

Brandon Planning Commission Meeting - Draft
January 15, 2024

Board Members via Zoom: Jack Schneider, Natalie Steen, Sara Stevens, Neil Silins

Others Present via Zoom: Jeff Biasuzzi, Logan Solomon – RRPC

1. Call to order

The meeting was called to order at 6:03PM by Jack Schneider.

2. Agenda Approval

A motion was made by Natalie Steen and seconded by Sara Stevens to approve the agenda. **The motion passed unanimously.**

3. Approve Meeting Minutes

. Brandon Planning Commission Special Meeting – January 3, 2024

A motion was made by Natalie Steen and seconded by Sara Stevens to approve the January 3, 2024 Special Brandon Planning Commission meeting minutes. **The motion passed unanimously.**

4. Public Participation and Comment

There was no discussion held.

5. Welcome New Voting Member and Elect New Chairperson

All welcomed Neil Silins as the new voting member of the Planning Commission.

It was the consensus of the Committee to defer the election of a new chairperson to the next meeting when all members are present.

7. RRPC Presentation on Housing Resource Navigator Program and Develop Timeline for BLUO Update in Accordance with Grant and RRPC Assistance

Logan Solomon provided information on the RRPC's Housing Resource Navigator program that is being offered to all towns in the region at no cost. The program has a short timeline of the end the calendar year that also matches the Town's updating of the BLUO. The concept is the RRPC working with planning commissions to do a survey to identify housing sites to promote. The goal is a bottom-up approach in identifying sites and the criteria is up to the planning commission in looking at the Town Plan and providing general thoughts. The RRPC is also reaching out to developers to match them to towns with the idea of thinking about the housing types, physical characters, and financial aspects of the housing. With regard to the subject of fair market rent, there would be identification of what sites would look like and what the finances would look like. Jack Schneider suggested Brandon needs more affordable housing and asked if the RRPC has indicated there is a lack of certain housing. Mr. Solomon stated there has not been a metric yet, but there are numbers that it can be based from. This program will work with towns to identify specific housing types. Brandon's rural residential will be different from the downtown area and affordability is going to be promoted across the board. They will also be looking at workforce characteristics and senior housing. Each town has their own unique needs and the program will identify the unique needs that Brandon is looking for and convey that to the developers. Mr. Schneider stated the Town encourages infill in the downtown area and asked if the program prefers areas where sewer, septic, water, and electric are present. Mr. Solomon stated Brandon is one of ten towns that has both municipal water and sewer. The idea is to try to get more benefits for the town and individual people paying into the system. In some instances, it will identify the infill opportunities and what types of houses from a character lens. The program can be just municipal sites or another aspect is

to provide an opportunity for people in town and landowners to weigh in. They are also developing a list of financial and regulatory resources for people who may be on the fence with considering subdivision to provide them with information. Natalie Steen stated part of the zoning update is to look at dimensional requirements that is more of a priority rather than identifying areas. All agree that more affordable housing is needed and there needs to be a prioritization of the project at hand to address the zoning regulations when looking at our districts. Mr. Solomon stated his understanding in looking at the grant award, the BLUO needs to be updated by the end of this year to get the match on the grant. Mr. Solomon suggested there could be a focus on the BLUO update and through that process focus on dimensional standards and then work on this program at the end of the year. Part of this grant talks about specific resources in learning about the housing in town and these could complement each other or there could be a focus on the BLUO update first.

Jeff Biasuzzi advised previously Vermont Community Development, in cooperation with a Real Estate organization created an extensive report and put out a publication that talked about communities take advantage of what they have to offer and how to design and regulate them with zoning. This was a huge effort with much data and graphics. Mr. Solomon provided a link to the document. https://outside.vermont.gov/agency/ACCD/ACCD_Web_Docs/CD/CPR/Planning-Your-Towns-Future/CPR-Z4GN-Guide-Final-web.pdf

Mr. Biasuzzi also noted the legislature has a bill relating to new regulations for Act 250 with the objective to make it less involved. Mr. Solomon advised he can be a resource for S100 that was passed last session that supersedes zoning. The RRPC has been working with towns to match the State requirements because there has been some confusion. This will be done during the update process. He also noted there is a bill that has been introduced that will build off the law from last session.

Mr. Solomon stated the grant is to focus on dimensional standards and use in each district. As far as the timeline is concerned, in order to get the match for the grant, there will need to be an amended BLUO by the end of the year and suggested having a draft finalized by September to give leeway for approval and to obtain public input. The process is similar to the Town Plan update with the Planning Commission and Select Board holding hearings for public input in accordance with the statutory requirements. Mr. Biasuzzi questioned who would be responsible for the notice process as it relates to the grant, noting the adoption process is time consuming and if it were the responsibility of the zoning administrator, he would need to budget his time. Natalie Steen questioned whether in order to meet the grant requirement would both the Planning Commission and Select Board need approval. Mr. Solomon advised that it has been his experience the Town has to adopt it and it is his understanding the Select Board would have to adopt it also, but noted he will check into this. Ms. Steen stated previously Ed Bove had indicated he would do a walking tour and discuss the dimensions and she asked if the RRPC would do a study of what exists. Mr. Solomon was not aware of this but thought it was a good idea and advised the warning responsibilities have fallen differently with some planning commissions taking on the responsibility or some towns having zoning administrators take on this responsibility. Mr. Solomon advised that he could make up a template for the planning commission to do the warnings. Mr. Biasuzzi noted he will need to know what to anticipate for budgeting his time.

Jack Schneider advised the Planning Commission has been working on the BLUO and it was Mr. Bove's opinion that it was in good shape and asked if Mr. Solomon has had the opportunity to review it. Mr. Solomon advised he has a standardized process for the State mandates and suggested a tour would be a good place to start. His recommendation was for the Committee members to review the information in the link that that was provided. Mr. Solomon has reviewed Article 3 and the current Town Plan draft relating to zoning. From his sense of the Town Plan, the Town allows a wide range of housing types, and historic preservation and the aquifer overlay district are important. He noted there have been multiple iterations of the update and asked if there are any emerging trends that need to be addressed, or any ambiguities. Jeff Biasuzzi has identified suggestions and the biggest deficiency he finds in the zoning is the lack of definitions. He noted working on a daily basis with Brandon regulations, there are no clear definitions for the majority of issues that the zoning regulations address and when enforcing, there is lot of leeway for interpretation. There are also tweaks that can be done on smaller items and beyond the definitions the sign ordinance is also an issue. Natalie Steen clarified the aquifer district is not an overlay but suggested it could be an overlay but is currently its own zoning district. Another item discussed was designing guidelines for historic districts. Currently the sign ordinance is under Article 4 of the BLUO and is its own ordinance. Mr. Biasuzzi stated accessory structures are noted in multiple places and is confusing, and there is also the issue of wetlands and flood plains. He noted it is a unique document that does not have a standard of uses but needs clarification on the various articles and more importantly the definitions need to be addressed.

Jack Schneider added that another item that has been discussed is that Brandon is unique in having a one-acre requirement for Act 250, even though there is a planned ordinance where most other towns are 10-acre towns and is suggested this has made Brandon less competitive to outside developers. Jeff Biasuzzi advised Brandon is one of two towns that is approved to be able to address Act 250 applications for 3 of the 10 criteria that the DRB can address and send their findings to Act 250. The three criteria are the impact on the schools, the services provided by the Town, and the impact to the neighborhood. The Town has traded off the ability to have a 10-acre town where Act 250 would not have jurisdiction until 10 acres are involved for the ability for the DRB to make recommendations to Act 250 for those criteria. The fire, rescue and water departments are not owned by the Town and need separate approvals. Mr. Biasuzzi thinks it is a huge mistake in the current regulatory environment. Mr. Schneider stated Montpelier is looking into this and agreed this is something that needs to be addressed.

Mr. Solomon summarized that his sense is to concentrate on the BLUO ordinance first and a good first step is to email the link to the Committee members to review. He will send information on specific sections to focus on. Mr. Solomon will speak to Ed Bove regarding the tour. Mr. Biasuzzi noted Mr. Bove's walking tours typically have been done during nice weather and local businesses are invited to participate. The general public could be invited to do a tour of the downtown district and at the end of the tour, possibly provide food to get more people involved.

8. Old/New Business

Neil Silins requested Mr. Biasuzzi provide the list of items he would like to see changed. Mr. Biasuzzi agreed to send the recommendations noting that an important focus should be on definitions. Mr. Biasuzzi asked Mr. Solomon if there are any items that other towns have dealt with in zoning updates. Mr. Solomon advised tiny homes and food trucks are topics that might also be worth a conversation in the update. Mr. Biasuzzi advised Brandon has a vendor license option that is regulated by the Select Board for food trucks. Mr. Biasuzzi stated Section 619 that addresses farm animals is another area for consideration as the regulation has good intention but is a poor design. Mr. Solomon asked Mr. Biasuzzi to send the list to him when sending the recommendations to the Planning Commission. Ms. Steen stated farm animals could be addressed under performance standards. Mr. Biasuzzi noted it has been a busy year for permitting and advised a number were problematic in having to go to the DRB. Anything that can be done to improve the BLUO will assist in a smoother process.

9. Date of Next Meeting

Monday, February 5, 2024 - 6:00PM – Brandon Town Hall.

10. Adjournment

A motion was made by Sara Stevens and seconded by Neil Silins to adjourn the meeting at 7:06PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary