



Town of Bolton
3045 Theodore Roosevelt Highway
Bolton, VT 05676

Bolton Development Review Board
Meeting Minutes
July 28, 2016
Bolton Town Office

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

DRB Members Absent: Charmaine Godin

Staff Present: Sarah McShane, DRB Assistant/Zoning Administrator

Others Present: Jeff Brown, Chuck Reiss, JoAnn Champney, George Champney, Lexie Hasleton, Mike Gervia, Paula Gervia, Cara LaBounty

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.
 - a. Application 2016-20-PRD (Sketch): Applicant Vermont Building Resources, LLC – Request sketch plan review for a 9-lot Planned Residential Development (PRD). The property is ±23 acres and is located in the Rural I District at the corner of Nashville & Stage Roads (Tax # 0035425).
 - b. Application 2016-19-ZP/CU: Applicants Mike & Paula Gervia – Request conditional use/flood hazard area review approval to elevate the existing dwelling above base flood elevation. The property is located in the Village District at 3553 Theodore Roosevelt Hwy (Tax Map # 15-2003553).
3. Zoning Administrator’s Report
4. Meeting Minutes 6/23/16
5. Other Business
6. Meeting Adjournment
7. Deliberative Session

Call to Order

Mr. Diglio, Chair, called the meeting to order at 6:32 PM with a quorum present.

1. Public Comment & Adjustments to the Agenda - None

2. Public Hearing (Sketch Meeting): Application 2016-20-PRD (Sketch) - Applicant Vermont Building Resources, LLC – Request sketch plan review for a 9-lot Planned Residential Development (PRD). The property is ±23 acres and is located in the Rural I District at the corner of Nashville & Stage Roads (Tax # 0035425).

Mr. Diglio opened the meeting and provided an overview of the sketch plan review process. He stated that the purpose of sketch is to identify the type of subdivision (major or minor) and provide informal comments and recommendations on the proposal. Mr. Ricketson stated that he had discussed the application with one of the Applicants- Ms. Haselton. No other ex parte communications or conflicts of interest were reported. Co-applicant, Chuck Reiss, was present to answer questions and provide an overview of the proposal. He stated that Vermont Building Resources, LLC builds low impact energy efficient homes. He reviewed the preliminary plan with

1 board members and discussed the concept of the project. The project consists of approximately 23
2 acres on the corner of Nashville and Stage Roads. A focus of the development is to include a
3 community recreation field. The parcel contains wetlands and preliminary test pits have shown the
4 soils are able to have conventional septic systems. Mr. Reiss stated that Lots 1-7 will be for
5 residential homes, Lot 8 will be the "ball field", and Lot 9 will be set-aside as wetlands/open space
6 and conserved in perpetuity. He stated the zoning regulations allow the parcel to be divided into 14
7 lots, but only 7 residential lots are proposed for this project. He also stated that they would
8 ultimately like to work with Town or other entity in order to conserve one lot for public use. Ms.
9 Haselton added that the project may incorporate a community center or space.

10
11 Members and the Applicants reviewed the project's access. It was noted that the primary curb cut
12 will service five homes and therefore will be considered a private road rather than a driveway. The
13 regulations have specific standards for roads versus driveways. The Applicants noted that Lots 1, 7
14 and 8 will have individual driveways.

15
16 Members reviewed the existing and proposed trail network. Ms. Haselton stated that the dotted
17 lines on the proposal indicate existing trails and the project would likely include additional trails to
18 be open to the public.

19
20 Mr. Reiss stated that they are still evaluating all of the legal arrangements and that ultimately they
21 would like to sell Lot 8 at a reduced rate to be used for recreational purposes. Mr. Diglio asked if
22 they will be requesting approval to develop Lot 8. The Applicant stated that at this time they are not
23 proposing residential development on the parcel, however if they have problems finding a third-
24 party entity to purchase it, they may need to come back to the DRB for approval to develop it.

25
26 Ms. Hasleton stated that the homes will all be net-zero and will fit into the overall character of the
27 area.

28
29 Ms. Murray asked why they were only proposing 7 lots if the zoning allows for 14. The Applicants
30 stated that it is not in their interest to develop the additional lots. Ms. Haselton stated that many of
31 the homes in the area are on 1-2 acres and their proposal fits into the development pattern of the
32 area. She stated that just because the regulations allow 14 lots, it doesn't mean that it's
33 appropriate for the area or this project.

34
35 Mr. Brown highlighted the importance of using one of the lots for recreation. He stated that the
36 intent of the project is to create a project that would include a public recreational component.

37
38 Ms. Murray stated that the town is currently considering increasing the density in West Bolton to
39 allow more of a neighborhood feel rather than rural residential development pattern. She stated
40 that traditional zoning in Vermont's village centers is 4 units per acre and the Applicant may want to
41 consider additional lots. Members noted that it is one of Bolton's last developable areas. The
42 Planning Commission is discussing possibly rezoning the area in order to add density. Mr. Reiss
43 stated that their intent of this project is to create a sustainable development.

44
45 Ms. Murray noted that the regulations require lot lines to exclude wetlands and other natural
46 resources. Members reviewed Section 7.3; discussion ensued. Members discussed whether or not
47 the lot lines should be redrawn to exclude the wetlands and wetland buffer area. Ms. Murray noted
48 that redrawing the lot lines could help prevent the fragmentation of wetlands and buffer area.

1 Members noted that the regulations allow for the wetlands to be protected by other mechanisms
2 such as designated building envelopes. Ms. Murray noted the importance of having the entire
3 wetland area under single management rather than on individual parcels. She stated that garages
4 and other structures are often constructed in wetland buffers simply because property owners are
5 unaware that their property contains protected areas.

6
7 Members continued discussion on the overall adverse impact to the wetlands, options to prevent
8 fragmentation, and the issues with multiple property owners and management. Members discussed
9 reconfiguring the lots lines versus designating building envelopes. Mr. Reiss stated that they would
10 likely put covenants to protect the wetlands and Lots 1-7 would have joint ownership. Members
11 discussed deed covenants, building envelopes, plat notations, etc. in order to protect natural
12 resources.

13
14 Mr. Diglio asked Ms. Haselton to provide an overview of the project's outreach efforts. Ms.
15 Haselton stated that they have held several visioning sessions with the neighbors and overall the
16 area has shown interest including a public recreation facility as part of the project. She stated that
17 Wheeler Field has been historically used as West Bolton's public meeting area and the
18 neighborhood is very interested in preserving it. Mr. Ricketson stated that West Bolton residents
19 would like Lots 7 & 8 to be preserved and kept open. Ms. Haselton also mentioned that the
20 Conservation Commission has met to discuss the development and supports it. Members discussed
21 how Bolton has very little developable land and how much of the town is conserved. Ms. Murray
22 noted that the Selectboard is discussing how to deal with declining school enrollment and how to
23 afford maintaining the town's road infrastructure.

24
25 Members discussed reconfiguring the lots to create more of a neighborhood development. Mr.
26 Reiss told the board they should look at the project as a sustainable development with net-zero
27 homes rather than a neighborhood development. He reminded them that the intent of the project
28 is create a sustainable development.

29
30 Ms. Hasleton stated that the project also will include a boundary line adjustment with the 0.25 acre
31 corner lot. She stated they would like to merge the lot into the 23 acre parcel. Board members
32 noted that the regulations allow for boundary line adjustments and merging lots. Mr. Reiss asked
33 whether or not they should also be requesting conditional use for the public facility on Lot 8.
34 Members suggested that the application should come back for approval once they a final use is
35 determined.

36
37 Members discussed whether or not the project should be referred to as a PRD or PUD. Mr. Reiss
38 suggested that it be referred to as a PUD since there could be a recreational field or other uses. He
39 stated that he does not want to limit the project to all residential uses since the development will
40 ultimately contain a mixture of uses.

41
42 Ms. Murray noted that if there will be public access to the trail system they may want to add the
43 location of public parking on the plan. Members discussed how the lots could possibly be
44 reconfigured to allow public trailhead parking.

45
46 Mr. Diglio discussed next steps. Ms. Murray stated that the board will provide a non-binding
47 guidance letter with recommendations and direction. The applicant will be required to submit a
48 preliminary application as the next step.

1
2 The sketch plan review meeting closed at 7:50 PM. The Board will provide a written letter to the
3 Applicants within 45 days regarding the waiver request and preliminary subdivision
4 requirements.

- 5
6 **3. Public Hearing:** Application 2016-19-ZP/CU- Applicants Mike & Paula Gervia – Request conditional
7 use/flood hazard area review approval to elevate the existing dwelling above base flood elevation.
8 The property is located in the Village District at 3553 Theodore Roosevelt Hwy (Tax Map # 15-
9 2003553).

10
11 Mr. Diglio opened the hearing at 7:55 PM and provided an overview of the application. The
12 applicant is requesting flood hazard area approval to elevate the existing single family dwelling
13 above the base flood elevation. Single-family dwellings are a permitted use in the Village zoning
14 district therefore the application is only being reviewed under the flood hazard area standards not
15 the conditional use standards. The project is being funded by an HMPG grant obtained by the town.
16 No ex parte communications or conflicts of interest were reported.

17
18 Ms. LaBounty provided an overview of the application and requested that the application be
19 conditioned to require that the applicant provide appropriate flow through venting. Ms. LaBounty
20 suggested that the Board's approval could allow for the venting calculations to be confirmed by an
21 engineer or an individual from the federal government.

22
23 Members discussed the required flow-through venting and whether or not the calculations should
24 be provided prior to the issuance of the zoning permit or the Certificate of Occupancy. The board
25 and applicant noted that adequate venting needs to be provided and the regulations require one
26 square inch of venting per square foot of the basement. Members agreed that the applicants will
27 need to provide the venting calculations prior to obtaining a zoning permit, as well as provide
28 venting cut sheets.

29
30 Mr. Rainville motioned to approve the application contingent on the applicant providing the venting
31 calculations with the zoning permit application. The calculation will be confirmed by the Chair prior
32 to the issuance of the permit. Mr. Devine seconded. (No vote was taken.)

33
34 Discussion ensued regarding the appeal period and the issuance of a zoning permit. Ms. LaBounty
35 reminded the board that meeting the local development regulations is part of the grant agreement.
36 Ms. Gervia stated that there are a lot of parties involved and it has been a frustrating process.

37
38 Mr. Rainville made a motion to close the hearing. The motion was seconded by Mr. Miller. The
39 motion passed unanimously (5-0). The Board will issue a written decision within 45 days, but agreed
40 to issue the decision as soon as possible to meet the applicant's project timeline.

41
42 **4. Zoning Administrator's Report**
43

44 Ms. McShane provided an update regarding zoning inquiries and permits. She stated that she has
45 only been coming into the office as needed when a permit application or zoning certification is
46 submitted. She told the Board that she had recently been working with an applicant regarding
47 placing a replacement mobile home on an existing slab in Fernwood Manor. She stated that the
48 existing slab is tucked into the corner of the lot in close proximity to the neighboring mobile home

1 site. Section 4.15 requires a 10' setback from the closest structure to the adjacent mobile home
2 site. The Applicant was able to slightly relocate the structure in order to meet the requirement, but
3 she noted that it will likely be a problem in the future since many of the lots are laid out in a similar
4 pattern.

5
6 Ms. McShane stated that she had not received any completed applications for the August meeting
7 and asked the Board whether or not they would like to hold an August meeting. Board members
8 agreed to skip the August meeting if there were no pressing issues.

9
10 **5. Meeting Minutes**

11 Members reviewed the minutes from June 23, 2016. Mr. Ricketson made a motion, seconded by Mr.
12 Miller to accept the minutes of June 23, 2016 as submitted. The motion passed unanimously, (5-0).

13 **6. Other Business**

14 None

15
16 **7. Meeting Adjournment**

17
18 Ms. Murray made a motion, seconded by Mr. Rainville, to adjourn the meeting. Motion passed
19 unanimously, (5-0). The meeting adjourned at 9:15 PM.

20
21 The next DRB meeting is scheduled for September 22, 2016 at the Bolton Town Office at 6:30 PM.

22
23 **8. Deliberative Session**

24 None


25
26
27 Respectfully submitted,

28
29 Sarah McShane
30 Bolton DRB Assistant

31
32 ***These minutes are unofficial until formally accepted by the DRB.***

33
34 These minutes were read and accepted by the Development Review Board on October 27, 2016.

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40 _____
Steve Diglio, DRB Chair