

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

**Planning Commission Meeting Minutes**

March 24, 2009  
6 – 8 p.m.  
Bolton Town Office

Planning Commission members present: Linda Baker, Chair, Steve Barner, Jim Bralich, Rodney Pingree

Planning Commission members absent: Erin Perkins

Also present: Sharon Murray

Clerk: Amy Grover

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**Agenda**

1. Public Comment
2. Review of Park and Ride information
3. Review of Bolton Valley's ACT 250/DRB applications as needed.
4. Review and discussion of Geomorphic Assessment of Joiner Brook Report and potential addition of a Fluvial Erosion Hazard Zone.
5. Review of potential amendments to the Bolton Land Use and Development Regulations
6. Minutes ~ February 19, 2009
7. Other communications/mail
8. Any other business
9. Adjournment

**Call to Order**

Linda Baker, Chair, called the meeting to order at 6:05 p.m.

**Agenda Item #1 ~ Public Comment**

Linda Baker opened the floor to public comment. There was none.

**Agenda Item #2 ~ Review of Park and Ride information**

Amy noted that she had received an email from Wayne Davis at VTrans regarding the possible "treatment options" of the lacking site distance for the state owned parcel of land targeted as a potential park and ride site. Mr. Davis stated that Utilities would be conducting a site visit this week, and should have information available very soon.

**Agenda Item #3 Review of Bolton Valley ACT 250/DRB Applications**

It was noted that Bolton Valley currently has one application and two appeals pending at the local level. The DRB convenes 3/25/2009.

**Agenda Item #4 ~ Review and discussion of Geomorphic Assessment of Joiner Brook Report and potential addition of a Fluvial Erosion Hazard Zone.**

It was noted that the Geomorphic Assessment grant funding had included funding to draft/add bylaw language for FEH Zones or Areas.

Ms. Murray noted that given the Joiner Brook Phase II Study had recommended an FEH overlay district that corresponded with the town's current 100-foot setback requirement along the brook, established under Section 3.17 of the Bolton Land Use & Development Regulations, the Planning Commission could consider the following options for incorporating new FEH regulations in the next update of the town's land use regulations:

1. Develop a new FEH Overlay District, based in part on the state's recommended model, that would apply to Joiner Brook, and potentially any other subsequently mapped FEH zones ~ referencing available FEH maps and/or
2. Review and update the town's current setback and buffer regulations under Section 3.17 to also reference FEH setback distances and incorporate associated standards, e.g., as a separate subsection, or
3. No change (regulate setback under current regulations).

It was noted that if an FEH overlay district or FEH setbacks were to be adopted in addition to current setback/buffer requirements, in the event of a conflict in standards, the more restrictive would apply.

Discussion and review included:

- Review of maps provided by Gretchen Alexander and the comparison of the current 100' setback to the FEHZ.
- That the lowest section of the brook was the most impaired with the least ability to rectify that impairment; encroachment by infrastructure/structures.
- Inability to relate the state of the brook to the entire drainage basin.
- Inability to identify any cause and effect/correlation in the upper reaches, save for steep slopes and identified issues, i.e. culvert, snowmaking weir, mass failures.
- Inability to extrapolate whether run off and erosion would be exacerbated by future development outside of the FEHZ; it was noted that a hydrological study would be needed for this extrapolation.
- Development outside of the brook is not addressed in the study, only the FEHZ.
- Incorporation of a FEHZ or Area would require FEHZ maps to be referenced and available at the town office.
- Creating a FEHZ district could apply in the future to other mapped brooks.
- The town could choose to be more restrictive even if adopting the state FEHZ model.
- Have conditional uses apply to the entire setback area.

After discussion the group came to consensus to utilize option 2, and to incorporate associated standards to address/include:

- New definitions of language incorporated, i.e. channel, channel width, FEHZ or FEHA
- Allowed activities and uses, structures and infrastructures
- State project review sheet
- Referral to VANR/RMP w/30 day response
- Fill, except as necessary to elevate structures above Base Flood Elevation (in floodplain)
- Recreational vehicles (180 days) in setback, not buffer
- Fill, within floodplain district
- Road and driveway improvements
- New driveways, roads
- Stormwater, flood management
- Outdoor recreation, no structures

Ms. Murray will work on draft language for incorporating the FEH Area (not Zone) information/standards into a new subsection under Article 3.17, Surface Waters, of the BLUDRs.

**Agenda Item #5 ~ Review (continued) of possible amendments to the Bolton Land Use and Development Regulations**

The group continued the review of the list of potential changes/updates to the BLUDRs and focused on the definition of an “Alpine Ski Facility.” The group reviewed the list of current and potential uses provided by Larry Williams, Bolton Valley at the November 2008 PC meeting.

After discussion, the group made a decision and drafted the following memo:

*The Bolton Planning Commission intends to draft language for a specific use standard under Article IV, Alpine Ski Facilities, to expand allowed winter and summer uses subject to DRB review as a priority project.*

*This decision is a result of several months of discussion and review, and was unanimously made at the Tuesday, March 24, 2009 Planning Commission meeting.*

Linda Baker will attend the DRB hearing on Wednesday, March 25, 2009 to share this information with the Bolton ZA, DRB, and representatives from Bolton Valley. Amy will forward the memo to the Bolton CC, Select Board, and Deb Lariviere.

**Agenda Item #5 – Minutes February 19, 2009 Meeting**

Steve Barner made a motion to accept the minutes of February 19, 2009. Jim Bralich seconded the motion. All were in favor, motion carried.

**Agenda Item #6 - Other communications/mail**

- The PC noted a June training opportunity, “Planning Commissioners Retreat” available through VLCT.

**Agenda Item #7 ~ Any other business**

The next meeting of the PC will be held on Tuesday, April 28, 2009, 6 – 8 p.m. at the Town Office.

**Agenda Item #8 – Adjournment**

The meeting was adjourned at 7:50 p.m.

Amy Grover  
Clerk, Planning Commission

*These minutes are unofficial until accepted.*

These minutes were read and accepted by the Planning Commission on

April 28, 2009



Linda Baker, Chair