

PLANNING BOARD MINUTES

June 28, 2023

APPROVED: 7/12/23

AGENDA: PCC– Sellers - #222-005 – 39 Briar Hill Road

ATTENDING: John Miller (Chair) **via Zoom**, David Shirley (Vice Chair), Scott Sanschagrin (Select Board Representative), Don Milbrand, and Elizabeth Seeler

OTHER: **Staff:** Christina Goodwin (Town Administrator), and Joanne Bailey (Land Use Manager)
Applicants, Presenters and Public: John Sellers, Liz Kelly, Resilience Planning & Design, Crystal Kidd, Resilience Planning & Design, and Steve Carten

With a quorum present, Chair Miller called the meeting to order at 7:01 pm.

NEW BUSINESS:

PCC– Sellers - #222-005 – 39 Briar Hill Road

Chair Miller thanked Mr. Sellers for coming in to have a preliminary conversation about his project plans. He stated that the preliminary concept consultation is non-binding and cautioned that Mr. Sellers should not invest money into his project based on discussion. Ms. Bailey read the information about a plan to use a Recreation Vehicle (RV) on the property as a short-term rental for guests. She stated that Mr. Sellers had talked about using the RV previously for Airbnb use.

Mr. Sellers explained that they have about 14 acres with the back portion zoned Rural and the front portion zoned Village Residential. They own an RV Camper that they would like to use as a rental opportunity for others to enjoy the area. He presently uses his property as a primary residence with a hobby farm and a recently approved short-term rental apartment in his basement. He would like to be able to make fuller use of his property to add income and help with taxes.

Mr. Shirley asked staff if camping was allowed in these zones. Ms. Bailey explained that the stricter zoning restrictions apply when a property falls into a split zoning situation. She stated at present, personal RV usage on a residential property is allowed for 90 calendar days only, but use of this for paying guests would fall under the restrictions of short-term rentals. Because his property falls in 2 zones, the stricter zone rules apply, and these restrictions require the rental to be a residential living dwelling. An RV is not considered to be a residential living dwelling so a Variance would be needed.

More discussion about camping and campgrounds followed, noting that overall, campgrounds are regulated by the State. Ms. Goodwin stated that there is only one long-term campground in Bristol that is regulated by the Town and that is closed for 14 weeks of the year. Other campgrounds in town were seasonal only. Ms. Bailey added that temporary camping for a maximum of two units can be permitted on a residential lot from Memorial Day to Columbus Day. Mr. Sellers stated that he was looking to rent this on a weekend basis during the summer season from Memorial Day to September. Mr. Miller asked if a change of zoning for this lot was made to Rural only would this use be allowed. Ms. Goodwin stated that the issue of use of an RV as a short-term rental is the problem because it is required to be a residential living dwelling.

Additional discussion followed regarding qualification for a Variance to allow camping and proof of hardship and permitting for short-term rental requiring it be a dwelling or attached unit. Mr. Shirley

PLANNING BOARD MINUTES

June 28, 2023

PCC– Sellers - #222-005 – 39 Briar Hill Road, continued

stated that as a Board, they are responsible for the intent of the ordinance, and all zoning and restrictions that apply. Chair Miller added that guidance for Mr. Sellers would be difficult with split property zoning at present and the use of an RV for short-term rental. There was some discussion about change of zoning to have the entire property as Rural, applying for a Variance which would require demonstration of hardship, and options to allow for less tax burden with current use or possibility for more investment with development of a cabin(s) to comply with residential dwelling issue.

Mr. Sellers asked what his options are right now to move forward. Ms. Goodwin stated that he could apply for a Variance with the Zoning Board. Ms. Goodwin stated she would run his project plan by the Town Attorney to be sure of all options and that nothing was missed in the discussion.

WORKSHOP BUSINESS:

Resilience Planning and Design Proposal – Master Plan- Land Use Chapter – Steve Whitman/Liz Kelly

Ms. Kelly presented a proposal with a scope of work that includes GIS mapping of Bristol's land use pattern, land cover changes and zoning districts to understand location and nature of development in Bristol today to further review this data to update the Town's Land Use Chapter and include information about constraints to development such as steep slopes. The proposal will also incorporate the analysis of the recent community survey to formulate a forward-looking conclusion. The proposal included a budget for staff time and the scope of work in the range of \$8000 to \$10,000.

Chair Miller asked what the current budget was for this project. Ms. Goodwin shared that the budget was \$6000. The Board discussed work completed to date with Lakes Region Planning Commission (LRPC) with intent to leverage this work updating verbiage and statistics with that of the Resilience proposal to reduce time, work, and budget necessary to finish up this Chapter. Discussion followed about the June 2022 LRPC draft chapter and comparison to the community survey data analysis. Ms. Kelly stated she would bring the updated information to Mr. Whitman and get back with any change to scope and budget that may result from incorporating this.

Resilience Planning and Design Proposal – Steep Slopes Review – Liz Kelly

Ms. Kelly stated she would like to focus on the data provided about Steep Slope percentages and acreage featured on a Steep Slopes map. She continued to talk about how this could be developed as an overlay to the town Assessing Maps.

Mr. Shirley wanted to use this overlay to help define the updates to the Steep Slope zoning and added that he would like to have a better understanding of where the actual commercial and residential areas are to define restrictions within 15% to 25% steep slope areas. Ms. Kelly stated that an overlay of these areas to specific zones could be done to assist the Board.

Ms. Kelly asked for guidance for inclusion of the preliminary research work Mr. Shirley completed on Steep Slopes and Ridgelines. Mr. Shirley stated this was to determine what other restrictions were out there Statewide and in other communities and states to see how Bristol may want to incorporate or update any restrictions based on this information. Chair Miller stated he felt the next steps would be to get overlay maps done and in the system, analyze the data done and then move on to language and restrictions to update to zoning. Ms. Kelly stated that would allow them to focus their time with the mapping and then

PLANNING BOARD MINUTES

June 28, 2023

Resilience Planning and Design Proposal – Steep Slopes Review – Liz Kelly

talk further with the Board about applying the information these maps provide to restrict the activities in zones.

There was further discussion about definitions and other information to be determined. Mr. Miller stated that from his perspective it was important to do the right thing for tooling the Town with maps and information to inform the zoning updates necessary to protect Town resources.

Ms. Kelly will take the information from this discussion back to the office and come back with updates.

BOARD MEMBERSHIP:

Chair Miller stated that the Board was in receipt of an application from a local resident who was interested in serving as an alternate member of the Board.

Mr. Steve Carten introduced himself as a person who has been coming to the area since he was a child and recently moved here full-time and would like to volunteer to participate on the Planning Board or Zoning Board. He added that he had a construction and development background so felt he has some understanding about planning and zoning and can contribute from his experience.

Board members shared information about the duties of the Planning Board and current projects they are working on with Master Plan and Ordinance updates. Chair Miller explained the position of alternate which allows one to come up to speed with duties of the Planning Board but also includes the opportunity to participate as a voting Board member if a Board member is absent from the meeting.

The Board and staff explained the next steps for appointment should Mr. Carten decide he would prefer to be a part of the Planning Board.

OLD BUSINESS:

Timeline for getting amendments on the ballot – Steep Slopes

Mr. Shirley asked about staying on course with amendment discussions to make sure the Board meets the timeline for Board approval of amendments, public hearings, and inclusion on the next Town Meeting Ballot. Chair Miller indicated he would like to wait on decisions until the mapping and other information is available. Mr. Shirley pointed out the areas he wanted to be amended with information based on research. After discussion, Mr. Shirley agreed to create a separate document with specific suggested changes for the Board to consider and vote on for the next workshop. Chair Miller asked that the staff schedule the next workshop for mapping updates from Resilience Planning and Design and the CAI information for cost and timeline to update Town maps with overlay. Ms. Bailey stated the next workshop meeting is scheduled for July 26, 2023.

2023 Priority List - addition

There was discussion about and decision to add Lot Size review for Septic and Well areas in Rural Zoning as a priority 1 item to the Priority List.

MINUTES:

Mr. Milbrand motioned to approve the June 14, 2023, minutes as written. Mr. Shirley seconded. The motion carried by roll call vote 4-0-1.

PLANNING BOARD MINUTES

June 28, 2023

COMMUNICATIONS: None

REPORTS:

HISTORIC DISTRICT COMMISSION (HDC) - Ms. Bailey stated that Mr. Laflamme has resigned from the Commission, and they are seeking new members. She stated that Ms. Gordon was working with staff to get the word out about the 79 E Tax Incentive for renovations in Central Square.

CONSERVATION COMMISSION – Ms. Bailey stated that the Conservation Commission will meet July 5, 2023, and they will be hearing several cases. She stated that Health Officer, Mike Lacasse and Carroll Brown did the Beach water testing and results will be available once processed.

CIP COMMITTEE – no report

LAND USE – Mr. Bailey updated the Board on activities in the Land Use and Assessing Office. She stated that they are focused on enforcement with permit renewals and letters mailed out to property owners concerning permits for renovations etc. She added that more than 70 permits have been issued to date this year. She stated she presented a proposal for Land Use Fee structure changes to the Select Board for their review.

Ms. Goodwin and Ms. Bailey updated the Board about State Subdivision Regulations that resulted from their inquiry to the State regarding the 305 Peaked Hill Road subdivision case which was continued. Anything under 5 acres needs State subdivision approval.

SELECT BOARD - Ms. Goodwin updated the Board about the upcoming Community Night and changes that will happen should it rain. She stated that the 4th of July Fireworks will happen Saturday night at the Lake and the final decision will be made by 3 pm on Friday should rain threaten the display. Parking will be available in the Church parking lot. She shared that there is a facilitator but no other update yet on the All Committees/Board meeting.

BOARD MEMBER COMMENTS: None

STAFF COMMENTS: None

NEXT MEETING: July 12, 2023 – 7 pm

ADJOURNMENT: With no other business before the Board, Ms. Seeler motioned to adjourn. Mr. Milbrand seconded. The motion carried by roll call vote 5-0-0. The meeting adjourned at 8:48 pm.

Respectfully submitted,

Janet Cote
Land Use Associate