

Town of Bolton
3045 Theodore Roosevelt Highway
Bolton VT 05676
802-434-5075

Development Review Board Meeting Minutes

March 26, 2013

Location: Bolton Town Office

DRB Members Present:

Sharon Murray (Chair), Jen Andrews (Alternate), Charmaine Godin (Alternate), Margot Pender, Susan Vita

DRB Members Absent:

Mike Rainville, Michael Hauser

Staff Present

Miron Malboeuf, Zoning Administrator
Amy Grover, Substitute Clerk

Also Present:

Dave Hardy, Will Wiquist, Pete Antos-Ketcham, Fred Jordan, Aaron Guyette (VHB), all on behalf of the Green Mountain Club

Warned Agenda:

1. **Public Comment** – Opportunity for public comment.
2. **Public Hearing – Estate Ronald Estate Ronald Lafreniere, Sr. and Green Mountain Club (#2010-08-CU/V)** – Conditional use review for the proposed GMC Winooski Bridge Project (reopened to allow the submission of new information) and variance request for the bridge setback from the Duxbury Road. The proposed project is located at 895 Duxbury Rd (ID#s: 0010895, 2004501 & 0010761) in the Rural I (RI) and Flood Hazard Area Overlay (FHO II) Districts, and consists of the construction of a pedestrian bridge to town land on the north bank, rail and highway pedestrian crossings, and a parking area on the north side of RT 2.
3. **2012 Organizational Meeting** –
 - Confirm DRB membership (appointments, vacancies)
 - Elect Officers (Chair, Vice Chair, Secretary)
 - Review DRB Rules of Procedure and Ethics
 - DRB projects, coordination with Planning Commission (forms, bylaw updates)
 - Set regular meeting date, schedule
4. **ZA Report**
5. **Meeting Minutes** — December 18th, 2012, January 22nd, February 26, March 12, 2013
6. **Other Business**
7. **Meeting Adjournment**

Deliberative session – as needed for applications, draft decisions currently under review by the DRB.

Call to Order

Ms. Murray, Chair, called the meeting to order at 6:32 p.m., with a quorum of DRB members present, including three regular members and two alternates. No changes were made to the agenda.

Agenda Item #1 - Public Comment

No public comment received.

Agenda Item #2 - Public Hearing

It was noted by Ms. Murray for the record that:

- Verbal or written participation in the hearing process was required in order to appeal a decision of the DRB to the Environment Division of Superior Court.
- The applicant/appellant would have interested party status.
- The DRB could choose to either continue or adjourn the hearing, and had 45 days to issue its written findings and decision once the hearing was adjourned.

Estate Ronald Estate Ronald Lafreniere, Sr. and Green Mountain Club (#2010-08-CU/V)

Ms. Murray reviewed the application before the board as warned, noting that subdivision approval had been issued, and that the DRB voted to reopen the hearing to allow submission of new information. Ms. Murray noted that the DRB was required to make findings under conditional use for: the bridge, trail relocation, parking, use of underpass, site plan, and flood hazard regulations. In question: whether a variance was needed for the bridge cables and anchors/footings on the south /Duxbury Road side of the river.

DRB members reported no conflicts of interest.

Sharon Murray noted ex parte communication with the state regarding guidance with respect to bridge design and ADA, and that state responses were sent on to the GMC and entered into the hearing record.

Dave Hardy, on behalf of the GMC, noted that:

- The GMC was presenting a binder to the town which included: the project narrative, site map, subdivision plat, project site plans, bridge design plans, site pictures, railroad agreement and crossing details, VT 1111 permit, easements (Hauser, CRAG-VT, town), memo of agreement (VT DEC), Federal Highway 189, tunnel lighting system, USFS accessibility, accessibility review, signage, artist's rendering, and project review sheet.

Ms. Murray noted that before construction, the DRB was required to find that the GMC had all required state and federal permits as the town was the permitting agency under the NFIP.

Mr. Hardy stated that the GMC would be getting a wastewater permit for the subdivision and that the project had been "signed off" on with respect to impacts on; wetlands, archaeology, the Coast Guard (non navigable river), the Army Corps (Mr. Hardy will forward that letter to Mr. Malboeuf) and rare and endangered species; the project would not impact an uncommon river mussel.

Bridge Design

Mr. Guyette noted that the:

- Design was to AASHTO and VTrans standards.
- Guy wires on the south side were within the 35' road set back.
- Bridge and guy wires were within the 100' river setback.
- Black plastic coated chain link fencing would be installed along the length of the bridge to address aesthetics.

- Bridge would be accessible from Duxbury Road with a 5' wide deck and a hand rail inside the chain link fencing.
- Stairs would be "breakaway;" on the downstream side, designed to be flexible and rise with water up to horizontal, and would be 40' from the river bank.
- Projected construction timeline was mid June through October 2013.

Ms. Pender asked how visible the black chain link fencing would be. Mr. Guyette stated that the same fencing was used on the Lamoille River Bridge, and it was almost invisible, less apparent than using balusters.

Ms. Murray asked if there had been any issues with the Lamoille River Bridge, especially from Irene. Mr. Guyette stated no, there had been no issues, and that the bridge was inspected post-Irene.

Ms. Murray asked if 2.5' of freeboard on center was sufficient. Mr. Guyette replied that the design standard had been met; the state standard was Q50 +1, and that the bridge design was Q100 + 2.5, meeting FEMA and NFIP requirements. He stated that GMC had gone above and beyond bridge design standards.

Ms. Murray asked about the anchoring system. Mr. Guyette stated that one end is anchored on rock, the other 5' below grade, outside of the faster moving current area. He added that the design called for "spread footing foundation" with rip rap around the footing, and that a stormwater permit may be needed for the bridge footings, the trigger being one acre of disturbance.

Ms. Murray asked about the river, river buffer zone and clearing of vegetation. Mr. Hardy stated that there would be nothing in the river, construction would entail using track vehicles along the trail, hand tools, and a small crane. He noted that use of the crane on the south side of the river might necessitate a possible road closure for a half day. Mr. Hardy stated that the goal was not to remove trees, but that smaller trees may need to be removed, especially on the north side, and low lying vegetation would be removed only as needed.

Ms. Pender asked what the expected lifespan of the bridge was. Mr. Hardy stated 75 years.

Ms. Murray asked if GMC had a regular bridge inspection and monitoring program. Mr. Hardy stated no, that VTrans inspects bridges every 2 years, and that he was suggesting a yearly inspection program to track the condition of the bridge and maintain as needed.

Ms. Murray noted there were neither construction notes nor a stamp on the bridge plan. Mr. Guyette replied because it was not a final plan. Ms. Murray stated that GMC was asking the DRB to approve a preliminary bridge plan that would require the GMC to come back to the DRB if any changes were made. Mr. Guyette stated that the intent was not to change the current bridge plan, and that the GMC would provide the town with a stamped plan. Ms. Murray added that the final plan was required to be filed with the Bolton ZA.

Ms. Murray stated a letter from Chris Brunnell, VT DEC, signing off on the bridge design would be helpful. It was noted that if the bridge design changed, a new no-rise certificate would be needed.

Federal Highway I89 Right of Way

Mr. Guyette stated that an AOT representative was contacted, and that there were no issues nor concerns.

Parking Area and Signage

Mr. Hardy noted that the parking area:

- Was within the right of way of Vermont Rte 2, and within the flood zone.
- May require a stormwater permit.
- Would have a gravel surface, 12 spaces, with two spaces designated as handicap parking spots, with signs, located closest to the entryway.
- Would have fencing per VTrans between the parking area and highway.
- Would not be landscaped, or striped.
- Would include a small kiosk bulletin board with hiker information.
- Would access a dirt/mowed trail along RT 2 to the Bolton Notch Road underpass and trail beyond.

Ms. Murray asked about maintenance and contact information for the parking area. Mr. Hardy stated that GMC would be maintaining the parking area, would regularly be monitoring the area, and would provide emergency contact information to the town.

Mr. Hardy stated that

- Sign locations were listed in the narrative.
- There would be a stop sign along with additional hiker crossing information at the railroad crossing.
- There would be no signs on the south/Duxbury Road side.
- The only sign discussion he had had was with VTrans regarding the parking lot sign; a universal hiker parking sign.

Ms. Murray noted that the signs were not identified on the site plan and that while signs on RT 2 were under state jurisdiction, all others, including the parking lot kiosk, would fall under town jurisdiction and would need to meet town regulations.

Railroad Crossing

Mr. Guyette stated that there was no intention for the railroad crossing to be ADA or for the trail from the railroad crossing to the bridge to be ADA.

Tunnel Lighting System

Mr. Guyette stated that the GMC would maintain the lighting system and provide for emergency contact.

VT 1111 Permit

Mr. Guyette stated that no comments had been submitted in the State Highway Access review.

Variance:

Ms. Murray stated that page three in the GMC binder of documents noted that the GMC was requesting a variance from the Duxbury Road setback requirement. Ms. Murray noted that:

- The bridge structure was out of the required setback area.
- The walkway was in the required setback area and was exempt.
- The cables and anchors/footings were within the required setback, and the DRB needed to determine if the cables and anchors/footings were a structure requiring a variance.

Ms. Vita made the motion that the cables and anchoring/footings were not a structure and do not require a variance. Ms. Godin seconded the motion. All were in favor (5 – 0), motion carried.

It was noted that work within the Duxbury Road right of way would require Select Board review.

Ms. Murray asked if there were any further questions or comments. There were none, and as such, Ms. Godin made the motion to adjourn the hearing. Ms. Vita seconded. All were in favor (5 – 0), motion carried. A written decision would be issued within 45 days.

Agenda Item #3 - 2013 Organizational Meeting

- Confirm DRB membership (appointments, vacancies). The group noted a request will be made to the Select Board to appoint a 3rd alternate given Ms. Vita's pending resignation from the DRB.
- Elect officers (Chair, Vice Chair, Secretary). Ms. Pender made a motion for the same slate of officers to remain for 2013 – 2014: Sharon Murray, Chair, Michael Rainville, Vice Chair, and Margot Pender, Secretary. Ms. Godin seconded. All were in favor (5 – 0), motion carried.
- Review DRB Rules of Procedure and Ethics. Ms. Murray requested that Mr. Malboeuf send a copy of the rules and BLUDR to all members.
- DRB projects, coordination with Planning Commission (forms, bylaw updates). It was noted that Ms. Murray would meet with the Select Board to provide a DRB update and discuss staffing needs.
- Set regular meeting date, schedule. The regular DRB meeting date will continue as the 4th Tuesday of the month, with the 2nd Tuesday reserved for special meetings. The group noted the possibility of moving the starting time to 6 p.m. and setting a time length limit.

Agenda Item #4 - ZA Report

Mr. Malboeuf noted that:

- Pending applications included:
 1. A subdivision – Bolton Valley.
 2. Master Plan review – 4 x 4 Center.
 3. A subdivision – Devine.
 4. Boundary adjustment – Stevens.

Agenda Item #5 - Meeting Minutes December 18th, 2012, January 22nd, February 26, and March 12, 2013

Tabled until April 2013 due to time constraints and access to minutes.

Agenda Item #5 - Other Business

- Ms. Murray stated that it would be helpful to schedule a separate administrative meeting in April.

Agenda Item #6 - Meeting Adjournment

- Ms. Andrews made a motion to close the meeting. Ms. Vita seconded. All were in favor (5 – 0), motion carried, meeting closed at 8:05 p.m.
- The next regular meeting of the DRB will be held Tuesday, April 23, 2013, 6:30 p.m. at the Bolton Town Office.

Deliberative Session

The board entered deliberative session at 8:05 p.m. and exited at 8:15 p.m.

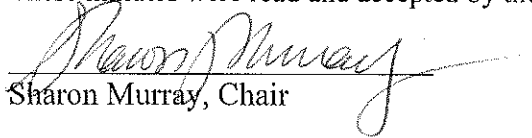
DRB Minutes
3/26/12
GMC conditional Use

Respectfully submitted,

Amy Grover
Substitute Clerk, Development Review Board

These minutes are unofficial until accepted.

These minutes were read and accepted by the Development Review Board on June 25, 2013.


Sharon Murray, Chair