

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

DRAFT

Planning Commission Members Present: Kevin Hanson, Melissa Hernandez, John Moyers, Slim Pickens, Chanin Hill, Rob Rooker, Bill Sayre

Others Present: Kris Perlee, Zoning Administrator; Carol Chamberlin, Recording Secretary

Visitors: Matt Davis, Tom Fox, Christine Homer, Porter Knight, Michelle Perlee, Gil Poke, Jim Quaglino, Keith Schnell, Carol Wells

Call to Order: PC Chair Kevin Hanson called the meeting to order at 7:11 pm.

I. Review agenda for additions, removal, or adjustment of any items per 1 V.S.A. 18 §312(d)(3)(A) and implicit approval

No adjustments were made to the agenda.

II. New Business

Public Hearing on proposed Unified Development Regulations (UDR), Zoning Sections

Kevin Hanson opened the Public Hearing, and provided an opportunity for introductions.

He then gave an overview of the PC's work on the revisions, which was pursuant to a Bylaw Modernization project, focusing mainly on increasing housing opportunities for all income levels by providing for smaller lot sizes in several downtown Zoning Districts.

Kevin then provided an overview of each of the following Sections of the UDR, opening the floor to comments after each:

- **Maps**

- The High Density Residential (HDR) district has been expanded and the Village Residential (VR) district correspondingly reduced.
- The Village Business (VB) district has been expanded to include every parcel on the Bristol sewer system and the Residential, Office, Commercial (ROC) district correspondingly reduced.

In response to questions, it was explained that the duplex density in the VR district is two per acre, and in the HDR four duplexes per acre are allowed. It was also noted that the inclusion of all parcels with access to the wastewater system is to provide for compliance with related HOME Act requirements.

- **Uses**

- Multi-family Dwellings are proposed to be allowed with a Site Plan review in the Village Mixed (VM) district, currently a Conditional Use.
- Inn/Guest Facilities are proposed to move from a Site Plan Review to a Conditional Use review in the Village Business (VB) and the High Density Residential (HDR) district.
- Business Yards are proposed to be eliminated as a permitted use in the Village Mix (VM) district. They are currently a Conditional Use.

- **Village Business District (VB)**
 - Several dimensional standards within this district allowing up to 8 units per acre and reducing the minimum lot size to 5,000 sq. ft are proposed.
 - Density and height bonuses for affordable housing are included as required by the HOME Act for areas served by both water and wastewater.
- **Residential Office Commercial District (ROC)**
 - This district is reduced slightly, losing some parcels to the Village Business (VB) district.
- **Village Mixed District (VM)**
 - Several dimensional standards are proposed to be changed to allow for up to 4 units per acre and reducing the minimum lot size to 10,000 sq. ft.
 - Several dimensional standards are proposed to be adjusted to better reflect existing development patterns.
- **High Density Residential District (HDR)**
 - High Density Residential (HDR) district is proposed to expand into the Village Residential (VR) district to provide more opportunities for housing.
 - An incentive is proposed to create Two family Dwellings (Duplexes) by allowing them to be built to a density of 5 units per acre, a 25% density bonus over other residential construction.
- **ARTICLE IV: REQUIRED REGULATIONS**
 - a. The section governing Accessory Dwelling Units (“ADUs”) was adjusted to conform to State of Vermont statutory minimum requirements.
 - b. The term “clearly subordinate” as referenced in the statute was further defined.

It was clarified that ADUs do not require additional acreage, as they are statutorily allowed for any single family residence, but that the structure housing an ADU must meet all setbacks.

- **ARTICLE X: DEFINITIONS**
 - Business yard: Proposed changes to the definition of Business yard to clarify the types of business and activities allowed and to specify access requirements for businesses with larger pieces of equipment.
 - Hotel and Inn/Guest facility: Proposed changes to require a manager on premises at larger hotels and on duty and available to respond in a timely manner at Inns/Guest Facilities

Keith Schnell of Lower Notch Road spoke of the noise impacts of a business yard on that road and requested that the business yard definition include further clarifications.

Matt Davis offered comments related to business yards, indicating his concern with large equipment being part of such an operation so long as there is direct access to a paved road, and that allowance leading to other industrial uses in residential areas. He also questioned what the sale of materials included in the definition was in reference to, and whether this definition allows for retail sale at a property permitted for a business yard.

Tom Fox provided a written statement (attached), which includes further comments regarding business yards in the RA5 District and their potential impacts on other businesses such as farms and bed-and-breakfast establishments operating in residential areas.

A comment was provided suggesting it may be more suitable to look at the number of employees rather than a more difficult to specify equipment size limitation for businesses applying to establish in the RA5 District.

Michelle Perlee indicated that she had provided the PC with written comments, and expressed that the access to a paved road requirement is suitable for limiting the locations available for development of a business yard.

There were some comments provided regarding inns, hotels, and short-term rental properties (Air BnBs). It was confirmed that the inn/hotel regulations do not apply to short-term rentals, and other aspects of this area of the regulations were clarified.

Other Comments

Kevin opened the floor to comments related to other changes made in the proposed draft which weren't covered during the two hearings.

A comment was offered suggesting that some notification larger than the current permit poster be provided, making it easier to notice a property where a new permit has been issued. Kevin noted that the PC will be looking into this.

A comment was provided expressing appreciation for the creation of areas of increased density allowances, potentially making more reasonably priced housing attainable.

III. Consideration of Public Comment

Kevin then began a review of all comments received over the course of two public hearings, outlining the topics raised, and placing them into two categories: those of a more general nature to be addressed by the PC in upcoming meetings, and those directly related to proposed UDR changes which need to be addressed before sending the draft document to the Selectboard for their approval process.

Comments regarding enforcement of the UDRs, comments related to STRs, and comments made requesting a better notification process/poster were considered to be in the first category. These topics will be taken up by the PC outside of the UDR adoption process.

PC members then discussed the issues raised in the second category.

Inclusion of Business Yard as an allowed use in the RA5 District

Points made:

- Definition could be improved
- Use not compatible with residential neighborhoods
- This matter should be revisited before moving forward, multiple people have raised concerns
- Some of the related language is open to interpretation
- Some want to strike, some want to clarify

- These types of businesses can do well in this type of district
- Definition could be tightened
- Does fit with other CUs in that District, such as extraction, also not low impact
- CU review will help to mitigate concerns
- RA5 encompasses a large portion of the town

MOTION: *John made a motion to remove Business Yard as an allowable use in the RA5 District. The motion was seconded by Slim. VOTE: John and Slim in favor; Chanin, Rob, Melissa, Kevin, Bill opposed. The motion fails.*

The Business Yard definition

Points made:

- Main concern raised is size of equipment allowed
- Currently totally unrestricted, new language limits larger equipment to more conducive areas via paving requirement
- Tracked vehicles and screening machines lead to noise on site
- Concern re one specific business should not shut down possibilities for other potential enterprises
- Sale of materials language needs clarification
- Loading and unloading of materials to be used in the business should be allowed

MOTION: *Rob made a motion to refine the Business Yard definition to include language stating that regular or ongoing retail sale of equipment or materials is not part of a Business Yard operation. The motion was seconded by Chanin.*

There was some discussion regarding what change in the definition would prohibit, it was clarified that this would prohibit sales, but would allow use of materials interchangeably between clients.

AMENDMENT: Slim amended the motion on the floor to add 'or wholesale' after the word 'retail.' The motion was seconded by Melissa.

VOTE: *Vote on the amendment passed, with Chanin opposed and the rest in favor.*

VOTE: *Vote on the amended motion passed, with Chanin opposed and the rest in favor.*

Allowance for density increases in Rocky Dale, considering flood plain, wildlife impacts, and lack of suitable pedestrian access

Points made:

- The District in which this area is included would need to be changed.
- There are nineteen properties affected
- The area contains a lot of ledge
- It is not likely that allowing for increased density will lead to much increase in development, due to the other constrictions in the area (floodplain, ledge, etc.)

MOTION: *Chanin made a motion to take no action regarding the Rocky Dale zoning district. The motion was seconded by Rob. All voted in favor.*

Kevin suggested that the other three general comments (enforcement, STRs, notification poster) be tabled, and discussed at future Planning Commission meetings.

MOTION: *Rob made a motion to table the topics of enforcement, STR management, and permit notification procedures, for future consideration by the Planning Commission. The motion was seconded by Melissa. All voted in favor.*

Members then voted to adopt the draft UDRs and pass them along to the Selectboard for their consideration and public hearing process.

MOTION: *Rob made a motion to adopt the proposed changes to the UDR, using the draft dated 10/17/2023 and including the changes to the definition of Business Yard as agreed to at this meeting, and to send the draft to the Selectboard for their approval. The motion was seconded by John. All voted in favor.*

Members agreed to holding their next meeting at the regularly-scheduled date of January 16, 2024.

IV. Public Comment

No further public comment was offered at this time.

V. Adjournment

The meeting adjourned at 8:56 pm.

Respectfully submitted,
Carol Chamberlin, Recording Secretary