

TOWN OF BRISTOL, VERMONT

Selectboard Meeting — Minutes

Monday, September 14, 2026

Meeting Date: September 14, 2026

Time: 7:01 PM – 10:10 PM

Location: Conference Room, Town Offices, Holley Hall, 1 South Street, Bristol, VT (remote access via Zoom)

Members Present: Ian Albinson (Chair), Joel Bouvier, John "Peeker" Heffernan, Michelle Perlee, Jessica Teets (Vice Chair, via Zoom)

Staff Present: Gregory W. Faust (Town Administrator), AZ Larsen (Planning & Zoning Administrator), Sharon Lucia (Town Clerk/Treasurer), Kris Perlee (Assistant Clerk/Treasurer), Meridith McFarland (Recreation Director, via Zoom), Brett LaRose (Fire Chief and Fire Warden, via Zoom)

Others Present: Brian Cote, PE/CFM (SLR International), Samantha Sumner, Anthony Robideau, Kourtney Penatzer, Brian Penatzer, Richard Butz (Energy Committee), and one participant via Zoom identified only by the display name "mdavi"

1. Call to Order

Chair Ian Albinson called the meeting to order at 7:01 pm. He noted that a sign-in sheet was available and asked those present to add their names if they had not already done so.

2. Approval of Agenda

Albinson announced one addition to the warned agenda: item 4e, a Grant Summary Document seeking authorization to apply for a Building Communities Grant for FY27. He explained that the Town has not finalized which project it will apply for, but that the application timeline required the Board to act at this meeting. He also indicated that Fire Chief Brett LaRose would be recognized under Public Forum for an update on the Hogback Mountain fire.

MOTION: *To approve the agenda with the addition of item 4e. Moved by Michelle Perlee, seconded by Peeker Heffernan. Passed unanimously.*

3. Public Forum

Kourtney Penatzer asked the Board about the agenda submission deadline. She read from the Town's Selectboard page, which states that, with the exception of unavoidably time-sensitive matters that would be in the Town's interest for the Selectboard to consider, the deadline for items to be placed on the agenda and for submission of supporting materials is the end of day Wednesday. She stated that a curb cut petition had been placed on the evening's agenda although the paperwork was not submitted until Thursday, September 10, and asked for the Board's comment.

Town Administrator Gregory Faust asked what the State's requirement is, noting it is 48 hours prior to warning. Albinson responded that the Wednesday deadline is an internal practice set so that staff and the Board have enough time to prepare materials, and that items arriving after that deadline are added when there is still time to prepare them. He noted that the Board amends its

agenda at the start of every meeting, that the deadline exists mainly to protect against a full agenda rather than to bar late items, and that it is not a statutory requirement. He identified the item in question as 5b, scheduled for approximately 7:45 pm.

Fire Chief Brett LaRose then gave an update on the fire on Hogback Mountain. He said that while it could not be confirmed, the fire appeared to have been caused by human error, specifically a campfire that was not extinguished. The fire occurred on A. Johnson Company property, and LaRose had been in communication with Ken Johnson for three days.

LaRose described it as a ground fire, burning underground in the duff rather than on the surface, which he said is the pattern on Hogback. Crews were digging holes up to ten inches deep and still finding hot soil. Approximately one half acre burned. Bristol crews did mitigation work Saturday night and came off the hill before dark for safety. On Sunday morning LaRose, acting as fire warden, accompanied a wildland fire specialist from the State's wildland fire program to assess the site. Based on that assessment and consultation with a supervisor, additional resources were called in. Nine wildland firefighters from the State and five from the U.S. Forest Service, who were in state for training, worked the site on Monday. LaRose said the crews took down a number of trees and were 99.9 percent confident the fire had been extinguished, with a technician returning Tuesday morning for a final assessment.

LaRose noted the response consumed significant town resources over three days. Equipment the Fire Department does not own, including side-by-side units, were loaned by individual firefighters, and the Town intends to reimburse them for that use. Access required nearly a mile of trail driving and roughly a thousand feet of uphill walking over wet rocks while carrying water. He named Peter Coffey and Eric Forand as having moved water up and down the mountain with him, and noted Terry Farr, a former wildland firefighter, also worked with the crews on site.

LaRose reported that Forest Service personnel policed the area and collected roughly forty to fifty aluminum cans, and observed that the A. Johnson Company has always been generous with access to its land. He expressed hope that carelessness would not cost the public that access. Albinson thanked him for the report and for the work.

4. Consent Agenda

Albinson reviewed the items. He noted that the August 24, 2026 minutes had been reviewed and that Michelle Perlee had submitted changes. He reported that a new check warrant had been issued that day in the amount of \$430,392.25, a slight increase over the version distributed on Friday. He described the social media access request for the Planning and Zoning Administrator for the Town Facebook and Instagram pages, the Harvest Festival permit brought forward by the Recreation Department, and the newly added item 4e.

In response to a question from Perlee about item 4e, Albinson explained that the Building Communities Grant is a 50/50 match, that several project ideas had been put forward, and that the deadline required the Board to authorize the application before the specific project is settled. On item 4d, he noted the Harvest Festival permit is a continuation of roughly five years of prior permitting and that the event is run jointly with the Chamber of Commerce.

4a. Approval of past meeting minutes (August 24, 2026)

Approved as part of the Consent Agenda, with changes submitted by Perlee.

4b. Approval of Check Warrant and any liquor/tobacco licenses

The Board authorized the check warrant in the amount of \$430,392.25. No liquor or tobacco licenses were presented.

4c. Authorization of Planning & Zoning Administrator for Town social media content access (Facebook, Instagram)

Approved as part of the Consent Agenda.

4d. Special Event and Street Use Permit – Bristol Harvest Festival (Town Green, Sept 26)

Approved as part of the Consent Agenda.

4e. Grant Summary Document – Building Communities Grant FY27, authorization to apply

Added to the agenda by amendment at item 2 and approved as part of the Consent Agenda.

MOTION: *To approve the Consent Agenda, items 4a through 4e. Moved by Peeker Heffernan, seconded by Joel Bouvier. Passed unanimously.*

5. Regular Business

5a. Mountain Street stormwater improvements – draft report and figures, with public Q&A (Brian Cote, PE/CFM, SLR International)

Brian Cote, a water resources engineer with SLR International, presented the draft findings of the Mountain Street storm drainage scoping study. He introduced the study area along Mountain Street and Spring Street, noting that essentially all of the stormwater originates on Hogback Mountain and that during heavy rain it concentrates on the east side of Mountain Street and overwhelms the existing storm drainage system.

Cote described the scope as four tasks: data collection and existing conditions modeling, alternatives analysis, and reporting and recommendations. Data collection included review of past Town studies, GIS infrastructure mapping, land use and land cover data, and topography, followed by field survey in which the team pulled manholes and catch basin grates, measured pipe diameters and elevations, and looked for evidence of erosion and stormwater impacts to public and private property.

He walked the Board through the existing system. The largest watercourse comes off Hogback Mountain to a paved swale in front of the elementary school and enters a three-sided structure. The first run of pipe from that structure is 24 inches; from that point downstream the system is 48 inches all the way along Spring Street to North Street, where a separate system discharges to the river.

The modeling addressed three components: hydrology, overland flow using a two-dimensional analysis accounting for topography and surface roughness, and the drainage network itself, measuring how much stormwater the system captures underground and how much bypasses the inlets. Cote explained the rainfall frequency terminology, noting that a 25-year storm means a four percent chance of occurrence in any given year and that practice is shifting toward annual exceedance probability rather than return intervals. He focused the presentation on the 25-year event, modeled both with and without partial blockage.

The mapping showed water coming down the watercourse onto Mountain Street, concentrating along the paved swale on the east side, crossing toward the elementary school, and collecting in low-lying areas in front of homes before the Spring Street intersection, with additional ponding

in backyards. Perlee confirmed from her own knowledge that ponding occurs behind the school as well as at the houses. Joel Bouvier recalled a flood, which he placed in July 1998 or 2004, when he found a pile of dirt in the middle of the road at 10:30 at night, water standing in front of the school, and water up to the door handles at the lower entrance; he brought his own tractor to move the dirt and redirect the water into the ditch. Cote confirmed the field crew found cobble, brick, and other material washed into the catch basins from high flow events.

Albinson asked whether the backyard ponding is driven primarily by flow off the mountain or by local low points. Cote said it is a combination of both, with localized low points receiving water that falls directly on them plus connections to the Mountain Street flow. Bouvier asked whether the 24-inch segment upstream of the 48-inch pipe is the constraint. Cote agreed, noting there are only four or five catch basins on Mountain Street and another four or five on Spring Street, leaving limited opportunity to collect stormwater at the surface.

Perlee asked what partial blockage meant in the modeling. Cote explained it reflects blockage at the pipe at the end of the paved swale and at catch basin grates, which field observation showed residents raking debris, grass, and branches off. The comparison showed substantially deeper surface flooding under the blockage scenario.

In profile view, Cote showed the 24-inch segment running full at a depth of 50 inches, meaning the pipe is pressurized and the hydraulic grade wants to rise above the pipe but cannot. Albinson observed that even without debris the pipe is filling so quickly it is effectively blocking itself, and Cote confirmed. Perlee asked whether correcting the first segment would put more pressure on the system downstream. Cote said the 48-inch pipe is currently running at 63 to 75 percent capacity with 12 to 18 inches of ponding at the surface, and that later slides would address the question.

Cote then introduced the six alternatives, including a do-nothing baseline. He noted that section 4.7 and section 5.0 of the draft report remain placeholders and that the report intentionally seeks Town feedback before the alternatives analysis and recommendations are finalized. Faust offered to provide a full existing conditions study prepared when the Town planned water line work on Mountain Street, which Cote accepted.

Discussion of the alternatives covered the following:

Alternative 2 increases capacity at the three-sided inlet structure at the downstream end of the paved swale and upsizes the 24-inch pipe to 48 inches. Perlee confirmed only that first section would need replacement, to match the rest of the system. Heffernan recalled that a 30-inch squash culvert was originally installed at that driveway when he put the culvert in, and that it was downsized when the system was built.

Bouvier raised the question of whether debris removal should be treated as its own alternative, describing crews standing in the road at night raking material off the grates or pulling it out with an excavator. Cote agreed this is what the field work showed, and distinguished the two problems: water quantity on one hand and erosion and sediment transport on the other, related but separate. Sediment and debris need to be collected somewhere before reaching the grates. Heffernan cautioned that anywhere sediment is caught creates a risk of blocking the water and pushing erosion elsewhere.

Faust asked that the report explicitly call out easement requirements and lead time for alternatives 5 and 6, and that the proximity of the elementary school be called out in the alternatives matrix, explaining that both affect the Town's funding narrative and the case for

urgency. He also asked what change in level of protection an upsized 48-inch pipe would deliver, and whether a change in the roughness coefficient or runoff curve numbers, reflecting future development he cannot control, would change the result. Cote said SLR routinely evaluates change in level of service, for example whether an improvement moves an area from flooding in a 10-year event to flooding in a 25-year event, and agreed to run both.

Alternative 3 doubles the grates on four single-top catch basin structures. Cote said the modeling showed some improvement near the intersection and in the backyards but not a large effect.

Alternative 4 adds up to four or five new structures, one on the existing line and two on the opposite side of Mountain Street, to capture water that spreads across the road. Cote said the modeling showed noticeably more improvement south of the school entrance and in the backyards.

Alternative 5 extends the system upstream to the watercourse itself to intercept flow before it reaches Mountain Street, piping from that point in 48 inch all the way down. Albinson asked whether this would replace the paved swale; Cote said the swale could remain, with grate inlets in place of a headwall and pipe inlet. Cote described pairing it with a small sediment trap just upstream of the new inlet and an improved trash rack. Perlee raised the concern that a sediment trap in that location could itself back up and cause flooding, and Cote agreed the space is constrained, adding that it would likely not fit in the right-of-way and would require landowner permission and easements.

Alternative 6 is a multi-cell sediment trap roughly 550 feet upstream, near an old logging road on A. Johnson Company land. Cote said this alternative was not modeled because the model addresses water quantity rather than sediment load, and that it would require easements, improvement of the access road for construction and maintenance, and would add a maintenance obligation for the Town. Bouvier asked whether the outflow would be piped or left as an open or paved ditch; Cote said piping would be expensive, and Heffernan noted that piping introduces the problem of catching everything else that comes down.

Cote then showed the modeled result assuming alternative 5 is in place. Surface ponding at the double catch basins drops from 12 to 18 inches to approximately 4 to 5 inches, with less at the next structure downstream, while pipe utilization rises from 63 to 75 percent to 73 to 80 percent. He described this as the intended trade-off, the pipe carrying water underground rather than allowing it to run on the surface.

Albinson asked whether the storm events are defined by rainfall amount or duration; Cote said both, as a depth of rainfall over a 24-hour period. Albinson then asked at what point the 48-inch system itself becomes overwhelmed and would need upsizing. Heffernan noted that is what the catch basins do, overflowing to the surface. Cote said the answer comes back to the level of protection the Town chooses to design for, and that designing for a 50-year event rather than a 25-year event costs more. Heffernan countered that if the event occurs and the Town has to repair damage, the additional cost would have been justified.

Albinson asked Cote directly whether the upstream sediment trap concept is worth investigating and whether it could meaningfully reduce what is needed downstream. Cote said the comparison between existing conditions with partial blockage and the alternatives with the same blockage assumption shows similar improvements either way.

Cote closed with next steps: refine the existing conditions analysis and alternatives based on Town feedback, consider combinations of alternatives, develop an alternatives matrix scoring

against project goals and objectives, prepare conceptual-level construction cost estimates, revise the report, and return to the Board if another presentation is useful. Faust asked about timing; Cote said the remaining work is refinement rather than a heavy lift and could be done within a couple of weeks, with a return to the Board scheduled in October. Faust agreed.

Public comment. Kourtney Penatzer raised the drainage circle behind the elementary school to the south, noting that the slope of the pavement and parking around the building, combined with roof runoff, may direct more water toward the two houses at the lower elevation, and observed that the modeled backyard water did not change dramatically across the alternatives. Cote agreed the school parking lot, driveway, and roof are among the areas draining to those low spots. Penatzer then suggested installing flow meters, or data loggers, in the culverts ahead of a significant rain event to measure actual flow, noting the difference between several inches of rain over 24 hours and the same total over a week, and that flow data would inform the angle, size, and style of the grates. She said she had used such equipment in Pennsylvania for tracking waste streams associated with Marcellus shale gas drilling. Cote said SLR has used data loggers for the same purpose in streams and pipes.

Bouvier asked whether the elementary school is planning pervious surface mediation as was done at the high school, noting the high school has three acres of pervious surface and that similar work could help the backyard ponding. No one present had information on the grade school's plans; Bouvier suggested it is a question to ask if the school is in a planning stage.

Albinson thanked Cote for the presentation. No action was taken on this item; the presentation was received for feedback and discussion.

5b. Access permit – Sumner and Robideau, 640 Hardscrabble Road (Permit 26-707)

Albinson introduced the item as an access permit for a curb cut only serving a single-family residence at 640 Hardscrabble Road, noting the Board had the permit application and conditions recommended by the Public Works foreman.

Heffernan immediately raised that the access had been approved in 2018 and that the paperwork apparently no longer exists, identifying the prior landowner as Wilma Woods. Perlee noted the only conditions in the current application were cutting back trees for sight distance toward the lower Hardscrabble intersection.

MOTION: *To approve the access permit as recommended by the road foreman. Moved by Joel Bouvier, seconded by Michelle Perlee. Withdrawn later in the discussion; see below.*

Public comment. Brian Penatzer asked what happens when the work has already been done and the permit has not yet been approved, identifying his property as adjacent to the west.

Kourtney Penatzer gave an account of the parcel's history. She and Brian Penatzer purchased the adjoining 580 property in 2017 and have been in dispute over the subject parcel since 2018. She said the parcel was expected to be conveyed with their land but the seller declined at the last minute, and that the additional acreage would have brought their holding to roughly two acres, consistent with surrounding parcels and with what she described as the minimum for their area. She said the curb cut was installed in 2018 after she and her husband received State notice regarding water and wastewater as an adjoining landowner whose well sits approximately 20 feet from the property line, and that the driveway was placed where the primary septic site is designated on the approved plan. She presented a copy of the 2018 curb cut permit and a map, marking where the current driveway sits relative to the designated primary septic area, the proposed driveway location shown on the plan, and the respective well locations.

Heffernan responded that the driveway cannot occupy the primary septic site because the primary septic must be 25 feet from the property line while the driveway is on the property line, and only 10 feet is required between a driveway and a septic site. Penatzer said she had been advised in 2018 to be seriously concerned about a well drilled that close to theirs, noting her well was drilled in 1980 and a neighbor's in the early 1990s, and that she had found numerous cases of nearby drilling causing older wells to fail. She also stated that the 2018 State permit application used the Penatzers' address because the applicant did not have an address of her own at the parcel, and that all of this information was brought to the Selectboard in 2018 and, in her view, dismissed.

Perlee said she could not speak to what happened in 2018 but would not characterize it as dismissed, and explained that wastewater permitting is a State function. If the State of Vermont issued a wastewater permit, the State has vetted it, and the matter is outside the Board's purview; the Board is dealing only with the driveway access permit. Brian Penatzer responded that the State has many permits and few staff and does not always visit sites.

Brian Penatzer said the property sold on the 3rd or 4th of September, that the land was cleared and raised on the 5th and 6th, that a utility pole was placed within the last two or three weeks, trees were cut and moved, and a pile of logs left by the road, and that when he returned from a weekend away on the 7th no permit was posted. He said the sequence, followed by the permit appearing on Friday, suggested the item had been fast-tracked. Perlee and Heffernan explained that no zoning permit is required to place a utility pole, drill a well, or clear a property, and that a building permit is required only to construct.

Kourtney Penatzer asked Heffernan not to participate in the matter, stating that he had a personal interest because he had previously owned the parcel and his relatives now own it, and that she considered it a conflict of interest. Heffernan continued to participate in the discussion, and no motion or ruling on recusal was made.

Bouvier then restated his motion.

MOTION: *With the seconder's permission, to accept and reinstate the access driveway permit granted June 26, 2018, application number 18-03DA, rather than issue a new permit. Moved by Joel Bouvier, seconded by Michelle Perlee. Withdrawn.*

Bouvier read from the 2018 document in his possession, noting it was reviewed by Assistant Road Foreman Cale Pelland on July 19, 2018, with a \$50 fee paid, and questioned why the Board would issue a new permit for work already permitted and completed. Albinson noted the copy was being provided by a Board member rather than from Town records, and that the document is available on the Town website. Faust said the 2018 approval would not be ratified because the application before the Board is a separate permit with different owners.

Perlee asked directly why a second permit would be needed if the driveway was already installed under the 2018 permit. Faust asked Planning and Zoning Administrator AZ Larsen to respond. Larsen said they had received a building permit application, could not locate the old access permit, had searched all records accessible to them, and could find no documentation that one had been issued. Larsen later repeated that they could not locate a signed, sealed and delivered access permit in the office, and that Faust had only the application front page.

Faust read from the document that it referenced application 18-03DA, with Woods as the original landowner and parcel ID 020135.1. Heffernan noted the conditions appear on the reverse

side. Kris Perlee observed that the copy produced would function as a valid copy and serve as proof that access had been approved.

Brian Penatzer returned to the question of why, with no record on file and the work already completed, the application had been placed on this agenda outside the stated Wednesday submission deadline, and what the Town's interest was in advancing it. Albinson responded that the permit came to him from the Town Administrator, that he had no interest in it and did not know its contents until he read it, that he decides as Chair what goes on the agenda, and that this permit was handled the same as the hundreds of permits the Town processes each year. He reiterated that the Wednesday deadline exists as a practical cutoff, that the Board routinely accommodates later submissions, and that it is a Town practice rather than a statutory requirement. Faust confirmed he received the application on Thursday, September 10.

Bouvier said his difficulty was that on June 26, 2018 the Board voted to permit a driveway at the site, that the permit does not expire because the landowner waited before acting on it, and that clearing land, cutting logs, or delaying construction does not void it.

Kourtney Penatzer said the parcel was sold in 2019 and that the Penatzers returned in 2023 to discuss the property, and repeated her concern about the effect on their water supply. Bouvier said he understood the concern but regarded it as a zoning and building matter rather than a driveway question, and Perlee said water and wastewater fall to the State, adding that if there had been a problem in 2018 the appropriate remedy was an appeal. Penatzer said they had appealed multiple times and had been told by State staff, whom she named as Chris Thornburg and Dave Swift, that zoning administrators are responsible for verifying that driveways are placed per the site plan before septic and water are installed.

Brian Penatzer asked why the driveway is not in the location shown on the State plan. Heffernan responded that the plan shows a proposed location, and that as long as setbacks are met the placement may differ. Kris Perlee explained that the zoning administrator reviews the building lot plan for setbacks, that an access permit is added to that same plan, and that a wastewater permit is a State instrument with no bearing on the Town's development process.

Brian Penatzer raised that destroying a designated primary septic site does not entitle an owner to use the secondary site. Heffernan agreed, stating that the permit would have to be amended to switch sites, and that the setbacks for the primary site remain and that area has not been disturbed apart from tree removal.

Kourtney Penatzer broadened her comments to the Town's unified development regulations, arguing that the grandfathering provision in section 405 allows nonconforming lots and structures to proceed regardless of current standards, that the effect is to reduce protections for existing homeowners relative to owners of undeveloped land, and that setbacks had been reduced from 50 feet to 25 feet. Larsen checked the 2006 regulations, as amended in 2008, and reported that the RE2 district setback was 25 feet for residential uses and 50 feet for non-residential uses at that time. Kris Perlee noted that housing is the primary pressure driving development standards statewide.

Bouvier said the lots in question were laid out and approved by the Planning Commission and the State years ago, that the applicants purchased an approved building lot, and that the Board cannot unwind that. Perlee described the same dynamic elsewhere in Town, noting seven houses built behind her own property over twenty years. Brian Penatzer asked who would be responsible for damage if a new well affected his; Perlee said that is a civil matter and not for the Board to take up.

Faust told the Penatzers that he could not change or ratify past permits or zoning regulations, but that he would very much like them involved in the process going forward as the Town updates its ordinances and policies, and asked to obtain their contact information from Larsen. Larsen and Perlee noted that Kourtney Penatzer had already been invited to speak at the Town Plan workshop the following evening, and encouraged her to participate.

Albinson returned the Board to the pending motion. Heffernan stated the options were to withdraw the motion or vote it down, and Albinson said he would prefer to withdraw. Larsen noted they still did not have a signed copy in the office, at which point Faust located the signed permit in the Town's shared files.

ACTION: *Bouvier withdrew his motion. No vote was taken and no new access permit was issued. The Board's conclusion was that the 2018 access permit remains in force and that the access is therefore permitted.*

Samantha Sumner asked whether the applicants could still meet the conditions the road foreman had identified. Perlee confirmed that the condition amounts to cutting back the trees. Bouvier asked that the applicants be given a printed copy of the permit and the assistant foreman's conditions. Albinson confirmed the Town will provide a copy of the 2018 permit and that the applicants will work with the road foreman to complete the brush cutting.

5c. Planning and Zoning Administrator – report out on permitting and enforcement (AZ Larsen)

Planning and Zoning Administrator AZ Larsen told the Board the preceding discussion illustrated the point they had come to raise: the Town has unified bylaws for the orderly development of the Town, and part of that is enforcement on the back end.

Larsen said they had recently received several reports of possible violations ranging from an accessory shed to an unpermitted dwelling. They described enforcement as fundamentally reactive, arriving through complaints, and noted that Tyler Assessment's town-wide reappraisal produced a list of properties with sheds and other structures that did not appear on previous property cards.

Larsen reported that since taking the position they have issued three notices of violation. Two were withdrawn after the landowner provided information showing the violation was not founded. One led to a tolling agreement with the landowner and has since led to compliance. They have sent nine warning letters and have recently begun starting with an informal inquiry, which they described as a friendly note seeking information rather than an enforcement action. They said enforcement volume is largely a function of staff capacity, citing a former assistant who sent a high volume of letters, some of which Larsen did not believe were grounded in the zoning administrator's actual authority. Their own approach, they said, starts from compliance rather than penalty, because coming down with the hammer does not always work and the objective is orderly growth.

Larsen said enforcement is their responsibility, but that certain steps cannot be taken without the legislative body's approval, notably hiring an attorney. What they were seeking from the Board was consensus on the approach and clarity on how notices of violation that move into legal matters are handled. They cited the two provisions of the Unified Development Regulations that currently apply, section 328 on penalties and, as stated at the meeting, section 110, later referred to as section 101, which provides that any land development or development not in accordance with the Regulations shall be deemed prohibited. [The quoted provision is the closing sentence

of Section 120, Applicability. Section 110 is Intent. The related catch-all that any use not permitted by the Regulations is deemed prohibited appears at Section 300.] Larsen characterized the current enforcement procedures as lacking clarity. They also noted that the standard remedy, a fine of \$100 per day for each day the violation continues, does not resolve every situation and in some cases makes compliance harder to achieve. [Section 328 sets penalties by reference to 24 V.S.A. §§4451 and 4452, currently up to \$100 per day per offense, doubled in the event of default.]

Bouvier questioned whether the word "prohibited" is the right term where the issue is construction without a permit rather than a use that could never be allowed, and suggested "violation" may be more accurate. Kris Perlee explained that the provision also serves as the catch-all establishing that any use not listed as permitted, site plan, or conditional use is prohibited, and that this is the second reason the sentence is written that way. Bouvier and Heffernan noted this would be a Planning Commission matter rather than a Selectboard one.

Michelle Perlee asked whether Larsen intends to set out a defined sequence of steps. Larsen confirmed, describing the current practice as inquiry first, then a warning letter carrying a 30-day response requirement. Heffernan characterized the request as approval to spend money and a consistent process, so that the Board knows what will be presented to it and when, and Perlee added that a checklist makes the process the same for everyone and removes the appearance of favoritism.

Sharon Lucia asked about the appeal route from a violation. Larsen confirmed appeals go to the Development Review Board and to environmental court.

Larsen summarized the next steps: they will develop written processes and procedures for enforcement and for the permit application process generally upon returning from vacation, and will create a complaint form so that reports, most of which currently arrive verbally, are documented and trackable even where the complainant wishes to remain anonymous. They recommended that the Town Administrator serve as the first escalation point, signing off where the town attorney simply needs to review a notice, and referring more complex matters to the Selectboard. Larsen closed by noting that when bylaws developed through public planning work are not enforced, public confidence in them erodes.

Jessica Teets, participating via Zoom, said she supports processes and procedures and that the approach sounds good. Albinson thanked Larsen.

5d. Selectboard roundtable

Joel Bouvier reported that several weeks earlier he observed a tall extension ladder left standing at the dormer window work at Holley Hall, and that it was still in place when he returned on Sunday. He noted that a contractor working alone may not be able to take the ladder down each day, but that the standard practice is to secure the lower rungs with a board and chain so the ladder cannot be climbed, and asked that contractors be told not to leave ladders accessible.

Michelle Perlee raised two items she had already mentioned to Faust. First, sunflowers planted at the corner of Maple and West Street had made it difficult to see traffic; they have since been cut down, and she asked that they not be planted in that location again. Sharon Lucia noted the person initially assumed to have planted them denied doing so, and it is not known who did. Second, Perlee said full-size trucks, particularly those with trailer hitches, parking in front of Snap's make the street very difficult to pass, and asked whether those spaces could be limited. Albinson suggested signing the spaces for compact vehicles or prohibiting trucks. Heffernan

recalled the Board had discussed the first five or six feet of that stretch previously, and described nearly striking a ladder protruding from a truck parked on the south side while in his own lane. Bouvier proposed converting the spaces east of the fire hydrant to a steeper angle, as has been done at the Marble Works in Middlebury, acknowledging that the Town would lose a space.

Jessica Teets, via Zoom, raised a traffic matter, noting the theme of the evening. A neighbor was nearly struck backing out of her driveway on East Street, where backing out is the only option. Teets asked that the hill be examined when the Town takes up traffic planning in the coming year, describing tire squealing and shouting and calling the incident frightening. Heffernan noted that backing into traffic is illegal and that vehicles should back into the driveway and drive out. Teets responded that she faces the same problem, that vehicles accelerate leaving town fast enough that there is often no gap in which to back in, and that the situation is genuinely dangerous. Faust noted vehicles come over that hill catching air.

Bouvier asked whether the road foreman could place the flashing speed sign at the point on East Street where the limit changes from 30 to 40, matching the placement on North Street. Faust indicated he had already directed that. Perlee was skeptical that it would change behavior.

Ian Albinson had nothing to report.

5e. Town Administrator's report

Town Administrator Gregory Faust reported the following.

Door knockers went out the previous Friday in connection with the lead and copper notice being delivered to every household. The State notified the Town on September 9 that the Town's lead and copper monitoring results are in. Federal rule requires the Town to deliver written notice of those results to every residence on the system. That notice is being prepared and will reach households within the required window.

On the Bristol East and Rockydale water project, the State issued a readiness schedule on September 13. The project now carries four deadlines rather than one: 90 percent design drawings due to the State by December 1; the environmental document by January 1; the bond vote warned by the end of January for a vote in March; and voter authorization and the construction loan application due May 1. Faust emphasized these are the outside deadlines rather than the Town's working schedule, and that missing any one of them moves Bristol into the next funding cycle. He said the State currently estimates the cost at roughly \$2.5 million, and noted in connection with federal loan forgiveness that the December items are already in hand. [The signed Step II funding application dated December 19, 2024 states a total projected project cost of \$13,950,000. The \$2.5 million figure as spoken is not reconciled to that document.]

Holley Hall is open, having received State Fire Marshal sign-off and a Certificate of Occupancy on September 9. Two small items came with it and are being worked through. Recreation is in the process of moving back in.

On the Lawrence Memorial Library, a grant reimbursement on the ARPA project came back on September 9 in the amount of \$135,000. The project is working through the remediation portion, with Alloy moving three or four joists, and an estimate of the cost to finish is being developed. Perlee asked about the Holley Hall Certificate of Occupancy items; Faust confirmed they require documentation rather than a return inspection.

The budget is currently under the Town's variance threshold for the year. Kris Perlee and Faust are covering zoning matters while Larsen is out. The first Town Plan workshop is the following

evening from 6:00 to 8:00 in the small cafeteria at Mount Abraham, which Faust described as the public's first real opportunity to say what they want Bristol to look like, with turnout being the whole point.

Village paving and the Bristol East bond. Heffernan asked whether Faust still favors rolling paving for the whole village into the Bristol East bond. He noted that the road foreman had approached Pike regarding Pine Street and that Pike recommended not placing the top layer until the following spring, after the road has had a winter to settle, and questioned the value of paving piecemeal if the Town intends to bond and pave comprehensively.

Faust said the current estimate for single-source work through Pike is approximately \$96,000 for just under one mile of Hewitt Road, with a portion near Lord's Prayer Rock able to be done without a separate move charge, saving roughly \$10,000 to \$16,000. River Road was estimated separately but would require equipment to be trailered between sites. Sharon Lucia asked about the River Road portion; Faust said an estimate exists but the road foreman had prioritized Hewitt.

Faust said savings realized on the Bristol West and Bristol East water projects could fund the paving, that voters approved a bond amount and the Town found value in doing additional work with the State Drinking Water State Revolving Fund, and that the result would deliver a complete new water system along with new roads and strategic culvert work. He said he would need to speak with the Vermont Bond Bank about what is allowable, noting the water portion would have to be closed out by the end of that project.

Heffernan said what the Board needs is a number in order to make an educated decision, acknowledging it will be a large one, and argued that the streets are all going to need work and that doing them together means not touching them again for 20 to 25 years, likely paid off before they need attention again. He also noted the paving question is different money in that it would not affect water rates, while acknowledging that all of it comes from Bristol taxpayers. Kris Perlee noted the roads will need to be paved regardless.

Bouvier said he does not want Pine Street paved again given compaction concerns and the quality of the patching and paving done by the water contractor, and Faust confirmed Pine Street is not in the plan. Bouvier also asked that the road foreman take a hard look at River Road, describing it as a road the Town forgets, and noted he has the locations of the surface bumps written down for the foreman and for the contractor hired to grind them.

Sharon Lucia said Town Meeting is a better time for a bond vote than November because the ballot can go through the tabulator. Faust said time is running very short for the November ballot and that he does not yet have the answers he would need to determine whether it could go on the March ballot. Bouvier noted the expectation that Bristol East will not go out to bid until December 2027, with pre-bid meetings and walkarounds before that. Faust said he is already moving to get those items underway.

Faust also raised the possibility of discussing participation from outside the district.

6. Other Business

6a. Correspondence, reports, and communications received

No items were taken up under Other Business.

7. Executive Session

At approximately 9:05 pm, Albinson confirmed that attendance had been recorded and moved the Board into executive session.

MOTION: *That the Board enter executive session to discuss the appointment, employment or evaluation of a public officer or employee as permitted by 1 V.S.A. §313(a)(3), and that the Town Administrator be invited to attend. Moved by Ian Albinson, seconded by Michelle Perlee. Passed unanimously.*

The Board entered executive session at approximately 9:05 pm and returned to open session at 10:09 pm. No binding action was taken in executive session, and no action was taken in open session upon return.

8. Adjourn

MOTION: *To adjourn. Moved by Michelle Perlee, seconded by Peeker Heffernan. Passed unanimously.*

The meeting adjourned at 10:10 pm.

Respectfully submitted,
Ian Albinson, Selectboard Chair