

**Brandon Planning Commission Hearing
Brandon Town Plan Update
December 20, 2023**

NOTE: These are unapproved minutes, subject to amendment and/or approval at the subsequent board meeting.

Board Members In Attendance: Jack Schneider, Cecil Reniche-Smith, Bob Foley

Board Members in Attendance: Natalie Steen

Others in Attendance: Jim Emerson, Heather Nelson, Nick Curcio, Lisa Curcio

Other In Attendance Via Zoom: Jeff Biasuzzi

The hearing was opened at 6:00PM by Cecil Reniche-Smith - Chair

Cecil Reniche-Smith advised the purpose of the hearing for the draft Enhanced Energy Plan and Town Plan was to provide an opportunity for residents and interested parties to weigh in on the changes to the plans. It is not a session to resolve issues or debate issues, rather to obtain feedback and comments that the Planning Commission will then take into consideration in making edits to the plans. There were some comments received via email; two separate sets of comments from Tim Guiles with one specific to the Energy Plan and one regarding the general Town Plan. The Energy Plan suggestions were forwarded to Jack Schneider and Jeremy Gildrien, with some items being typos that need to be fixed. There are also comments from Dennis Reisenweaver regarding the cultural and scenic resources with objections to language that was used and inclusion of artists in the cultural section. All comments are noted below.

“Tim Guiles Comments regarding the general Town Plan:

page 10 - GOVERNMENT - - - Does Brandon still have 2 Fire Districts? I thought they were merged into 1 District.

*page 12 - first paragraph - - - The paragraph talks about **Median** incomes, and describes how Brandon incomes were historically lower than county and state but NOW are tracking better after a 50% rise - - - but the paragraph ends with the 5 words - - - "... except for median family income." There seems to be a logical disconnect somewhere near the end of this paragraph - - - are you intentionally shifting to averages rather than median?*

Page 12 - TYPO - - - in the last sentence, IS should be ARE.

*Page 14 - Police Dept coverage - - - it is my opinion, that Brandon does not need a police department that is staffed with 24/7 **ON DUTY** police officers. I think Brandon would be better served with a smaller police department, staffed with well paid officers who become part of Brandon over a long period of time so that they understand the fabric of our community. Also, I do not think it is a good idea for Brandon to become a regional law enforcement provider.*

*Page 14 - the last sentence - - - I'm pretty sure that there is **NO LEASE** for the operation of the transfer station. That was eliminated when we shifted over to the Wyman Family operation.*

*Page 15 - WATER/SEWER - - - Recently the town of Brandon has shifted it's water/sewer billing to "better match the expense pattern" - - - which is to say that the bonds that pay for our water/sewer system are fixed and is the largest portion of incurred expenses, while the usage of water/sewer incurs a rather small per gallon fee. This has resulted in a **FLAT** taxation profile and could even be called **REGRESSIVE** because there is no incentive to save water with such a low usage fee of \$8.50/1000 gallons.*

*I suggest that the town of Brandon would be better to explore a **PROGRESSIVE** taxation system, where the **BASE FEE** would be set on an income sensitivity scale which would allow the taxation to be shifted away from falling on the lower income residents in our community.*

Page 16 - *TYPO - SEWER paragraph 1 - - - should read 720,000 gallons*

Page 18 - *POLICE PROTECTION - - - I think it is inappropriate to refer to "Guinness" (the dog) as a K-9 officer. The K-9 officer is a person. The dog is not.*

Page 19 - *TRANSFER STATION - last paragraph - - - I do not consider the transfer station to be a separate enterprise of the Town of Brandon. I do not see any connection between the operation of the transfer station and the Brandon town management structure. The only connection is that the town of Brandon allows the Wyman's to operate the transfer station at our town location. I consider the Wyman enterprise to be entirely separate from the town.*

Page 20 - *BRANDON SENIOR CENTER - - - TYPO - - - in the middle of the paragraph, "... free community lunches ON Fridays."*

Page 20 - *Otter Creek Watershed Insect Control District - - - in the middle of that paragraph, I think there needs to be a more nuanced message about pest management. It is my opinion that it is a mistake to promote BUG FREE SUMMERS. Bugs are important to a healthy environment. It seems more appropriate to say something like, ". . . to avoid extreme mosquito problems."*

Page 25 - - - *Second sentence - - - I suggest changing that sentence to read: When electricity is generated from renewable resources, electric-powered technologies such as using heat pumps and switching to electric vehicles will help lower overall energy consumption.*

Page 28 - - - *3rd paragraph pertaining to 2nd homes. In my opinion, I would like to see something included about disincentivizing 2nd homes to help improve affordable housing in Brandon. We should not be encouraging people to buy their 2nd (or 3rd) home until everybody has their 1st home!*

Page 45 - - - *WORKFORCE - - - These numbers don't seem to make sense. If Brandon was 11.8% of Rutland County in 2010 with 3966 people, then Rutland County would have had 33,610. If Brandon was 6.8% of Rutland County in 2020 with 4129 people, then Rutland County has 60,720 people now. Did Rutland County really almost double in population between 2010 and 2020? This seems intuitively wrong - - - but it may, in fact, be true. I don't know, but it seems unlikely.*

Page 55 - - - *CONSERVATION AREAS - - - 2nd paragraph, last sentence - - - In my opinion, I think that it is essential to protect conservation areas. However, solar installations can often be gentle on the land - - - and thus CAN OFTEN fit on agricultural land. Solar power is essentially a crop to be harvested on appropriate land - - - and can OFTEN coexist with many kinds of agricultural.*

Page 70 - - - *introduction - - - wording - - - I suggest rewording the sentence to read: Brandon encourages planned growth and concentrated development in those areas of the town which provide for higher density, and which can develop the necessary infrastructure to support development more readily than other sections of the town."*

"Tim Guiles Comments regarding Energy Plan: Hello Planning Commission (including the energy committee),

I regret that I am unable to make the hearing on the 20th - - - so I'm including my comments below:

Page 4 - - - Paragraph 2 - - - I find it interesting that you posit that significant inequities are especially true in the production, regulation, and benefit/cost distribution of the energy sector. Historically, the electrification of America stemming from the rural electrification act of 1936 was one of the more just and equitable things that has ever happened in this country. The goal was for everybody to have access to electricity. Electricity continues to be widely accessible to all. In Vermont we do NOT have the inequities associated with poor neighborhoods being sited next to coal fired power plants. GMP is appropriately regulated by the public utility commission and provides benefits to the public in an equitable manner. If you are going to posit this statement of significant inequities especially true in the energy sector then I think you need to provide some reasonable amount of historical context to support your claim.

Page 4 - paragraph 3 - - - similarly, with the statement that "... the process has excluded many people from participation in the past." I would like to understand the basis for this statement.

Page 5 - paragraph 2 - - - I don't understand when you write, ". . . marginalized residents need access to the tools and resources required to participate in town planning." The only tool **REQUIRED** to participate in town planning is to choose to show up at any number of meetings and gatherings, or even to simply have a conversation with one of the planning commission members. The suggestion that a resident **REQUIRES** tools and resources is an unnecessary impediment to simply showing up and participating.

Page 6 - lower graphic - - - The 3rd category (blue) seems to be an odd choice of non-thermal and transportation energy. In fact, it would be more appropriate to title that category as energy to run electrical equipment in our lives which most often has nothing to do with "fun and recreation".

Page 11 - - - last paragraph - - - ". . . technologies produce significantly more energy than they consume." This sentence is technically incorrect. A better wording would be ". . . technologies move (or transfer) significantly more energy than they consume."

Page 14 - - - paragraph 3 - - - It is my opinion (and many others, I might add) that PEHV's **were** a bridge technology. This is to say that plug-in electric vehicles were useful **BEFORE** the advent of 300 mile electric vehicle range. Today, PHEV's negate many of the benefits of owning an electric vehicle due to the requirement to maintain the gas motor with repairs and oil changes, and the added expense and complexity of a hybrid propulsion system. It is my opinion that we should remove any suggestion that we promote the purchase of PHEV's for the town's fleet.

Page 20 - - - this map doesn't make much sense to me. If we are going to include this in the plan, it seems to need more explanation. I don't recognize hardly any of the locations where symbols are showing solar sites. What does it mean that there is a symbol for solar in the center of town at our one and only traffic light?

Page 21 - - - similarly, this page needs better explanation. When I look in the legend for the pink cross-hatched covered regions, I see no definition."

"Dennis W. Reisenweaver Comments: I have had an opportunity to review the "Historical and Cultural Resources" section of the draft Brandon town plan. I am disappointed that no one from the Brandon Historic Planning Commission was contacted to assist in developing this section.

I have had a discussion with Logan Solomon of the Rutland Planning Commission to get clarification on the purpose of this section. He was very helpful providing a copy of the DHCD Planning Manual: Module 1.

My first comment is the overall content of the Towns proposed input. It references 24 V.S.A section 4382 (5). The "Significant Cultural, Historic and Scenic Resources" section of the plan should identify and highlight the key features that contribute to the special character of Brandon and guide what the historic and scenic preservation goals will be and how best to meet these goals. I believe that the Planning Committee does not understand what cultural resources means in this context. It does not mean to support certain occupations with the town, i.e., artists.

Culture, as defined by B. M. Fagan, *People of the Earth*, 10th edition, is a concept by anthropologist to describe the distinctive adaptive system used by human beings. Culture can be called a society's system of beliefs and behaviors, as understood by individuals and members of social groups. A cultural system is a complex system comprising a set of interesting variations – tools, burial customs, ways of getting food, religious beliefs, social organization – that function to maintain a community in a state of equilibrium with its environment.

My second comment is concerning the use of Policies section. It is my understanding that the Town of Brandon does not have Historical Preservation policies. Policies to most people refer to documents that are used to define and run an organization and can be referenced. Brandon does not have such documents. When an individual sees the term "policies" used, one would expect to see a reference to a policy or statute, as was provided in the beginning of the section when

V.S.A was referenced. The State allows the use of the term “Objectives” which seems to be a better fit for this situation. I believe that using “Objectives” would also apply in other areas of the plan.

My last comment is concerned with special interests of the writers of this plan. It would seem that the “policies” and “Action Steps” is a laundry list containing items that should not be included in the section, but in other sections. It seems this was a catch all area to include individual’s ideas. These paragraphs should be better vetted and more focused on historical issues. I don’t understand how supporting the growth of arts, culture and civic organizations and developing walking tours for artists supports this section’s issues. It seems that someone wanted to support the artists and did not know where to put it in the document. I do not understand the focus on artists. I believe that the “Policies and Action Steps” sections need to be reviewed and focus on historical and significant cultural issues not individual occupational areas.

Thank you for allowing me to provide comments. I understand the daunting task putting such a document together, but taking a previous document and cutting and pasting a few new items into it is not the proper way of developing such a document. Is this a document that you want to put your name and reputation behind it? In my case I wanted to produce a document that I could support, not just something that was put together to meet a deadline.”

Ms. Reniche Smith advised the Planning Commission has drafted the proposed updated Town Plan and the Enhanced Energy Plan is part of the Town Plan. The Plan has been sent to statutory parties that include the planning commissions of area towns, the RRPC and the State. The Plan has been made available to residents of Brandon to obtain feedback. The Plan will be edited and the Select Board will hold a hearing, likely late January, or early February. The Plan needs to be adopted by February 24th. It was noted that the Planning Commission does not have to change the Plan from comments if they are minor in nature as opposed to substantial changes. Some comments provided were objections to the philosophy of the Plan. There are some concerns with inclusion of cultural resources that comes down to differences of opinions based on what the statute requires and the Planning Commission is speaking with the RRPC with regard to these items. There have been no suggestions or concerns from the statutory parties. Jack Schneider stated the current plan has been revised and updated, but not totally written. Ms. Reniche-Smith stated the Planning Commission started with a plan that had all comments required by the State, updated the data sets and action steps in each of the sections and rewrote some of the policy statements. Ms. Reniche-Smith noted over the next 8 years things will change and will be revised. Mr. Schneider advised if the Plan is not revised, the Town will not be eligible for state grants.

Jim Emerson stated he has shared some of his concerns through Jack Schneider and the Chamber, noting there are a few onerous tasks that are not easy to implement or fulfill such as including disadvantaged and low-income people in the process. Jack Schneider stated there are mandates from the State and some of the action steps that were in the previous plan are hoped to be accomplished. Cecil Reniche-Smith advised the goal is to reach out to underserved communities, but if the BEC cannot find anyone to engage with, there would not be a penalty, and this is a mandate of the State. Mr. Schneider stated much of the comments are about equity and that we have to reach out to all parties in Town. Ms. Reniche-Smith stated none of the action steps are pledges of success but are goals. Mr. Schneider advised one of the formatting changes was to take 33 pages of the Enhanced Energy Plan and create a separate document so that every 2 to 3 years, it can be updated with statistics. There is a three-page Energy Executive Summary in the main body of the Town Plan. Jeff Biasuzzi stated another benefit of staying the course and adopting the Town Plan as currently scheduled without any significant revisions is that the Town could not do anything to update the zoning regulations without a current town plan. Ms. Reniche-Smith stated there are action steps and several of the actions steps from the current plan have not been fulfilled yet and have been carried over. The Town Plan is an aspirational document. Mr. Schneider stated some of the actions will require submitting and receiving grants. Ms. Reniche-Smith stated there is some overlap of items within the Plan and it is not being presented to the Energy Committee as action items they must do.

Bob Foley stated the Energy Committee is not responsible for carrying out the Plan and the Plan is a guide to decision-making. Ms. Reniche-Smith stated the Town Administration is taxed the most with what is to be done with the Plan. It was noted that the Energy Committee is a subcommittee of the Planning Commission. Ms. Reniche-Smith advised the Select Board is the legislative body of the Town and the actual management is done by the Town Manager and the town staff. Jim Emerson stated it is noted there is to be an Energy Equity Coordinator and the Enhanced Energy Plan will be added to the BEC’s goals.

Ms. Reniche-Smith noted throughout this year the Planning Commission has had public meetings and held a public forum in May, had a booth during the July 4th celebration and has had other contacts with people in Town to obtain input for the Plan. Based on the comments received, the Planning Commission will be doing revisions in early January, approving the revised draft, and forwarding it to the Select Board for approval. The Select Board is required to have a public hearing by February 7th. The proposed deadline for submitting the Town Plan to the State is February 22nd.

Ms. Reniche-Smith reported the next task is to update the Brandon Land Use Ordinance that is one of the action steps noted.

Natalie Steen had no comments and noted the Commission did a good job of answering questions.

The hearing closed at 6:24PM.

Respectfully submitted,

Charlene Bryant
Recording Secretary