

Brandon Planning Commission Meeting
April 1, 2019

Board Members Present: Michael Shank, Bill Mills, Lowell Rasmussen, Stephanie Jerome, Ethan Nelson

Others Present: Jeff Biasuzzi, Dave Atherton

1. Call to order

Michael Shank, Interim Planning Commission Chair, called the meeting to order at 6:02PM.

2. Agenda Approval

A motion was made by Bill Mills to approve the agenda. **The motion passed unanimously.**

3. Consent Agenda

a. Approve Planning Commission Meeting Minutes – March 7, 2019

A motion was made by Lowell Rasmussen to approve the Planning Commission meeting minutes of March 7, 2019. **The motion passed unanimously.**

4. Zoning Administrator Report - Accessory Structures Update

Jeff Biasuzzi stated as a follow-up to a previous meeting, there was a request to clarify the language for accessory structures in the BLUO as there is conflicting information in different sections ranging from 80 to 100 sq. feet from an exempt detached accessory structure. Mr. Biasuzzi does not interpret this as an attached structure. He noted for detached accessory structures, the zoning ordinance does not provide for setbacks to be different from any other structure. An example was provided for different setbacks that are less restrictive for detached structures. Mr. Biasuzzi stated temporary structures are defined as one year and if something is on a property for more than one year, there should be a permit. Mr. Biasuzzi provided information from the Town of Castleton zoning, who use a table of uses that defines an accessory use and an accessory building. He noted they allow 40 feet from the street and 10 to 20 feet from the rear of the property. Mr. Biasuzzi stated universally accessory structures should be different from traditional buildings and when defining an accessory structure, it is important to address accessory uses. He noted Brandon's definition of the accessory use or structure is good, but should be defined. Stephanie Jerome will draft an update for the Committee's review and approval.

6. Off-Street Parking Update

Jeff Biasuzzi stated there was discussion of developing parking standards and he noted there is information to be found on the State website and other towns' websites. He will provide information to the Committee for a future discussion. There has been discussion with the Flood Plain manager regarding the Smith Block project in town. Mr. Biasuzzi was advised that there should not be an issue as long as there is no change in the flood plain. The rest of the districts do not have information on parking. Bill Mills noted there had been a conversation previously about parking for the Smith Block. Dave Atherton advised there are two municipal parking lots within 500 feet of this project. Mr. Atherton noted there was also a parking issue with the library, but that has been resolved. Mr. Biasuzzi stated there is a lack of addressing this issue in the zoning and he thinks that the municipal parking lots will be very useful.

7. River Corridor Update

Dave Atherton stated the new version provides information on streams as well as rivers and in changing the language, it should be most update to date version. Mr. Atherton noted the other version is basically the same as what the Town currently has. Barbara Noyes-Pulling stated the mapping would be expanded and the newest version goes over and above. Other towns have come to a similar conclusion as this may be changed again in the coming years. Mr. Atherton advised that with the Town working in the flood areas, such as Newton Road, the new language is similar to what the Town is dealing with. Michael Shank stated the model that the Town Manager is signing off on is the 2018 version that Ms. Noyes-Pulling had provided. Ms. Noyes-Pulling advised that she could highlight for the Committee the differences between the two versions. The change would require a hearing of the Planning Commission and two hearings of the Select Board. There is a deadline of sometime in November to have this update completed. A public meeting could also be held to discuss this subject. Jeff Biasuzzi stated the Town Plan is adopted different from an ordinance and he will confirm the process with the VLCT. Mr. Biasuzzi noted the proposed change would have to be sent to the adjoining towns' Planning Commissions, the Regional and State Planning Commission and the Department of Housing and Development. Mr. Biasuzzi suggested when opening the BLUO up for adoption that additional updates could be completed at the same time, such as the definitions, the accessory structure language and other issues that need to be changed. Ms. Noyes-Pulling suggested the 2018 version could be formatted to match the current BLUO. The Watershed Manager will be sending information to the individual property owners that are affected. It was suggested to hold the Planning Commission hearing on July 1st, with a letter to be sent in advance to affected property owners. Mr. Biasuzzi advised the completed draft BLUO would need to be ready to go out prior to the hearing. Stephanie Jerome suggested adding whatever BLUO updates are completed prior to the hearing, with remaining updates to be completed during the update next year. Michael Shank will create the letter for mailing to the appropriate property owners. Barbara Noyes-Pulling will revise the River Corridor section to align with the current BLUO.

8. Energy Plan Update

Michael Shank reported the RRPC is finalizing the mapping for the Energy Plan and the preferred sites noted in the Energy Plan could benefit from a site visit. Mr. Shank will schedule the site visits to Smoke Rise Campground, New England Woodcraft and the Arnold District Road. Ms. Noyes-Pulling will do the site visits.

9. RRPC Update

Dave Atherton attended the recent RRPC meeting that included a presentation on Electric Vehicles (EV). He stated it is interesting that by 2050, 30% of the cars will be EVs. Mr. Atherton also attended the regional meeting regarding solar siting language and there were some concerns expressed about not wanting solar in the village or on AG lands. Mr. Atherton suggested the language needs to be site-specific, rather than boilerplate language. Michael Shank asked if VTrans is recommending public transportation. Mr. Atherton stated with the more populated areas, there could be Ubers. Barbara Noyes-Pulling noted there are areas that are discussing lowering the driving age. Ms. Noyes-Pulling stated there is nothing in the Energy Plan that prohibits using Ag lands. She noted towns can do what they want, unless it is blatantly against the RRPC Energy Plan. Dave Atherton stated Brandon's concern is mainly that they do not projects in sight of the main roadways. Michael Shank stated the Energy Committee could do a view-shed survey of the Town to determine the preferred view sheds. Mr. Biasuzzi stated specific view sheds can be identified and rules put in, but the rest of the equation is that someone will come up with a project that has a significant impact on someone. The solution is to come up with a set of standards and whether or not the standards would allow a project to move forward, such as the Quechee Test. Michael Shank stated the current plan indicates site-specific conservation is made on solar sites. Ms. Noyes-Pulling stated information on the upcoming river corridors could be included and indicate each project will be reviewed. Mr. Shank asked if the view shed exercise would be helpful and Mr.

Biasuzzi stated that perhaps someone already has an approach of evaluating for sites and has a template. Ms. Noyes-Pulling advised there are templates for solar sites, but not view sheds. Mr. Biasuzzi stated this would be a conditional use and would have to go to the DRB. Mr. Shank advised there were undefined view sheds noted in the BLUO. Ms. Noyes-Pulling suggested language indicating the contractor would do an assessment could be included in the BLUO.

10. Old/New Business

Jeff Biasuzzi had a question from a property owner who wants to put a used car lot on Corona Street. He stated this area is not Commercial 1 or 2, but is in the Rural Development District. Michael Shank noted concern with the precedence it would set in someone adding this in a Rural Development District. Dave Atherton noted there is already the transfer station and pallet factory on this street.

Stephanie Jerome recently had a discussion concerning the commuter rail that will be starting in 2020, with the possibility of a whistle stop in Brandon. The proposed stops are currently Rutland, Middlebury, Vergennes and Burlington. She was advised that the request would have to be made after the service begins. Dave Atherton advised that he had spoken with the railroad people in Montpelier and their concern was with the distance between stops. Ms. Jerome was advised that it is all about time and people do not want to be stopping and going. Ms. Jerome thought a stop would be good for economic development for the Town. Mr. Atherton noted it might be more of a possibility if Green Mountain Rail was running the service.

Dave Atherton reported the Select Board had approved applying for the EV charging station grant. Mr. Atherton and Mr. Burlett have discussed the criteria and will be moving forward with the chargers behind the Mobil station. Mr. Atherton stated they are looking at possibly installing one near the park. It had been decided to begin with installing the chargers in the municipal parking lot to make it the starting point to visit Brandon that would include an information kiosk. Lighting near the chargers can be included in the grant. Mr. Atherton suggested the Planning Commission could write a letter of support, as it would be helpful to include in the grant application. The DBA will be providing a letter of support. Mr. Atherton suggested the RRPC could potentially do a letter of support also. Mr. Atherton advised the Town will be responsible for maintaining the chargers once they are installed.

11. Date of Next Meeting

Monday, May 6, 2019 at 6:00PM – Brandon Town Office – Planning Commission Meeting

13. Adjournment

The Committee Chair adjourned the meeting at 7:11PM.

Respectfully submitted,

Charlene Bryant
Recording Secretary