



Town of Bolton
Planning Commission Hybrid Meeting
Minutes
Tuesday, September 13, 2022
6:00 pm

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

Planning Commission Members Absent: None

Others: Merrick Gillies, Amy Grover, Deb Shelby (virtual), Rob Ricketson (virtual, Development Review Board), Max Krieger (virtual, Richmond Mountain Trails), Quinn Keating (virtual), Nick Bennette (virtual, Vermont Mountain Bike Association), Virginia Haviland (virtual, Conservation Commission), Allison Smith (virtual, Economic Resource Committee), and Rebecca Wojtecki (virtual, Richmond Mountain Trails)

1. Call to Order – Steve Barner called the meeting to order at 6:05.
2. Additions/Deletions to Agenda
 - Municipal Planning Grant was added to the agenda under General Business. [The PC did not get to this item, so it has been added to the agenda for the September 20, 2022, PC meeting.]
 - Approving the minutes of the September 8, 2022, Planning Commission Public Hearing on the BLUDRs Amendments was added to Item #4.
3. Public Comment
 - Deb Shelby suggested that the Planning Commission, Conservation Commission and Economic Resource Committee work together to develop a town-wide, scientifically based strategic plan for trails and the human impact on wildlife.
4. Approval of Past Minutes – August 16, 2022
 - Kaelyn Modrak moved to accept the August 16, 2022, minutes. Evan DesLauriers seconded. Motion passed (3-0 – Adam Beaudry abstained because he did not attend the meeting).
 - Kaelyn moved to accept the September 8, 2022, hearing minutes. Evan seconded. Motion passed (4-0).

5. General Business

- Report on the Select Board Hearing on the Town Plan
 - i. Jon reported that the Select Board approved the amendments to the Town Plan at the Select Board meeting after the Select Board Public Hearing. They raised some concern that the Energy Plan included binding goals but were reassured when Jon explained that the Energy Plan contained recommendations and was not binding.
- Planning Commission Public Hearing on the BLUDRs Amendments
 - i. Steve opened the meeting to public comment.
 1. Merrick Gillies was interested in the purpose and rationale behind the steep slopes and trails discussion at the public hearing. He believes that the public trail amendments would set a high hurdle and are inappropriate.
 2. Steve clarified that there would not be a second Planning Commission meeting because the Select Board would be holding a public meeting. He also stated that the PC could not please everyone.
 3. Allison Smith reiterated her position. She is not interested in limiting public access but supports a thoughtful process involving research, science, and all stake holders. That process should keep in mind the wildlife affected. She supports amendments to 9.2.
 - a. Deb Shelby agreed with Allison. The wildlife corridor is important. She supports a town-wide trail plan that would use science and recommendations from the Agency for Natural Resources to determine locations for trails. She also asked how do trails provide revenue for the town?
 4. Max Krieger supports conservation and wildlife. Trails are a conservation tool and encourage preservation because studies have shown that land is less likely to be developed when there is a trail on it. Conditional Use Review with engineering on trails over 25% is unprecedented in both Vermont and New England. It is also difficult to find engineers, especially those with trail expertise. He strongly

recommends that the PC take more time to discuss and research the issue and to reach out to groups.

5. Nick Bennette agrees with Max's comment. He added that Act 250 and the state address the development threshold for recreational trails. He likes involving scientists. He is troubled that 9.2 (4) distinguishes between use of private landowners and public use. This amendment goes against Vermont precedents regarding public trails and will encourage closing trails. According to the state, trails do not cause forest fragmentation. Collaboration is better than regulation as a means of addressing the impact of recreation.
6. Rebecca Wojtecki stated that all trails are subject to state wetlands regulations. The amendments do not include the basis of approval and disapproval of a trail.
7. Quinn Keating agrees with Merrick, Nick, and Max. Setting this precedent could be a slippery slope and impact volunteer work in local government.
8. Virginia Haviland referred the PC and public to the wildlife section of the Town Plan. Contiguous habitat units make up most of the land in Bolton, including one of the top 100 important wildlife corridors in the state. She would like to see an inventory of trails and conservation of the wildlife corridors. She supports the regulations.
9. Rob Ricketson supports the review of trails because modern trail development is different from older trail development. Mountain bike trails, in particular, are equipment based and involve moving earth and building bridges. Some sort of review process should be in place. He also noted that just because a review was required did not mean that a trail would not be approved.
10. Steve read the written comments which were sent before the public hearing but were not received until Monday due to the town's email platform being down Thursday. Comments were received from Henry Harmeyer, Manya Gordon, Max Krieger, Nick Bennette, and Sharon Murray. Comments are attached to the hearing minutes.

- ii. Steve explained that the PC had not done as much community engagement as they have for other projects. A Municipal Planning Grant funded a Chittenden County Regional Planning Commission consultant, Taylor Newton, who was an integral part of the process. Taylor and Jon developed the original language and they worked with the PC to fine tune it.
- iii. Kaelyn and Carol explained that the initial impetus to the discussion was the parking issues and negative impact from the increased recreational uses in town, especially during the pandemic.
- iv. Jon stated that the amendments were meant to solve problems, not cause controversy. Currently, there is a loophole that trails do not need review unless there is a parking lot or structures. The amendments were written to increase review and the impact of new trails. He also noted that town regulations are frequently stricter than state regulations.
- v. Jon explained that the PC needed to decide how they want to go forward because the Select Board will not be able to schedule a hearing between November and January due to the budget process. The PC has two options:
 - 1. Focus on a few amendments.
 - 2. Deal with all the amendments.
 - 3. Amendments for ZA ticketing, campers, unregistered vehicles, surface waters and wetlands, and the Regulatory Resort Master Plan did not receive a lot of public comment and could be sent to the Select Board.
 - 4. Steve suggested that the PC step back from putting forward the trails and steep slopes amendments and hold them for further consideration. The PC agreed.
- vi. The PC decided that the trail regulations will NOT be addressed in this round of amendments.
- vii. The PC addressed comments and minor changes to amendments that did not receive much public comment.
 - 1. The PC supports the proposed amendments to the camper section and reiterated that they do not affect the 180-day limit on the time someone may live in a camper.

2. The PC supports the proposed amendments to the unregistered vehicles section and the removal of required screening.

- Potential state wetland regulations changes and its impact on Bolton Valley – delayed until September 20, 2022.
- PZA Action Updates
 - i. Jon submitted his letter of resignation to the Select Board. He has accepted a new position with the Central Vermont Regional Planning Commission. He is willing to be the interim PZA if the Select Board appoints him but would work fewer hours. The PC expressed its appreciation for Jon’s work in the time he’s been Bolton’s PZA.

6. Other Business:

- Next PC Meeting – The PC will have a special meeting on Tuesday, September 20, 2022, to work on amendments it will be forwarding to the Select Board. Since the PC decided to continue discussion of the trails and steep slope amendments in the coming months (see above), they will not be included in the discussion.
- Identify Next Agenda -
- Other Communications – Keegan Tierney sent an email about the proposed trail regulations that was received after the hearing and is therefore not part of the hearing minutes. The email was read and is attached to these minutes.

7. Adjournment – Kaelyn moved that the meeting adjourn. Adam seconded. Motion passed (4-0). Meeting adjourned at 7:56.

Attest: Carol Devlin

These minutes are unofficial until approved.

These minutes were read and approved by the Planning Commission on: September 20, 2022.