

**Planning Commission
Meeting Minutes
November 1, 2016**

Commission Members: Sue Kavanagh, Anna Daylor, John Elder, Bill Brown, Kris Perlee, Bill Sayre

Other: Eric Forand (zoning admin), Mary Arbuckle (NeatTv), Adam Lougee (ACRPC)

Public: David and Wendy Livingston, Jason and Jodi Lathrop, Justin Lathrop, Michael Russell

Meeting Opened 7:10pm

Minutes:

The PC answered some questions from the audience about the draft minutes, particularly regarding the Oct. 18 minutes, and Sue clarified with the PC to be sure the members agreed that the draft minutes as presented reflected the meeting's conversation.

John made a motion to accept as presented the minutes from the October 4, 2016 planning commission meeting, seconded by Bill. All were in favor (5-0). Bill Sayre was not present for vote.

Kris made a motion to accept as presented the minutes from the October 18, 2016 planning commission meeting, seconded by Bill. All were in favor (6-0).

Administrative Matters:

Sue reviewed the meeting and public hearing timeline. The Town Plan and Zoning Regulations should be conveyed to the Selectboard this evening in order to stay on track for the Selectboard's public hearings and considerations before moving toward Town Meeting day vote in March, 2017. A PC Meeting is set for November 15, there are two DRC reviews and one PRD amendment on the agenda.

Review of comments on Regulations:

Sue began the discussion with the proposed Daniels Four Corner (DFC) overlay district. Per the discussion at the last meeting (Oct. 18) the proposed overlay district will allow for the proposed Conditional uses in the underlying zones. Based on input from the 10/18 meeting, John had drafted language since the last meeting which Adam has incorporated into the draft regulations document now before the PC. Wendy Livingston asked if the Commission felt that this proposed overlay was what the Town residents wanted. Adam asked to be recognized to explain that the regulations were being revised to implement the desires of the Town Plan and the Town Plan was voted on by the Town in November 2012. Wendy did not feel that the overlay represented the wishes of the residents. David Livingston stated that he felt the some of his rights were being taken away because of the proposed overlay. He asked that if he expanded his current

operations would he need to adhere to the new building design requirements, sidewalks etc.? Adam again asked to be recognized to explain some points including clarification that the new draft zoning regulations add numerous new possible uses in the Commercial zone where Livingston Farm is located (even considering the proposed addition of the overlay zone there) and do not take away any of the current uses available in that zone. Adam also explained that there is new language in the Regulations that would allow the ZBA to use its discretion when it comes to reviewing permits within the proposed DFC overlay. David said he purchased the land with a certain set of regulation and he does not feel that it is right to have a different set applied to him now as that devalues his property. In the DFC overlay objectives and guidelines he would like to see the word “other” after the word vehicle sales changed to “similar.” The PC agreed to this suggestion.

John proposed additional language for the introduction, emphasizing the need for flexibility when the ZBA receives requests related to established, non-conforming uses. This language would be added to the introductory section at the beginning of the regulations document. Adam pointed out the proposed additional text in the Non-Conformities Section along these same lines, offering further clarification and guidance to the Town. Anna proposed that the name ZBA be changed to appropriate municipal panel. The Commission accepted these suggestions.

Bill Sayre recused himself from the table as a landowner in the proposed DFC overlay area. He asked that the word “may” be removed from the sentence “prohibit uses that may detract” from the DFC objectives and guideline section. The Commission accepted this suggestion. Bill re-joined the PC.

The language in section 352 was updated to incorporate suggestion from Mike Russell the attorney for Lathrop’s Forest Products. In section 355 the language about the ZBA adjusting setbacks was removed. The definition of sawmill was updated to include suggestion from Mike Russell (attorney for Lathrop’s Forest Products). The Commission also discussed a suggestion by Mike to include sawmill in the Industry, light definition but agreed not to change the definition as proposed.

Sue discussed input that had been received in writing from John Moyers. He stated that the dotted lines on the zoning map outlining the Village Planning Area (VPA) should be more clear (red dotted line clearly going all the way around the VPA). Sue is going to talk to Kevin Behm at ACRPC about trying to make it clearer. John had a comment that the map showed Prince Lane connecting to Mountain St. and it does not. Adam has updated this error on the zoning map. John also asked that some clarifying language be added that states that extraction is not allowed in the small piece of Commercial zone that falls within the Village Planning Area. Kris stated that this area was changed to C1 because there are existing, working extraction operations in that location. Adam’s suggestion to add a footnote to Extraction as a Conditional Use within the Commercial zone will not preclude that ongoing use in that specific location within the VPA.

John M. suggested Forest / Forestry be added to the definition section and Adam has proposed it with a reference to the definition for Silviculture.

The Commission discussed the proposed 35ft building height restriction throughout Bristol. For this meeting, Adam had proposed language that would allow buildings to be 35ft to living space, so the actual roof/peak could be higher. John and Bill B. felt that 35 ft was high enough and that the regulations should not allow for higher building in order to maintain the existing building pattern of the Town. Kris felt that to promote development of infill housing the PC is looking for, particularly in the downtown/village area, they would need taller structures to accommodate, say, an apartment or multi-family structure. Bill S. suggested that structures built against hillsides be allowed to go higher when measured from the downslope side of the structure. He suggested that the 35ft measurement be taken from the highest elevation outside the structure. Kris suggested that the maximum height in the downtown be returned to 50ft. The Commission accepted both changes.

Anna made a motion to convey the revised Bristol Zoning Regulation to the Selectboard, seconded by Bill B. (5-1) five in favor with Kris voting against. Motion passed.

The Commission began discussions on the Town Plan. Sue recommended that the Commission consider removing the two zoning maps from the Town Plan Appendix and accordingly remove any reference to the zoning districts in the Town Plan. This will allow the Town Plan to be voted on independently of the regulations document. Adam stated it is unusual for the zoning maps to be in both the regulations and the Town Plan. Kris felt that there may be more references to the zones than they think and that they should not rush to get it done. He felt that the Town should conduct a special vote in November 2017 to make sure the Commission had time following March to review and make updates. Bill S. commented that it would likely take more time than available in 2017 to update the Town Plan in order to be ready even for a November 2017 vote.

Sue made a motion to convey the Town Plan with the single amendment to remove the zoning maps and references to the Selectboard, seconded by John. (5-1) five in favor with Kris voting against. Motion passed.

Sue made a motion to adjourn, seconded by Kris. All were in favor (6-0).

Meeting adjourned 9:25 pm.

Respectfully Submitted

Eric J. Forand