

**Brandon Planning Commission Meeting - Draft
July 1, 2024**

Board Members Present: Jack Schneider, Sara Stevens, Lisa Peluso, Neil Silins

Other Present: Logan Solomon, Seth Hopkins

Others Present via Zoom: Jeff Biasuzzi, Vicki Disorda

1. Call to order

The meeting was called to order at 6:04PM by Jack Schneider - Chair.

2. Agenda Approval

A motion was made by Neil Silins and seconded by Sara Stevens to approve the agenda, as amended. **The motion passed unanimously.**

Addition of Executive Session following Zoning Administrator Report in accordance with 1VSA(303)(a)(3)

3. Approve Meeting Minutes

. Brandon Planning Commission Meeting – June 3, 2024

A motion was made by Sara Stevens and seconded by Neil Silins to approve the June 3, 2024, Brandon Planning Commission meeting minutes. **The motion passed unanimously.**

4. Public Participation and Comment

There was no discussion held.

5. Zoning Administrator Report

Jeff Biasuzzi advised the Town has asked him to increase his time to 24 hours/week, however he does not have the hours to add to his schedule. Mr. Biasuzzi suggested adding an administrative assistant for the Zoning Administrator who could be an alternate in his absence, however, the Town elected to open the position to other interested parties. Mr. Biasuzzi suggested the Planning Commission could hire him as a paid consultant for the drafting of the BLUO since he has worked with the BLUO.

A motion was made by Jack Schneider and seconded by Lisa Peluso to enter into executive session at 6:14PM per 1 VSA(313)(a)(3) regarding the appointment of a public officer, the zoning administrator, for the purpose of considering a nomination to the Select Board of a candidate for zoning administrator, with said session to include the Town Manager. **The motion passed unanimously.**

6. Executive Session

The Planning Commission came out of executive session at 6:26PM.

A motion was made by Neil Silins and seconded by Lisa Peluso to appoint Larry Stevens as the Brandon zoning administrator. **The motion passed unanimously.**

Sara Stevens was absent for the executive session and the vote.

It was questioned if the job opening was posted. Seth Hopkins advised the position was posted internally and when a qualified candidate applies from within, the position is not posted further. The effective date of the appointment would be following the conclusion of the current zoning administrator's appointment of July 14th.

7. Discuss Findings from Walking Tour

Jack Schneider advised the walking tour was attended by some members of the public and the Planning Commission members. Logan Solomon stated the takeaway from the walk is the importance of parking and provisions for density. Mr. Schneider stated Park Street and Franklin Street are both in the residential district and are different with parking, garages, and lot sizes. There is not a way to distinguish a residential area with one area with large open space and another area where there are houses that are close to each other and near the road. Neil Silins stated it would be useful to have 2 residential zoning districts with one less dense. Mr. Schneider advised they viewed the old high school that is in the central business district and noted the owner presented a plan to the DRB but have pulled their application temporarily and it is uncertain what their intention is for the building.

Vicki Disorda requested an explanation of the possibility of 2 residential zoning districts. Neil Silins stated there are some areas with larger lots and bigger setbacks like Park Street and Pearl Street, and there are other areas with smaller lots and lesser setbacks along Franklin Street and Union Street and he does not think it makes sense to have the same guidelines. Mr. Silins suggested they could have a different set of requirements. Jack Schneider advised the Planning Commission is working on changes that will be fully vetted, public outreach sessions will be held, and the monthly meetings are open to the public with recordings and minutes maintained. Ms. Disorda asked if there are any specifics for Union Street. Mr. Schneider stated that could potentially be another area that would be in the version of more densely residential area, or further out could be part of another residential area. Ms. Disorda stated there was discussion about a house on Franklin Street that was changing from 3 to 5 dwellings and asked if there is anything that will work in conjunction with affordable housing. Logan Solomon advised there is the Act 250 law and the Home Act and the intent is to align with the State requirements and is something that all towns are doing and is part of this work. Mr. Schneider stated the Franklin Street home was a DRB decision, and not handled by the Planning Commission. Jeff Biasuzzi stated there was a variance granted and it was a specific application. Ms. Disorda stated with creating density in the downtown, is there going to be anything in the plan that will indicate the dwellings will be for rentals or for Airbnb's. Mr. Schneider stated that would be something that could be discussed at some point and suggested the Planning Commission could encourage a portion be set aside for affordable housing. Ms. Disorda stated the cost for contesting is \$250 and noted that some residents have difficulty coming up with that kind of money to contest a change. Mr. Schneider clarified \$250 is to appeal a DRB decision. Mr. Biasuzzi advised the Select Board sets the fees and it is not up to the Planning Commission, but they could make a recommendation to change the fee schedule. Mr. Biasuzzi noted the Clerk's charge is to be \$15/page of every page being recorded but the Clerk is agreeable to recording the decision for a flat fee of \$30, but the fee schedule has not been updated with this information and the fee schedule as printed could use clarification.

Seth Hopkins thanked the Planning Commission for organizing the walking tour and appreciated all the work being done. The Town wants to support the work and suggested the fee schedule will be good to align with the new version of the BLUO. The fee schedule had come to the Select Board as a standalone but agreed that it would be good to update it.

8. BLUO Articles Continuing Discussion

Jack Schneider stated Mr. Solomon has done a lot of work on the BLUO on behalf of the Planning Commission and noted there have been agreed upon changes in the public meetings. Mr. Schneider stated as part of the outreach to the public, it would be helpful to have a session with the Chamber, suggesting they would be most interested in signage. Jeff Biasuzzi stated there was a Chamber survey previously done that he will provide to the Commission members and Mr. Solomon. Logan Solomon provided potential sign verbiage and noted he made some administrative adjustments plus included input from Commission members. The information provided includes all of the language that was worked on. Mr. Schneider stated illuminated directional signs cannot be branded and questioned if a menu board can be considered a sign. Neil Silins asked if a sign does not face the street, would it be included in the permitting. Logan Solomon stated for directional signage, providing the face area and the height are correct, it is exempt, and can be illuminated as long as it meets the outdoor lighting standards. Menu boards have to meet the outdoor lighting standards and need to have user-controlled settings or dimming settings that automatically dim based on the lighting component. There is also specific language that signs can't move or flash. Mr. Schneider stated it needs to be certain that safety is paramount. Mr. Biasuzzi noted menu boards commonly have pages but does not mean that scrolling messages can't be regulated. Many towns will allow LED,

but display signs generally have a fixed message. Mr. Solomon stated there are menu board models that can regulate metrics per second. Mr. Biasuzzi suggested the biggest change in the BLUO for signage would be the materials that are to be used and the second consideration is scrolling messages being in direct conflict with the guidelines of the Brandon Workbook. Mr. Schneider stated with regard to the type of materials, the current BLUO is out of date and the Planning Commission should determine what the standards will be. Mr. Biasuzzi noted there are synthetic sign boards that look like natural materials and current signboard material is affordable and Mr. Biasuzzi recommended the sign sizes be compatible with standard signboard stock. He has asked some sign shops to come up with standards, but he has not received the information to date. Mr. Biasuzzi also noted it needs to be determined what is to be done with older signs that have non-conforming materials when requesting a minor change. Mr. Schneider stated the central business district ordinance for sidewalk merchandise is a standalone from the BLUO and suggested combining this with the signage in the BLUO. Mr. Schneider also suggested submitting the updated signage section to the Chamber for their review and input. Mr. Schneider recommended completing the sign section and scheduling a session with the Chamber members to discuss how it has changed and request input. He also suggested completing Articles 1, 2 and 3. Mr. Solomon stated the RRPC and the State are looking at bylaws and river corridors and Brandon adopted the State's by-laws, which is the language that the State encourages and recommends for a higher level of protection from flood risk. Mr. Silins stated he did not see the point of having to permit certain signage. Lisa Peluso stated if there are not regulations, people will get creative very quickly and noted there has to be concern when there are lit signs and suggested also including environmental impacts, such as a lit sign that abuts to a forest.

Jack Schneider noted he is comfortable with the modifications of Articles 1 and 2 and would like to move forward with the remainder of the document. There will be a blow up of the current zoning map at the July 6th booth and information will be obtained from the public. Mr. Schneider advised the Town Plan update happens every 7 years and that has been completed. Mr. Solomon is working with a grant for the BLUO that has to be completed by the end of the year. Mr. Solomon advised the year-end deadline is for the Select Board to sign off on it. Mr. Schneider suggested hosting a town hall meeting and the Select Board will hold their own meetings. Mr. Solomon stated Articles 2, 3, and 9 will need to be confirmed by the next meeting. Mr. Solomon also provided a web map to show what creating a denser residential district would look like and show less density further from the downtown. It was suggested the Commission members add comments to the word document and forward them to Mr. Solomon to combine and share at the next meeting. It was noted the signage ordinance will be its own article to allow for the zoning administrator to provide to applicants. Mr. Solomon stated he has been recommending words and terms that require defining. He noted article 2 is the use categories and article 3 is the zoning district requirement for what is allowed or prohibited and also includes the dimensional information. Mr. Biasuzzi noted there should only be one ordinance for signage and there had been an emergency situation with the Route 7 construction where the Select Board had a separate sign ordinance, but it is in conflict with the zoning regulations. Now there should only be one ordinance and if there are Select Board exemptions, it should be included in the one ordinance. Mr. Schneider stated for signs on the town-owned property, the Select Board does have authority over them. Mr. Solomon stated the last article is definitions and there will be a specific article for sign definitions. The current article 9 is telecommunications and he noted there will be some renumbering done. Mr. Solomon shared information on how to navigate the maps that include the potential changes that could be made. He noted this is a starting point and changes can be made, and also noted the Town has an aquifer district and it was suggested having this as an overlay district. Mr. Solomon stated the Town also has a lot of historic architecture to consider and noted Brandon has wood carvings that are unique to the Town. Mr. Solomon advised senior housing or affordable housing has an optional energy code and if adopted, it encourages energy efficiency. He suggested the historical area could be protected. Mr. Schneider advised the Brandon Workbook has all historical residences highlighted and guidance on the architectural styles. Mr. Solomon suggested focusing on reviewing the red sections of the map. Mr. Schneider stated the key to the two residential districts would be to determine what the specifics would be. He asked all Commission members to review articles 2, 3 and 9, plus the maps provided by Mr. Solomon prior to the next meeting.

9. July 6th Independence Day Shared Booth (with BEC and SolarFest) Materials July 6th Independence Day Shared Booth (Public Outreach)

Jack Schneider advised the Planning Commission will have a booth at the July 6th celebration that will have a blow-up of the current zoning map. The public will be encouraged to provide feedback on zoning issues and comments will be collected for discussion.

10. Other Business

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No other business was discussed.

11. Date of Next Meeting

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

12. Adjournment

A motion was made by Sara Stevens and seconded by Neil Silins to adjourn the meeting at 7:56PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary