

Planning Commission
Meeting Minutes
August 5, 2014

Board Members Present: Chico Martin, Sue Kavanagh, Gary Clark, Katie Raycroft-Meyer, Bill Brown, Kris Perlee

Other Present: Eric Forand (Zoning Administrator)

Public: Caleb Rockwood, Shawn Rockwood, Laura Marcelle, Ricki Marcelle, Judy Marcelle, Larry Marcelle, Cheri Jackman, Paul Jackman, Cindy Castle, Cheryl Heath, Daniel Heath, Hildued Schaefer, Peter Grant, Janet Shaw, Robert Shaw

The Planning Commission meeting opened at 7:05pm

1) Approval of Minutes

Chico made a motion to accept the meeting minutes from the June 17, 2014 meeting as amended by Sue, seconded by Bill. All were in favor (6-0)

Chico made a motion to accept the meeting minutes from the July 1, 2014 meeting as presented, seconded by Kris. All were in favor (6-0)

2) Administrative Matters

Sue reported that the Select Board requested that the town attorney review the question of the zone in which the Recreation Club land adjacent to West Street lies. This pertains to the recommendation by the Fire Facility Site Selection Committee's of the West Street site for a new fire facility and the subsequent question about the lot adjacent to West Street that is currently zoned ROC (Residential, Office, Commercial).

Members of the Commission felt that the authority of the Planning Commission was being undermined by the decision of the Select Board to request outside counsel in regards to the question of the zone for the West Street lot, particularly after the Select Board asked the PC to rule on the question which it did at a special July 1, 2014 meeting, confirming the lot as zoned ROC (per the March 2006 zoning regs and bylaws booklet).

Chico made a motion that the PC recommend to the Select Board that under the authority of Section 230 in the Bristol Zoning By-Laws and Regulations, the attorney's report should be delivered to the PC and not the Select Board, seconded by Kris. All were in favor (6-0).

The Ad-hoc committee formed to review indoor, outdoor and recreational facilities definitions will provide their report at the next meeting.

3) Public Hearing on Planned Residential Development Permit 14-02 PUD was opened at 7:15pm

On behalf of the Marcelle family, Ricki Marcelle described how he and his brother Larry bought back the land they had grown up on and want to divide it into six lots with houses. They want to build four single family houses, roughly 1200 sq. feet each, on the eastern end of the property, near Route 116 South, and two houses on larger lots farther west on the property, leaving the farthest end of the lot as undeveloped green space. They plan to rent out the four houses toward the east of the lot (houses marked 1-4 on the map the

family provided with the application) and live in the two houses farther west (houses marked 5-6 on the map). They would eventually like to have their children take control of the four rental properties.

Sue asked Zoning Administrator Eric Forand to comment on the zones involved with the planned development and whether the applicant's plan meets the density requirements. The applicant has 4.7 acres in the RA2 zone and 19.5 in the RA5 zone. Eric calculated the density allowed in each district as such: RA2 - 2 acre lot minimum so 4.7 acres = 2 single family houses. RA5 - 5 acre lot minimum so 19.5 acres = 3 single family houses. This leaves .7 acres from the RA2 zone and 4.5 acres for 5.2 acres. So applying the more restrictive RA5 requirement will allow for the sixth house. A PRD allows them to position the houses on the property to utilize the space best.

Eric noted that the family did not yet have a final location for septic and wells on sites 5 and 6, the two larger back properties but that surveyors Ron and Kevin Larose are working closely with the family and testing has been started.

Other points: Questions from the PC members focused on the driveway indicated on several maps included with the application. The trailer currently located on the property will be removed. Sue asked that the Marcelles be given a photo copy of section 528 of Bristol's zoning bylaws and regulations pertaining to Planned Residential Developments.

Questions from members of the public attending the hearing included: Peter Grant asked if his shallow well had been considered when the septic design was created. Marcelle's stated that LaRose's survey had completed all of the tests needed and no neighboring properties would be affected.

Janet Shaw asked about the building materials of the four houses intended to be rentals and the Marcelles stated the houses would all be wood framed, stick built homes, not mobile or modular homes.

Dan Heath asked how the stream was going to be handled, Marcelles stated they realize how much water could come through during heavy rain and they would build a road and culvert that could handle it.

Cindy Castle asked about the farthest west property line and there was discussion of the pins indicating the farthest west corners of the property.

Although the PC remains positive about the Marcelles' intentions for their property, the PC felt that the Marcelles had not yet provided all of the information required under Section 528 of the Bristol Zoning By-Laws and Regulations, including but not limited to, indication of parking for the houses intended to be rentals, accurate size of the building envelopes, building heights, any lighting or screening, and common land agreements (which would need to be in place if any of the properties in the PRD were to be sold by the members of the Marcelle family making this application). Well and septic designs for houses 5 and 6 must be included.

The Commission requested that any and all required information be submitted and one single map (drawn to scale, showing the entire lot) be provided that contains all of the information required by Section 528 including, in particular, information indicating natural elements and the driveway. (Concern was expressed by at least two members of the PC about the elevations of the lot as these may influence the stream and water passing across the land – and how that would be managed).

Chico made a motion that the hearing be continued to a date certain of December 2, 2014, seconded by Kris. All were in favor (6-0)

4) Public hearing on Permit 14-44 was opened at 8:10pm

Chico made a motion to accept the Design Review Commission's recommendation to approve permit 14-44, seconded by Kris. All were in favor (6-0)

The meeting was adjourned at 8:14pm