

Planning Commission
Meeting Minutes
1/10/17

Commission Members: Sue Kavanagh, John Elder, Bill Brown, Gary Clark, Anna Daylor, Skimmer Hellier, Bill Sayre, Kris Perlee, Katie Raycroft-Meyer

Other: Eric J Forand (Zoning Admin), Mary Arbuckle (NEATtv)

Public: Robert Fuller, Diane Saunders, Brett LaRose

Public hearing for permit 16-76 opened at 7:00pm

Sue explained that the public hearing for this application was opened on November 15, 2016, and considered the recent recommendation made by the Design Review Commission. At that meeting the Planning Commission (PC) asked the Zoning Administrator (ZA) to meet with the applicant to have them revise the application to include moving the container further back or putting in screening to hide the container. The applicant did not provide any further information or designs by the December 20, 2016 meeting so the public hearing was again continued to a date certain of January 10, 2017. The ZA spoke to the applicant yesterday and they stated that no further information was available. They also stated that the container is only allowed to be there until February 15, per their lease agreement.

Kris felt that the PC does not have the authority to add conditions to an application, they need to approve or deny it as it is presented. John thinks the PC should deny it and anticipate that Rite Aid will present a new application for next year. Sue reminded the Commission that the DRC conducted their review of the application and approved it with the condition that the container be flush with the south wall of the store and be of similar color to the building. Bill B. feels that downtown is not the place for a container, he feels it does not fit in and that Riteaid is not being a good corporate citizen. Anna feels like the applicant is not responding to the PC request in a timely manner. Kris asked if the applicant could appeal the PC's decision (if denied now) and the ZA stated that an appeal would go to the Environmental Court. Sue, asked if the applicant could re-apply with the same application if this application was denied now. The ZA stated it could not be an identical application, but it could be resubmitted if the applicant addressed screening (as suggested by the PC at the 11/15/16 meeting and conveyed by the ZA). Robert Fuller, as a member of the public, stated that those that have issues with the property should call the property owner directly. Bill S. stated he was in favor of the applicant as they are a business the Town depends on.

John made a motion to deny without prejudice permit 16-76, seconded by Bill B. Motion passed 8-1 with Kris voting against.

Anna made a motion to close the public hearing for permit 16-76, seconded by John. All were in favor.

Public hearing closed 7:35pm.

Public hearing for permit 16-01PRD opened at 8:40pm

Katie recused herself due to a conflict of interest. Robert Fuller described how he purchased the North Street land with the idea to build several net zero energy efficient houses, keep one to live in when he retires and sell the rest. His idea is based on the Kirby Cottage (Burlington, VT) idea, where the houses are owned by the individual and the land is held in common. He stated the density in these two zones (HDR/MIX) allow for more than the six house he is looking to build but the ground does not have the septic capacity per Steve Revelle. He will build one house and sell it before he starts construction of the next house, etc., based on the plan he's presenting this evening. He is working with different manufacturers to explore and develop a net zero house that that can be offered at a price point that he feels would sell. He is currently thinking that he will use a model from Vermont Mod that is a two piece modular with a truss roof and around 1200 sq. ft. of floor space. He is looking to have a packed gravel driveway similar to the driveway at the VBT headquarters in Bristol. He said that a condominium steering committee will be established to govern things like where gardens are placed and fees. He stated that he feels that the project does not need an Act 250 permit because it is less than 10 new units and it does not create 6 new lots. He also provided a letter from Lincoln Applied Geology that no storm water permits would be needed (based on the planned surface coverage). He stated that water from the culvert on North Street currently flows to the north and into the ROW then runs down into the field just to the north of the planned building envelopes/house sites. He stated that water would continue to drain in the same way it has in the past.

Brett Larose (fire chief) addressed the Commission with some of his concerns about emergency vehicle access to the project. He stated the southern driveway was very steep, potentially a 15% grade. He was worried about his apparatus being able to back up a grade that steep. He was also concerned with the lack of a turn-around space on the north driveway. Diane Saunders who happened to be in the audience for other reasons shared her experience serving on the rescue squad and the challenges of answering emergency calls at locations that are difficult to access. Robert said he could potentially increase the parking per building to 3 instead of two to allow more space for a turn around. He also stated that he will try to get the grade lower on the south driveway as they start to move dirt for the septic. Brett asked the Commission to involve the department in developments like these going forward so issues such as grade, road width and turnaround can be addressed in the planning stages. Kris asked if the issues Bill Bouvier brought up at the informal information presentation last summer had been addressed. Robert stated that Bill had questions about drainage but Robert felt that the way water drained from the property would not be affected. Kris asked the ZA if there was a date the project had to be completed by, the ZA stated that as long as the project was started within one year of approval of the PRD permit the project does not have a date it has to be finished by. Kris stated that Section 529 of the Bristol Zoning Regulations says that a site plan shall be provided to the PC that has location, heights and spacing of buildings. He feels that the site plan submitted does not have all of this information in detail.

The Commission discussed how to acknowledge the concerns brought forward by the Fire Chief. Discussions were had about adding language to a motion to approve or only be sure to include

the discussion details in the minutes as a record of the PC's interest in knowing the emergency vehicle access concerns would be adequately incorporated. It was decided that after consulting with the Fire Chief if Robert had some changes he would need to return to the PC with an application to amend the original permit (based on the site plan being reviewed this evening).

John made a motion to approve permit 16-01PRD with accompanying site plan as presented dated December 12, 2106 (and additional materials Mr. Fuller provided at the meeting), seconded by Skimmer. Motion passed 7-1, Kris was against.

John made a motion to close the public hearing for permit 16-01PRD, seconded by Skimmer. All were in favor (8-0).

Public hearing for permit 16-01PRD was adjourned at 8:40pm

Regular PC meeting was opened at 8:45pm

Minutes

Kris made a motion to accept as presented the December 20, 2106 meeting minutes, seconded by John. All were in favor (9-0).

Administrative Matters

John stated that he received a letter addressed to the PC and the Selectboard from Nancy and Jim Skidmore raising concerns over the proposed GroSolar solar array project on South 116 Road. The Commission decided to respond to the Skidmores stating that they will need to bring their concern to the Public Service Board (PSB) as the PC and SB have no jurisdiction in this project. The ZA stated that the Town has not yet received a 45 day notice from the PSB on this project. Diane Saunders a neighbor to the project spoke about how she felt the project was not a good fit for the area. She feels that it will destroy prime agricultural soil and affect tourism. The Commission discussed possibly hosting an informational session on the project. Kris stated that he thought the PC should not get involved as it is not a PC project. The ZA stated that GroSolar mentioned having their own public information sessions before the formal PSB hearings. The Commission decided to not host public information sessions for the project.

Sue stated the next PC meeting would be February 21, 2017.

Meeting adjourned 9:05

Respectfully Submitted

Eric J Forand