

**Town of Bristol**  
**DEVELOPMENT REVIEW BOARD MEETING**  
**Remote Public Meeting**  
**Tuesday, June 22, 2021**  
**Meeting Minutes**

**DRB Members Present in person and remotely:** Kevin Brown (Chair), Tom Wells, Ted Desmond, Carol Clauss, Brenda Tillberg, John Moyers, Josh Crandall (Alternate). **Absent:** Robert Rooker (Alternate), Paul Jackman.

**Others Present:** Kris Perlee (Zoning Administrator), Peggy Connor (Recording Secretary), Kevin LaRose, Jason Barnard, Gregg Butler, Karly Rogers, Jacqueline Whit\_\_\_\_, Steve Alario, Peggy Spaulding, Emily Spaulding, Donovan Ward, Koran Cousino, Tasha Ball, Ian Albinson

- 1) **Call to Order:** Chair K. Brown called the meeting to order at 7:04 p.m.
- 2) **Review agenda for additions, removal, or adjustments of any items per 1 V.S.A. §312(d)(3)(A)**  
None.
- 3) **New Business:**

**a) Permit #21-403: Greg and Laura Butler at Devino Lane (Parcel 205025) Preliminary and Final Review Hearing for a 2-lot subdivision**

Surveyor Kevin LaRose reviewed the site plan for the standard 2-lot subdivision, noting the distance from the proposed house on Lot 2 is 16' from the new western boundary. T. Wells suggested that, for purposes of clarity, the building envelope be eliminated around the easement, and the map should also indicate the isolation distances between wastewater systems. K. Brown moved to approve the subdivision permit noting those revisions; J. Moyers seconded. **MOTION PASSED UNANIMOUSLY (7-0)**

**b) Permit #21-402: Clark Investment Properties located at Liberty Street (Parcel #22.50.13) is requesting Preliminary approval for a 4-lot subdivision**

*[adjoining landowner Brenda Tillberg recused]*

K. LaRose advised that the 4-lot subdivision will create 3 building lots on the north end of the property for 3 single-family homes to be served by individual septic and water systems. All building lots are within the High Density Residential District (HDR), with Lot 1 split between HDR and Residential Office Commercial (ROC). He advised that any stormwater issues will be addressed during the state permitting process. In his review of Map F, K. LaRose noted that the in-ground septic systems for each 4-bedroom house meet setback requirements.

B. Tillberg noted that the zoning regulations require a strip of land at least 25 feet in width be maintained as a landscaped area consisting of trees and shrubs in the front, side, or rear yards that abut the residential district (i.e., between the fenced storage area and Lot #2). K. Brown added that, in accordance with Section 760, subsection 3, a tree at least 10 feet high is required per 30 square feet of landscaped area along the chain link fence, in addition to screening for the outdoor storage of trash, issues to be addressed in more detail at the second hearing.

**c) Permit #21-404: Chris Acker located at Hewitt Road (Parcel #06.02.45.01) is requesting a Preliminary approval for a 3-lot subdivision**

Chris Acker reviewed the sketch plan for a 3-lot subdivision within the Village Mixed (VM) zoning district consisting of Lot 1 (9 acres), Lot 2 (9 acres), and Lot 3 (4 acres). Lot 1 on the north side of Hewitt Road will be for commercial use and occupied by a business yard. At this time there are no plans for Lots 2 and 3.

K. Brown indicated that septic designs are required prior to development for Lots 2 and 3, and

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T. Wells added that the final plat should show the distance between the closest neighbor and the property line. K. Brown noted that light industry is a permitted use in the Village Mixed district, and that the conditional use review may be combined with the final hearing if the applicant so chooses. Because conditional use requires specifics including hours of operation, number of employees, landscaping, parking spaces, etc., in accordance with Section 350 of the zoning regulations, the applicant may opt for a separate hearing to allow additional time to prepare.

Steve Alario, whose bed and breakfast establishment is located next to Lot 3, expressed concerns with potential increased truck traffic and excessive noise negatively impacting his business. K. Brown advised that all abutters and interested parties will be sent notices of the conditional use hearing at which time they will have an opportunity to voice any concerns.

**d. Permit #21-400: Emily Spaulding and Peter Frelik at 49 Bristol Cliffs Drive (Parcel #090158) is requesting a Planned Unit Development approval**

Surveyor Jason Barnard advised that the sketch plan review on April 13<sup>th</sup> was held prior to the survey of the parcel, and he had presented an ortho-based plan and tax maps. The existing parcel is 6.50+/- acres, and the proposed subdivision will create two new parcels: Lot 1 being 4.92+/- acres, and Lot 2 being 1.58+/- acres. The new 1.58+/- acre parcel of land will be conveyed to Emily Spaulding and Peter Frelik who are proposing to improve Lot 2 with a single-family residence served by an individual on-site in-ground wastewater disposal system, and provided water by the existing on-site drilled well shared with the house on Lot 2. Because the proposed subdivision does not meet applicable standards for the Rural Agricultural-2-Acre (RA-2) zoning district, and therefore will use the Planned Unit Development (PUD) provisions of the zoning regulations, the applicant is requesting waivers to the regulatory provisions and/or zoning setbacks to preserve the character of the area.

J. Moyers pointed out that Lot 2 would conform to the 2-acre requirement for the RA-2 zoning district by adding additional acreage from Lot 1, noting that as presented, the application appears to be a new house on a non-conforming lot. It was his position that the zoning regulations indicate that a "PUD is an effective and unified treatment of the development possibilities of the project site," (Section 609(d)), which implies development is planned in advance rather than one house at a time. J. Crandall noted, however, that proceeding with a PUD puts the applicants in a more restrictive position while the Town benefits by a large green space in front of the property. J. Barnard added that 2- and 3-acre lots were considered, but Mrs. Spaulding was clear on what she wanted the property to look like. K. Brown agreed that the PUD concept of planning is to present the entire plan, while at the same time, the DRB has wide conditioning authority. Emily and Peggy Spaulding made the assurance they have no intention to further develop Lot 1. T. Wells asked if they were willing to agree to leave the field open in perpetuity. J. Barnard suggested that he take some time to discuss the matter further with the Spauldings. K. Brown recessed the meeting at 8:52 p.m.

Meeting resumed at 9:10 p.m. Following a brief private consultation with the Spauldings, J. Barnard asked DRB members who had not yet offered their opinions to provide insight on their positions, and to continue the hearing to allow more time for the Spauldings to consider their options.

C. Clauss shared concerns raised regarding waivers to the regulatory provisions; specifically, unplanned changes going forward. J. Moyers opposed establishing a potential negative precedent; however, K. Perlee indicated that this is not the first time the process has been used in this manner. On behalf of the Spauldings, J. Barnard asked that the hearing be continued to another date.

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**Hearing to be continued on Tuesday, July 27, 2021.**

**4) Old Business**

**a. Approve Minutes 05/25/2021**

Approval of DRB meeting minutes for 5/25/2021 **DEFERRED**.

**Update on campsite on the New Haven River**

K. Perlee advised that he has been in contact with the owner to schedule a site visit to determine if the location of the camp is in the floodplain.

**Private Deliberations:**

T. Wells asked about the need for private deliberations. K. Brown noted that previous zoning boards had used executive sessions a few times over the years. Following a brief discussion, DRB members agreed that they would like to keep most deliberations public but understand the need to occasionally go into executive session.

**5) Adjournment**

J. Crandall moved to adjourn; J. Moyer seconded. **MOTION PASSED UNANIMOUSLY (7-0).**  
Meeting adjourned at 9:40 p.m.

Respectfully submitted,  
Peggy Connor