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Town of Bristol
DEVELOPMENT REVIEW BOARD MEETING
Remote Public Meeting
Tuesday, August 22, 2023
Meeting Minutes

DRAFT

DRB Members Present in person: Kevin Brown, Brenda Tillberg, Josh Crandall, Ted Desmond.

Absent: Tom Wells, John Moyers

Others Present: Kris Perlee (Zoning Administrator), Peggy Connor (Recording Secretary), applicant Kenneth Johnson and representative Greg McKenney of Murray & Masterson; applicants Jacob Zubow and Dylan Verner.

Visitors Present: Ted Lylis, David Furney, Robin Hewitt, Bob Spofford, Merry Hutter, Allen Bilson, Lorraine McNally, Carolyn Dundon, Stephanie Menotti, Peter Knight, Bryan Miller, Marian Baser, Fred Baser, Tom Telling, John "Slim" Pickens, Jessie Corkins, and Emily Verner (remote).

1) Call to Order

Chair Kevin Brown called the meeting to order at 7:07 p.m.

2) Review agenda for addition, removal, or adjustment or any items per 1 V.S.A. §312(d)(3)(A)

None.

3) Old Business

None.

4) New Business

- a. Permit #23-302: A. Johnston Co., LLC of 106 Andrew Johnson Drive (Parcel #090107-1) is requesting Conditional Use permit per Bristol Unified Development Regulations Article VIII, Section 807**

Senior Engineer Greg McKenney of Murray & Masterson Environmental Services reviewed The A. Johnson Company's Floodplain Conditional Use Application dated 7/31/2023, overall site plan, kiln expansion site plan, and parking expansion site plan, all dated 7/12/2023.

The proposed 26' x 44' industrial process building, labeled, #17 on the site plan, will also include a 15' x 20' control room, both of which will have a finished floor elevation (FFE) of 370.0. The proposed building, constructed of aluminum with concrete footings and foundation, will be built outside the floodway and river corridor. Greg noted that the proposal is currently being reviewed by Act 250 commissioners for the parking lot expansion which will involve removal of 7,200 net cubic yards of soil. Also noted by applicant Kenneth Johnson:

- No significant increase in truck traffic
- Slight increase in noise from kiln buildings
- No chemicals used in kilns
- No wastewater infrastructure
- Negligible impact from floodwaters as water is flowing northeast to southwest

He added that by adding another lumber drying kiln, the operation will gain drying speed and overall drying capacity, thereby allowing the company to stay cost competitive with the rest of the industry.

Kevin Brown moved to approve the floodplain conditional use application as presented, contingent upon State review; Josh Crandall seconded. **Motion passed 4-0** (K. Brown, J. Crandall, B. Tillberg, T. Desmond).

b. Permit #23-500: Jacob Zubow of 34-36 Garfield Street (Parcel #235015) for a Site Plan Review for a “club” per Bristol Unified Development Regulations Article III, Section 390

Jacob Zubow reviewed his application to establish an artists’ club/guild on the first floor of his 30’ x 40’ workshop located behind 34-36 Garfield Street in the High Density Residential (HDR) zoning district. No plans for the second floor at this time; however, an additional bathroom and storage may be built in the future. Jacob and co-president of the Green Mountain Artisans Guild, Dylan Verner, propose offering classroom and studio space to guild members as well as events to include: Paint and Sip (BYOB), pottery-making, 3-D drawing design, woodworking, and metal smithing. Jacob also noted that:

- Wastewater permit has been issued for the existing 2-unit dwelling
- 5 available parking spaces to the rear of the main property; off-site parking at public parking areas will be encouraged by patrons (i.e., library, school, Shaw’s)
- Established walkways between parking and public sidewalks from downtown and public parking areas
- Clear pathways have been created for direct foot traffic
- Fencing, shrubs, bushes in place to separate neighboring areas
- Building incorporates double-pane argon windows, 6” fire and sound guard wall insulation, and energy-efficient mini-split heating and cooling system
- HVAC system with carbon filters to be installed
- Exterior lighting will include one outdoor wall sconce near entrance and one lamp, both with downward facing filament.
- Hours of operation: 7 a.m. to 9 p.m. daily
- 16-20 people anticipated for special events, and 6-8 people on average
- One 3-D sign measuring 2’ w x 5’ h x 1’ d

DISCUSSION:

Because the proposal is to offer classes to the public, Kevin Brown advised that a permit from the State Division of Public Safety will also be required. Josh Crandall added that a dust collection system should also be part of the plan, which will add to the noise impact. Ted Desmond pointed out there appears to be inadequate parking for patrons.

PUBLIC COMMENTS:

Porter Knight, 27 Garfield Street, submitted a letter to the DRB. She noted that the applicant had obtained a permit from the Bristol Zoning Administrator for an Accessory Dwelling Unit (ADU) last year, which allowed for a non-conforming use in a pre-existing non-conforming structure. Zoning Administrator Kris Perlee advised that although the permit was issued in error, the permit is now invalid since the ADU was not built within two years of permit approval.

David Furney, 39 Garfield Street, submitted a list of questions to the Development Review Board (DRB). He noted that he had only been notified of the upcoming hearing 6 days in advance. Citing the objectives and guidelines for the High Density Residential District in the Town’s Unified Development Regulations, Mr. Furney challenged the intent “to protect the existing character and maintain the district’s traditional settlement patterns and residents’ quality of life,” given the proposal’s impact on neighbors with regard to noise, traffic, parking, and pedestrian safety on the narrow driveway.

Carolyn Dundon, 38 Garfield Street, agreed there is no room for a public walkway as there is barely room for a driveway. She also read her letter submitted to the DRB expressing her concerns with the

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impact on the level of traffic, noise, lighting, parking, privacy, and ventilation exhaust that targets her gardens. Although she supports the idea of an artists' club/guild, it is not suited for a residential district.

John "Slim" Pickens, 76 Garfield Street, suggested that the proposal as presented appears to be a "makerspace," versus "a club;" however, "makerspace" is not defined in the Unified Development Regulations. He also expressed concern for the lack of adequate walkways for children walking from school.

Bob Spofford, 38 Garfield Street, also supported the proposal, but had concerns with #5 and #6 on the site plan application:

"5. Building design. The applicant should demonstrate how the structure they are proposing fits within and adds to the character of the area in which it is proposed.

6. New construction should be compatible in design, scale, mass and height with the significant buildings within the immediate area."

He added that his biggest concern was adequate parking.

Allen Bilson, 2 Garfield Street, noted that when he applied to have a home business, the DRB advised that adequate parking must be provided. He contended that "club" is an open term which could be interpreted as providing a service of teaching art. He questioned the proposal's written overview which included hosting events called "Paint and Sip (BYOB)," adding that any increase in traffic on Garfield Street would be a mistake, having witnessed ambulances turn around, bicycle accidents, and other near-misses.

Marion Baser's home on 35 Mountain Street is within 25 feet of the proposed club, and she expressed concerns over additional noise and lighting. She has asked the applicant to consider installing window treatments on the two large picture windows he recently installed on the 2nd floor so that she no longer feels as though she is living in an aquarium. Parking and hours of operation were also issues, and she requested that operating hours be amended to end earlier in the evening and begin later in the morning.

Tom Telling, 28 Mountain Street, claimed he was not notified of the construction of the metal building, and also has some issues with the proposal.

Merry Hutter, 28 Garfield Street, opposed the application since an artists' club/guild or makerspace does not belong in a residential neighborhood. She agreed the idea was a good one, but the location is not.

Fred Baser, 35 Mountain Street, cited Section 760 of the Unified Development Regulations on Landscaping, which states, "Bristol shall require non-residential development to install landscaping to blend a project into its surroundings..."

Bryan Miller, 1092 Burpee Road, reminded those in attendance that community members should support one another.

Robin Hewitt, 12 Pleasant Street, noted that the church has public parking spaces available but is not situated close to the proposed club.

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Ted Lylis, 23 Garfield Street, supported the idea and hoped the proposal can be modified to better fit the location.

The following residents submitted letters to the Development Review Board:

Maryanne Boveland
Sherry Bedard
Deborah Holmes

Porter Knight noted that in addition to her list of questions submitted to the DRB, she would like clarification on the definition of the proposed business (i.e., makerspace, studio, guild, club). She added that the community already offers a number of opportunities for local artists. Porter also asked about plans for snow removal and emergency access.

Dylan Verner, co-president of the Green Mountain Artisans Guild, reiterated the guild's mission to help build a strong, vibrant community by providing easy accessibility to art creation and art education opportunities. He added that he and Jacob hope to work together with the community toward that goal, and will look at options to make the building less intrusive.

Kevin Brown closed the hearing at 9:36 p.m. and moved to enter into deliberative session; Josh Crandall seconded. **Motion passed 4-0** (K. Brown, J. Crandall, B. Tillberg, T. Desmond).

DRB members entered into deliberative session at 9:40 p.m.

Respectfully submitted,
Peggy Connor, Recording Secretary