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Town of Bristol
PLANNING COMMISSION MEETING
HYBRID Public Meeting
Tuesday, February 21, 2023
Meeting Minutes

D R A F T

Planning Commission Members Present *[in person and by remote]*: Kevin Hanson, Robert Rooker, John Moyers, Chanin Hill, Bill Sayre (joined meeting at 7:20), Slim Pickens
Absent: Jeff Lunstead and Fred Baser

Visitors: Porter Knight of Productivity Vermont, Addison County Regional Planning Commission (ACRPC) Executive Director Adam Lougee

Others Present: Peggy Connor, recording secretary

Call to Order: Kevin Hanson called the meeting to order at 7:00 p.m.

I. Review agenda for additions, removal, or adjustment of any items per 1 V.S.A. §312(d)(3)(A) and implicit approval

None.

II. New Business (part 1):

a) Discussion: Town Diversity, Equity, and Inclusion (DEI): Training and Review of Decision-Making

Noting the Selectboard's action in June of 2021 to adopt a Declaration of Inclusion, Porter Knight explained how the \$10,000 grant from the Vermont Community Foundation (VCF) will be used to help the Town of Bristol be more inclusive and welcoming to all in the community in its decision-making process.

One example of a decision that impacted equity was the purchase of sanitizer dispensers for public buildings in a town in Pennsylvania. Dispensers use optic sensors to detect when a hand is placed underneath, but because darker skin tones absorb more light, not enough light is reflected back to the sensor to activate the dispenser; therefore, the dispensers failed a portion of that town's population.

The VCF grant will provide for: 1) five training programs for town employees and volunteers to begin March 15th; 2) review decision-making and systems at various levels of municipal government to evaluate their impact on equity, and provide a framework to help guide future decision-making to produce positive outcomes; and 3) identify next steps to continue strengthening the town's position as a welcoming community.

Continuing Business:

a) By-Law Modernization Grant Work with ACRPC

- 1. Complete Amendments to Accessory Dwelling Unit (ADU) Section of Zoning Regs**
- 2. Continued Discussion on High Density**

Adam Lougee continued review of the Town of Bristol's current regulations related to ADU's in Section 404, noting that at the Planning Commission's meeting on January 17th, PC members agreed to consider the following changes to the definition of ADU's:

- Number of bedrooms be fewer than the number of bedrooms in the main structure.
- Limit total structure size.
- Construction materials to be consistent with those used on the main structure.

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Chanin Hill supported the following proposed language as presented by Adam:

SECTION 404: ACCESSORY DWELLING UNIT: An accessory dwelling unit that is located within or appurtenant to an owner-occupied one-family dwelling shall be a permitted use. An accessory dwelling unit shall be defined as an efficiency or one-bedroom apartment, located within or appurtenant to an owner-occupied single-family dwelling, that is clearly subordinate to a one-family dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation, provided there is compliance with all the following:

1. The owner occupies either the primary dwelling or accessory dwelling.
2. The property has sufficient wastewater capacity.
3. For the purposes of this section, “clearly subordinate” shall mean that:
 - a. the accessory unit does not exceed the greater of 30 percent of the total habitable floor area of the single-family dwelling or 900 sq. ft.;
 - b. the accessory unit shall have a lesser number of bedrooms than the main structure;
 - c. new construction shall be set back from the front property line 20 feet greater than the main structure;
 - d. new construction shall have a height of at least 20% less than the main structure;
 - e. new construction shall generally use consistent design features and materials compatible with the main structure.
4. Applicable setback, coverage, and parking requirements specified in these Regulations are met.
Any accessory dwelling unit, new or existing, that meets the above conditions is a permitted use in all districts.

In the last sentence, John Moyer opposed the phrase, “permitted use in all districts,” and expressed concern with limiting local control over proposed ADU’s that may not meet performance standards related to noise levels, down-shielded lighting, traffic impact, and available parking. He added that his interpretation of state statute allows for municipal oversight of these standards, citing that “A bylaw may require a single-family dwelling with an accessory unit to be subject to the same review, dimensional, or other controls as required for a single-family dwelling without an accessory dwelling unit.” (24 V.S.A. §4412)

Adam explained there are typically two categories of allowed land uses: 1) those that may be issued a permit by the zoning administrator if they meet the dimensional and other specific requirements for the use and district, typically referred to as permitted or by-right uses; and 2) conditional uses, which require the approval of the Development Review Board to ensure the application meets specific criteria included in statute, as well as any supplemental standards adopted by the town.

Slim suggested changing 3.c. to read: “new construction shall be set back from the front property line 20 feet or more than the main structure is;” **All agreed.**

Kevin suggested changing 3.e. to read: “new construction shall generally use materials compatible with the main structure.” **All agreed.**

John Moyer volunteered to draft language defining ADU’s that incorporates more local control for Planning Commission members to consider at their March meeting.

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Given the time, Rob Rooker moved to table agenda Item IV; Melissa Hernandez seconded. All in favor 6-0. **MOTION PASSED.**

- 3. Residential (HDR) District to include:**
- i. Are the setbacks and other zoning dimensional standards appropriate to the area?**
 - ii. Is the density of the units appropriate for the district?**
 - iii. Are the housing units allowed in the district appropriate for the area?**

4. State level activity – H.68 and potential impact on work

Adam had also asked PC members at their January meeting to consider making changes to the following Dimensional Standards in the High Density Residential (HDR) district, noting that by doing so would allow for more density and bring the current high number of non-conformities into compliance:

- Reduce lot frontage from 75' to 60'
- Reduce residential lot size from 10,000 to 8,000 square feet
- Change footprint/structure for accessory from 1,000 to 900 square feet

In addition, Adam noted that proposed House Bill 68 aims to remove state and municipal regulatory barriers for fair zoning and housing affordability, and although many provisions are anticipated to the Senate version, the final bill is set to emerge within the next three weeks. Highlights of the proposed bill include:

- Prohibiting municipalities from requiring more than one parking space per dwelling unit or accessory dwelling unit;
- Allowing duplexes and accessory dwelling units in all residential districts and prohibiting larger lots for duplexes;
- Prohibiting appeals of residential development decisions granting permits on the basis that there is an undue adverse effect on the “character of the area” if the proposed development is in a designated area.

Adam suggested that Planning Commission members review the Town of Hinesburg’s tier density strategy whereby village projects are encouraged to build to the base density, and preferably higher, to the maximum allowed density by taking advantage of the various density bonuses:

<https://www.hinesburg.org/planning-zoning/pages/zoning-and-subdivision-regulations>

V. Administrative Matters

a) Approval of Minutes: 1/17/2023

John Moyers moved to approve Planning Commission meeting minutes for January 17, 2023; Slim Pickens seconded. All in favor 4-0 (Melissa and Chanin abstained) **MOTION PASSED.**

b) Zoning Administrator report

Noting the need for more housing statewide, Kris Perlee pointed out that there continues to be a good deal of building in the Town of Bristol, which has averaged 20 new homes a year for the last three years. Recent development includes 22 new homes last year, the Firehouse apartments, and 11 homes proposed on Pine Street.

c) ARPA Funding Advisory Committee update

Rob Rooker reported that the committee is close to completing its work, and will submit their report to the Selectboard after Town Meeting Day.

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d) Discussion: Misc. correspondence

Kevin referred members to the Chair Notes distributed earlier, noting:

- Planning Coordinator Amy Tomasso’s email on the benefits of Neighborhood Development Area designation (NDA): <https://accd.vermont.gov/community-development/designation-programs/neighborhood-development-areas>
- Zoning strategies shared by ACRPC Community Planner Katie Raycroft-Meyer: <https://www.lincolinst.edu/publications/articles/2022-12-state-local-zoning-reform>

Regarding Chair Notes on the request to consider amending the zoning requirement for owners of a lodging facility to live on-site, John Moyers asked to review the permits issued to date in connection with the Dunshee Block.

VI. Public Comment

None

VII. Adjournment

Robb Rooker moved to adjourn; Melissa Hernandez seconded. All in favor 6-0. **MOTION PASSED.**
Meeting adjourned at 9:15 p.m.

Respectfully submitted,
Peggy Connor