

Town of Bolton  
Development Review  
Board

Bolton Town Office  
3045 Theodore Roosevelt Highway  
Bolton VT 05676  
802-434-5075

In re: **Galvani/ Eastcote LLC**  
**Pre-Application Sketch Plan Review**

January 24, 2007

Lindsay Galvani (Applicant)  
26 Wentworth Road  
Bolton, VT 05477

Eastcote Holdings, LLC (Owners)  
1 Church Street  
Burlington, VT 05401

Dear Ms. Galvani,

Thank you for attending the January 17<sup>th</sup>, 2007 meeting of the Bolton Development Review Board (DRB) to present your sketch plan for the proposed subdivision of a 231.8 acre parcel (Tax Map 14, Parcel ID #2037), located on Route 2 in the R1 District, into two parcels of 58.9 acres and 172.9 acres each. According to the sketch plan information provided, and as recorded in the minutes of our meeting, it is our understanding that:

- The proposed subdivision is of a pre-existing, conforming 231.8-acre lot located along Route 2 in the R1 zoning district, a portion of which was previously used by the present owners as a driving range. There are currently a shed and greenhouse sited on the parcel. Two utility corridors also traverse the length of the parcel, generally paralleling Route 2, as shown on the sketch plan.
- As proposed, the existing lot will be subdivided into two lots: a 58.9-acre front lot with frontage along Route 2 (Lot 1), to include the two utility corridor easements, to be transferred to Lindsay Galvani for purposes of establishing a farming operation, and a back lot of 172.9 acres, without frontage on Route 2, to be retained by the current owners.
- The front lot will be accessed from an existing or relocated driveway on Route 2. There is also an existing right-of-way, marked "woods road" that could provide access to the back of the parcel (retained lot) as generally indicated, but not specifically located, on the sketch plan. It is not known if this was once an extension of Pinneo Brook Road (Town Highway 5), or a private right-of-way. It is noted on the sketch plan that "prescriptive rights may exist along the road from the end of the town highway to the boundary line for Eastcote Holdings, LLC."
- The front parcel is described as being relatively flat, with some wetlands, or wet areas, present. It is the applicant's intent to use this parcel only for farming – no residential use is anticipated. The back part of the lot, beyond the utility corridors, is steeper, with slopes potentially in excess of 15%.

Based on the information provided, in accordance with Section 6.3(D) of the Bolton Land Use and Development Regulations, it is our determination that:

1. The proposed subdivision of the existing lot would result in the creation of one conforming lot (Lot #1) that meets R1 minimum district lot area (2 acre) and road frontage (200 ft) requirements, and one nonconforming lot (retained) that meets district lot area but not district road frontage requirements. Under Section 3.2 (A) of the Bolton Land Use & Development Regulations, "All lots subdivided after the effective date of these regulations (January 25, 2006), shall meet

applicable frontage requirements for the district in which they are located.” ***Therefore the subdivision, as proposed, would not conform to the Bolton Land Use & Development Regulations.*** This potentially could be remedied by:

- Resubdividing the land so that the retained lot has at least 200 feet of frontage on Route 2; or
- Determining that the existing right-of-way that extends from Pinneo Brook Road is a deeded, 50-foot right-of-way which, at some point, could be developed as a private road to serve the retained lot, and thereby establish the necessary road frontage along its length; or
- Defining a new, 50-foot deeded right-of-way that could be developed as a private road to serve and provide frontage along the retained lot, in the event that this lot is ever further subdivided or developed. Note that the finished grade of any road cannot exceed 15% under Bolton’s regulations (see Section 3.2 and 7.6 for applicable driveway and road standards).

The DRB has the ability to waive frontage requirements only for a planned residential or planned unit development, which would then be reviewed as a major subdivision under Sections 6.4 and 6.5 of the regulations, and applicable requirements of Articles 7 (Subdivision Standards) and 8 (Planned Development).

2. A proposed subdivision that results in no more than three lots is typically classified as a minor subdivision under the regulations; however a subdivision that includes a new road right-of-way would be reviewed as a major subdivision, which requires preliminary plan approval. Given the limited nature and extent of your proposed subdivision, the DRB could waive the requirements for preliminary subdivision approval, and treat the subdivision as a minor subdivision, if you request this in writing at the time of application.
3. In addition to the utility corridors, given the stated presence of wetlands and steep slopes, as defined and regulated under Sections 3.16 (Steep Slopes), 3.17 (Surface Waters & Wetlands) and 7.3 (Protection of Natural & Cultural Resources), the location of such areas, and applicable setbacks, should be shown on the proposed subdivision plat, particularly in relation to any existing or proposed structures or roads.

Please note that, in accordance with our regulations, DRB sketch plan review determinations are intended to serve as guidance to potential applicants, and as such are not binding on the town or applicant. An application for subdivision approval should be made within six (6) months of the date of issuance of this letter, or another sketch plan meeting may be required. The applicant has the option of requesting in writing the waiver of preliminary plan review, as well as application requirements and other standards of subdivision review, under Section 6.2. Any waiver requests should accompany the application. Please contact our Zoning Administrator for more information, to obtain forms, or for further assistance.

Sincerely,

Sharon Murray, Chair  
Bolton Development Review Board