

**Town of Bristol, VT
Selectboard
Minutes of Meeting
Tuesday, December 26, 2023**

Members Present: Ian Albinson, Joel Bouvier (Vice-Chair), Peeker Heffernan, Michelle Perlee, Darla Senecal (Chair)

Members Absent: None, although Darla via phone-in dropped off about halfway through.

Staff Present: Valerie Capels (Town Administrator)

Others Present: Betsy Blair, Kevin Brown (DRB, Town Attorney), Kevin Hanson (Planning Commission), Jill Marsano, Jim Quaglino, Jessica Teets.

I. Call to Order. Joel Bouvier called the meeting to order at 6:02 pm.

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

Approval of an invoice to VTrans for reimbursement of Lincoln Road repair expenses was added as Item 4A under Regular Business.

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

II. Public Forum.

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

III. Regular Business

1. Consider quote and authorization to proceed from NEMRC to assist the Treasurer's office with backlogged reconciliations and FY2023 anomalies.

Valerie explained that NEMRC has provided a quote for a minimum of 96 hours of work at \$110/hour. There was some discussion regarding when to include Mark Bouvier's assistance, with Joel proposing that Mark do some review and reconciliation prior to NEMRC's involvement. Others agreed that Mark should be part of the conversations with NEMRC from the onset, but that time constraints and their direct involvement with the software indicate that NEMRC should be engaged to complete a majority of the work needed.

MOTION: Peeker made a motion to proceed with NEMRC to assist with the reconciliation of the FY2023 books, including Mark Bouvier in the conversation. The motion was seconded by Ian. The motion passed with Joel opposed.

2. Deliberation on proposed Unified Development Regulations (UDR) amendments and potential adjustments that may warrant an additional public hearing.

Joel explained that this agenda item was an opportunity for Selectboard members to review comments received during the Public Hearings, with Kevin Brown participating in the conversation as Town Attorney.

Kevin B. provided some background information related to statutory impacts on zoning bylaws and the adoption process for the UDR updates. He explained that the Town may include less restrictive standards for items such as development of an Accessory Dwelling Unit (ADU), outlined the difference between permitted and conditional uses, and noted that Bristol's

language related to undue adverse impact to the character of the area specifies the 'character of the area if fully developed in accordance with the Town Plan.' The logistics of Selectboard and Planning Commission review during the Public Hearing process were outlined.

Several aspects of the draft UDRs were discussed by the Board:

- The current draft restricts Accessory Dwelling Unit (ADU) height to 80% of the primary residence on the parcel. Concerns were raised regarding the impact of this restriction when an ADU is associated with a one-story primary residence.
 - This is for new construction of an ADU; another accessory structure may be built to the maximum height for a district, and then converted to an ADU in the future.
 - Kevin B. cautioned against adding regulations that render current structures as non-conforming, as that limits future changes to the structure or the use.
 - Some solutions were proposed, including an exemption for single-story residences and specifying a maximum height.
 - It was agreed to change the language to allow for an ADU maximum height of 80% of the height of the primary residence or 25 feet, whichever is greater.
 - This height limitation for ADUs is for the High Density Residential District only.
- There was discussion regarding the potential conflict of allowing for a maximum footprint for accessory structures of 1,000 square feet, with the maximum square footage for an ADU potentially being 900 square feet (for a primary residence that has 3,000 square feet or less of habitable floor area).
 - Kevin B. explained that the Town's size limitations for ADUs may be greater than those outlined by the State as minimums.
 - The draft language includes a reduction to 900 square feet from the current 1,000 square feet.
- It was noted that the Village Mixed Use District has no footprint standards for structures. It was suggested that these should match those outlined for the RA1 District and to pass that suggestion back to the Planning Commission.
- It was pointed out that, although there is a benefit related to affordable housing accommodation by increasing the size of the district covered by water and wastewater services, there is likely not enough wastewater capacity for much expansion of the number of users. A State Wastewater permit would be needed for any new construction. When applied for, it would be determined if capacity exists.
- The potential for requiring design review as a strategy for assuring that ADUs fit within the character of the area was mentioned. Ian pointed out that currently design review standards only apply to a small section of Main Street and could become complicated if expanded. Valerie noted that adopting a Historic Preservation District over the entire village would be a strategy to address this.

- It was noted that a minimum six-month window is allowed for a structure destroyed by fire or another disaster to be rebuilt, even if non-conforming.
- The logistics outlined in the UDRs for State review of proposed construction in the Flood Hazard Area were discussed. Kevin B. had proposed a change to the related language allowing for time for State review before any related DRB hearing is scheduled. It was clarified that this only pertains to applications for which the DRB will hold a Conditional Use Review Hearing.
- Some gender references regarding mentions of the Zoning Administrator were called out, and it was agreed to make them gender-neutral.
- Joel asked about requiring that permit notifications be posted for longer than 15 days, or the appeal period for a permit issued by the Zoning Administrator to be increased. Kevin B. explained these time frames are established in State statute and may not be changed.
- It had been commented on during the hearings that there is no provision in the UDRs for a trash/recycling business to be located in Town. Selectboard members proposed that the PC include this in the next iteration of the UDRs.
- Several comments were offered during the public hearings regarding the inclusion of Business Yard as an allowed use within the RA5 District. Board members discussed several aspects of this topic.
 - Business Yards require Conditional Use Review, providing an opportunity for input from potentially affected residents.
 - The lot sizes and other standards outlined for the RA5 District are appropriate for this type of use.
 - The purpose of the RA5 District includes the siting of resource-based businesses.
 - The inclusion in the definition of Business Yard a requirement for access to a paved road was agreed to be too limiting.
 - The inclusion of specific equipment sizes in the Business Yard definition was agreed to not be necessary.
- It was agreed to keep Business Yards as an allowed use in RA5, and to remove the last sentence of the Business Yard definition.
- A comment had been provided during the hearings regarding the benefits of requiring owner-occupation of an inn/guest house located in the downtown area. Board members felt that the provision requiring a manager was sufficient for these types of establishments.

Kevin B. explained that any regulation of Short-Term Rentals is best addressed through a Town Ordinance rather than through the UDRs.

Valerie reviewed the timeline for presentation of a revised UDR draft. The earliest another hearing may be scheduled would be January 22, 2024. There was consensus to move forward with a hearing on January 22, 2024.

3. Review and approval of the December 4, December 11, and December 18, 2023 meeting minutes.

MOTION: Michelle made a motion to adopt the minutes of December 4, 2023 with the changes accepted incorporated and the minutes of December 11, 2023 as drafted. The motion was seconded by Ian. All voted in favor.

Minutes from the December 18 meeting were not available for review.

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

The warrant was for the amount of \$24,749.17. No licenses needed consideration for approval.

4A. Lincoln Road Riverbank Repair work invoice

MOTION: Peeker made a motion to approve the request to VTrans for reimbursement of Lincoln Road project expenses. The motion was seconded by Ian. All voted in favor.

IV. Other Business.

1. Correspondence/reports received. There were no correspondence or reports to review.

V. Executive Session

MOTION: Michelle made a motion to enter Executive Session for the purpose of discussing personnel matters per 1 V.S.A. §313(a)(3). The motion was seconded by Peeker. All voted in favor.

The Selectboard met in executive session from 8:50pm to 9:20pm. Upon returning to open session, no action was taken.

VI. Adjourn.

The meeting adjourned at 9:20pm.

Respectfully submitted,

Carol Chamberlin, Recording Secretary

Valerie Capels, Town Administrator