



Town of Bolton  
3045 Theodore Roosevelt Highway  
Bolton, VT 05676

**Bolton Development Review Board**  
**Meeting Minutes**  
**May 11, 2017**  
**Bolton Town Office**

**DRB Members Present:** Steve Diglio (Chair), Sharon Murray, Michael Rainville, John Devine Adam Miller (Alternate)

**DRB Members Absent:** Charmaine Godin, Rob Ricketson (Alternate)

**Staff Present:** Sarah McShane, DRB Assistant/Zoning Administrator

**Others Present:** Justin Willis, Leon Lafreniere, Lexi Hasleton, Chuck Reiss, Chris Haggerty, David Whitney

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**Posted Agenda:**

1. Public Comment
2. Warned Public Hearings: Notice –Participation in the hearing process is required in order to appeal a decision of the Development Review Board.

*Continued from March 23, 2017*-Application 2017-02-DRB: Applicant- Vermont Building Resources, LLC/Property Owner- West Bolton Golf Club, Inc. – Request Preliminary Subdivision approval for a 9-lot Planned Unit Development (PUD). The property is located in Rural I Zoning District on the corner of Nashville and Stage Roads (Tax Map # 1-0035425).

Application 2017-13-DRB: Applicant/Property Owner Leon Lafreniere – Request final subdivision approval for a 2-lot subdivision. The property is located in Rural I Zoning District on Duxbury Road (Tax Map # 15-0013466).

3. 2017 Organizational Meeting
  - o Confirm DRB membership (appointments, vacancies)
  - o Elect Officers (Chair, Vice Chair, Secretary)
  - o Review DRB Rules of Procedure and Ethics
  - o DRB projects, coordination with Planning Commission (forms, bylaw updates)
  - o Set regular meeting date, schedule.
4. Zoning Administrator's Report
5. Meeting Minutes 2/23/2017 & 3/23/2017
6. Other Business
7. Meeting Adjournment
8. Deliberative Session

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**1. Call to Order** Mr. Diglio, Chair, called the meeting to order at 6:37 PM with a quorum present.

**2. Public Comment & Adjustments to the Agenda** - No public comments.

**3. Public Hearing: Application 2017-02-DRB: Applicant- Vermont Building Resources, LLC/Property Owner- West Bolton Golf Club, Inc. – Request Preliminary Subdivision approval for a 9-lot Planned Unit Development (PUD). The property is located in Rural I Zoning District on the corner of Nashville and Stage Roads (Tax Map # 1-0035425).**

Chair Diglio reopened the hearing at 6:40PM and provided an overview of the review process. No ex parte communications or conflicts of interest were reported. Mr. Diglio did report that he had spoken with Chris Haggerty (surveyor) but everything discussed had already been entered into the public record. Mr. Diglio stated that the Applicant, Vermont Building Resources, is requesting preliminary review for a 9-lot subdivision of the parcel on the corner of Nashville and Stage Roads.

1 The application is being reviewed as a major subdivision under the Bolton Land Use and  
2 Development Regulations and is continued from the March 23<sup>rd</sup> meeting. Mr. Diglio stated that the  
3 Board previously continued the hearing in order to accept additional information.

4  
5 Members reviewed and entered the following additional exhibits into the record including:

- 6
- 7 • Letter from VT Building Resources addressed to the DRB, dated 4/3/2017;
- 8 • Revised Declaration of Wheeler Field Homes, Bolton, Vermont [revisions include Section 2.1
- 9 Responsibilities of the Developer; Section 4.3 (1-3) Waterline Easement; Section 5.3 Wetland
- 10 Protection; Section 6.1 Road], no date;
- 11 • Revised subdivision plat 'Plat of 9 Lot Subdivision Showing Lands of West Bolton Golf Club, Inc'
- 12 prepared by Button Professional Land Surveyors, Sheet 1 of 1, last revised 5/2/17;
- 13 • Preliminary Plan 'Wheeler Field Subdivision' prepared by ECO Solutions LLC, Sheet ECO 1, 1 of 2,
- 14 Project #16-023, dated 5/4/2017;
- 15 • Details 'Wheeler Field Subdivision' prepared by ECO Solutions LLC, Sheet ECO 2, Project #16-
- 16 023, dated 5/4/2017;
- 17 • Details 'Wheeler Field Subdivision' prepared by ECO Solutions LLC, Sheet ECO 3, Project #16-
- 18 023, dated 5/4/2017;
- 19

20 Ms. Hastleton submitted an updated engineer drawing to enter in the record and provided an  
21 overview of the revisions made to the plans. The following documents were entered into the public  
22 record:

- 23
- 24 • Preliminary Plan 'Wheeler Field Subdivision' prepared by ECO Solutions LLC, Sheet ECO 1, 1 of 2,
- 25 Project #16-023, dated 5/11/2017;
- 26 • Details 'Wheeler Field Subdivision' prepared by ECO Solutions LLC, Sheet ECO 2, Project #16-
- 27 023, dated 5/11/2017;
- 28 • Details 'Wheeler Field Subdivision' prepared by ECO Solutions LLC, Sheet ECO 3, Project #16-
- 29 023, dated 5/11/2017;
- 30

31 Ms. Hastleton reported that the drawings were updated for clarity, general notes and stormwater  
32 notes were added, and general edits to make sure the engineer drawings are consistent with the  
33 survey plat. The following revisions were reviewed:

- 34
- 35 • Added the dimensional requirements
- 36 • Added contour lines to the engineer drawing
- 37 • Added the building envelopes and locations of pins where the building envelope is impacted
- 38 by the wetland buffer.
- 39

40 Members discussed delineating the wetlands and building envelopes. Mr. Diglio stated that only the  
41 building envelopes that are impacted by the wetland buffer need to be pinned; including Lot 1.

- 42
- 43 • Added a plat notation stating that principal and accessory structures must be located within
- 44 the building envelope.
- 45

46 Members discussed the utility easement on Lot 7 and 8. Ms. Haselton noted that it was intended  
47 for parking for Wheeler Field. Ms. Hasleton also noted that the easement is for the electrical

1 utilities to serve the lots. Members reviewed the location of the underground electric lines and  
2 location of existing utility poles. Members continued to discuss the encumbrements on Lot 8. Ms.  
3 Haslton suggested that the easement could be revised to be triangular shape.

4  
5 Mr. Diglio reviewed the Declaration and Home Owners Association and asked whether or not Lot 8  
6 would be part of the Association. Ms. Haslton said that the Declaration includes Lot 8, but not the  
7 Association.

8  
9 Ms. Murray noted that since the proposal is a Planned Unit Development it is a negotiation between  
10 the town and the applicant. The Board's concern is making sure that the development will benefit  
11 the town.

12  
13 Members discussed whether or not the utility easement will require a curb cut. Mr. Haggerty noted  
14 that there is an existing curb cut that could be used for maintenance. Ms. Murray noted that the  
15 intended access to the battery shed is off from Stage Road. Mr. Reiss stated that it would only be  
16 used for maintenance. The Board noted that they may require that the access obtain a curb cut  
17 permit.

18  
19 Ms. Haslton reviewed the water lines and related easements. Mr. Diglio noted that he  
20 understands that the easements might be relocated during state permitting, but the Board's plans  
21 need to show water utilities to the dwellings.

22  
23 Ms. Haslton continued to review the updates to the plans including:

- 24  
25
  - Underground utilities are shown located within easements
  - R-O-W for road coordinated with the details sheet
  - Parking and turnaround needs are shown within the building envelope26  
27  
28

29 Members discussed the phased construction schedule. Mr. Reiss provided a written description

- 30  
31
  - Phase 1 is to include installing the common road for lots 2-6 and the forced main and  
32 primary power conduit will be installed to lot 8. Stormwater measures for common road  
33 would be included in this phase.
  - Phase 2 would be initiated once the first homes are under contract. Phase 2 to include the  
34 extension of the force main and construction of the leach field. Extending primary power to  
35 the eastern edge of Lot 8 and connection to the utility will be part of Phase 2. Driveways  
36 and wells will also be added for the homes under contract.37  
38

39 Mr. Reiss stated that they will obtain state permits after receiving local approval. Members  
40 discussed phasing schedule.

- 41  
42
  - Letter from Chuck Reiss "Wheeler Field Subdivision Proposed Schedule for Construction"  
43 dated May 11, 2017, was entered into the record.44

45 Members discussed financial surety. Ms. Haslton stated that the Board is not obligated to require  
46 it. Ms. Murray reported that it is usually required when there is common infrastructure  
47 improvements (i.e. shared septic system). Mr. Reiss stated that all of the improvements need to be  
48 completed before the first house can be completed. Members discussed the requirement and how

1 it applies to private developments. Members noted that it usually applies when there is public  
2 infrastructure and agreed the intent of it is to protect the town.

3  
4 Ms. Murray asked to review the grading and disturbance areas, especially in relation to the  
5 wetlands. Mr. Reiss stated that they may develop three dwellings in the fall and four next spring.  
6 Ms. Murray noted that prior to any site work or construction, the wetland will need to be properly  
7 marked to avoid any disturbances.

8  
9 Mr. Miller asked whether or not the contours will be added to the plat. Mr. Haggerty said that it is  
10 very busy with 2 ft contours. Members noted that a reference will be included in the decision.

11  
12 Mr. Devine motion to close the hearing, Ms. Murray seconded. The motion passed unanimously (5-  
13 0). The Board will issue a written decision within 45 days.

14  
15  
16 **4. Public Hearing: Application 2017-13-DRB: Applicant/Property Owner Leon Lafreniere – Request**  
17 **final subdivision approval for a 2-lot subdivision. The property is located in Rural I Zoning District**  
18 **on Duxbury Road (Tax Map # 15-0013466).**

19  
20 Chair Diglio opened the hearing at 7:25PM and provided an overview of the review process. No ex  
21 parte communications or conflicts of interest were reported. The Applicant, Leon Lafreniere, is  
22 requesting final subdivision approval for a two-lot subdivision of 76.5 ± acres on the Duxbury Road.  
23 The property is located within the Rural I zoning district. The Applicant is proposing to subdivide a 3.0  
24 acre parcel from the 7.5 acre portion of the lot on the north side of Duxbury Road.

25  
26 Members reviewed and entered the flowing exhibits into the record including:

- 27  
28
- Application to the Development Review Board, dated 4/4/2017;
  - Copy of Tax Map showing location of parcel, dated April 2016;
  - Sketch plan review follow-up letter from the DRB, dated 11/29/2016;
  - Survey plat titled “Two Lot Subdivision Plat of a Portion of Lands of Leon Lafreniere, part of Lot 177 of New Huntington” prepared by Button Professional Land Surveyors, Christopher Haggerty No. 741, Sheet #1, March 2017;
  - Site Plan of Water Supply and Wastewater System- Leon Lafreniere Duxbury Road, prepared by Will Design Associates, Inc. , Sheet S1, last revised 4/6/2017;
  - Water Supply and Wastewater System Details- Leon Lafreniere Duxbury Road, prepared by Will Design Associates, Inc. , Sheet D1, last revised 12/4/2012;
  - ANR Natural Resources Atlas showing Special Flood Hazard Area, dated 5/3/2017;
- 38

39 Mr. Willis and Mr. Lafreniere were present and provided an overview of the application. Mr. Willis  
40 stated that a large portion is within the floodplain. Members discussed the layout of Lot 2.  
41 Members asked if proposed Lot 2 would include the lands on the other side of Duxbury Road. Ms.  
42 Murray noted that it could be approved as a conservation lot or included with the lands across the  
43 street. Member discussed the options. Mr. Lafreniere decided that he wants Lot 2 to contain lands  
44 on both sides of Duxbury Road. The plat and engineer drawings will need to be coordinated.

1 Mr. Willis stated they have an existing state wastewater permit which will need an administrative  
2 amendment to reflect the subdivision.

3  
4 Members discussed the base flood elevation. Mr. Diglio stated it appears a portion of the  
5 wastewater system is located within the floodplain. Mr. Willis stated that it is located outside the  
6 floodplain. Ms. Murray noted that in this district the dwelling will have to be located outside the  
7 floodplain.

8  
9 Ms. Murray noted that the application needs to be submitted to the State for comments and they  
10 will likely want the base flood elevation marked on the plans. Mr. Willis stated that the base flood  
11 elevation looks like its 338'. Members reviewed the FIRM maps and stated that the base flood  
12 elevation is approximately 338'. Mr. Willis stated that the BFE should be shown to correspond with  
13 the correct contour.

14  
15 Members noted a condition of approval will be to define a building envelope to at minimum exclude  
16 the top of bank riparian setback and floodplain. The building envelope will be required to be pinned  
17 on the ground.

18  
19 Members suggested elevating the structure and the possibly of a crawl space. Mr. Diglio stated that  
20 including a basement or crawl space could require flood insurance. Mr. Diglio recommended  
21 elevating the home and not including any openings underneath the structure.

22  
23 Members noted possible plan notations. Mr. Willis said that he would be willing to add a notation  
24 about the floodplain on his plans and have the BFE on the subdivision plat.

25  
26 Ms. Murray stated that Rebecca Pfeiffer might recommend that an elevation certification is  
27 completed after construction.

28  
29 Members discussed the proposed access. Mr. Willis noted that they are proposing to utilize the  
30 existing access since sight distance is a concern along portions of the Duxbury Road. The easement  
31 language for the access will need to be provided, as well as a curb cut permit.

32  
33 Ms. Murray noted that the decision should reference the waiver of the requirement to survey the  
34 entire parcel on the opposite side of Duxbury Road.

35  
36 Ms. Murray motioned to continue the hearing to June 22, 2017 at the Bolton Town Office pending  
37 state comments and additional information from the Applicant, Mr. Miller seconded. The motion  
38 carried 5-0.

39  
40 Members noted the outstanding requirements/revisions including easement language, curb cut  
41 permit, and revised plans showing a defined building envelope and base flood elevation.

- 42  
43 **5. 2017 Organizational Meeting -** Members discussed the election of officers, reappointments, and  
44 setting a regular meeting schedule. Ms. Murray and Mr. Rainville reported that they would be  
45 interested in becoming alternates, if Rob and Adam were interested in serving as full-time  
46 members.

47  
48 Ms. McShane provided an overview of the terms and past Select Board reappointments.

1  
2 She reported that the Select Board minutes of May 19, 2014 contain the following term  
3 appointments:

- 4
- 5 • Sharon Murray term ending in 2015 (May 19)- theoretically ending May 19, 2018;
- 6 • Margot Pender term ending in 2015 (May 19) [John Devine filled this position] -  
7 theoretically ending May 19, 2018;
- 8 • Mike Rainville term ending in 2016 (May 19) - theoretically ending May 19, 2019;
- 9 • Charmaine Godin term ending in 2016 (May 19) - theoretically ending May 19, 2019;
- 10 • Jen Andrews term ending in 2017 (May 19) [Steve Diglio filled this position] -  
11 theoretically ending May 19, 2020;
- 12

13 Ms. McShane will work with Chair Diglio and draft a letter with recommended reappointments and  
14 terms to the Select Board.

15  
16 Board members discussed a regular meeting date and agreed to reserve the 4<sup>th</sup> Thursday of each  
17 month for the regular scheduled meeting.

18  
19 Ms. Murray noted that Adam Bodreau has shown interest in serving on the Board. Ms. McShane  
20 will reach out to Ms. Godin to see if she is interested in continuing to serve. Ms. Murray noted that  
21 it might be good to advertise the positions if there end up being any vacancies.

22  
23 Members discussed the election of officers. Mr. Diglio stated that he would be willing to serve as  
24 the Chair again. Mr. Devine volunteered to be Clerk. Mr. Miller volunteered to be vice-chair.  
25 Members agreed to wait till the next meeting to have formal elections.

26  
27 Ms. Murray requested that the meetings be recorded. Ms. McShane will ask the Town Clerk about  
28 recording equipment.

29  
30 **6. Zoning Administrator's Report**

31  
32 Ms. McShane provided an overview of recent inquires including:

- 33
- 34 • The property owner at 150 Thatcher Road would like to construct a garage within the side  
35 setback. She reported that if an application is made, it appears that it would require a  
36 variance and possibly approval under the steep slopes provisions.
- 37 • Joji Fillmore has inquired about re-application to designate a residential building envelope.
- 38 • An individual from the Fernwood Manor has inquired about placing a replacement  
39 manufactured dwelling within 10 feet of the lot boundaries. S.McShane inquired how the  
40 proposal would be reviewed.
- 41 • Brattleboro Savings Loan Association recently inquired about a past DRB decision involving  
42 merged lots 5 & 6 of the Stone Hill Subdivision. She stated that after receiving legal  
43 guidance she made a determination concurring with the DRB that the lots are merged and  
44 cannot be separately transferred or developed. She mentioned that BSLA has the option to  
45 appeal to the DRB.
- 46
- 47

DRB Meeting Minutes

May 11, 2017

1 **7. Meeting Minutes**- Members tabled the minutes from 2/23/2017 & 3/23/2017.

2

3 **8. Other Business** - None

4

5 **8. Meeting Adjournment**

6

7 The meeting adjourned at 9:10 PM.

8

9 The next DRB meeting is scheduled for June 22, 2017 at the Bolton Town Office at 6:30 PM.

10

11 **9. Deliberative Session**

12

13 None

14

15 Respectfully submitted,

16

17 Sarah McShane

18 Bolton DRB Assistant

19

20 *\*\*These minutes are unofficial until formally accepted by the DRB.\*\**

21

22 These minutes were read and accepted by the Development Review Board on June 22, 2017.



23

24

25 \_\_\_\_\_  
Steve Diglio, DRB Chair