



Town of Bolton  
3045 Theodore Roosevelt Highway  
Bolton, VT 05676

**Bolton Development Review Board**  
**Meeting Minutes**  
**May 26, 2015**  
**Bolton Town Office**

DRB Members Present: Michael Rainville (Chair), Sharon Murray, Stephen Diglio, John Devine,

DRB Members Absent: Charmaine Godin, Margot Pender (Alternate)

Staff Present: Miron Malboeuf, Zoning Administrator, Sarah McShane, DRB Assistant

Others Present: Brian \_\_\_\_\_, Mike Frasier, Chris Haggerty, James Kilpeck, Deb Shelby

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**Posted Agenda:**

1. Public Comment
  2. 2015 Organizational Meeting
  3. Public Hearing: Application 2014-30-SD-CU.AM, Vermont Department of Forests, Parks, and Recreation – Modifications to previously approved building envelope.
  4. Public Hearing: 2015-05-SD.SP – Minor 2 Lot Subdivision Kilpeck (895 Duxbury Road)-Sketch review for a two lot subdivision.
  6. ZA Report
  7. Meeting Minutes
  8. Other Business
  9. Meeting Adjournment
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**Call to Order**

Mr. Rainville, Chair, called the meeting to order at 6:35pm with a quorum present.

**1. Public Comment**

None

**2. Public Hearing: (2014-30-SD-CU.AM) Vermont Department of Forests, Parks, and Recreation**

Mr. Rainville opened the hearing and provided an overview of the application. No ex parte communications or conflicts of interest were reported, however Chair Mike Rainville stated that he would be viewing the property tomorrow. Mike Frasier from the Vermont Department of Forests, Parks, and Recreation (VT FPR) provided an overview of the proposal. Mr. Frasier stated that VT FPR had recently received subdivision approval by the DRB in December. He stated that their surveyor had recently surveyed the property and it became apparent that a portion of the existing house and leach field were outside of the required building envelope. Ms. Murray stated that any future additions or accessory structures would be required to be located within the designated building envelope. Members discussed measuring the building envelope from the property line versus the right-of-way. Mr. Frasier stated that all of the improvements could be inside the building envelope if it as measured 25' from the edge of the right-of-way. Ms. Murray stated that the board could amend the conditional use decision to reduce the setback from the road. Mr. Frasier reported that VT FPR felt it was important to 'clean up' the plat so that the entire house was within the designated building envelope. Mr. Diglio reiterated that the applicant was requesting for the setback to be reduced from 35 ft to 25ft. Members

1 discussed whether or not it was necessary to reduce the setback from both the Duxbury Road and  
2 Honey Hollow or simply reduce the setback from the Honey Hollow Road. Ms. Murray felt that it was  
3 not necessary to waive the setback from the Duxbury Road since the setback only encompassed the  
4 leach field and didn't impact any portion of the existing house. Members reviewed the decision  
5 conditions. Ms. Murray reported that the Conservation District does not have required setbacks and in  
6 defining the envelope it was intended to mimic the setback of the Rural I district and maintain the  
7 character along Duxbury Road. She also stated that unless the applicant has a good reason, the board  
8 should only consider reducing the setback on Honey Hollow Road.

9  
10 Mr. Rainville asked for additional comments. Brian \_\_\_\_\_, nearby resident, asked how the dwelling  
11 could be used in the future. He stated that non-profit organizations do not make good neighbors. Ms.  
12 Murray stated that the regulations have an adaptive reuse section for historic structures; however  
13 anything other than a residential use would require board review and approval. Members reviewed the  
14 allowed uses for the property and noted that they wanted the property to be appropriately used.

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16 Mr. Devine made the motion to close the DRB hearing. The motion was seconded by Ms. Murray and  
17 passed unanimously, 4-0. The hearing concluded at 7:10 pm.

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19 **3. Public Meeting:** Application 2015-05-SD.SP, Kilpeck – Minor 2 Lot Subdivision , Sketch Plan Review  
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21 Mr. Rainville opened the sketch review meeting and provided an overview of the application. Mr.  
22 Rainville asked if any members of the board had any ex parte communications or conflicts of interest.  
23 Mr. Diglio reported that he had spoken with Mr. Haggerty regarding deferred lots. Chris Haggerty,  
24 consultant for the applicant, provided an overview of the proposal. He stated that his client would like  
25 to subdivide a ~30 acre parcel bound by an existing electric easement on the east and by Duxbury Road  
26 to the north. He stated that the proposed lot contains a gravel pit, open areas, and steep slopes. His  
27 client is considering subdividing the parcels and deferring the lot, in which case the future owner would  
28 be required to come before the board for additional review to develop the parcel for a residential use.  
29 Members discussed subdivision procedures and stated that the applicant would be required to come  
30 before the board for final subdivision review. Ms. Murray asked if the future intent of the lot would be  
31 to develop it for residential purposes. The applicant, James Kilpeck, reported that it is the intent is to  
32 construct a single family dwelling but not in the immediate future. Ms. Murray stated that the board  
33 has two options, 1) to approve the subdivision as a woodlot, in which case any future owner would be  
34 required to come before the board to develop it for residential purposes, or 2) for the applicant to  
35 designate a building envelope, demonstrate septic capacity, and design a driveway that meets the town  
36 regulations and B71 Standards, in which case after the final subdivision hearing no additional public  
37 hearings would be required for future owners. Members of the board and the applicant discussed the  
38 existing logging road and what it would take to bring it up to the required standards. Mr. Kilpeck stated  
39 that large logging trucks had been using the road for many years. Board members stated that if Mr.  
40 Kipeck decided to subdivide the property for residential purposes he would be required to designate a  
41 building envelope that excluded steep slopes, demonstrate the property had septic capacity, and could  
42 meet driveway standards. Members discussed the abandoned easement. Mr. Haggerty stated that it  
43 impacts many properties in Bolton and adjacent towns. Mr. Kilpeck stated that he would likely pursue  
44 the project for residential purposes. Mr. Devine also stated that the board would likely need a driveway  
45 maintenance agreement with the Macalisters. Board members also stated that the electrical lines  
46 serving the lot would need to be buried. Mr. Kilpeck noted that it would not be a problem. Members  
47 discussed scheduling and the applicant stated that he would likely try to schedule a final hearing in July.  
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1 The sketch meeting concluded at approximately 7:50 pm.  
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3 **4. Organization Meeting**  
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5 Resident Deb Shelby was present to listen to the discussion. She stated that she may be interested in  
6 serving on the board and/or helping the town on other volunteer projects. Members encouraged her to  
7 consider serving as a DRB alternate.  
8

9 Board members discussed membership and the need for additional alternates. Members decided to  
10 move the regular meeting date to the 4<sup>th</sup> Thursday of the month and 2<sup>nd</sup> Thursday if needed. Mr.  
11 Rainville stated that he would volunteer to be Chair for another year. Mr. Diglio volunteered to be Vice  
12 Chair. Mr. Devine volunteered to be the Secretary.  
13

14 Ms. Murray made a motion, seconded by Mr. Diglio, to elect Mr. Rainville as Chair, Mr. Diglio as Vice  
15 Chair, and Mr. Devine as Secretary. The motion passed unanimously, (4-0).  
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17 **5. Zoning Administrator's Report**  
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19 Mr. Malboeuf reported that he was working with Deb Shelby to expand her dwelling; however the  
20 portion she would like to expand is nonconforming by 12-14ft in one corner. Her application will be  
21 scheduled for a future hearing.  
22

23 **6. Meeting Minutes**  
24

25 DRB members reviewed the minutes from April 28, 2015. Ms. Murray provided Ms. McShane with  
26 several corrections. Ms. McShane will make the suggested corrections. Mr. Diglio made the motion,  
27 seconded by Ms. Murray, to accept the minutes of the April 28, 2015 Development Review Board  
28 meeting as corrected. The motion passed unanimously, 4-0.  
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30 **7. Other Business**  
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32 Ms. McShane reminded board members that she is still working on two decisions that will need board  
33 review and approval. She stated that she will circulate draft copies by the end of the week and asked  
34 the board to review and provide comments, as well as their vote.  
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36 **9. Meeting Adjournment**  
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38 Mr. Rainville made the motion, seconded by Ms. Murray, to adjourn the meeting. Motion carried  
39 unanimously, 4-0. The meeting adjourned at 8:50 pm.  
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41 The next regular meeting of the DRB will be held on Tuesday, June 23, 2015, 6:30 pm at the Bolton Town  
42 Office.  
43

44 Respectfully submitted,  
45

46 Sarah McShane  
47 Bolton DRB Assistant  
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1 *\*\*These minutes are unofficial until formally accepted by the DRB.*

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4 These minutes were read and accepted by the Development Review Board on June 23, 2015.

A handwritten signature in black ink that reads "Michael Rainville". The signature is written in a cursive style and is positioned above a horizontal line.

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7 Michael Rainville, DRB Chair

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