



Town of Bolton Development Review Board

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

November 5, 2008

Mr. Larry Williams, President
Mountain Operations and Development, LLC (dba Bolton Valley Resort)
4302 Bolton Valley Access Road
Bolton Valley, VT 05477

Re: Bolton Valley Master Plan/Sketch (Conceptual) Plan

Dear Larry and Doug:

Thank you for attending the May 28th and July 30th meetings of the Bolton Development Review Board to present and discuss your conceptual plan for future development at Bolton Valley Resort. It is our understanding that the intent of these meetings was primarily informational – to present and receive feedback from the Development Review Board and those in attendance on conceptual plans for future development on land owned by the resort. Under Bolton's regulations, the sketch plan review process is an informal, pre-application review, intended for this purpose. As such it is not binding on the town or the applicant.

Materials submitted prior to our May 28th meeting included the following:

- A brief project description,
- A topographic-based location map (Exhibit 1, no date),
- Master Plan: Water Resources Map, prepared by VHB Pioneer Environmental Associates, dated 2/4/08 (Exhibit 2),
- A copy of a traffic study report prepared by Lamoreux & Dickinson, dated April 13, 2007.

Materials submitted at our May 28th meeting included:

- Comments from the Bolton Planning Commission, dated 4/30/08, raising questions and concerns regarding the resort's Act 250 application, under specified Act 250 criteria.
- Comments from the Bolton Conservation Commission (undated) raising questions and concerns under specified Act 250 criteria.
- Letter from Wendy Farrell to the Bolton Selectboard, dated 5/1/08, regarding the resort's Act 250 application, citing the potential for substantial impacts to the town (e.g., school enrollments) and the need for additional information.
- Letter from Howard Douglas to the Bolton DRB, dated 4/16/08, regarding proposed slope-side development on steep slopes, under Bolton's land use and development regulations, and related stormwater management problems, specifically with regard to properties along the Wentworth Road.
- Letter from Bill Miles to the Bolton PC and DRB, dated 4/25/08 citing concerns regarding the impacts of slope side development on the Wentworth Road, specifically with regard to stormwater runoff.
- Letter from Robert S. and Candace Grenier Hobbs, who own a home on Wentworth Road, dated 5/23/08, indicating their interest in maintaining interested party status in any related DRB hearings.

Copies of these submissions are on file at the Bolton Town Office.

At our May meeting, Doug Nedde, representing Bolton Valley, presented an overview of the conceptual plan, explaining that the mountain wouldn't survive without diversification – including, for example, the Ponds events facility, the 4x4 off road school, and mountain biking. He also noted that any plans at this point were only conceptual – that Bolton Valley is not yet ready to submit a formal application for local permits and approvals. The master plan, as shown on the conceptual plan, could include:

- Trail and lift upgrades, and beginner's ski area expansion,
- Base area upgrades, including base lodge expansion, new hotel, conference center
- An additional 100-200 units in the resort's "core area"
- New slope side residential development near Snowflake and Wilderness
- 30-60 "wilderness cabins" that meet national (LEED) standards for green development
- Relocation of some Nordic ski trails
- 20-30 single family dwellings
- Additional parking

As noted in minutes and submissions from the May meeting, the Planning Commission, Conservation Commission and several local residents noted concerns regarding potential environmental and community impacts that could result from this scale of development. Particular concerns were raised regarding proposed slope-side residential development in the vicinity of the Wentworth Road, including access issues and the impacts of stormwater runoff on properties located down slope from proposed development. There was also clearly stated support for environmentally sensitive ski area development that would benefit both the resort and the town. Mr. Nedde indicated that the resort had and would continue to work with local property owners to address their concerns. No additional information was presented at the DRB's July meeting.

Based on our review of the limited information presented to date, a master plan application for the resort that would include a mix of residential, commercial and recreational uses would be reviewed as a planned unit development (PUD) under Bolton's Land Use & Development Regulations, which is allowed in all but the Conservation District. Under the regulations (Tables 2.2, 2.3), development in both the Resort Village and Resort Residential Districts is to occur in accordance with a comprehensive development plan "that establishes a clear indication of the intended type and pattern of future development." A master plan for the resort area is clearly consistent with this stated purpose.

A PUD, to be approved, would have to meet all applicable provisions of the regulations, including but not necessarily limited to:

- Zoning district standards under Article II (allowed uses, densities, etc.),
- General Standards under Article IV (access, parking, steep slopes, signs, surface waters, wetlands, source protection areas, etc.),
- Subdivision review standards under Article VII, and
- PUD standards under Article VIII.

The regulations accommodate integrated, phased development. Sufficient information should be provided with the application to make necessary findings and determinations under the regulations for each phase of development submitted for review and approval, with indications of how each phase will be integrated into the overall development (master) plan. Required application materials are identified in Table 6.2 of the regulations.

Proposed development must meet underlying zoning density requirements; however PUD provisions provide some design flexibility, including the modification of district dimensional standards and transfers of development density that support concentrated development in suitable locations. Conditional use and/or site plan review may also apply to proposed uses – in order to expedite the review process, these reviews can be conducted concurrently with final PUD and subdivision approval.

It is clear that some development, as proposed, will not conform to the town's current slope regulations, which prohibit all development, except for alpine ski trails, on slopes over 25%. This will require either incorporating this limitation in project design, or a bylaw amendment that goes into effect prior to the date an application is submitted. Any requested bylaw amendments should be addressed to the Planning Commission.

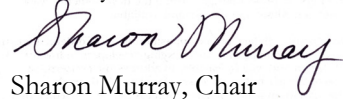
Additional concerns identified by the DRB to date from information submitted, which should be addressed in application materials, include potential impacts to:

- Adjoining properties (as noted above) and Joiner Brook from stormwater runoff and soil erosion.
- Flooding and fluvial erosion hazards along Joiner Brook and its major tributaries within and downstream from the project area.
- Forests, including the potential fragmentation of productive timberland.
- Water quality, including surface waters and designated source protection areas.
- Critical wildlife habitat –e.g., bear habitat (mast stands), deeryards, and Bicknell's Thrush breeding areas, and travel corridors.
- Community facilities and services – including roads and traffic, fire protection, and school enrollments.

We strongly recommend that you meet with the Bolton Planning and Conservation Commissions, and with potentially affected property owners, to address any concerns as you develop your plans in more detail. Addressing potential concerns prior to submitting a formal application – in advance of the formal hearing process – will expedite the local permitting process.

If you have any questions regarding required application materials, review procedures or development standards, please contact our Zoning Administrator, Miron Malboeuf at the number listed above.

Sincerely,



Sharon Murray, Chair
Bolton Development Review Board