



Town of Bolton
3045 Theodore Roosevelt Highway
Bolton, VT 05676

Bolton Development Review Board
Meeting Minutes
January 26, 2017
Bolton Town Office

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

DRB Members Absent: Charmaine Godin, Michael Rainville

Staff Present: Sarah McShane, DRB Assistant/Zoning Administrator

Others Present: Tony Barbagallo, Holly Hall, Stuart Hall, Michael McKeown, Jeff Brown, Mary Brown, Joss Besse, Luke Ingram, Ali Kosiba, Ryan Ferell, Sara Bauer Farrell, Aaron Lawrence, Lexie Hasleton, Chuck Reiss.

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.

Application 2017-01-DRB: Applicant/Property Owner Aaron Lawrence – Request Conditional Use approval to construct a single-family dwelling on steep slopes pursuant to Sections 3.16 and 5.4 of the BLUDRs. The property is located in Rural II Zoning District at 1518 Notch Road (Tax Map # 5-0041518).

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).

3. Zoning Administrator’s Report
4. Meeting Minutes 10/27/16
5. Other Business
6. Meeting Adjournment
7. Deliberative Session

1. Call to Order

Mr. Diglio, Chair, called the meeting to order at 6:35PM with a quorum present.

2. Public Comment & Adjustments to the Agenda - None

3. Public Hearing: Application 2017-01-DRB: Applicant/Property Owner Aaron Lawrence – Request Conditional Use approval to construct a single-family dwelling on steep slopes pursuant to Sections 3.16 and 5.4 of the BLUDRs. The property is located in Rural II Zoning District at 1518 Notch Road (Tax Map # 5-0041518).

Mr. Diglio opened the public hearing and provided an overview of the application. No ex parte communications or conflicts of interest were reported. The Applicant, Aaron Lawrence, was present to answer questions and provide an overview of the proposal. The Applicant stated that he is requesting approval to construct a single-family dwelling on a property he recently purchased at

1 1518 Notch Road. Mr. Diglio noted that the application is being reviewed as a conditional use for
2 development on steep slopes under the Bolton Land Use and Development Regulations.

3
4 Mr. Lawrence provided an overview of the application. He stated that the parcel is roughly 32 acres
5 total with 27 acres in the current use program. He noted that the lot is part of a three-lot
6 subdivision and that the other two lots have already been developed. It was noted that the parcel
7 contains slopes exceeding 15%. Mr. Lawrence stated that he does not have designs of the actual
8 dwelling but expects the footprint to be roughly 1000 sf with a walk-out basement. He stated that a
9 wastewater permit issued by the State of VT has been obtained and he is currently preparing the
10 land for construction to begin this spring. He stated that the proposed house site is served by an
11 existing logging road.

12
13 Board members discussed the requirement that a stormwater management plan prepared by a
14 licensed professional be submitted. Mr. Diglio stated that he felt okay waiving the requirement that
15 the stormwater and erosion control plan be professionally prepared, but felt that the applicant
16 would still need to demonstrate stormwater and erosion control protection measures.

17
18 Ms. Murray noted that the Board will need to review a site plan, drawn to scale, showing the
19 gradient of the driveway, approach area, and curb cut. She suggested that Mr. Lawrence speak to
20 the Fire Chief to see if there are any access concerns for emergency vehicles. She noted that the
21 Fire Chief may want a turn-around area at the end of the driveway. She also stated that the
22 regulations require that the driveway be upgraded to residential driveway standards (B-71). Both
23 Mr. Diglio and Ms. Murray agreed that there is no reason for the Board to deny the applicant's
24 request, however the Board will need more information about the driveway, stormwater
25 management, and erosion control. Mr. Diglio added that any necessary culverts should be shown
26 on the site plan and that the driveway ditches may need to be rock-lined depending on the slope of
27 the driveway. Ms. Murray noted that, if possible, it would be preferred for the driveway not to
28 drain into the Notch Road right-of-way. Mr. Ricketson asked if the adjacent neighbors had any
29 issues developing their driveway. Mr. Ricketson noted that the site plan should also indicate the
30 location of the existing logging road and the areas to be upgraded to residential driveway standards.
31 The Board noted that Mr. Lawrence should also speak to the Road Foreman to discuss the curb cut,
32 drainage issues, and the required gradients of the approach area within the Notch Road right-of-
33 way. Ms. Murray noted the location of the building envelope and asked that all slopes over 25% be
34 excluded from the building envelope. Members noted that the driveway will likely need to be re-
35 graded, ditched, and culverts installed where needed.

36
37 Mr. Diglio asked if there are any known right-of-ways over the existing logging road. A neighbor
38 spoke (Luke Ingram and Ali Kosiba) and requested that access to their rear wood lot be maintained.
39 They noted that the existing logging road crosses over several lots. The Board noted that an
40 easement should be established, but noted that it is not part of the application under review. Ms.
41 Murray noted that any changes to a previously approved subdivision plat would require an
42 amendment. Mr. Diglio noted that all of the easement users might want to consider a shared
43 maintenance agreement.

44
45 Ms. Murray stated that the Board can provide the applicant a letter noting the additional
46 requirements needed to complete the review; she noted the importance of determining whether or
47 not the existing logging road can be upgraded to meet the residential driveway standards (B-71).
48

1 At 6:50 PM, Ms. Murray made a motion to continue the hearing to February 23rd pending
2 additional information from the applicant, Mr. Devine seconded. The motion carried 5-0. The
3 application will be scheduled on the February 23rd agenda.
4

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

10 Chair Diglio opened the hearing at 6:53PM and provided an overview of the review process. No ex
11 parte communications or conflicts of interest were reported, however Mr. Diglio noted that he had
12 informally spoken with the surveyor Chris Haggerty. Mr. Diglio stated that the Applicant, Vermont
13 Building Resources, is requesting preliminary review for a 9-lot subdivision of the parcel on the
14 corner of Nashville and Stage Roads. The application is being reviewed as a major subdivision under
15 the Bolton Land Use and Development Regulations.
16

17 The Chair asked all attendees to sign-in. Ms. Haselton, co-applicant, provided an overview of the
18 application and the items provided in their submission. She noted that Lot 9 is proposed to remain
19 as undeveloped open space. As proposed, the western side of the field contains a cluster of six
20 house lots. She stated that five of the house lots will be served by a development road and the
21 other two lots will have their own individual residential driveways. Lot 8 is still proposed as
22 undeveloped, as noted during the sketch plan review. She noted the location of a conventional
23 community septic system. Mr. Diglio inquired about the location of the community septic system
24 and its location in proximity to the wetlands. She noted that some of the potable wells will also be
25 shared and that they are working with David Whitney to create a stormwater management plan.
26

27 Ms. Hasleton noted the location of the smaller corner lot and reported that it is under the same
28 ownership. She stated that are recorded in the same deed and her surveyor thought the lots were
29 already merged.
30

31 Mr. Diglio discussed the lot layout and shared his concerns regarding the layout of Lot 4. Ms.
32 Haselton stated that their goal is to offer homes that are energy efficient and it's not their intention
33 to impact the wetland buffer. Ms. Murray also noted her concerns regarding the layout of Lots 4, 5,
34 & 6 and how the proposed property lines fragment the wetland buffer. She stated that the
35 covenants do not discuss the protection of the wetland and wetland buffers. Ms. Haselton
36 discussed how the regulations allow property lines to divide wetlands and wetland buffers, so long
37 as appropriate protection measures are in place. The Board and applicant discussed the proposed
38 property lines. Ms. Haselton stated that they are trying to build an environmentally responsible
39 subdivision. The Board discussed the location of the proposed house sites. Ms. Murray also noted
40 that the Board will need to consider the total impervious surfaces. She asked if the applicant would
41 consider specifying a total square footage for each lot. Mr. Chuck Reiss stated that they would
42 consider it. The Board noted that they may require a building envelope in order to limit the
43 placement of the house and to protect the wetlands and buffer. Board members agreed that they
44 were especially concerned with the location of Lot 4 and the proximity of the wetland buffer. Ms.
45 Murray noted that a legal mechanisms must be put in place to protect the wetlands and wetlands
46 buffer. She stated that she would like to require building envelopes on Lots 4, 5, 6, which are
47 defined by the setbacks and wetland and wetland buffer boundary. The Board noted that building

1 envelopes are required to be marked by pins on the ground. The Board stated that the wetland
2 buffer needs to be kept undisturbed and left in its natural state. Board members stated that the
3 decision would likely require a plat notation (and in the covenants) that the wetland and wetland
4 buffer cannot be disturbed. Ms. Murray also noted that that the Board has standard language
5 regarding the location of primary and accessory structures within the building envelope.
6

7 The Board and Applicant discussed the pre-existing trails and maintenance and mowing within the
8 wetland buffer. They discussed both the state regulations and the town's regulations regarding the
9 protection of wetlands. Ms. Murray reiterated her desire to require a building envelope on Lot 4
10 but noted that she felt the lot lines of Lots 5 and 6 should be redrawn to avoid the buffer. Ms.
11 Haselton stated that the lot lines were drawn and delineated by natural features.
12

13 Members discussed the community septic system. Mr. Reiss discussed the soil characteristics and
14 the location of the system.
15

16 Mr. Ricketson discussed Lot 8 and asked if it is still the intention for Lot 8 to be used for community
17 space. He asked whether or not the location of the community septic system would restrict future
18 development of the lot. Members discussed the location of the septic and utility lines. Mr.
19 Ricketson inquired about the battery shed and his concern that Lot 8 contains many of the shared
20 facilities. Mr. Reiss stated that it is not necessary but they would like to keep the battery shed as
21 part of the proposal. He provided more information on the battery shed and the importance of
22 storing energy. He stated that he would like to work with the utility company to keep it as an
23 option. Ms. Haselton noted its location was based on solar exposure. Ms. Murray noted that there
24 does not appear to be any access easement to serve the battery shed and that an easement should
25 be noted on the final survey. Ms. Haselton stated that they will consider relocating the battery shed
26 to Lot 7.
27

28 Members discussed the parking areas. Ms. Haselton stated that they are sized to accommodate
29 four vehicles.
30

31 Members noted that the development road has a 50' easement. Mr. Reiss stated that there will also
32 be a utility easement added to the subdivision plan. Mr. Diglio noted a possible combined easement
33 for the utilities.
34

35 Members noted that Lot 8 is not included in the association and the use of Lot 8 is unknown.
36 Members agreed that applicant should try to minimize the number of encumbrments on Lot 8. Mr.
37 Ricketson noted that the local neighborhood is interested in using Lot 8 for recreation or open
38 space. Mr. Reiss noted that the town could potentially use the battery shed on Lot 8 for future use.
39 Ms. Haselton stated an easy fix would be to relocate the battery shed to Lot 7 and revise the
40 property line. Mr. Reiss noted that if it is moved to Lot 7 that the property line between Lots 7 and
41 8 would need to be revised.
42

43 Members discussed the well shield that crosses over Lot 8. Mr. Reiss stated that they could relocate
44 the well and associated the well-shield to only partially cover Lot 8. Mr. Diglio noted that there are
45 restrictions within well-shields.
46

47 Ms. Murray asked about the road and driveway. Mr. Reiss stated that they have provided
48 specification drawings for both. Ms. Murray asked if they are considering pervious pavement. Mr.

1 Reiss stated that they are not considering it and noted that the driveway will be crushed gravel. Ms.
2 Murray noted that the Board will need to be provided the total impervious surface calculation. Ms.
3 Haselton noted that they have provided it. Ms. Murray noted that they will need to provide the
4 building and lot coverage percentages.
5

6 The Board discussed parking spaces and how each lot will need to contain two parking spaces. They
7 noted that the parking is not required to be shown on the plat, but should be shown on the
8 engineering plans. They also noted that the contours should also be shown on the plat and engineer
9 drawings.
10

11 Ms. Murray asked if the land is part of a previous Act 250 permit. Ms. Haselton noted that the
12 project does not require an Act 250 permit.
13

14 Members discussed the pedestrian connectivity, existing trails, and the wetlands. Ms. Murray noted
15 that development of the trails will require conditional use review. Ms. Haselton noted that portions
16 of the trail will be open to the public. Ms. Murray noted that if they are intended to be public they
17 should be shown on the plat. It was noted that as part of the conditions of preliminary approval, the
18 Board will require all state permits prior to final review (wastewater, stormwater, curb cut, etc.).
19 When applying for final subdivision review, the applicant will need to provide copies of the state
20 permits and local permits.
21

22 Mr. Reiss asked if the Board wanted to see a revised preliminary plat/plan prior to receiving
23 preliminary approval. The Board discussed possible conditions of preliminary approval (building
24 envelopes, revised boundary lines, location of battery shed, location of easements (if battery shed is
25 on Lot 8), plat notations regarding activities within building envelope, revised covenants regarding
26 how the wetland buffer will be managed (i.e. left undisturbed, the allowed encroachments, no
27 impacts to the wetland or buffer), designate a building envelope for Lot 4 and possible Lots 5 and 6,
28 relocate the well from Lot 5 (or 6), minimize the number of encumbrements on Lot 8 to the
29 maximum extent possible, and revise covenants to ensure outdoor lighting provisions are consistent
30 with regulations.
31

32 Chair Diglio asked for questions from the public. Mr. Stuart Hall, Nashville Road property abutter,
33 stated that his largest concern is the sewage and possible contamination to his well. Mr. Diglio
34 stated that the state does a thorough wastewater review.
35

36 Ms. Holly Hall, Nashville Road property abutter, provided testimony and stated that there is beaver
37 activity in the wetland and riparian areas.
38

39 The Board discussed whether or not to close the hearing or continue it.
40

41 At 8:10 PM, Mr. Ricketson made a motion to continue the hearing to February 23rd. He noted the
42 Board's intent to schedule an executive session to review the regulations and make sure enough
43 information has been provided. Ms. Murray seconded. The motion carried 5-0.
44

45 **5. Zoning Administrator's Report**
46

47 None
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1 **6. Meeting Minutes**

2 Review of the minutes from October 27, 2016 were tabled until the next meeting.

3 **7. Other Business**

4 Members reviewed and discussed the Planning Commission to-do list from the draft Town Plan.

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6 **8. Meeting Adjournment**

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8 The meeting adjourned at 9:05 PM.

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10 The next DRB meeting is scheduled for February 23, 2017 at the Bolton Town Office at 6:30 PM.

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12 **9. Deliberative Session**

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14 None- Board members tentatively scheduled a deliberative session on February 9th at 6:30 PM

15
16 Respectfully submitted,

17
18 Sarah McShane
19 Bolton DRB Assistant

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

22
23 These minutes were read and accepted by the Development Review Board on February 23, 2017.

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26 _____
Steve Diglio, DRB Chair