing is with bylaw modernization. He noted a lot of zoning regulations were developed in the early 1970s and haven't changed since. The idea in the 1960s and 1970s was a suburban model with big yards and larger homes. The problem is that urban residential property is scarce and there is a demand to use the space more efficiently. If one wants to take a large single-family house and turn it into apartments, there needs to be ¼ acre of land per dwelling unit in the current zoning. There is a change in thinking to update this requirement. Another issue is setbacks and there is a thought to ease the requirements. He noted there are no setback requirements in the central business district currently in the Town's zoning. The grant is only limited to housing and Mr. Biasuzzi provided a list of areas in the BLUO that there has been discussion about updating with the list summarizing what was discussed at previous meetings. The application will look at planned residential development and underutilized accessory structures. Mr. Biasuzzi advised to move forward the Planning Commission would need to vote on the Municipal Resolution for Bylaw Modernization and once approved the Town Manager would request the Select Board's approval. Mr. Atherton stated a BLUO rewrite should include the entire document. Mr. Biasuzzi stated in working with VLCT, they have attorneys that can come up with recommendations on legal issues that need to be addressed and formatting suggestions, similar to the West Rutland rewrite he recently dealt with. Mr. Biasuzzi noted Brandon has a lot of the formatting already that the VLCT likes. The section of the West Rutland document on definitions had very little changes and they provided three towns as models to look at. Jack Schneider asked who would do the modernization if the Town were to successfully obtain the grant. Mr. Biasuzzi suggested the Planning Commission could review the document, make recommended changes, and then send it to the VLCT for review. Mr. Atherton stated if the grant was written to include the review process, the Town could get the RRPC involved in the rewrite. Mr. Atherton volunteered to contact the RRPC to discuss how they can move forward on this. Mr. Biasuzzi stated with the Planning Commission short-staffed, it is a good opportunity to get the most serious weaknesses in the existing document addressed. Mr. Atherton stated we have taken this Town forward and this would be a good opportunity to see how other towns are doing things and how to assist with the growth. If there is a modernization by-law that would continue to help us move forward, this could be helpful to the Town. Mr. Biasuzzi read the resolution to the Planning Commission members and noted if approved, it would need to be signed by the Acting Chair of the Commission.

A motion was made by Jack Schneider and seconded by Ralph Ethier to authorize the Committee Chair to sign the FY23 Municipal Resolution for Bylaw Modernization. **The motion passed unanimously.**

Dave Atherton reiterated if the Planning Commission needs his assistance, he is available for support. He noted the Town can get outside help for things like the BLUO review.

## 9. Date of Next Meeting

Monday, October 3, 2022, at 6:00PM.

## **10. Adjournment**

A motion was made by Jack Schneider and seconded by Ralph Ethier to adjourn the meeting at 6:56PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary