

**Town of Bristol, VT
Selectboard
Minutes of Meeting
Monday, April 24, 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), Eric Cota (Public Works Foreman), Brett LaRose (Fire Chief), Sharon Lucia (Town Clerk), Kris Perlee (Zoning Administrator)

Others Present: Linda Andrews, Callie Brynn, Theresa Gile, Jill Marsano (VTUMS), John Merriman, John Moyers, John Pickens, Allison Pouliot, Jim Quaglino

II. Call to Order. Darla Senecal called the meeting to order at 6:07pm.

II. Executive Session re potential real estate negotiations per 1 V.S.A. §313(a)(2)

MOTION: Michelle Perlee made a motion to enter executive session in order to discuss potential real estate negotiations as per 1 V.S.A. §313(a)(2). Joel Bouvier seconded. The motion passed unanimously.

The Selectboard met in executive session from 6:07pm to 6:55pm. Upon returning to open session, no action was taken.

III. Call to Order. Darla Senecal called the regular meeting to order at 7:00 pm

1. Review agenda for addition, removal, or adjustment of any items per 1 VSA 312(d)(3)(A).

No adjustments were made to the agenda.

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

IV. Public Forum.

Nobody present requested the opportunity to address the Board.

V. Department Head Roundtable.

Sharon (Town Clerk):

- Water bills and delinquent tax notices were sent out last week
- Overweight permits are almost caught up
- Working on wastewater system reports.

Brett (Fire Department):

- Last week three firefighters travelled to the plant where the new pumper is being built, spent 9 hours inspecting the vehicle to ensure it meets the specifications outlined. Arrival of the truck is anticipated in about a month.

Jill (Water and Wastewater Systems – VTUMS):

- A Mount Abe leak surfaced on Monday, and was repaired that day
- Two other large leaks were located along Pump House Road; these were addressed and a significant reduction in usage has resulted.
- Determining a more specific location of a leak on South Street is needed before cutting into the road.
- Two smaller leaks, one on Church Street and one at the corner of West Pleasant and Taylor, will be addressed.
- The engineering inspection of the wastewater system is ongoing so that the report can be completed.
- The organic loading levels into the wastewater system should be remedied in order to stay within permit parameters; biochar may be an interim solution.

Eric (Public Works Department):

- Summer hours are in effect.
- Requests have been made to go to four 10-hour days in the summer. Board members noted this would need to be discussed at a meeting.

Kris (Planning and Zoning):

- Zoning activity continues to pick up.
- His new roles are going well.

VI. Regular Business

1. Consider a proposal by family members to plant a white oak tree on the Town Green in memory of Lauris Kilbourn Chamberlain.

Callie Brynn provided information related to this request, along with John Swepston's recommendation which had been provided to Board members. The family will purchase, plant, and care for the tree. There was some discussion regarding the removal of a dying maple in that area of the green. It was agreed that the oak may be planted on May 5 as requested, pending removal of the maple at some point in the near future.

Related to the Selectboard's policy about development on the Town Green, Kris confirmed that no zoning permit is required for the planting.

MOTION: Peeker made a motion to approve the planting of a white oak tree on the Town Green in the memory of Lauris Kilbourn Chamberlain. The motion was seconded by Joel. All voted in favor.

The Board requested that a firm date be provided for the maple's removal.

**2. Continued appointment and/or reappointment of Town officers or representatives.
Consider candidates Allison Pouliot for the Energy Committee and John Merriman for the
Conservation Commission.**

Allison was present and spoke of her interest in energy conservation and serving on the Energy Committee.

MOTION: Joel made a motion to appoint Allison Pouliot to the Energy Committee. The motion was seconded by Michelle. All voted in favor.

John was also present and provided some background information about his conservation experience and interest in volunteering.

MOTION: Peeker made a motion to appoint John Merriman to the Conservation Commission. The motion was seconded by Joel. All voted in favor.

**3. Debrief of the 34 Garfield Street permit issuance: review of the facts leading to
construction of the 1,200 sf accessory structure.**

Kris outlined the timeline of this development, noting that he had issued a permit for construction of a 30 x 40 foot accessory structure for a garage with a second floor, with no allowance for use as an Accessory Dwelling Unit (ADU) unless and until the existing dwelling on the property is converted from a duplex to a single family residence. Kris explained that he later realized that the size of an accessory structure in that zoning district is limited to 1,000 square feet. This realization came after the structure was near the completion stage. Kris does not know at this point if the change of use of the upper portion of the structure will be acted upon, but the primary dwelling type has not changed and the possibility of the conditional ADU expires two years from the permit's issue date.

Kris answered various questions, explaining that the lot is not large enough to subdivide into two with one structure on each and confirming that a Certificate of Compliance needs to be issued for any structure. He also indicated that, in order to have the use of ADU allowed, the owner needs to occupy one of the dwellings. There was some discussion of the new structure's appearance. Kris noted that there are no design standards to be followed in that District. He also noted that there are several instances in the village where the garage is larger than the primary structure. Kris further explained that the setbacks have all been met and that the permit notice had been displayed in the front window of the existing residence prior to the beginning of construction. A certificate of compliance has not yet been issued. The owner has two years to establish the ADU in accordance with the restrictions. If not established after two years, the ADU permit expires; however the approved use as an accessory structure for a garage or for storage would remain in effect.

There was discussion among the Board and input provided by John Pickens, John Moyers, Theresa Gile, and Linda Andrews regarding establishing a requirement for notification of neighbors for all zoning permit applications submitted, or for ADU permit applications specifically, due to potential impacts on neighbors. There was also mention of posting permit application information electronically. Kris said he maintains a paper posting of all applications that are processed and copies of issued permits are placed in a basket in the Town Office lobby for public review. He explained the Planning Commission is currently looking at adding provisions in the regulations related to notification of neighbors.

John Moyers, referencing the e-mail from the Zoning Administrator to Marian Baser and representing himself and not as a member of the Planning Commission or Development Review Board, took issue with the dimensional error that occurred and that the permit was issued based on a future condition that had not yet been met. He also raised concerns related to livable space, impartiality, and language in section 404 of the 2017 zoning regulations that was not included in the 2020 regulations. He asked that the Town obtain a legal opinion whether the 2017 provision omitted in the 2020 version might still be in effect due to the notice provided at that time.

4. Consider proposal to relocate the one-way entrance into the Fire Station at 79 West Street approximately 75 feet westward.

Brett provided background information regarding the plan to change the entrance road location, which was initiated by Eric Cota's expressing concerns regarding winter plowing and maintenance of the existing, curved, access drive. Brett noted he reached out to VTrans to inquire whether the location can be moved, and they confirmed the Town does have the ability to do so without VTrans approval. Eric explained the site work can be completed within his budget, that the paving will likely be at reduced or no cost, and that the work may be scheduled for May. Brett indicated he would check to ensure that no Act 250-related action is required and that he will reach out to the abutter on the western side of the property to provide notification of the planned change. The placement and width of the new one-way entrance was agreed upon.

MOTION: Pecker made a motion to approve changing the location of the firefighters' entrance as proposed and to authorize moving forward once all necessary approvals. The motion was seconded by Ian. The motion passed 4-1, with Michelle voting no.

5. Vermont State Hazard Mitigation Plan Update: review and discussion of survey questions.

Valerie explained that the State Hazard Mitigation Plan is being updated and Vermont Emergency Management developed a survey for gathering input from towns related to the Plan.

It was agreed that it could be better outlined who should be included in the 'vulnerable' population.

Valerie suggested that better use be made of the Vermont ALERT system, as efforts have lost momentum both in terms of getting folks signed up and in posting notices to the system. She indicated that more information is needed regarding how to post to the system, as there has been staff turnover and there may be new protocols in place. Brett indicated he would assist with this and also spoke of the CARE system, (Citizens Assistance Registry for Emergencies), where vulnerable people can register, providing the Emergency Management Coordinator with access to appropriate information if needed.

It was agreed that people need to be educated regarding where to go in an emergency and that information regarding local people/care organizations needs to be updated.

Valerie will use the feedback provided to submit a completed survey.

6. Review and adoption of the Bristol Local Emergency Management Plan.

Valerie noted that some key individual information has been updated. It was agreed that up-to-date day care information should be determined and included in the document. Valerie will work with the schools to establish alternate shelter logistics.

Ian noted he is working on establishing consistency between the Town's social media accounts, as well as working on establishing Selectboard-specific email addresses for each Board member.

MOTION: Michelle made a motion to approve the Plan with the changes agreed upon incorporated and to keep the document updated going forward. The motion was seconded by Joel. All voted in favor.

7. Approve letter of intent to participate in the FY2024 VTrans Municipal Roads Grants-in-Aid Program.

MOTION: Peekers made a motion to approve the letter of intent to participate in the FY2024 VTrans Municipal Roads Grants-in-Aid Program. The motion was seconded by Joel. All voted in favor.

8. Retroactively authorize submission of Teen Center grant application to the J. Warren & Lois McClure Foundation for employee support.

MOTION: Ian made a motion to retroactively authorize submission of the Teen Center grant application to the J. Warren & Lois McClure Foundation. The motion was seconded by Michelle. All voted in favor.

9. Review and approval of the March 27, 2023 and April 10, 2023 meeting minutes.

MOTION: A motion to approve the March 27, 2023 minutes as amended passed unanimously.

Action on the April 10 minutes was postponed as Board members had not yet had an opportunity to review them.

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

The warrant was for the amount of \$ 97,121.15.

MOTION: Ian made a motion to approve the following License applications. The motion was seconded by Peeker. All voted in favor.

- Tillerman VT, LLC – First Class Hotel License, Third Class Hotel License and Outside Consumption Permit
- Bristol Country Store – Second Class License, Tobacco License, and Tobacco Substitute Endorsement
- Nomadic Chef (Tandem) – First Class Restaurant/Bar License
- Mini Factory – First Class License and Outside Consumption Permit.

11. Selectboard Roundtable

Michelle noted that the Howden Hall sign needs rejuvenation. Ian explained he is working on this with Reg Dearborn.

Peeker indicated he will be removing the dead trees at the cemetery this coming weekend unless another phone call from Joel to Job Corps is successful.

Ian thanked Meridith for the slide repair on the playground and noted he has also done some safety repair there. He noted that the winter decorations will be taken down and picnic tables put out soon. He explained the difference between the green and gray bike racks, all of which are Town property. Ian also indicated he has been keeping tabs on trash and Monday pickups and that the process is working well.

Joel reported that he is continuing to work on the flashing school sign and it is possible that a solar-powered, programmable solution may be implemented, replicating the school warning sign that is on Route 17.

Darla reported that the mats for the swings at the playground have disappeared and asked that any information be provided regarding their whereabouts or that they simply be returned.

12. Town Administrator's Report.

Valerie had no items to add to her written report.

Michelle asked about a poster created for Beltane and wanted to ensure it was specified that there is no parking on the road.

VII. Other Business.

1. Correspondence/reports received were reviewed.

There was discussion of sidewalk demarcation chains at establishments being in the way of sidewalk plowing and pedestrian traffic and whether it is suitable to address this through conditions on Outdoor Consumption licenses. It was suggested to prohibit outdoor seating on the sidewalks during the winter parking ban. Sharon explained that existing Outside Consumption Permits could only be amended before next year if they are acted on by Selectboard as an agenda item and included in the minutes. There was agreement it should be limited to Main Street sidewalks.

Eric provided an update about sidewalk plow models he is looking into.

VIII. Adjourn.

The meeting adjourned at 9:13 pm.

Respectfully submitted,
Carol Chamberlin, Recording Secretary

Valerie Capels, Town Administrator