

Town of Bolton
Planning Commission Special Meeting Minutes
October 12, 2017

Planning Commission Members Present: Linda Baker, Deb Shelby, Evan DesLauriers, Steve Barner

Board Members Absent: Jim Bralich

Also present: Tucker Andrews, Craig Metz, Eileen & Derek Howard, Quinn Keating, Clayton & Judith Bergeron, Graham Clegg, Rob & Bonnie Mullen, Kevin & Vicki McLaughlin, Larry Stevens, Michael P. McKeown, Elizabeth Lawrence, Hilary & Joss Besse, Susan Morse, Phil Sharpsteen, Tyler Thompson, Rich Reid, Mary Ellen Seaver-Reid, Betty Wheelock, Sadie Wheelock, Tony Wheelock, Marion Streeter, Anne Finlayson, Margot Pender, Bill Torrey, Amy Ludwin, Mike Rainville, John Handrik, Leslie Pelch, Willa Pelschoen

Acting Clerk: Amy Grover

1. Call to order: the meeting was called to order by Deb Shelby at 7:06 p.m. with thanks to West Bolton Golf Club for hosting the event.
2. Public Comment: see below
3. Additions or Deletions to the Agenda: none
4. General Business: Discussion of Zoning in West Bolton. Deb gave an overview of the meeting purpose and sequence, and a brief presentation:
 - Roles and responsibilities of the Zoning Administrator, Town Clerk, Development Review Board, Planning Commission and the Select Board particularly with respect to the Town Plan and the BLUDRs (will be referred to the rest of the evening as zoning regulations).
 - West Bolton history and photographs; timber harvesting, sawmills, population swings, the Ethan Allen Range.
 - Definition of a hamlet in contrast to the definition of R 1, review of R 1 & R 2 zoning district maps and standards, lack of conforming lots.
 - Brief discussion regarding non-conformity, grandfathering, impacts to future development.

Public Comment: West Bolton Zoning Districts

Current challenges with respect to zoning; non-conforming lots:

- A 25 acre lot required DRB approval for a deck because of 12" of nonconformity – lot and house predated zoning.
- A 150 year old house on a non-conforming lot would require DRB approval, even if meeting the setbacks.
- Do neighbors have a say, and what is reasonable for setbacks? Noted: abutters included in the notice process and can participate as an interested person at the DRB level. Reminder; neighbors change, development does not.

DRB Process:

- Brief discussion on DRB variance requirements, setbacks, (is a 35' setback too large?), waiver vs. variance, road right of ways, and that DRB applications are generated because of non-conforming lots.
- Be able to address applications on a more case by case basis. Noted: VT Statute does not allow; sounds simple, but it is not.
- It's a process issue, why does a property owner have to spend \$600 to be told no? Change the process. Noted: newspaper warnings are required per statute and run anywhere from \$200 - \$500 dollars.
- Post notice online instead of the newspaper. Noted: not allowed under VT statute.
- Raise taxes to cover DRB fees and reduce the fees to the DRB.

What zoning changes would property owners like to see? Smaller required lot sizes, more businesses, and/or a Hamlet designation?

- The question is what do we want West Bolton to look like and how do we get there. Acreage based zoning has a history of not working, suggest the Planning Commission look into "Form Based Code."
- More development would change the tax base, would it change property values? It could reduce values.
- A project completed on an 1866 house was an expensive process (\$500 - \$600), but I would rather do that (spend the money) than change our zoning districts. Address this issue in a less drastic way than rezoning.
- STRAW POLL: majority would rather spend the money on the process than change the zoning district requirements.
- What do we want as a neighborhood? Ultimately this is about density and development and how we want to live.
- There could be unintended consequences down the road, take a cautionary stance. Case in point; the 10 acre "spaghetti" lots on the Notch Road. Had to meet the 10 acre zoning district minimum lot size requirement.
- There would be ramifications for everything we do with respect to zoning changes.
- Smaller lot sizes could create undevelopable lots due to well protection areas and septic systems on adjacent properties. Noted: the DRB subdivision process provides a "safety check" and would not allow this to happen; water/septic required as part of subdivision review.
- We are a community of non-conformers; that's why we choose to live in West Bolton.

West Bolton Group Consensus:

- We do not want to change the zoning district requirements in West Bolton.
- We do not want a "Hamlet" designation.
- We do not feel the need for more outreach by the Planning Commission, nor the need to form a West Bolton group to further discuss this issue.
- Request the Planning Commission review Form Based Code.

5. The meeting was adjourned at 8:40 p.m.

Attest: Amy Grover, Acting Clerk

Minutes are unofficial until approved. These minutes were read and approved by the Bolton Planning Commission on:

November 13, 2017

For the Board

DRAFT