



Town of Bolton
3045 Theodore Roosevelt Highway
Bolton, VT 05676

Bolton Development Review Board
Meeting Minutes
February 23, 2017
Bolton Town Office

DRB Members Present: Steve Diglio (Chair), Sharon Murray, John Devine, Rob Ricketson (Alternate)

DRB Members Absent: Charmaine Godin, Michael Rainville, Adam Miller (Alternate)

Staff Present: Sarah McShane, DRB Assistant/Zoning Administrator

Others Present: Aaron Lawrence, Lexie Hasleton, Chuck Reiss, Jeff Brown

Posted Agenda:

1. Public Comment
2. Warned Public Hearings: Notice –Participation in the hearing process is required in order to appeal a decision of the Development Review Board.

Continued from January 26, 2017-Application 2017-01-DRB: Applicant/Property Owner Aaron Lawrence – Request Conditional Use approval to construct a single-family dwelling on steep slopes pursuant to Sections 3.16 and 5.4 of the BLUDRs. The property is located in Rural II Zoning District at 1518 Notch Road (Tax Map # 5-0041518).

Continued from January 26, 2017-Application 2017-02-DRB: Applicant- Vermont Building Resources, LLC/Property Owner- West Bolton Golf Club, Inc. – Request Preliminary Subdivision approval for a 9-lot Planned Unit Development (PUD). The property is located in Rural I Zoning District on the corner of Nashville and Stage Roads (Tax Map # 1-0035425).

3. Zoning Administrator's Report
4. Meeting Minutes 10/27/16 & 1/26/17
5. Other Business
6. Meeting Adjournment
7. Deliberative Session

1. Call to Order Mr. Diglio, Chair, called the meeting to order at 6:35PM with a quorum present.

2. Public Comment & Adjustments to the Agenda - No public comments. Mr. Ricketson suggested that the board review the Town Plan action item list if time allows at the end of the meeting.

3. Public Hearing: Application 2017-01-DRB: Applicant/Property Owner Aaron Lawrence – Request Conditional Use approval to construct a single-family dwelling on steep slopes pursuant to Sections 3.16 and 5.4 of the BLUDRs. The property is located in Rural II Zoning District at 1518 Notch Road (Tax Map # 5-0041518).

Mr. Diglio reopened the public hearing and provided an overview of the application. No ex parte communications or conflicts of interest were reported. The Applicant, Aaron Lawrence, was present to answer questions and provide an overview of the proposal. The application was continued at the last meeting pending additional items from the Applicant. The Applicant stated that he is requesting approval to construct a single-family dwelling on a property he recently purchased at 1518 Notch Road. Mr. Diglio noted that the application is being reviewed as a conditional use for development on steep slopes under the Bolton Land Use and Development Regulations.

1 Mr. Lawrence provided an overview of the application. He stated that since the last meeting he
2 contacted Vermont Contours to help estimate the grade of the existing driveway. He stated that he
3 has provided estimates of the driveway grade in 50 foot segments and a photograph of the existing
4 curb cut. He reported that he had spoken with the Road Foreman and there are no line of sight
5 issues, but the driveway culvert will have to be replaced and upgraded to 18" x 30'. He added that
6 the approach area will also need to be re-graded to meet B-71 Standard.

7
8 Board members reviewed the provided materials. Members discussed the drainage near the
9 driveway curb cut in relation to the culvert.

10
11 Members reviewed the grades of the existing driveway. Mr. Lawrence stated that he had spoken
12 with Mr. Gervia, Bolton Fire Chief, and that his main concern was the radius to turn into the
13 driveway. Ms. Murray recommended that the driveway terminate with a turn-around for
14 emergency vehicles. Ms. McShane will ask Mr. Gervia to put his comments in writing for the record.
15 Members noted that this particular parcel is relatively flat compared to other lots on Notch Road.

16
17 Mr. Ricketson summarized the comments and concerns of board members. He stated the ditch
18 should be relocated to be on the uphill side of the driveway and that he will be required to ensure
19 that the driveway, as improved, does not exceed 15%. Mr. Lawrence stated that small portions of
20 the existing driveway will need to be re-graded. Ms. Murray added that any ditches over 5% are
21 required to be stone-lined and that the Applicant will need to obtain a curb cut permit.

22
23 Members reviewed the grade of the building site. Mr. Lawrence stated that he intends to slightly
24 grade the building site prior to construction. Mr. Lawrence indicated the location of the building
25 envelope and the clearing area. Ms. Murray noted that a likely condition of approval will include
26 pinning the building envelope on the ground.

27
28 Mr. Diglio asked if the board had any further questions. Ms. Murray suggested conditioning the
29 Certificate of Occupancy on ensuring all permits are obtained. Mr. Ricketson suggested that the
30 Applicant submit a revised site plan to the Zoning Administrator prior to the issuance of a zoning
31 permit, as well as obtain an access (curb cut) permit. Members noted the revised location of the
32 ditch and the need for it to be stone-lined. Members added that the Applicant will need to provide
33 a driveway profile/cross section.

34
35 Ms. Murray suggested that the contractor follow the Low Risk Site Handbook for Soil Erosion during
36 construction. Mr. Diglio asked if Mr. Lawrence had measured the setbacks. Mr. Lawrence
37 responded that he had measured the setbacks and ensured that the building envelope met the
38 required setbacks.

39
40 Mr. Devine made a motion to close the hearing, Ms. Murray seconded. The motion carried 4-0. The
41 Board will issue a written decision within 45 days.

- 42
43 **4. Public Hearing: Application 2017-02-DRB: Applicant- Vermont Building Resources,**
44 **LLC/Property Owner- West Bolton Golf Club, Inc. – Request Preliminary Subdivision**
45 **approval for a 9-lot Planned Unit Development (PUD). The property is located in Rural I**
46 **Zoning District on the corner of Nashville and Stage Roads (Tax Map # 1-0035425).**
47

1 Chair Diglio reopened the hearing at 7:15PM and provided an overview of the review process. No ex
2 parte communications or conflicts of interest were reported. Mr. Diglio stated that the Applicant,
3 Vermont Building Resources, is requesting preliminary review for a 9-lot subdivision of the parcel on
4 the corner of Nashville and Stage Roads. The application is being reviewed as a major subdivision
5 under the Bolton Land Use and Development Regulations.

6
7 The Chair asked all attendees to sign-in. Mr. Reiss stated that he had received the list of Board
8 concerns and was prepared to review and address the concerns. Mr. Reiss reported that they
9 brought a revised plan to review with the board.

10
11 Prior to the continued hearing, the Board sent the following discussion points to the Applicant.

- 12
- 13 1. What is the wastewater capacity of the community system? Does the system have
- 14 capacity to serve the future development of Lot 8?
- 15 2. Are the trails on Lot 9 intended for public use?
- 16 3. Additional information and details are required for the parking area. Who will maintain
- 17 the parking area? Does the parking area meet the parking standards outlined in the
- 18 regulations?
- 19 4. The Board is concerned with the encumbrements on Lot 8 and request that you
- 20 minimize, to the extent possible, the number of encumbrements located on Lot 8.
- 21 5. Additional information is needed on the drainage, stormwater, and erosion control
- 22 details.
- 23 6. As proposed, a level spreader is located within the wetland buffer. Encroachments
- 24 within the buffer are subject to conditional use review.
- 25 7. Additional information is needed on the how the wetlands and wetland buffer will be
- 26 protected. What types of legal mechanisms will be provided?
- 27 8. The engineer drawings and plat need to be better coordinated. The Board recommends
- 28 combining easements when possible.
- 29 9. How does the proposal address and mitigate impacts to prime agricultural soils?
- 30 10. Portions of the community wastewater system easement are located within the town
- 31 right-of-way. Please revise the location of the easement to avoid impacts to the town
- 32 right-of-way.
- 33 11. Update and revise the covenants to provide for the protection of wetlands and wetland
- 34 buffers.
- 35 12. Provide vehicle trip generation calculations.
- 36

37 Mr. Reiss reviewed the list of concerns provided by the Board. He stated that the shared
38 wastewater system will have capacity (or the ability to be expanded) to serve the future
39 development of Lot 8. Mr. Diglio suggested that the Applicant provide the soil test pit data to
40 demonstrate the capacity to serve an additional single-family dwelling. Mr. Reiss stated that they
41 will provide the additional information.

42
43 Mr. Diglio asked about realigning the force main on Lot 8 to more closely follow the property lines.
44 Mr. Reiss stated that it cannot be redesigned to follow the property lines because the engineering
45 will not allow it. Ms. Hasleton reviewed the topography of the lot. Mr. Reiss stated that the force
46 main will be more than 5 feet below ground and its location will not impact future development
47 above it.

1 Members discussed the number of encumbrances on Lot 8 and potential issues with finding
2 funding sources for the town to take ownership of Lot 8. Mr. Reiss noted that Lot 8 is not part of the
3 homeowners association. Ms. Hasleton discussed the rationale behind the location of the shared
4 wastewater system and that the surveyor, engineer, and wastewater technician all agreed the
5 proposed area was the best location. The Applicants noted that the goal of the project is for
6 Wheeler Field to be retained for community use. Members discussed relocating the property line
7 and whether or not the shared wastewater system could be located on Lot 9. Ms. Murray noted
8 that the only regulation regarding that the location of the wastewater system is that it needs to
9 meet the wetlands setback. The Applicants agreed to redraw the property line so that the
10 community wastewater system could be located on Lot 9.

11
12 Mr. Reiss stated that the parking lot has been removed from the project and that if Lot 8 becomes
13 publicly owned then a parking lot can be developed at that time. The Applicants stated that the
14 trails are public but they are not proposing a public access parking lot. Ms. Hasleton stated that
15 majority of the trail users will live in the vicinity and will have pedestrian access. Members noted
16 that the Homeowners Association could post the lot in the future if they did not want the public to
17 access the trails. Members noted whether or not the trails should be officially considered public or
18 private. Ms. Murray noted that the regulations require public trails to have a parking area.
19 Members noted that the covenants could allow public use of the trails.

20
21 Mr. Reiss noted revisions to the subdivision plan including relocating the well-shield and slight
22 revisions to some of the property lines. Mr. Reiss provided an overview of the storm water and
23 erosion control measures. He stated that the project is considered low risk and will disturb
24 approximately between 1-2 acres.

25
26 Mr. Reiss stated that he has spoken with both the engineer and the surveyor and they are working
27 together to better coordinate the easements and other aspects of the project.

28
29 Mr. Reiss stated that they are proposing a building envelope on Lots 4, 5, and 6. He noted that they
30 are planning on posting wetland signs along the buffer. He passed around a picture of a proposed
31 wetlands sign. He also stated that wetland buffer protections will be added to the covenants and
32 they will educate homeowners about the allowed uses in wetland buffers. He stated that they will
33 provide homeowners with a copy of the local and state regulations pertaining to wetlands. Ms.
34 Hasleton stated that they will use a combination of education, posting, and protecting in covenants
35 to prevent impacts to the wetland buffer. Members noted the importance of defining the wetland
36 buffer boundary.

37
38 Ms. Hasleton provided an overview of how the project protects prime agricultural soils. She stated
39 that the houses will all be clustered to prevent impacts and each lot will have personal space to
40 allow small gardens. She noted that Lot 8 may possibly be used in the future for community
41 agricultural activities.

42
43 Ms. Hasleton reviewed the estimated daily vehicle trips that the project will generate. She stated
44 that they estimate 28-40 trip ends per day. Ms. Murray noted that it is usually 10 trips per day but
45 in rural areas it is probably less. Ms. Hasleton provided testimony that their engineer estimates
46 seven car trip per day, approximately 49 car trips per day.

1 Members asked if the engineer had prepared details for the development road and stormwater and
2 erosion control plans. The Applicants stated that details have been prepared and can be provided to
3 the board.

4
5 Mr. Reiss told the board that he would some assurance that the Board is comfortable with the
6 revisions discussed. He stated that they are fine with continuing the hearing another month so that
7 the engineer can provide the details, wastewater capacity, and other items discussed. Mr. Diglio
8 noted that he is comfortable with the project and commends their efforts. Ms. Haselton asked if
9 there were any red flags that they should be concerned with. In general board members noted that
10 they were comfortable with the project.

11
12 Members stated they will need to obtain a road cut permit and two curb cuts permits for the
13 driveways prior to submitting their application for final review. It was suggested to speak to the
14 Road Foreman and Fire Chief. The Board discussed whether or not to close the hearing or continue
15 it.

16
17 Ms. Murray motion to continue the hearing to March 23, 2017 at the Bolton Town Office at 6:30
18 PM. Mr. Devine seconded. The motion carried 4-0.

19
20 **5. Zoning Administrator's Report**

21
22 Ms. McShane stated that she has been working with the Lotus Lodge and that they would like to
23 construct a yurt for additional yoga space. She noted that it would require DRB review and approval
24 as an accessory structure to conditional use. She also mentioned that they may be requesting a fee
25 reduction from the Select Board.

26
27 Ms. McShane also stated that the Kipleck's and McCain's office would like to bring forward another
28 sketch plan application to review the proposed access improvements prior to submitting a formal
29 subdivision application.

30
31 She noted that March is typically the organizational meeting. Ms. Murray stated that she would be
32 willing to step down as an alternate if Mr. Ricketson or Mr. Miller wanted to be a full-time member.

33
34 **6. Meeting Minutes**

35 Members reviewed the minutes from October 27, 2016 and January 26, 2017. Mr. Ricketson made
36 a motion to accept the minutes of 10/27/16 and 1/26/17 as presented, Mr. Devine seconded. The
37 motion carried 4-0.

38 **7. Other Business**

39 Ms. Murray noted that the DRB will likely have additional time to review the proposed Town Plan.
40 She noted that the RPC included as an action item to eliminate the local riparian setbacks and adopt
41 river corridors. Members noted the potential impacts of eliminating the riparian setbacks. Mr.
42 Ricketson suggested for the Board to discuss the Town Plan action item list at the next meeting.
43 Members noted several inconsistencies and conflicts within some of the goals.

44
45 **8. Meeting Adjournment**

1 The meeting adjourned at 9:05 PM.

2

3 The next DRB meeting is scheduled for March 23, 2017 at the Bolton Town Office at 6:30 PM.

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5 **9. Deliberative Session**

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7 None

8

9 Respectfully submitted,

10

11 Sarah McShane

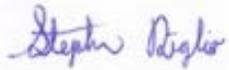
12 Bolton DRB Assistant

13

14 ***These minutes are unofficial until formally accepted by the DRB.***

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16 These minutes were read and accepted by the Development Review Board on June 22, 2017.



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Steve Diglio, DRB Chair