



TOWN OF BOLTON

3045 Theodore Roosevelt Highway
Bolton, VT 05676

Bolton Development Review Board

Meeting Minutes

March 26, 2020

Bolton Town Office

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(Approved by the Development Review Board on 4.23.20)

Present:

Members: All via remote - Adam Beaudry, Adam Miller, John Devine, Rob Ricketson, Steve Diglio (joined @ 6:40 p.m.)

Staff: Larry Lewack (Planning & Zoning Administrator remote and physical location at the Town Office), Amy Grover (remote - acting clerk)

Others present: All via remote - John Stuart, Lindsay DesLauriers, Spencer Nowak

16 **Posted Agenda:**

17 **6:30 PM Adjustments to Agenda & Public Comment** – Opportunity for public comment

18 **6:35 PM Warned Public Hearings:**

19 **Application 2020-08-CU:** Bolton Valley Resort, Applicant & Owner: request Conditional Use approval to build 1,696 sq. ft. outdoor
20 pool & associated pool deck & dining patio adjacent to Sports Center building at 4302 Bolton Valley Access Rd. The property is
21 located in the Resort Village district. (Tax Map # 4-4180126)

22 The Board will also accept additional testimony with regard to the following project, a continued hearing from February 27, 2020:

23 **Application 2020-06-CU:** Applicant: Richard J. Weston, Property Owner: (same) – Request Conditional Use approval to build 1,290
24 sq. ft. single family dwelling at 1811 Happy Hollow Rd. The property is located in the Forest Zoning District. (Tax Map # 12-
25 4101901)

26 **7:45 PM Meeting Minutes** – review & approve draft minutes of February 27, 2020 DRB mtg.

27 **7:50 PM Zoning Administrator's Report**

28 **8:00 PM Other business** – DRB 2020 Organizational Meeting

29 **8:05 PM Deliberative Session**

30 **8:20 PM Adjourn**

31

32 **Prior to the meeting being called to order:** Lindsay DesLauriers stated that BVR, LLC was going to delay
33 the project submitted under Application 2020-08 CU, due to the current circumstances of COVID-19, and
34 stated she did not need to take up time on the agenda that evening. Larry Lewack stated that the DRB could
35 still review the application and render a decision, there were no time constraints on DRB approval; the
36 project could be approved and BVR, LLC could begin the project on their own timeline.

37

38 **Call to Order:** With a quorum of 4 members present, the meeting was called to order by the Vice Chair at
39 6:39 p.m., and roll call was taken. (The quorum increased to 5 when Steve Diglio joined the mtg.)

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41 **Public Comment & Changes to the Agenda:**

- 42
 - No public comment.

- 43 • Noted the Vice Chair would run the meeting.
44 • Discussion on hearing application 2020-06-CU first. Rob Ricketson made the motion to hear
45 application 2020-06-CU first. John Devine seconded. There was no further discussion and the
46 motion passed (5-0) with all five members voting in favor.
47

48 **Public Hearings:**

49 The Board continued the hearing of Application 2020-06-CU, from February 27, 2020:
50

51 **Application 2020-06-CU:** Applicant: Richard J. Weston, Property Owner: (same) – Request
52 Conditional Use approval to build 1,290 sq. ft. single family dwelling at 1811 Happy Hollow Rd. The
53 property is located in the Forest Zoning District. (Tax Map # 12-4101901)
54

55 Adam Beaudry asked Larry to review what's changed since the last mtg. Larry Lewack stated:

- 56 • There were several updates to the site plan elements, and the DRB was provided with the new
57 versions in their packets.
58 • Mr. Weston made an offer to purchase the former Ford property.
59 • There was no formal input from Huntington except for a brief email exchange with the Fire Chief
60 requesting the new site plan.
61

62 **Ford Property and Access:**

- 63 • John Stuart stated that:
64 ➤ Rick Weston had purchased the "Ford lot," currently owned by the Veteran's Administration.
65 ➤ The Ford parcel includes approximately 29 acres; the camp on the small 3.5-acre lot, and the 25
66 acre lot on the Huntington side. (**Clerk's Note:** Weston has not yet closed on the purchase of the
67 Ford lot, due to lack of access to Land Records for a 40-year title search, in turn due to COVID-
68 19 town office closures. Closing date is undetermined at this time.)
69 ➤ It was currently undetermined who has the right to access the road by deed, with the exception
70 of Weston, as he built the road and utilized it to access all three of the Weston lots which (will
71 be) one lot (once purchase is completed).
72 ➤ He and Mr. Weston will be speaking with John Wilson and Van Horn, and contacting all parties
73 who utilize the road.
74
75 • The group reviewed the map. It was noted that the Ford property was consolidated with the lot to
76 the south, where the driveway swings across the town line.
77 ➤ John Stuart stated that the ROW continues to another property, per the John Marsh survey.
78
79 • Rob Ricketson asked if there was a new maintenance agreement in place.
80 ➤ John Stuart stated no, due to inability to pursue title search given closure of town office.
81 ➤ Larry Lewack noted that there was the continued issue of legal access with respect to deeds,
82 requiring the title search, and that exclusive access for future development of the property was
83 still a question.
84

85 **Road Construction:**

- 86 • Steve Diglio asked if there had been feedback from the Fire Department on the hairpin turn.
87 ➤ Larry Lewack noted he had requested feedback from both the Huntington and Bolton Fire
88 Departments. Bolton FD responded (to the first proposal) and noted that they would not be the
89 first responder to this property, and there was no feedback from Huntington to date. He noted

- 90 this plan provides three vehicle pullouts approximately every 400' along driveway, which was
91 sufficient (per our regs) for the length of the proposed driveway.
- 92 ➤ John Stuart stated that he had contacted the Huntington Fire Chief and expected a response in
93 writing, not yet received.
- 94 • Steve Diglio and Adam Beaudry asked about the radius of the hairpin turns & drainage from
95 culverts. Adam B. noted that pumper trucks would have difficulty turning if the inside radius of any
96 turn was less than 40'. A hammerhead turn might be more suitable.
- 97 ➤ Group discussion on emergency vehicles' ability to navigate the hairpin turn.
- 98 ➤ John Stuart stated the turn was in a flat area, and would not require significant construction.
- 99 ➤ Rob Ricketson noted that the plan called for cut and fill in the area.
- 100 ➤ John Stuart stated that he and Mr. Weston would discuss making the turn hammerhead.
- 101 ➤ Steve Diglio stated that the most important aspect was maintaining access for other land-
102 owners beyond the first hairpin turn.

Erosion Control

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- 104
- 105 • Steve Diglio asked about runoff down the old driveway at the hair pin turn, and noted that erosion
106 control measures were lacking.
- 107 ➤ John Stuart noted the area was channeling water now, and that there were areas of erosion
108 control on the plan and around the house site.

Well Location

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- 111 • The group reviewed the location of shallow wells below the woods road. There was discussion of
112 whether runoff channeled from the new culverts would likely impact these wells.

Steep Slopes

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- 114
- 115 • Steve Diglio stated that the site plan did not clearly identify slopes 25% or greater, and that the site
116 plan needed to identify both slopes of 15% and greater, and 25% and greater.
- 117 • Larry Lewack reviewed the results of his analysis of existing grades of the proposed road grading
118 profile, which showed several different along the length of the driveway. Current grades range
119 from 4.6% to 17%, none steeper than that. This is within range of what DRB can consider within
120 conditional use criteria.
- 121 ➤ Steve Diglio commented he would like a clearer presentation of existing grades on the site plan.
122 John Stuart stated that he would add that to the draft site plan.
- 123 ➤ Steve also asked to compare the proposed building site in this plan to the previous version.
124 Larry brought up the previous version so participants could compare.

Next Steps/Site Visit/Hearing Continuation

- 125
- 126
- 127 • Rob Ricketson noted that the plans were difficult to discern on paper, there were concerns about
128 the access, that it made sense to organize a DRB site visit and give the applicant an opportunity to
129 walk the area with the DRB, for the applicant to flag the route and the house site, and that there
130 were questions and missing pieces to the application.
- 131 ➤ John Stuart stated that the route and house site area would be flagged for a site visit.
- 132 • Steve Diglio added a site visit was a good idea, as particulars were difficult to discern from the map
133 contours, and that the timing could also provide a sense of spring runoff.
- 134 • Noted and discussed by all: difficulty to organize a site visit and meet the current requirements of
135 COVID-19, the need to be realistic in the site visit and hearing time frame, potential dates.
- 136

137 **Steve Diglio made the motion to schedule May 14, 2020 as the site visit date, and to continue this**
138 **hearing to May 28, 2020 at 6:30 p.m. John Devine seconded. There was no further discussion**
139 **and the motion passed (5-0) with all five members voting in favor.**

- 140 • It was noted that all DRB members should forward any comments and questions on the application
141 to Larry Lewack for Larry to compile and provide to the applicant.
142

143 **Application 2020-08-CU:** Bolton Valley Resort, Applicant & Owner: request Conditional Use approval
144 to build 1,696 sq. ft. outdoor pool & associated pool deck & dining patio adjacent to Sports Center
145 building at 4302 Bolton Valley Access Rd. The property is located in the Resort Village district. (Tax
146 Map # 4-4180126)

- 147
- 148 • The hearing was not officially opened; see below.
 - 149 • Re-iterated – in light of current circumstances, the project will be pushed to next year. Noted the
150 applicant had paid the fees, the DRB was prepared to review the application and issue a decision,
151 with no expiration on the approval. The applicant would still need to come back for a zoning permit,
152 good for one year, with a one year extension allowed, when BVR, LLC was ready to start the project.
153 Lindsay DesLauriers could re-join the call as needed.
 - 154 • Rob Ricketson questioned why the application required a DRB hearing. Larry Lewack noted
155 proposed pool was classified as an outdoor recreation use, thus a conditional use in this district.
156

157 **Rob Ricketson made the motion that due to technical difficulty, and not a priority for the applicant**
158 **to move the application forward, to move the hearing to the next regularly scheduled DRB meeting:**
159 **April 23, 2020 at 6:30 p.m. Steve Diglio seconded. There was no further discussion and the motion**
160 **passed (5-0) with all five members voting in favor.**

- 161
- 162 **Approval for the Murray draft decision:** Discussion included:
- 163 ➤ Include language for replanting once the stumps had decomposed, noting lack of doing so could
164 result in the same situation as 64 Boulder Wood Lane with bank failure.
 - 165 ➤ The fact that Steve Diglio was not in attendance at that meeting and did not feel he should be
166 signing the decision, and that the signature should be that of Vice Chair Adam Beaudry—agreed.
 - 167 ➤ Permit/approval from the state for the streambank alteration permit has not yet been received.
 - 168 ➤ Larry noted that according to the DRB's rules, members that were not present at the meeting
169 could vote on the decision, provided they had read the minutes.

170 **Adam Miller made the motion to approve the draft decision with the edit of changing the approval**
171 **signature from Steve Diglio to Adam Beaudry. John Devine seconded. There was no further**
172 **discussion and the motion passed (5-0), with all five members voting in favor.**

173

174 **February Meeting Minutes:** Rob Ricketson made the motion to accept the February 27, 2020 minutes as
175 presented. John Devine seconded. There was no further discussion and the motion passed (5-0) with all
176 five members voting in favor.

- 177
- 178 **Zoning Administrator Report:**
- 179 • Building applications so far this year were slow; not surprising, given the current circumstances. There
180 have been just 7 zoning permits granted thus far this year, and 5 zoning certifications. There are no
181 other DRB applications in the pipeline at this time.
 - 182 • Rob Ricketson asked about the volume of U-haul trucks and vehicles parked and stored at the E&S
183 Transport property on Route 2 at the west end of the village area.

- 184 ➤ Larry Lewack stated that he would conduct a follow up visit with the owner and report back to
185 the DRB, adding that this was on his radar and that he would also be checking on the
186 landscaping that was to be installed last growing season and the lighting, which was to have
187 been downcast (current lighting impacts drivers westbound on Route 2).
188 ➤ Noted: the business was permitted for the parking of 6 – 8 vehicles, and for 10 vehicles to be
189 parked along Route 2, along with a vehicle impound lot with a capacity of 30 vehicles.
190 ➤ Rob Ricketson noted that at times there were 40-50 U-Hauls and vehicles parked.
191 ➤ John Devine asked of there had been complaints.
192 ○ Larry Lewack noted there were no complaints about the number of vehicles, but perhaps
193 lack of follow through on what was permitted.
194

195 **Other business – 2020 DRB Organizational Meeting:**

- 196 • Adam Beaudry made the motion to elect Steve Diglio as DRB Chair. Rob Ricketson seconded. There was
197 no further discussion and the motion passed (5-0) with all five members voting in favor.
- 198 • Steve Diglio made the motion to elect Adam Beaudry as DRB Vice Chair. John Devine seconded. There
199 was no further discussion and the motion passed (5-0) with all five members voting in favor.
- 200 • Steve Diglio made the motion to elect John Devine as DRB Secretary. Adam Beaudry seconded. There
201 was no further discussion and the motion passed (5-0) with all five members voting in favor.
- 202 • Consensus to continue the DRB regularly scheduled meeting date as the 4th Thursday of the month, 6:30
203 p.m. at the Town Office, with the 2nd Thursday of the month as an alternate/additional date as needed.
- 204 • Larry Lewack noted that he would re-kindle DRB Alternate conversations, once social conditions &
205 access to meetings are normalized.
- 206 • Steve Diglio stated he was willing to continue to serve, and that would be communicated to the Select
207 Board for his re-appointment. (Without an extension, his term expires this month.)

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209 **Deliberative Session:** none.

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211 **Adjourn:** Adam Beaudry made a motion to adjourn the meeting. Rob Ricketson seconded. There was no
212 further discussion and the motion passed (5-0) with all five members voting in favor. **The meeting**
213 **adjourned at 8:02 p.m.**

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215 **Next scheduled DRB meeting:** Thursday, April 23rd, 6:30 p.m. ~~at the Town Office~~ Online/Virtual.

216 Respectfully submitted,

217 Amy Grover (acting DRB clerk), and

218 Larry Lewack, Planning & Zoning Administrator