

Town of Bolton
Planning Commission Minutes
Hybrid Meeting
April 12, 2022

Board Members Present: Steve Barner (chair), Adam Beaudry (virtual), Evan DesLauriers (virtual), Kaelyn Modrak

Board Members Absent: None

Also Present: Jon Ignatowski (PZA - virtual), Taylor Newton (CCRPC – virtual), Amy Grover
Clerk: Carol Devlin

1. Steve Barner called the meeting to order at 6:01 p.m.
2. Additions or Deletions to the Agenda – There were none.
3. Public Comments – There were none.

4. Approval of Past Meeting Minutes – March 8, 2022

Jonathan Ignatowski asked that the following sentence be added to the resort residential district description in the Town Plan section of the minutes: “The Resort Residential District may be expanded to include contiguous areas surrounding the Thatcher-Wentworth neighborhood following environmental suitability studies.”

Kaelyn Modrak made the motion to approve the past meeting minutes as amended. Adam Beaudry seconded. Motion was approved (4-0).

5. General Business

- PC Hearing on the Amendments to the 2017 Town Plan
 - Hearing is Thursday, April 21, 2022.
 - Jonathan warned the hearing, and the PC is ready for the hearing.
 - Taylor Newton informed the PC that the CCRP held a public hearing in March regarding the amendments to the Town Plan and after the amendments have been approved by the Town, the Planning Advisory Committee will recommend that the CCRPC Board approve Bolton’s Energy Compliance.
Note: This is because the Bolton Energy Plan is one of the amendments.
 - Jonathan explained the steep slopes language were amended for two reasons.
 - To reduce a contradiction regarding development or lack thereof on steep slopes.
 - To permit changes to the BLUDRs steep slope section.

- BLUDRs Amendments
 - Steep Slopes
 - Jon developed the new steep slope section in consultation with the CCRPC and two engineers on the DRB. The revised section is based on the science and engineer practices focusing on safety and the highest risks involved with steep slopes.
 - Jon made further revisions after discussion with a resident opposed to development on steep slopes.
 - Factors influencing the development of the amended steep slopes section include
 - DRB experiences with applications that involve steep slopes.
 - Decreasing review of less dangerous steep slope issues and increasing review for riskier issues.
 - Increasing flexibility for property owners.
 - Increasing options for administrative approval.
 - Continuing DRB review for riskier increased slopes and heights.
 - Increasing engineering analysis in high-risk situations.
 - Setbacks would be required from both the bottom and the top of steep slopes. A vegetative buffer would be required.
 - Increased the number of categories of steep slopes to refine the regulations instead of broadly banning development: 15-25%, 25-33%, 33-50% and over 50%.
 - 15-25% - a property owner can build up to a total of 500 sq. ft. in steep slope in a five-year period without going before the DRB.
 - 25-33%
 - A property owner could build up to 50 sq. ft. without DRB review.
 - Accessory structures would be possible.
 - Ski lifts, low-impact trails and replacement septic systems would be possible.
 - NO dwellings would be permitted.
 - Allows for the possibility of terraced development.
 - Steep slope not higher than 40' vertical height.
 - The building envelope would need to be within 1,000' of a town road.
 - Allows for a steep driveway with development on a terrace.

- There has been some opposition to this section because lack of clarity may lead to broad interpretation with future PZAs and/or DRBs.
- The PC recommended a new, more clearly stated introduction to the section that it was only to provide access to developable land that was not on steep slopes.
- Requirements for Conditional Use Review by the DRB in 25-33% areas would include greater, more expensive review because of the greater risk:
 - Stormwater analysis
 - Global slope development analysis which is specialized engineering analysis of not just the local steep slope but connected slopes and a landslide risk analysis.
 - Engineering certificate for 25-33%.
 - A third-party engineer selected by the DRB and paid for by the applicant to review the project.
- 33-50%
 - No administrative decisions allowed; all proposals must have DRB review.
 - No disturbance to the slope allowed
 - Substantial decrease in accepted CU uses. Only ski lifts, hiking trails and driveways (only with 20' vertical height).
- 50+% - No development with exceptions.
- Limits the ability to convert an accessory structure to a dwelling at slopes greater than 25% with exemptions.
 - Greater attention was given to the higher risk for development on top of or at the bottom of steep slopes and the need for setbacks to reduce the risk; however, waivers may be possible with DRB review and engineering analysis.
 - Began a discussion of the regulations around the number of trailers and the types of structures that may have trailers.
- Both PC UPWP applications were turned down.
- PZA Action Updates
 - Jon has been focusing primarily on warning the Town Plan hearing and revising the BLUDR amendments.

6. Other Business

- The PC hearing on the amendments to the 2017 Town Plan will be Thursday, April 21, 2022, at 6:30 in the town office with virtual participation possible. Depending on time, the PC will vote on the amendments and/or continue the discussion of BLUDR amendments.
- The next meeting will be Tuesday, May 10, 2022.
- Identify Next Agenda
 - Community feedback from the Town Plan amendments hearing and recommendation to the Select Board (if needed).
 - BLUDRs
- The hearing for the Town Plan amendments was set for Thursday, April 21 at 6:30 p.m.
- Other Communications – There were none.

7. Adjournment

Kaelyn made the motion adjourn. Evan seconded. The motion was approved (4-0). The meeting ended at 7:58 p.m.

Attest: Carol Devlin

These minutes are unofficial until approved.

These minutes were read and approved by the Planning Commission on June 14, 2022.