



TOWN OF BOLTON

3045 Theodore Roosevelt Highway
Bolton, VT 05676

Bolton Development Review Board

Meeting Minutes

April 23, 2020

Virtual Meeting (online)

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Minutes approved per vote of the Board, 5.28.20

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Present:

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Members: All via remote - Adam Miller, Steve Diglio, Adam Beaudry

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Staff: Larry Lewack (Planning & Zoning Administrator, remote) and Connie Beliveau (remote – acting clerk)

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Others present: All via remote – Lindsay DesLauriers, Spencer Nowak

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Posted Agenda:

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6:30 PM Introductions, adjustments to Agenda & Public Comment

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6:35 PM Warned Public Hearings:

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Application 2020-08-CU: Bolton Valley Resort, Applicant & Owner: request Conditional Use approval to build 1,696 sq. ft. outdoor pool & associated pool deck & dining patio adjacent to Sports Center building at 4302 Bolton Valley Access Rd. The property is located in the Resort Village district. (Tax Map # 4-4180126)

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7:15 PM Meeting Minutes – review & approve draft minutes of March 26, 2020 DRB mtg.

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7:20 PM Zoning Administrator's Report

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7:30 PM Other business

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7:35 PM Deliberative Session

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8:00 PM Adjourn

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Prior to the meeting being called to order: Larry Lewack discussed several GoToMeeting software features available for use by all attendees. Attendees introduced themselves; Larry L. and Steve Diglio agreed that this served as roll call.

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Call to Order: With a quorum of 3 members present, the meeting was called to order by the DRB Chair at 6:35 p.m. Steve Diglio read a statement from the League of Cities and Towns, confirming that a public body is authorized to meet electronically. Public access to the meeting has been provided by phone and GoToMeeting video conference software, and the meeting agenda, with instructions for remote attendance, were posted on the town website. He announced that all votes taken will be done by roll call vote.

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Public Comment:

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Spencer Nowak stated he was attending the meeting to evaluate potential future participation as a DRB member.

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Public Hearings:

The Board continued the hearing of Application 2020-08-CU, from March 26, 2020:

Application 2020-08-CU: Bolton Valley Resort, Applicant & Owner: request Conditional Use approval to build 1,696 sq. ft. outdoor pool and associated pool deck and dining patio adjacent to Sports Center building at 4302 Bolton Valley Access Rd. The property is located in the Resort Village district. (Tax Map # 4-4180126)

Steve Diglio asked if there are any conflicts of interest among the members, such as ex parte contact between members and the applicant. Steve Diglio stated that his wife works at Bolton Valley Resort. Larry Lewack commented that he did not believe that presented a conflict, as she does not have a direct financial interest in the current application’s outcome.

The group reviewed and discussed the site plan maps:

- Lindsay DesLauriers stated that Bolton Valley Resort plans to install a new pool in the same location as an old (buried) pool; they would excavate and remove the old pool and replace it with a new pool of the same size. They plan to rebuild the pool deck and a patio as an outdoor dining space.
- Steve Diglio stated that the board informally reviewed this project during last month’s meeting and identified concerns regarding slope stability beside the pool site and accessibility to the amenities as specified in the Americans with Disabilities Act (ADA).
- Lindsay DesLauriers stated that ADA access can be provided via a short driveway loop to be extended to the proposed deck area.
- Steve Diglio asked if the Resort is planning to cut down any trees. Lindsay DesLauriers stated that they are not, because the area is already clear of trees.
- Adam Beaudry asked where the chlorinated water will go when the outdoor pool is drained in the fall. Lindsay DesLauriers stated that they will not drain the pool, but will treat the water the following spring. She stated that they do not drain the indoor pool.
- Steve Diglio commented that there is slope instability near the building, where the land slopes steeply down to Joiner Brook, but the pool installation in the proposed location will probably not contribute to further instability.
- Adam Miller asked if this proposal is Conditional Use. Steve Diglio stated that it is. Larry Lewack commented that Conditional Use guidelines do not specifically mention outdoor pools, but outdoor recreation is included.
- Adam Miller requested a review of the standards for Conditional Use. Larry Lewack displayed the Resort’s Conditional Use application and the group discussed the hearing checklist. The group acknowledged that the project is in conformance with bylaws, no adverse impacts were identified, no easements exist, and the project is in accordance with the Bolton Town Plan.

Adam Beaudry moved to approve the draft application. Adam Miller made the motion to close. Steve Diglio asked for questions from the public; there were none. Mr. Diglio called for a vote. Adam Miller approved, Adam Beaudry seconded. **The motion passed (3-0) with all three members voting in favor.**

Lindsay DesLauriers exited the meeting.

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95 **March Meeting Minutes:** Adam Miller moved to accept the March 26, 2020 minutes as presented. All were
96 in favor, pending correction of a typographical error. Minutes approved with correction.

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98 **Zoning Administrator Report:**

- 99 ▪ There have been 10 zoning permits issued thus far this year, and 7 zoning certifications. There are 4
100 zoning permits in process.
- 101 ▪ Larry Lewack stated that he wrote an article for the May edition of the *Gazette*, to say the Bolton DRB
102 is still “open for business” despite the pandemic, and encouraging early permit applications for
103 upcoming projects.
- 104 ▪ Staff are posting zoning permits and meeting notices on the glass-enclosed bulletin board outside
105 the town office, because the building is currently closed to the public.
- 106 ▪ Enforcement is proceeding regarding unresolved permit conditions at the E&S Transport facility on
107 Route 2. Larry Lewack sent a letter to the owner, requesting a site visit to discuss the issues.
- 108 ▪ A Notice of Violation was sent by certified mail to the property owner at 588 Bolton Valley Access
109 Road regarding the burned building that has not been secured.
- 110 ▪ Regarding the Weston project (Application 2020-06-CU), the Town of Huntington’s Fire Chief sent a
111 letter about the adequacy of the driveway design for emergency vehicle access, with
112 recommendations. Larry Lewack briefed the Huntington Town Administrator on the issues and
113 requested their feedback, relating to Huntington zoning regulations, prior to the May DRB meeting.

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115 **Other Business:**

- 116 ➤ The group discussed the Weston project site visit and scheduled it for May 14, 2020, pending
117 confirmation from Rob Ricketson and John Devine they could attend. **The site visit group will meet**
118 **at 5:45 p.m. at the Happy Hollow Rd. turn-around at the Bolton/Huntington town line.**
- 119 ➤ Steve Diglio led a discussion regarding steep slope regulation issues and suggested reviewing nearby
120 towns’ regulations for comparison. The group discussed a potential change in regulation to define
121 height, width, and terrain composition (sand, gravel, ledge) of 25% slopes, and proposed requiring an
122 engineering drawing to accompany the application.
- 123 ➤ Larry Lewack asked if any member had conditions or concerns to add to the draft decision for the
124 Bolton Valley Resort outdoor pool (Application 2020-08-CU). Steve Diglio suggested a condition that
125 they cannot clear any vegetation off the slope. Adam Beaudry stated there was cut and fill terrace
126 under the parking lots and the building, and questioned whether the old pool was buried because it
127 had settled and cracked. Larry Lewack noted that one of the previous owners did not want to
128 maintain the outdoor pool as it was underused at that time, but the new owners are promoting
129 summer use for town residents and other Resort visitors.

130 **Deliberative Session:** none.

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132 **Adjourn:** Adam Beaudry moved to adjourn the meeting. Adam Miller seconded. There was no further
133 discussion and the motion passed (3-0) with all three members voting in favor. **The meeting was**
134 **adjourned at 7:25 p.m.**

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136 **Next scheduled DRB meetings:**

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138 **Thursday, May 14 @ 5:45:** Site visit to Weston property. Meet at the Happy Hollow Rd. turn-around at
139 the Bolton/Huntington town line. See public warning for details on preparation.

140 **Thursday, May 28, 6:30 p.m. Virtual/online meeting only, unless otherwise noticed in posted**
141 **agenda.**

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143 Respectfully submitted,

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145 Connie Beliveau (acting DRB clerk), and
146 Larry Lewack, Planning & Zoning Administrator