

**Town of Bristol, VT
Selectboard
Minutes of Meeting
Monday, December 11, 2023**

Members Present: Ian Albinson, Joel Bouvier (Vice-Chair), Peeker Heffernan, Michelle Perlee, Darla Senecal (Chair)
Members Absent: None
Staff Present: Valerie Capels (Town Administrator), Brett LaRose (Fire Chief), Bruce Nason (Police Chief)
Others Present: Matt Davis, Tom Fox, Kevin Hanson (Planning Commission), Karl Hummel, Porter Knight, Jeff Lunstead, Jill Marsano, John Moyers, Sally Rot, Dave Sharpe, Gerry Slager, Bob Spofford, Jessica Teets

I. Call to Order. Darla Senecal called the meeting to order at 6:00 pm.

II. Executive Session – real estate negotiations per 1 V.S.A. §313(a)(2) and (tentative) personnel matters per 1 V.S.A. §313(a)(3). May be continued at the other end of the agenda.

MOTION: Michelle made a motion to enter executive session in order to discuss personnel matters and real estate per 1 V.S.A. §313. Ian seconded. The motion passed unanimously.

The Selectboard met in executive session from 6:08pm until 6:48pm. Upon returning to open session, no action was taken.

III. Call to Order. Darla Senecal called the regular portion of the meeting to order at 6:48 pm.

1. Review agenda for addition, removal, or adjustment of any items per 1 VSA 312(d)(3)(A).
Some items were addressed out of order while waiting for the 7:00 pm Public Hearing start time.

2. Overview of Zoom meeting operation and procedures: rules for participation, mute microphone, recognition by Chair, etc.

IV. Public Forum.

Nobody offered comments during the Public Forum portion of the meeting.

V. Public Hearing.

Kevin Hanson provided an overview of the work undertaken by the Planning Commission (PC), noting that the Village Planning Area and some of the surrounding properties were included in the parameters of the grant provided to complete this update to the Unified Development Regulations. The focus and intent of these changes is the creation of areas allowing for more dense development and walkable neighborhoods. Ian noted that all related documents are on the Town's web site.

Darla noted that she had been asked by a resident if there would be changes to the permit application, including a more detailed map requirement. Kevin explained that no changes to the applications have been made; however, this topic is in the PC's 'parking lot' to be addressed during future meetings.

Joel asked about ensuring that septic capacity is sufficient for infill development. Kevin explained that an approved septic design is required as part of the permitting process. He also noted that district lines have been redrawn to include all properties served by the wastewater system in the same district.

Ian indicated that the matter of posting permit notices more visibly has come up at Selectboard meetings. Bob Spofford commented that notification to neighbors should also be required and suggested that two parties review each application before it is approved. Ian explained that outlining for what area around proposed development abutter notification would be required could be complex and noted there has been discussion of providing a stake for use in posting the notice of a permit near the roadway. He also noted that a copy of all permits issued is posted in the Town Office.

Dave Sharpe questioned the portion of the RA2 District that is located in the floodplain, suggesting that it be a conservation-focused district instead. It was explained that State regulations will need to be followed for any development in that area, and that the Flood Hazard overlay language includes those provisions, which must be followed along with the regulations for the underlying district.

It was clarified that where site plan review is not required for a primary residence, it will also not be required for development of an accessory dwelling unit (ADU).

Tom Fox read a statement requesting that the Business Yard use be removed as an allowed use in the RA5 District, expressing that the associated types of activities are not residential in nature, and that the Business Yard use has been removed from the Village Mixed (VM) District, which is a more commercial district. He spoke of the difficulty in imposing and monitoring conditions on a Business Yard permit, and the impacts on nearby businesses which rely on tourism.

Others offered opinions supporting the use as allowed as well as requesting that careful consideration should be given to where certain uses are allowed or disallowed.

Kevin provided background information regarding the PC's discussions on this topic, explaining that compromises were reached regarding equipment size limitations and the paved roadway requirement. He also indicated that the use was removed from the VM due to the intent to increase density in that area.

John Moyers, speaking as a resident and not as a member of the PC or DRB, indicated that the original addition of Business Yard as an allowed use in the RA5 District received very little consideration by the PC. He also expressed his view that the definition of Business Yard might be tightened up. Board members spoke of the common experience throughout town of large trucks driving by throughout the day, related to various types of activities.

Dave Sharpe raised the topic of short-term rental (STR) regulations, indicating that they may have some detrimental effect on the availability of long term housing for local residents. It was pointed out that the number of STRs in Bristol, and the impacts they may have on housing, is currently an unknown, and that the configuration of the STR (entire house, apartment, or room within a home) must be considered

as well. Matt Davis proposed that STR regulations already exist, in that he was required to become permitted as a bed-and-breakfast when he began rentals at his property. He also noted that software is available to track related information.

Porter Knight commented that streamlining ADU permitting is beneficial, but expressed concerns regarding an ADU being permitted as part of a structure which also provides space for another use. She would like to see the size and appearance of ADUs regulated to some extent. Kevin and Ian explained that statutory language provides for ADUs as a use by right in connection with a single family residence. Valerie noted that designation of the entire village as an Historic Preservation District would allow for design review for any proposed structural changes in that District.

John Moyers asked the Selectboard members to support a change revising (back to 2017 language) the regulations to include a requirement that a permit application for any structure in which two different uses are intended goes through Conditional Use Review.

In response to questions, Kevin noted that the ADU size minimum reverted to 900 square feet based upon State regulations. The point was also raised that ADUs must have a height less than the primary dwelling, which might be prohibitive for an ADU related to a one-story residence. Board members noted that there are several reasonable ways to address this, through use of a maximum height, a single-story exemption, and others.

Inns and guest facilities were discussed as Conditional Uses. John expressed that there are benefits to requiring that such facilities be owner occupied.

Darla closed the hearing. It was explained that a second hearing will be held on December 18, and the Selectboard will discuss the regulations and feedback received after that hearing, deciding whether or not to propose any edits to the draft. Ultimately, a vote will be held regarding the adoption of the updated UDRs, likely on Town Meeting Day in March.

VI. Department Head Roundtable.

Jill Marsano (VTUMS):

- Water reading this week. She suggested posting reminders on Front Porch Forum for property owners to unblock touch pads and not pile snow on hydrants.
- Service Line Inventory survey and Google doc link will be included in bills.

Brett LaRose (Fire Chief):

- Nothing to report this evening.

Bruce Nason (Police Chief):

- No overnight parking on Main Street tonight.

VII. Regular Business

1. Consider Elyssa Boisselle to fill a vacancy on the Lawrence Memorial Library Board of Trustees.

MOTION: Michelle made a motion to appoint Elyssa Boisselle as a Trustee for the Lawrence Memorial Library Board. The motion was seconded by Ian. All voted in favor.

2. Water Commission: Continued review and possible approval of corrections to the FY2024 Water District budget.

Valerie had included in her written report an explanation of the \$4,989 expense which had been posted to the Capital Equipment Fund line item and recommended that it be moved to the more appropriate Capital Equipment Reserve Fund and remove that line from the operating budget.

MOTION: Ian made a motion to approve the adjustment as recommended, and to approve the Water District Budget as corrected. The motion was seconded by Peeker. All voted in favor.

3. Continued review of preliminary budget information.

Valerie explained that she was still in the process of updating several sections of the budget, but that she will have it ready for review at the next Board meeting. She noted that the draft FY22 audit is being reviewed by staff, and the final should be available soon. The FY23 audit is in preliminary stages, and some financial entries need to be clarified, but the bottom line numbers should be accurate at this point.

4. Closure on the question of the December 24 holiday in the Bristol Personnel Policy.

Following discussion, Board members clarified that Friday, December 22 will be a half-day of work, with paid leave time for the second half of the day.

MOTION: Peeker made a motion to confirm that employees will have a half day of work (paid) and a half day of paid leave on Friday, December 22, 2023. The motion was seconded by Ian. The motion passed, with Joel voting against.

5. Accept resignation of Firefighter Kerrin Hoff.

Peeker explained that Firefighter Hoff had moved from the area.

MOTION: Peeker made a motion to accept Kerrin Hoff's resignation. The motion was seconded by Joel. All voted in favor.

6. Review and approval of the November 27, 2023 and June 27, 2022 meeting minutes.

MOTION: Michelle made a motion to approve the minutes of November 27, 2023 and June 27, 2022 with the changes provided incorporated. The motion was seconded by Joel. All voted in favor.

7. Authorize accounts payable warrant and any liquor or tobacco licenses.

The warrant was for the amount of \$46,276.62

MOTION: Ian made a motion to approve a 1st Class and 3rd Class Liquor License for Bobcat Café. The motion was seconded by Peeker. All voted in favor.

8. Selectboard Roundtable.

Joel asked if there is a plan to sell the old Water Department generator. Jill explained that it was needed as backup in the past but can be sold at this point. Valerie said she can provide the specs. Joel will seek a ballpark figure of the generator's worth.

Joel reported that a water leak at the Rec Club is being looked into. The water going to the Hub has been billed twice due to the master meter being read on West Street and the meter at the Hub also being read. Going forward, the Hub usage will be reimbursed to the Rec Club.

Joel indicated that he has been asked by residents if Bristol is planning to have Vermont Gas come back with a new proposal. There was agreement that it would be up to them to bring up anything new, not the Town.

9. Town Administrator's Report.

Valerie noted some things accomplished earlier in the day:

- Ads for the Treasurer and Zoning Administrator positions were sent to newspapers and will be posted electronically on Tuesday.
- A letter of support was provided to Vermont Family Forests for the Waterworks property work grant application.

She also reminded the Board that work on the Town Report needs to begin, including arrangements with a printer.

VIII. Other Business.

1. Correspondence/reports received were reviewed.

Valerie made note of some correspondence received.

Related to the Eagle Park fishing platform progress report, Ian asked if the gravel leading to the boardwalk will be replaced with something more wheelchair friendly. Valerie explained that because that section was not damaged by flooding, it was not part of the project. Ian would like to revisit this. Valerie also noted that an RFP was published for the accessibility work that Porter Knight outlined for the Board earlier this year.

Valerie pointed out that municipal health officers will no longer be doing rental inspections, as that task has become a Department of Health responsibility.

Joel reminded the group that sidewalk bids for the upcoming year's project should be published soon in order to assure that reasonable bids are received. Valerie reported she has reached out to the bike/ped committee to get their input on priority locations.

Ian noted that the VOREC grant application has been submitted. Valerie reported that the Airport Drive grant application has also been submitted.

Board members acknowledged receipt of an email received regarding compassionate justice.

X. Adjourn.

The meeting adjourned at 9:02 pm.

Respectfully submitted,

Carol Chamberlin, Recording Secretary

Valerie Capels, Town Administrator

DRAFT