

Re: Appeal: Pursuant to Title 24 V.S.A. § 4465



Ash Smith
28 South Street
Bristol, VT, 05443

7/1/2024

Kris Perlee
Zoning Administrator
Town of Bristol

Dear Kris Perlee, Bristol Zoning Board and Town of Bristol:

I read your letter, Kris, and appreciate the opportunity to appeal the standing land use of Lathrop Forest Products.

I agree with the letter, that preexisting businesses and new agricultural and forest product businesses need to be accommodated and encouraged to thrive, as they serve an important part of our economy and are families trying to make a living.

The contents of the letter I am not in disagreement with.

Perhaps none of you live next to the mill, and prior decisions were based on the current evidence provided.

As I stated in a previous letter to you, my family and I have lived on South Street next to Lathrop's lumber mill for the majority of the past 30 years. You can read my previous letter for details on my assessment of their land use and how it's disruptive to and conflicting with residential life.

Over the past 12 years my mom and I have lived at 28 South Street which shares the property line of the mill. During this time, we both can testify that their use of land has changed, they've expanded, and their noise level both day and night has increased in volume.

We believe that the lumber mill at 44 South Street has outgrown its parameters, and is acting in a manner that is incompatible with residential life.

Lathrop's chip mill has intermittent onsite hours of operation 24/7, with regular stretches of loading trucks of chips between the hours of 9PM and 6AM, unloading trucks sometimes before 6AM and chipping logs starting between 6-7AM. The greatest concern comes when they are doing all of these things during a time period that can last for weeks, which is what brings me to complain.

In fact, I have accepted that the mill may start each morning at 6AM, or even after 5AM. But I haven't accepted their "nighttime" activity of loading tractor trailer trucks of chips with a front end loader. Further, it appears that oftentimes they are working between the hours of 10PM and 10AM, with less or no activity during normal business hours. I still have not been provided a reason as to why they can't schedule the loading of trucks during normal daytime hours.

I believe the town of Bristol needs to either subsidize their relocation, or issue a new ordinance that prohibits such nighttime activity. Essentially, if the loading of trucks in the Bristol Village Mixed zone during 9PM and 6AM was prohibited, this would satisfy my concern as a resident personally, and I know that the surrounding residents would agree, be appreciative and benefit significantly regarding their and their children's health.

Also, logs shouldn't be unloaded before 6AM, and a certain degree of noise and activities shouldn't be permissible in a mixed zone.

In my previous letter I state: "*I have read through the zoning regulations for the town of Bristol, Vermont, and while it appears "Forestry Uses" have been exempt from certain regulations, the document doesn't say anything about exemption from Hours Of Operation except for exceptions made by the appropriate municipal panel.*"

I'd like to be provided with the documentation regarding the exceptions that were made by the municipal panel. I'd also like to be provided with the documented history of complaints against the mill regarding noise pollution, along with any complaints of air pollution as both are concerns of my mom's who runs a child care here at her home.

I maintain that it's an essential civil liberty that residents be permitted a predictable window of sleep time, and that all else of a society depends on this basic right. Bad things happen when people are sleep deprived: health decreases, anxiety increases, daily tasks are demanding, and opportunities are taken away.

I implore my home town of Bristol to remedy the problem and to rewrite the definition of a mixed zone if necessary. I am happy to help assist with this further, but I am very busy.

My long-term, or even near-term view of South Street is that the mill will be replaced by residential and more compatible land uses and hold the same standards as the HDR and VR zones. Afterall, 44 South Street is in the heart of Bristol. Until then, however, residents need to be accommodated and provided with a habitable environment.

If Lathrop's chip mill is not operable during normal hours of operation, the town should consider compensating for their relocation.

My mom, Patti Smith, homeowner at 28 South Street, approves of this letter.

Sincerely,



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