

## PLANNING BOARD MINUTES

January 29, 2020

**APPROVED: 3/25/20**

**AGENDA:** 20LLA01 LOT LINE ADJUSTMENT: Town of Bristol and Hertrich, #114-180 and #114-181  
PUBLIC HEARING ON PROPOSED ZONING AMENDMENTS

**ATTENDING:** Denice DeStefano (via conference call), Don Milbrand (Sel. Rep.), Evan Hickey (Acting Chair), Betty Seeler, Paul Barnett

**ABSENT:** Clay Dingman, Jackie Elliott, Bruce Beurivage

**OTHER:** Tyler Simonds (Planner)

The meeting opened at 7:00 pm with a quorum. Mr. Hickey held the review of the minutes and the Lot Line Adjustment for after the public hearing. Mr. Simonds reported that the Public Hearing covers a repeat of some items previously discussed by the Board as there was a requirement that certain uses within districts under 100 parcels must be notified by mail of the hearing. The Planning Board opened the Public Hearing at 7:05 pm.

### **PUBLIC HEARING ON PROPOSED ZONING AMENDMENTS:**

The Public Hearing discussion was as follows:

#### Historic Overlay District

Minor changes to the Historic District to remove the by-law information, update the historic map and adjust the order of the regulations.

Mr. Brian Shedd inquired on the boundary of the district. Mr. Milbrand stated that the boundary did not change. Mr. Shedd stated that the light and the dark were combined on the new map. Mr. Milbrand advised that the lighter areas were buffer district but followed the same rules as the darker shaded areas. The Town proposed the changes to clean up the map and make it more clearly defined.

Mr. Shedd inquired under 13.1A and how the Town was taken out of the mix. He felt that the change applies to any old building in Town and not just the district. He feels it gives the opportunity for the Town to make its own un-biased decision based on the history of a building. He feels that taking that wording out makes, for instance, the parsonage as important as the church. Mr. Barnett pointed out that the specific language in the description of the map, references the primary properties, non-contributing properties, etc. protects the concern that Mr. Shedd has by not allowing an interpretation for the entire Town. Mr. Simonds reported that we tried to shorten the language in this paragraph, but not change the nature of it. Mr. Favorite inquired on the use of the 2005 map of the district. He felt that there were buildings added to the district and other buildings that were not included. Mr. Simonds stated that there were not changes to district boundaries of the map and that the opinion surveys show clearly that the community does not want the Historic District expanded. The changes were focusing on removing the by-law content. Mr. Milbrand stated that the intent was not to change any content, but to just clean up the article. Mr. Shedd would like the Board to add "of the Town" back into the paragraph. Ms. DeStefano doesn't feel that the proposed language changes the intent, but if the Board wants to put the wording back, then she feels this change doesn't substantiate another hearing. The Board agreed under 13.1A to remove the strike out mentioning the Town.

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Ms. Putnam stated that the parsonage does not have a number on it so she feels that the property wouldn't be included. The Board stated the parsonage and the church is all one lot, therefore, included. Ms. Putnam questioned why they were all on one lot. Ms. Seeler explained that the Town may have involuntarily merged the property at one point and the church could research the property to determine if it was part of the involuntary merger process, that the church could request for the parcel to be returned to its original status.

Mr. Shedd inquired on the membership requirement being removed. Mr. Milbrand reported that it was in the by-laws and membership is appointed by the Select Board. Mr. Shedd asked if any of the changes put the responsibility on the state to make decisions and Mr. Milbrand stated no, the Historic District Commission would still be responsible.

***Ms. Seeler motioned to move this article as amended to the ballot, Mr. Milbrand 2<sup>nd</sup>, the motion carried.***

### Research and / or Testing Facility

The change was to allow facilities to research and develop their product, changing the title to Research, Development and / or Testing Facility. The definition was changed to add "which can be further used for delivery, production, or commercialization".

Mr. Favorite asked if the Board considered not allowing hazardous materials in certain areas of town or jet engines, etc. Mr. Hickey pointed out that this is currently allowed in the Industrial district and the Board is proposing to add to the Corridor Commercial district. Mr. Barnett pointed out that the Planning Board has the authority to limit noxious or detrimental facilities. Mr. Barnett stated the sub-committee was attempting to try to help aid the ever-changing businesses that are out there already. Ms. DeStefano pointed out that the current Zoning Ordinance under Article 4.1 addresses noxious or dangerous conditions.

***Ms. Seeler motioned to move this article to the ballot, Mr. Milbrand 2<sup>nd</sup>, the motion carried.***

### Light Industrial Facility

The change is to eliminate the restriction of a maximum ten (10) employees per shift to allow for different types of businesses that might fall under light industrial but may have more employees. This is currently allowed by Special Exception in the Village Commercial and Corridor Commercial Districts and is an allowed use in Industrial district. The Board is proposing to change the Corridor Commercial district from allowed by Special Exception to an allowed use.

Mr. Shedd inquired on why the limit of employees was removed. He feels this allows large scale manufacturers to come into Town anywhere. Mr. Barnett stated that the intent was to allow the opportunity for creating more jobs and vitality to the community. Part of the issue was to address the issue of taxes and attract businesses that will help with this burden. Mr. Shedd inquired if this would allow industrial facilities to be on both sides of Route 104. Mr. Barnett stated no, but could allow an industrial facility on one side of Route 104.

***Mr. Milbrand motioned to move this article to the ballot, Mr. Barnett 2<sup>nd</sup>, the motion carried.***

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### Hotel, Motel/Lodging Facility

The change is to allow in the Corridor Commercial district as this seems to be the best district to consider this type of facility.

***Ms. Seeler motioned to move this article to the ballot, Mr. Barnett 2<sup>nd</sup>, the motion carried.***

### Mixed-Use Development

This is changed to add a definition to allow this type of development that consists of a live-work-play environment and allow in the Corridor Commercial district.

***Mr. Barnett motioned to move this article to the ballot, Ms. DeStefano 2<sup>nd</sup>, the motion carried.***

### Energy Facility

To create a definition for energy facility as energy businesses are upcoming and plans to utilize solar as well as battery energy storage are the topics of many towns and states. The Board is proposing to allow this use in the Industrial, Corridor Commercial, and Rural districts.

Mr. Favorite pointed out that the Board may want to consider restricting the angle that the solar panels are allowed as the reflection can often trespass on other property. Mr. Barnett felt that would be part of Site Plan Review.

Mr. Keegan inquired about this type of facility being allowed in the Historic District. The Board stated that it would not be allowed. Mr. Keegan inquired if the Board would consider allowing it in the Historic District. Mr. Barnett stated that this brings up a good point. Energy storage is invisible to the site and has little visual effect, however solar is very difficult to incorporate in the Historic District because of the visual aspects of solar. The visual aspects would be problematic. Mr. Barnett stated that when this was reviewed, it was looked at from a commercial point of view and where that type of facility would be best served for the Town. Mr. Milbrand stated that the residential use of solar panels is not regulated by this definition. Mr. Keegan inquired about being able to put any solar panels on buildings in the Historic District. Mr. Milbrand stated that personal use would be allowed but the Historic District Commission would have authority over this. Mr. Keegan asked if the Board would consider it in the future. The Board was willing to get the Commission's input. Mr. Shedd inquired about what stops anyone from installing some types of solar from being installed, if they don't have to go to the Planning or Zoning Boards. Mr. Milbrand reported that the permitting office would review the location for any applicable ordinances and rules and direct the applicant via the correct avenue. Mr. Boake Morrison inquired if panels were installed, does this mean that the Town would be required to buy energy from the facility. Mr. Milbrand stated no.

***Ms. Seeler motioned to move this article to the ballot, Mr. Milbrand 2<sup>nd</sup>, the motion carried.***

### Commercial Enterprise

To include more types of enterprises that are prevalent or becoming prevalent and to allow in the Village Commercial, Downtown Commercial, Corridor Commercial and Industrial districts.

Mr. Shedd inquired about limiting the number of employees in this case. Mr. Barnett stated that these are uses that are allowed, but the Site Plan process would look at the scale of a project, looking at the number of employees, the traffic, the parking etc. Mr. Shedd stated that this would allow the business to

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come in without any restrictions. Mr. Milbrand stated that the business would still need to come to the Planning Board for Site Plan Review.

***Mr. Barnett motioned to move this article to the ballot, Mr. Milbrand 2<sup>nd</sup>, the motion carried.***

Having no further comments on the proposed Zoning amendments, the public hearing was closed at 8:00 pm.

### **20LLA01 LOT LINE ADJUSTMENT: Town of Bristol and Hertrich, #114-180 and #114-18120**

Mr. Simonds handed out larger maps for the Board members. Mr. Hickey inquired about the owners of the parcels. Mr. Milbrand stated it was the Town and Mr. Hertrich. The sale of the property started the need for this Lot Line Adjustment, when the deeds were researched. When the Town expanded the Library and traded spaces with the owner of the back property, the paperwork didn't get recorded well, so the Town is cleaning the matter up now. The parking spaces would be returned to ownership of the back property and straighten out the easements.

**Ms. Seeler motioned to approve the Lot Line Adjustment as proposed, Mr. Barnett 2<sup>nd</sup>, the motion carried.** The Board signed the plan and the Mylar.

### **MINUTES OF JANUARY 8, 2020:**

The minutes were not prepared for the meeting.

**COMMUNICATIONS:** None

### **REPORTS:**

**Select Board:** Don Milbrand reported the following:

- The Select Board has been working on Warrant Articles and trying to reduce the number
- Recycling – the Town has signed a Memorandum of Understanding (MOU) with the Town of Ashland for cardboard. There is a trailer set up to bale the cardboard and the Highway Department will deliver it to Ashland.

**Capital Improvements Program Committee:** Did not meet

**Historic District Commission:** Did not meet

### **Land Use:**

- Jon Shackett inquired on expanding his use to serve other wines, etc. Mr. Milbrand felt that there wasn't anything that would need to be done with Land Use, but mainly the State. Mr. Milbrand inquired if Mr. Shackett had to do a Site Plan in the past. Ms. DeStefano stated that he had to in the former location on Lake Street, but the current location, in Central Square, was an allowed use to an allowed use, so no Site Plan was required. The expansion of service is still an allowed use. Mr. Simonds inquired if the change falls under expansion of use. Ms. DeStefano stated he is expanding his service not his use.
- The Little Free Library is looking at two locations: TTCC and Central Square. The Board didn't feel that the Central Square would work but possibly Cummings Beach.
- The Chinese Restaurant is working with Ms. Goodwin and is still take-out only.

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- Mr. Simonds has been in touch with any of the members of the public who indicated that they were interested in serving on committees or helping out in other ways, when they filled out the community opinion survey. He has contacted 65 people and has narrowed it down to a handful. Pete Nostram and Cathy Redman may be interested in a Planning Board role. Mr. Barnett let the Board know that he is running for Select Board, which may affect his status on the Planning Board.
- Law books have arrived. Physical copies are available to be picked up at the Land Use Office and digital versions were handed out with directions to any Board members who ordered.

### **NEXT MEETING:**

The next Planning Board meeting will be held Wednesday, February 12, 2020 at 7:00pm at the Town Offices. It is anticipated that Mayhew Program will be in for two PCC's and Hiltz Excavating will be back for the continued Site Plan.

With no other business before the Board, the meeting adjourned, unanimously, at 8:17 pm.

Respectfully submitted,  
Christina Goodwin,  
Land Use Manager