



TOWN OF BOLTON

3045 Theodore Roosevelt Highway
Bolton, VT 05676

Bolton Development Review Board

Meeting Minutes

June 25, 2020

Virtual Meeting (online)

Approved by vote of the DRB, 7.30.2020

5
6
7

8 **Present:**

9 *Members:* All via remote – Adam Miller, Steve Diglio, Rob Ricketson, John Devine, Adam Beaudry

10 *Staff:* All via remote – Larry Lewack (Planning & Zoning Administrator) and Connie Beliveau (DRB
11 clerk)

12 *Public:* All via remote – John Stuart (representing applicant), Spencer Nowak

13

14 **Posted Agenda:**

15 **6:30 PM** Introductions, adjustments to Agenda & Public Comment

16

17 **6:35 PM** Warned Public Hearings:

18 (continued from April 23, 2020)

19 **Application 2020-06-CU:** Applicant: Richard J. Weston, Property Owner: (same) – Request Conditional Use
20 approval to build 1,290 sq. ft. single family dwelling at 1811 Happy Hollow Rd. The property is located in the Forest
21 Zoning District. (Tax Map # 12-4101901)

22

23 **7:20 PM** Meeting Minutes – review & approve draft minutes of May 28, 2020 DRB mtg.

24

25 **7:25 PM** Zoning Administrator's Report

26

27 **7:35 PM** Other business – Steep slopes regulation, new ZA hire process

28

29 **7:45 PM** Deliberative Session

30

31 **8:20 PM** Adjourn

32

33 **Call to Order:** With a quorum of 5 members present, the meeting was called to order by Steve
34 Diglio, Chair, at 6:35 p.m., and roll call was taken.

35 **Public Comments:**

36 Spencer Nowak stated that he was attending the meeting to evaluate future participation as a DRB
37 alternate member.

38 **Public Hearings:**

39 The Board continued the hearing of Application 2020-06-CU from May 28, 2020:

40 **Application 2020-06-CU:** Applicant: Richard J. Weston, Property Owner: (same) –Request
41 Conditional Use approval to build 1,290 sq. ft. single family dwelling at 1811 Happy Hollow
42 Rd. The property is located in the Forest Zoning District. (Tax Map # 12-4101901)

43 Adam Miller reiterated that he has recused himself from the application review and vote. He will
44 be participating tonight only as an abutting property owner.

45 The group reviewed the current status of the application, noting that the applicant has purchased
46 the former Ford properties adjacent to the access road.

- 47 ▪ John Stuart stated that the deeds have been supplied to the DRB in connection with the closing,
48 and he reported that Rick Weston’s lawyer said Weston now has exclusive access. He
49 commented that the Driveway Maintenance and Repair agreement indicates the road
50 maintenance is Weston’s sole responsibility, and the towns of Huntington and Bolton will not
51 have any responsibility.
- 52 ▪ Larry Lewack displayed the Driveway Maintenance and Repair draft agreement. Rob Ricketson
53 read it aloud as the group reviewed it. Mr. Ricketson noted that if the 3.5 acre lot is sold in the
54 future, the buyer will be obligated as a deed provision to the same maintenance and repair
55 responsibilities.
- 56 ▪ Adam Miller asked whether Lots A, B and C have been merged or are still separate. John Stuart
57 replied that they are currently separate lots and Weston prefers to keep them separate for
58 now. Larry Lewack explained that the A, B, C lot designations go back to the original
59 subdivision by Rick Weston’s father.

60 The group reviewed the application’s open items listed in the May 28, 2020 draft meeting minutes
61 and noted that each item appears to be resolved.

62 The group reviewed the application’s updated site plan.

- 63 ▪ John Stuart described the updated site plans’ additional details regarding the building’s
64 proposed exterior colors and materials (gray stain on siding; dark green metal roof; dark sky
65 lighting fixtures) and mentioned the telephone line that will run up to the building from the
66 existing camp. He noted that the updated site plan shows 3,100 square feet of parking on the
67 north side of the building.
- 68 ▪ Larry Lewack displayed a letter received from John Stuart last week, which indicates that
69 electrical power will be provided by a propane-powered generator with battery backup. He
70 also displayed the deed, which shows that the closing occurred on June 19, 2020. The group
71 reviewed the clauses of the deed.

72

73 **Adam Beaudry made the motion to close the hearing. Rob Ricketson seconded. There was**
74 **no further discussion and the motion passed (4-0) with four members voting in favor.**

75 John Stuart left the meeting.

76

77 **Draft May 28, 2020 Meeting Minutes:**

78 Members reviewed the draft. No corrections were offered.

79

80 **Rob Ricketson made the motion to accept the May 28, 2020 minutes as presented.** Adam
81 Beaudry seconded. All were in favor.

82

83 **Zoning Administrator's Report:**

84 There have been 21 zoning permits issued thus far this year.

85

86 The group discussed E&S Transport, which continues to park an excessive number of vehicles on
87 the property, as well as storing construction materials which are not specified in their current
88 permit. Larry Lewack stated that he has contacted the owners and encouraged them to submit a
89 new application to the DRB.

90

91 The group discussed the permit recently issued to Automotive Services International, d/b/a The 4
92 x 4 Center, to construct a pump house (accessory structure for a stormwater pond).

93

- 94 • Larry Lewack described a public hearing at which numerous town residents expressed deep
95 concern about erosion caused by the 4 x 4 Center's driving-school vehicles traveling on
96 unpaved roads through the forests and on ski trails. He urged the residents to take photos and
97 keep a log of issues and to send these to the town office for evidence.
- 98
- 99 • Larry noted that the 4 x 4 Center has been diligent in monitoring trail and road conditions, and
100 has provided the required status logs to the town in a timely manner.

101

102 Rob Ricketson asked for clarification regarding what options exist for enforcement of DRB
103 decisions. Larry Lewack explained that the Zoning Administrator does not yet have the authority
104 to issue tickets; the Select Board will consider an ordinance based on the Town of Williston's
105 wording, then will make a decision. Mr. Lewack noted that the Town of Bolton's only option to
106 address zoning violations currently is suing the property owner in court (as a civil action, not
107 criminal), which can get very expensive for the town and take years to resolve. However, he
108 commented that a strongly-worded enforcement letter, threatening legal action, is often sufficient
109 to induce compliance.

110

111 The group briefly discussed the permit recently issued to Brook Run Dog Camp (dog daycare) and
112 noted requirements for the section of the property located in the flood zone.

113

114 **Other Business:**

115

116 The group agreed to postpone a discussion of steep slopes regulation to a future DRB meeting.

117

118 Larry Lewack discussed transition plans for the Zoning Administrator's responsibilities and said
119 his final day in the office will be July 2, 2020. He stated that draft decisions for the Weston
120 application and the Bolton Valley outdoor pool will be provided to the DRB before he wraps up,
121 and will be finalized with help from Carol Devlin, Assistant Town Clerk.

122 Steve Diglio asked Spencer Nowak if he is interested in serving as an alternate member of the DRB,
123 and Mr. Nowak confirmed he is. The Chair stated that he will submit Mr. Nowak's name to the
124 Select Board for consideration.

125 **Deliberative Session:** None.

126

127 **Adjourn: Rob Ricketson moved to adjourn the meeting.** Adam Miller seconded. There was no
128 further discussion and the motion passed (5-0) with all five members voting in favor. **The**
129 **meeting was adjourned at 7:32 p.m.**

130

131 Next scheduled DRB meeting:

132 **Thursday, July 30, 6:30 p.m.** (Virtual/online meeting only, unless otherwise noticed in posted
133 agenda.)

134

135 *Respectfully submitted,*

136

137 Connie Beliveau (DRB clerk), and

138 Larry Lewack, Planning & Zoning Administrator