

### Minutes of May 13, 2025

Commissioners present: Jack Schneider, chair; Lisa Peluso; Neil Silins; Natalie Stern  
Others: Rutland Regional Planner Logan Solomon; Town Manager Seth Hopkins  
All present were in-person; no one attended by Zoom; Zoom recording was created.

#### ACTION IN BRIEF (notes by Seth Hopkins):

- Planning Commission called to order at 6:03PM by Jack Schneider, chair.
- Adopt agenda as posted: Natalie Steen moved, Neil Silins seconded, voted 4-0.
- Approve minutes of April 7th as submitted: Natalie moved, Neil seconded, voted 4-0.
- Public comment: None offered.
- Zoning administrator report: Unable to attend; family emergency
- Appoint Lisa Peluso to Brandon Workbook workgroup: Natalie moved, Neil seconded, voted 4-0. Natalie and Neil offered to assist Lisa how best helpful.
- Planning commission official recommendation to the selectboard to seek Tier 1B status for Brandon: Motion by Natalie, second by Lisa, voted 4-0.
- Next Planning Commission June 2nd at 6PM at Town Hall.
- Adjourn: Motion by Neil, second by Natalie, voted 4-0.
- Planning commission adjourned at 7:54PM.

Respectfully submitted,

*Seth M. Hopkins*

#### PRESENTATION & DISCUSSION IN DETAIL (Notes by "Minutes AI" app)

###

Notes on Act 181 Overview

Created on May 13, 2025 at 6:03 PM by Minutes AI

#### **Meeting Commencement**

- Jack Schneider calls to order the special meeting of the Brandon Planning Commission.
- Logan Solomon of the Rutland Regional Planning Commission will present on Act 181, which provides new guidance related to the state's Act 250 legislation.
- **Natalie Steen motions to approve the agenda, Neil Silence seconds, and the agenda is approved.**

#### **Brandon Historic Preservation Working Group**

- A request is made for a volunteer to participate on the Brandon Historic Preservations Working Group for the town workbook.
- Lisa Peluso volunteers, pending understanding of the time commitment.
  - The committee will consist of two people from the public, the chair of the Preservation Commission, a representative from the museum, a planning commission member, an architect, and a design person.

- Seth Hopkins, the town manager, explains that the working group will meet separately from the Historic Preservation Commission, likely once a month for eight to ten months, to update chapters of the workbook.

- **Lisa Peluso is nominated as the representative from the planning commission for the town workbook, seconded, and approved.**

### **Act 181 Presentation Introduction**

- Logan Solomon from the Rutland Regional Planning Commission will discuss the Rutland Regional plan, focusing on the future land use map and the implications of Act 181 for Brandon.
- A slide handout is available at [rutlandrpc.org](http://rutlandrpc.org), along with the draft map.
- The presentation is part of Phase three of public engagement, with previous phases including meetings with select boards and a survey with over 1200 responses.
- Phase three focuses on whether the plan reflects community economic development priorities and makes the region a desirable place to live, work, and play.

### **Regional Plan Overview**

- The presentation will cover the purpose of a regional plan, its chapters, the draft regional future land use map, and the option for the town to opt into Tier 1B, an Act 250 exemption.
- Regional plans have existed since 1971 or 1972 and are updated every five to eight years.
- The current regional plan covers an eight-year cycle from 2026 to 2034 and revolves around community economic development, balancing economic development with social, cultural, and environmental priorities.
- The plan aims to be flexible, locally led, equitable, sustainable, and outcome-driven.

### **Regional Plan Chapters**

- The regional plan includes chapters on economic development, natural resources, housing, and working landscapes.
- The land use chapter is central to all other chapters.
- Specific Vermont statutes guide the requirements for specific chapters.

### **Town Plan Alignment**

- A question is raised about how to determine if there are any inconsistencies between the town plan (completed in 2024) and the regional plan, and what to do if there are.
- Logan explains that regional plans are used in Act 250 development proceedings, and a conflict arises if a development conforms to one plan but not the other.
- In case of a conflict, the Act 250 entity considers whether there is a significant regional impact.
  - If there is, the regional plan takes precedence; if not, the Brandon town plan takes precedence.
- The definition of "significant regional impact" is crucial and will be available in the full draft of the regional plan around June 9th.
- All seven regional planning commissions are working on adopting plans compliant with the new law by the end of 2026.

### **Regional Mapping**

- A law passed in June 2024 impacts the future land use map.
- The law standardizes the mapping categories, so all 11 regional planning commissions across the state of Vermont have to use the same categories.
- There are 11 categories and specific criteria that need to be met for an area to be mapped in a specific category.

## **Regional Context**

- Downtown centers and village centers are the mixed-use centers or core of a given village.
  - Brandon has both a downtown center (downtown Brandon) and a village center (Forest Dale).
  - These boundaries will be enrolled upon approval of the regional plan in the state designation program.
- Planned growth area or village area: Areas that surround the downtown center or village center and are neighborhoods.
  - Upon approval of the regional plan, these boundaries will become a neighborhood designation.
  - These four categories (downtown centers, village centers, planned growth area, village area) could be eligible for specific Act 250 exemptions (Tier 1A and Tier 1B).
- Other categories that do not relate to the state designation program or Act 250 jurisdiction:
  - Transition infill areas: Areas served by sewer with an opportunity for higher density.
  - Enterprise areas: Industrial parks or commercial land use with a large amount of land area.
  - Resource-based recreation areas: Recreation areas with existing development or infrastructure.
- Rural categories:
  - Hamlets: Historic clusters that couldn't be categorized as a downtown center or village center.
  - Rural General, Rural Ag and Forestry, and Rural Conservation: Giving the highest support for specific activities.
  - "We're just saying like we're giving our highest support for that activity. But if someone wanted to go and develop, then they can kind of go back to the idea of the flexibility as one of our values that we're trying to show in this plan."

## **Regional Level Statistics**

- 94% of the region is categorized in one of the three rural categories.
- The remaining 6% is in one of the non-rural categories.
- This aligns with the state's land use planning goal of maintaining historic settlement patterns of compact villages separated by rural countryside.

## **Current Adopted Future Land Use Map (2018)**

- Four categories: High density, medium density, low density, and development constrained.
  - High density: Downtown Brandon and surrounding area.
  - Medium density: Largely pertains to Forest Dale.
  - Low density: Most of the rural land in Brandon that's not in downtown or in Forest Dale.
  - Development constrained: Great Swamp.
- The boundaries on the current regional map are blended or blurred.

## **Draft Map Feedback**

- Questions or revision requests are needed within the next three weeks.
- The map was created by inputting into GIS.

## **Downtown Brandon**

- The entirety of Brandon's current state-designated downtown is included in the downtown district.
- The boundary was expanded slightly to include the entire U.S. post office.
- It was extended up Union Street to include the Union Street Grocery.
- Potential expansion further down Union Street may be considered (Granary).
- Formalized request in writing is needed for any revisions.

### **Planned Growth Area**

- The boundaries are based on available sewer service area data.
- The entirety of Mount Pleasant should be included.

### **Sewer Service Area and Zoning**

- The sewer service area excludes state-mapped river corridors and federally mapped flood hazard areas.
- Part of the sewer service area is cut off at Marble Street where it turns into Forest Dale.
- Some boundaries align with neighborhood zoning districts, like the mixed-use zoning district including Park Village.

### **Planned Growth Area**

- There's hesitation in making one big contiguous strip due to state planning goals about avoiding strip development.
- The area in question has the least current development, making it susceptible to strip development.
- A new water tower is planned to service this area, but it may not be within the next eight years.
- Planned growth areas have considerations around sidewalks and the percentage of land area served by them.

### **Map Amendments and Criteria**

- The map is acknowledged to likely change over time, especially with infrastructure changes.
- Changes require more than just a mention in the town plan; there needs to be real commitment and scoping.
- There is guidance from RPCs (Regional Planning Commissions) for interpreting criteria in state law.
  - For example, walkability is defined as 70% of buildings within a quarter-mile radius of a sidewalk.
- The speaker expresses concern that the map is based on existing conditions rather than being future-oriented.
- The regional plan can be formally amended, or a minor map amendment (for changes of 10 acres or less) can be done through a streamlined process.

### **Village Area and Forest Dale**

- The village area includes the river corridor because Brandon has river corridor bylaws and flood hazard regulations.
- Most of the village area surrounds Forest Dale.
- The Brandon town plan expresses interest in designating Forest Dale as a village center, but there isn't a specific map or description of the area.
- Historic Architecture of Rutland County was reviewed, as it's a requirement for mapping a historic village center.
- The boundaries include the intersection of 73 and North Street, incorporating historic structures.

### **Village Center and Area Boundaries**

- The village center boundary includes historic structures and mixed-use clusters around the intersection.
- The village area boundary is similar to the neighborhood boundary in Forest Dale.
- Areas not served by sewer must have suitable soils for septic systems (ANR classes 1-3).

### **Designations and Benefits**

- Upon approval, Forest Dale would be a Step One Center, eligible for the Better Places grant program and tax credits.
- Planned growth and village areas would be eligible for a neighborhood designation, with priority consideration and funding for state programs, especially housing-focused ones.
- State wastewater permit fees would be capped at \$50 for residential development.

### **Act 250 and Tiers**

- The map relates to Act 250, and the town can opt into tier 1B or 1A.
- The map only relates to tier 1A and 1B, not tier 2 or tier 3.
- Tier 2 is business as usual with a road rule (additional trigger if driveways/roads exceed certain lengths).
- Tier 3 areas involve critical natural resources and additional rules, but details are currently unknown and going through a rulemaking process with the Vermont State Land Use Review Board.
- Tier 1B includes downtown, planned growth area, village area, and village center.
  - If the town opts in, there's an Act 250 exemption for housing developments of 50 units or fewer on 10 acres or less.
- Tier 1A also exists.

### **Tier 1A and 1B Eligibility**

- Tier 1A eligibility for downtown Brandon is uncertain due to the process going through the Vermont Land Use Review Board.
- Tier 1B, encompassing all four categories, is potentially available for Brandon and Forest Dale, with the application process managed by the regional entity.
- Towns interested in Tier 1B and potentially Tier 1A should apply for Tier 1B for all areas and can apply for Tier 1A later.
- Applying for Tier 1B involves filling out a form available on the Rutland Regional Planning Commission website.

### **Act 250 Exemption**

- Without opting into Tier 1A or 1B, developments in Brandon exceeding 10 acres would need to go through Act 250.
- Tier 1B exempts housing units of 50 or fewer on 10 acres or less from state permitting.
- Tier 1A exempts all types of development in the designated area, regardless of size or number of units.

### **Tier Designations and Planned Growth**

- Areas classified as Tier 1B or 1A cannot also be classified as Tier 2 or Tier 3.
- Planned growth areas would experience fewer Act 250 expenses.
- Requirements for Tier 1A eligibility are higher than for Tier 1B.

### **Municipal Role and Process Clarification**

- The municipality's decision to opt-in would be made by the select board through a motion and amendments.
- The regional planning commission's role is to facilitate the approval process for the exemption.
- Once Tier 1B exemption is obtained, eligible developments would not require an Act 250 permit and would proceed through local zoning.
- The regional planning commission's role is limited to conformance with the regional plan, which is only relevant in Act 250 proceedings.

### **Map Eligibility and Revisions**

- Only areas in pink and purple on the map are eligible for Tier 1B or 1A.
- The town can suggest revisions to the map to include additional areas that could be eligible.
- The intention was to map as much as possible based on state law for Tier 1B or A eligibility.

### **Tier 1B Criteria**

- Tier 1B includes centers, downtown and village, planned growth areas, and village areas.
- Exemptions apply to 50 units or fewer on 10 acres or less and mixed-use developments.

### **Tier 1A Criteria**

- Tier 1A is only for downtown, village, and planned growth areas, and applies to all development.
- Eligibility requires specific public drinking water and sanitary sewer systems that can support additional development.
- Adopted municipal bylaws must further smart growth principles, regulate physical form and scale, and allow for at least four stories in areas served by water and sewer.

### **Recommendations and Future Considerations**

- Opting into Tier 1B is recommended due to the uncertainty surrounding Tier 1A guidelines.
- Consider revisions to the map to include areas that could be eligible for planned growth.
- Comments on the map are requested within three weeks, with some flexibility for an extension.
- Invite the town manager and economic development director to the next meeting to discuss village designation plans and potential adjustments to the map.

### **Additional Points**

- Areas outside the designated zones would remain under the existing regulations (status quo).
- The rulemaking process for Tier 2 and Tier 3 is starting, with initial public comment on mapping critical natural resources.
- Brandon may not have the capacity for Tier 1A due to requirements for local building codes and design standards.
- There is no downside for the four designated areas to be eligible for Tier 1B.
- The implications of opting in are that developments would not have to go through the Act 250 permitting process.
- The town retains responsibility for ensuring risks are covered through local zoning.
- Consider designating a greater area as a potential growth area to facilitate exemptions from Act 250 via Tier 1B.

### **Transition Infill Area**

- This segment is between downtown Brandon and Forest Dale, served by sewer and water along Forest Dale Road.
- Excludes river corridor/flood hazard areas.
- The intent is to make it more dense, potentially with a new street.
- There might be opportunity for additional density and infill development in some lots.

### **Enterprise Areas**

- Land uses with many jobs/employment, commercial land uses with a lot of land area, or natural resource extraction sites.
- Abutting Forest Dale Village area (D & F pit on Google Maps).

- Includes a big solar array in the northern part, Laws Agricultural Services on Champlain Street, Hayes recycling pallets, and the transfer station on Corona Street.
- Alta Woods part of Brandon, including Blue Seal, Fisher Electric, and Markowski's Pit.

### **Industrial Park**

- Question of whether the industrial park should be included as one of the areas that could be tier 1B.
- The industrial park is already in the pink on the map.
- The industrial park could have been a planned growth area or an enterprise area.

### **Map Modifications**

- If there's an early-stage inquiry about multiple housing units on a parcel, now is the time to consider mapping changes.
- If a parcel could be eligible for being mapped as a planned growth area or village area, it could be the time to consider it.
- Bill with economic development tries to keep stuff in development confidential until someone's ready to be public with it.

### **Alignment with Town Plan**

- Part of the requirements for both village area and plan growth area is that it has to align with the town plan.
- If a parcel conflicts with town maps, that might be an issue.
- Identifying areas that could be eligible and providing rationale is important.

### **Resource Based Recreation Area**

- There is no resource based recreation area in Brandon.
- The remaining categories are rural.

### **Agriculture and Forestry**

- If not in the Tier 1B categories, but in the current use tax program in 2023, then classified as agriculture and forestry.
- Boundaries are parcel boundaries.

### **Rural Conservation**

- If not in the current use program, but in one of the conservation planning mapping layers, then falls into rural conservation.
- Rural conservation doesn't mean you can't put a single family home.
- More concerned about rural development and whether that development is of a rural character.

### **Rural General**

- Remaining land area that is not in current use, not in one of the conservation planning layers, and not in any of the other categories.
- Highest support for low-density development.
- Soils are more able to accommodate a septic system in the rural general category relative to the agriculture and forestry and conservation category.

### **Regional Plan**

- The first draft of the entirety of the regional plan will be released eventually.
- The regional plan is going to be definitely over 100 pages.

- There is a fun cartoon that conveys what some of the themes and what the regional plan is about.
- For each chapter of the regional plan, there's a one-page summary.

### **Next Steps**

- Submit any revisions or questions about the map in the next three weeks.
- The Tier 1B decision form is due by July 1st of this year.

### **Map Revisions and Tier 1B**

- The municipality needs to decide on potential map revisions and whether to opt into Tier 1B.
- Feedback is welcome during the broader Phase Three public engagement.
- Feedback on map revisions should be documented in written descriptions or map drawings.

### **Resources**

- An electronic version of the map is available at [rutlandrpc.org/plan2026](http://rutlandrpc.org/plan2026).
- The website includes a list of meetings and the map as a PDF.
- A web map with transparency and layers, including parcel boundaries (coming soon), is also available on the website.

### **Meeting Schedule and Planning Commission**

- The next meeting is scheduled for June 2nd.
- The Planning Commission will aim to provide feedback to the Select Board at either the May 26th or June 9th meeting.

**- The Planning Commission voted to recommend Tier 1B to the Select Board.**

### **Tier 1 Considerations**

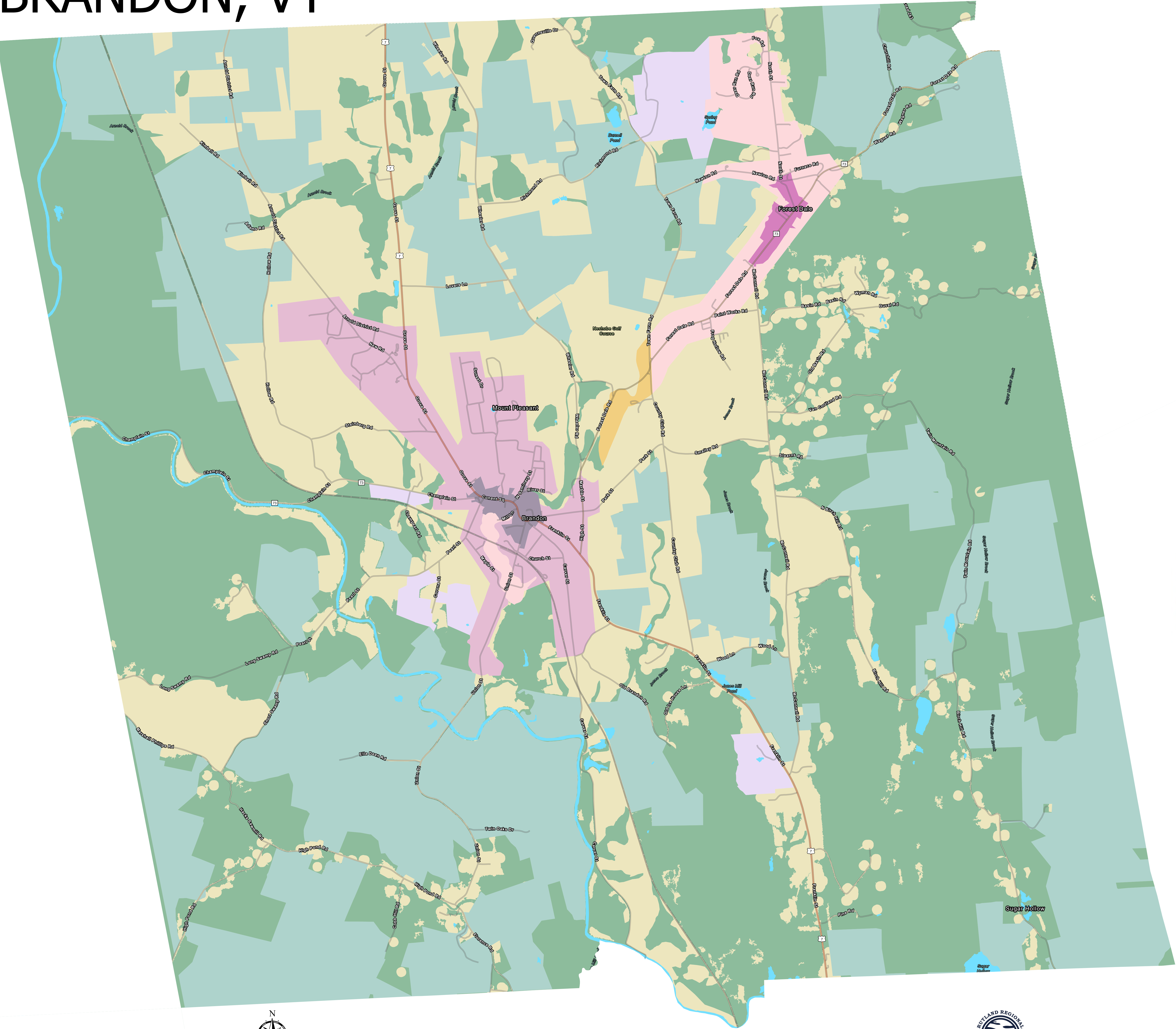
- Tier 1B can be applied to the whole or part of a designated area.
- The focus is on compact villages separated by rural countrysides.
- The goal is to support the state's land use planning goals.

###



# DRAFT REGIONAL FUTURE LAND USE MAP

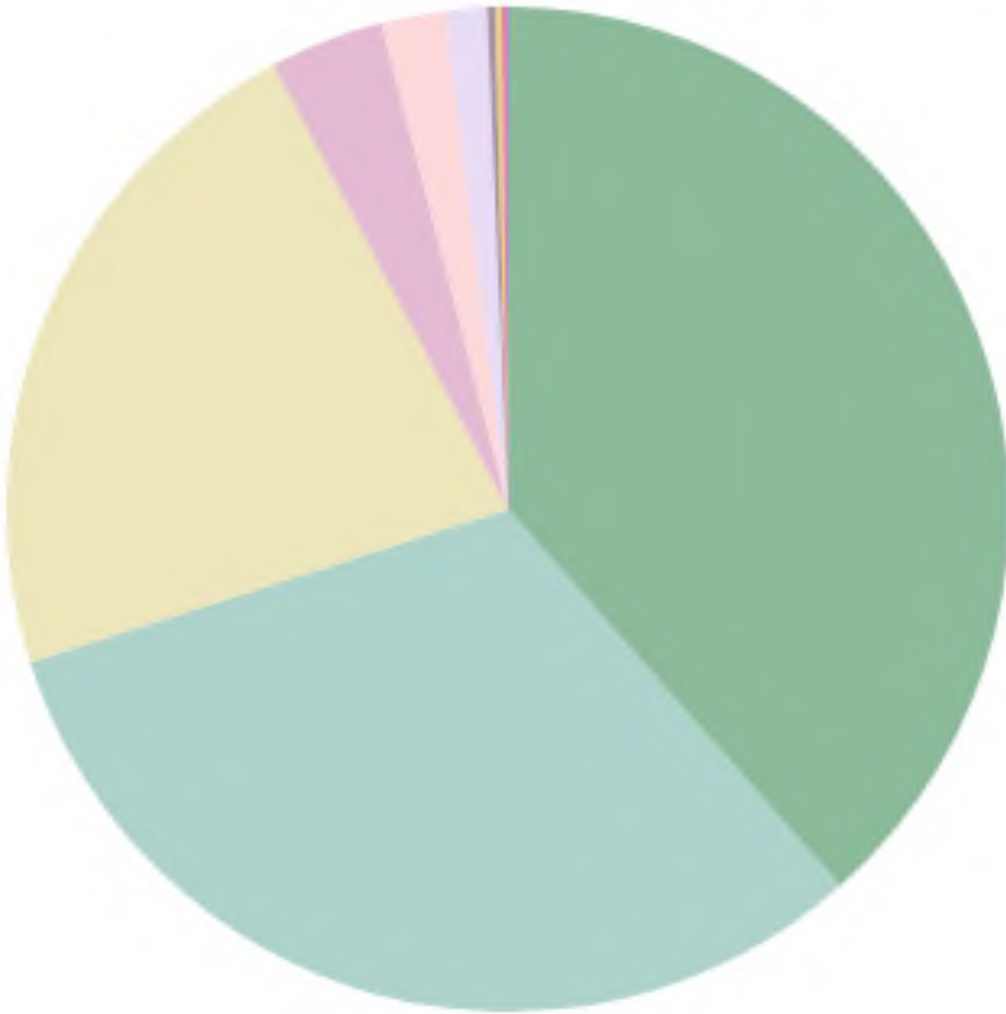
## BRANDON, VT



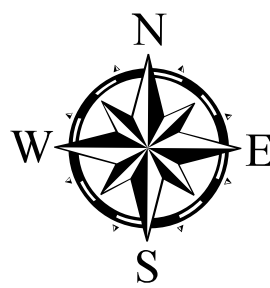
### Legend

- Downtown
- Village Center
- Planned Growth Area
- Village Area
- Transition Infill
- Enterprise
- Rural (General)
- Rural (Agriculture & Forestry)
- Rural (Conservation)
- Water

Brandon % of Land Area



- Rural (Conservation) 38.5%
- Rural (Agriculture & Forestry) 31.6%
- Rural (General) 22.2%
- Planned Growth Area 3.7%
- Village Area 2.1%
- Enterprise 1.3%
- Downtown 0.2%
- Transition Infill 0.2%
- Village Center 0.2%



0 0.5 1 2 3 4 Miles







RUTLAND REGIONAL PLAN

2026



PHASE 1

PHASE 2

PHASE 3

**ALIGNMENT**

## RRPC Launches Phase 3 of Public Engagement for 2026 Regional Plan

Phase 3, Alignment, invites you to comment on the first full draft of the Plan.

As the RRPC strives to help make the Rutland Region a great place, we want to hear from you one last time!

1

Does the Plan reflect the right community economic development priorities for the Rutland Region?

2

Do these priorities make the Rutland Region a place you want to live, work, and play?

For more information visit: [rutlandrpc.org/plan2026](https://rutlandrpc.org/plan2026)

# Meeting **OVERVIEW**

## **Regional Plan Purpose & Design**

Summary of what the Plan is and why it is important

## **Regional Plan Elements**

Overview of Plan chapters and deep dive into Land Use and Future Land Use Map

## **Opportunities for Input**

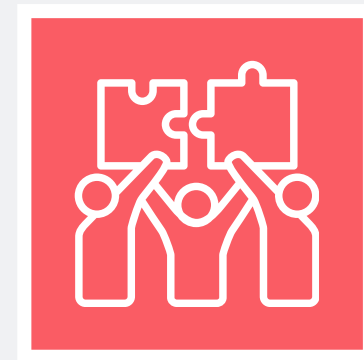
Proposed 2026 Future Land Use Map

Location-based Act 250 Jurisdiction - Tier 1B

Plan Visualization

Chapter Summaries

Full Draft Plan



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# Regional Plan

## PURPOSE & DESIGN

Applicable Vermont Statute

Title 24 Sections 4302 and 4347

The Rutland Regional Plan is a comprehensive 8-year (2026-2034) plan to guide and accomplish coordinated and efficient **community economic development** that balances economic development with **social, cultural, and environmental priorities**.

The Plan will help shape the **pattern, design, and function** of communities to best meet future needs. At the center of this effort is an analysis of present and future land uses and identifying areas for **growth** and **conservation**.

RRPC's Declaration of Inclusion and Title VI Plan informed the design of this Plan:

**FLEXIBLE**, to best meet the unique needs of the 27 different municipalities in the Rutland Region.

**LOCALLY LED**, to increase the probability of success and better ensure some communities are not favored over others.

**EQUITABLE AND SUSTAINABLE**, to demonstrate that embracing diversity, equity, and climate resilience is key to achieving our community economic development goals.

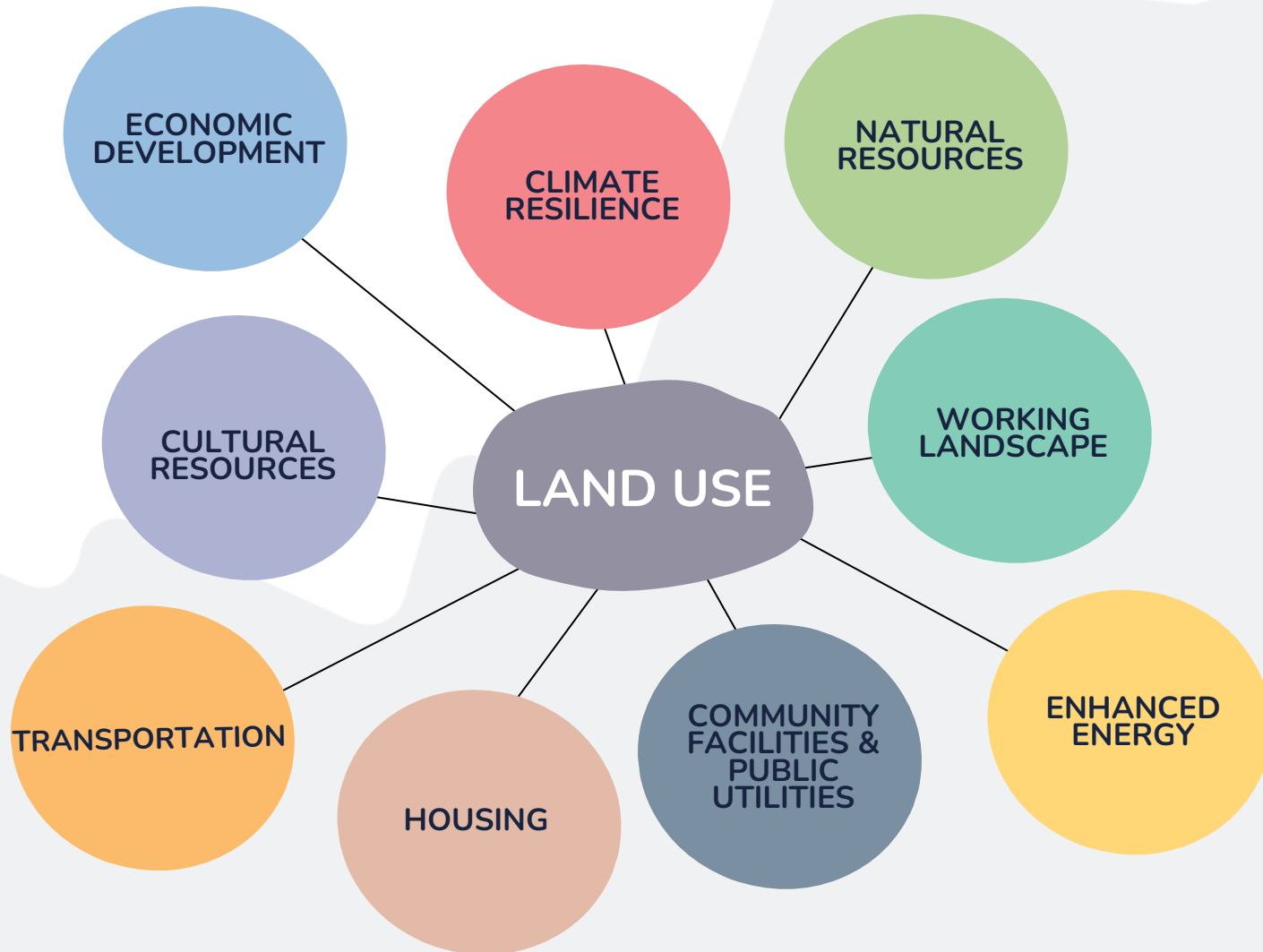
**OUTCOME-DRIVEN**, to ensure goals and policies have clearly defined actions and measures to gauge progress.

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# Regional Plan **ELEMENTS**

Applicable Vermont Statute

Title 24 Section 4348a



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# Regional Plan LAND USE

**Act 181**, passed into law June 2024, overhauls Vermont's land use planning framework. It modernizes how Vermont directs public investments to designated areas and speeds up Act 250's transition to location-based jurisdiction.



Plan development to maintain the historic settlement pattern of compact downtown and village centers separated by rural countryside.



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# Regional Plan FUTURE LAND USE MAP

The 2026 **Future Land Use Map** will guide development by designating areas for growth and conservation based on environmental, infrastructure, and community factors.



**Downtown Center**



**Village Center**



**Planned Growth Area**



**Village Area**



**Transition Area**



**Enterprise Area**



**Resource Recreation**

**Centers**

## 39 Designated Centers

9 Downtown Centers  
30 Village Centers

- 0.4% of land area
- 6.5% of buildings (2,978)
- 26 of 27 towns

**Neighborhoods**

## 16 Designated Neighborhoods

9 Planned Growth Areas  
7 Village Areas

- 2.1% of land area
- 32.1% of buildings (14,733)
- 14 of 27 towns

- 0.2% of land area
- 1.3% of buildings (612)
- 4 towns

- 1.4% of land area
- 0.8% of buildings (347)
- 12 towns

- 1.9% of land area
- 6.5% of buildings (2,974)
- 11 towns

**Percent of Total Land Area Designated for Higher-Density Growth: 6%**

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# Regional Plan **FUTURE LAND USE MAP**

The 2026 **Future Land Use Map** will guide development by designating areas for growth and conservation based on environmental, infrastructure, and community factors.



## Hamlets

- 9 in 5 towns

## Rural General

- 16.9% of land area
- 40.6% of buildings (18,620)
- 27 towns

## Rural Ag/Forest

- 35% of land area
- 6.4% of buildings (2,951)
- 27 towns

## Rural Conservation

- 42.2% of land area
- 5.7% of buildings (2,613)
- 27 towns

Percent of Total Land Area Designated for Lower-Density Growth and Conservation: 94%

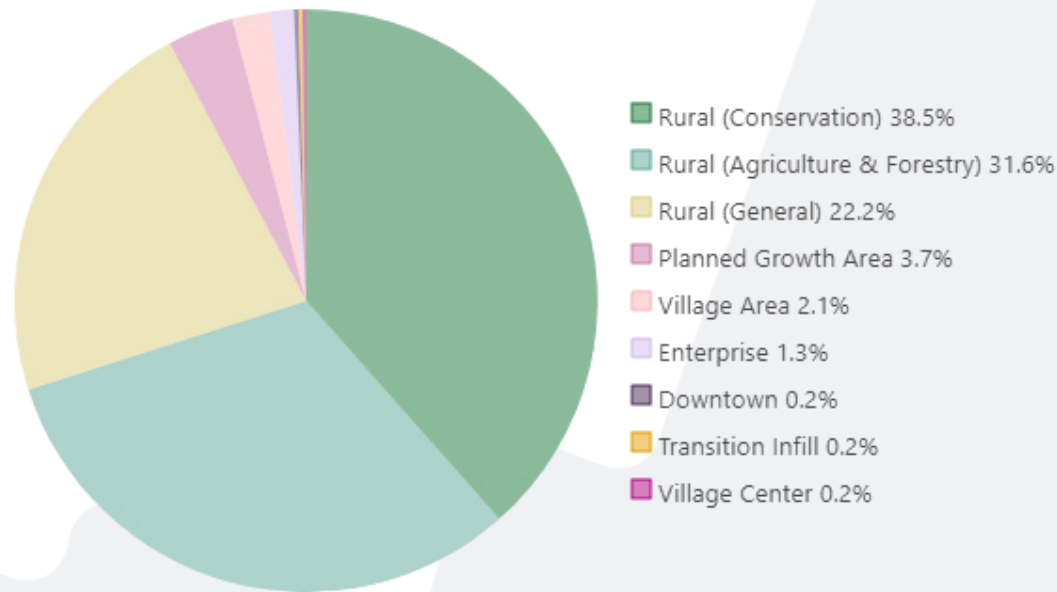
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# Regional Plan FUTURE LAND USE MAP

The 2026 Future Land Use Map was developed using a **standardized statewide methodology** provided by the Vermont Association of Planning & Development Agencies (VAPDA).

Brandon % of Land Area



1

Legislation limits opportunities to adjust the proposed future land use area boundaries. Adjustments may be possible on a case-by-case basis. **Questions and/or revision requests must be made in writing and submitted within 3 weeks (by June 4, 2025) to Logan Solomon - [logan@rutlandrpc.org](mailto:logan@rutlandrpc.org)**

2

If eligible, does your municipality want to opt-in to the Tier 1B area for Act 250 housing exemptions? **Decision form due by July 1, 2025.**



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# Regional Plan VISUALIZATION

The point is not just to make a map, but to designate areas in which certain priorities are furthered to achieve the **Community Economic Development Goals**.

1

Does the Plan reflect the right community economic development priorities for the Rutland Region?

2

Do these priorities make the Rutland Region a place you want to live, work, and play?



**Collecting feedback from May 1 to June 30, 2025 at:  
[rutlandrpc.org/plan2026](https://rutlandrpc.org/plan2026)**

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# Regional Plan

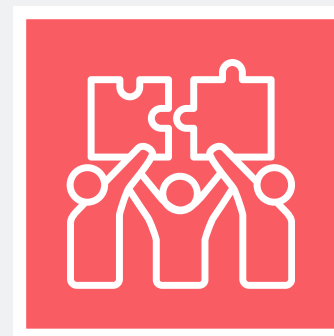
## CHAPTER SUMMARIES

1

Does the Plan reflect the right community economic development priorities for the Rutland Region?

2

Do these priorities make the Rutland Region a place you want to live, work, and play?



**Collecting feedback from May 1 to June 30, 2025 at:**  
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# Regional Plan

## FULL PLAN DRAFT

1

Does the Plan reflect the right community economic development priorities for the Rutland Region?

2

Do these priorities make the Rutland Region a place you want to live, work, and play?



**Collecting feedback from June 9 to June 30, 2025 at:  
[rutlandrpc.org/plan2026](https://rutlandrpc.org/plan2026)**

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# Regional Plan

## NEXT STEPS SUMMARY



1

Legislation limits opportunities to adjust the proposed future land use area boundaries. Adjustments may be possible on a case-by-case basis. **Questions and/or future land use map revision requests must be made in writing and submitted within 3 weeks to Logan Solomon - [logan@rutlandrpc.org](mailto:logan@rutlandrpc.org)**

2

If eligible, does your municipality want to opt-into the Tier 1B area for Act 250 housing exemptions? **Decision form due by July 1, 2025. Email form to Logan Solomon - [logan@rutlandrpc.org](mailto:logan@rutlandrpc.org)**

3

Use the Plan Visualization and Chapter Summaries to provide feedback at: [rutlandrpc.org/plan2026](http://rutlandrpc.org/plan2026). **Available May 1 to June 30, 2025.**

4

Use the Full Plan Draft to provide feedback at: [rutlandrpc.org/plan2026](http://rutlandrpc.org/plan2026). **Available June 9 to June 30, 2025.**

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# Learn More & Share Your Thoughts



[rutlandrpc.org/plan2026](https://rutlandrpc.org/plan2026)



[plan2026@rutlandrpc.org](mailto:plan2026@rutlandrpc.org)

Together we're crafting a collaborative guide for a healthy, equitable, and resilient region with strategies to achieve coordinated and efficient community economic development.