



# Town of Mount Holly Planning Commission

## **Town Office & Remote Electronic – Special Work Meeting Minutes**

Wednesday April 6, 2022

7:00 P.M.

Commission Members Present: Jon McCann (Chair), Jim Seward (Vice Chair), Andrew Schulz (Secretary), Brigid Sullivan, Andrew Seward

Commission Members Absent: none

Also Present: Renee Sarmiento (Clerk), Stephen Michel, Christine Boudreau, Edward Burgess Marie Paquette, Bruce Paquette, Donna Seward

1. Chair called the meeting to order at 7:08 pm.
2. Changes to agenda
  - a. Update on Facilities and Utilities added to Town Plan Revisions (before current 4a)
3. Correspondence
  - a. Bolalek Subdivision
    - i. The Commission received an email sent by Bruce and Marie Paquette and Christine Boudreau, dated 2022-03-30, describing concerns about developments since the approval of subdivision 2021-03.
    - ii. The Chair previously distributed said email to the Commission. The Chair confirmed all Commissioners reviewed the email.
    - iii. The Chair summarized the facts of the 2021-03 subdivision decision and the Building Construction Registration that was received on 2022-03-07.
    - iv. The Chair asked the Commission if there was any additional information or discussion about the facts. Commissioner Schulz commented that the Planning Commission approved a 3-lot subdivision based in part on receipt of a waste water permit from the State, which as limited to 4 bedrooms. Commissioner Schulz wondered if our approval was predicated on the State decision that the site design can accommodate a 4-bedroom house.
    - v. The Chair asked the authors of the letter if they would summarize their concerns.
    - vi. Marie Paquette summarized their concerns: They learned there is to be a 6-bedroom new construction on one of the lots. In the public hearing on the subdivision application there was only consideration of no more than a 4-bedroom single family residence. First concern: they downloaded a map dated 2020 from the DEC permit search that showed four lots. If there are now 4-lots, why was it a minor subdivision? Second concern: can the site accommodate a 6-bedroom dwelling if it was reviewed for 4-bedrooms. Third concern: they heard it might not be single family residential use. If used as a bed and breakfast it is a different use. Concerned as the neighbors are downhill.
    - vii. Bruce Paquette stated he is also concerned about traffic.
    - viii. Christine Boudreau added there are ways around building a four bedroom and adding a “bonus room” used as a bedroom. Potential for two additional rooms that will be used as bedrooms.

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- ix. The Chair addressed the first concern about the number of lots created. He showed the approved subdivision design on camera to participants on Zoom. Showed the town only permitted the three lots, but the State permit approved four. Someone may need to update the State. Not sure what is required for the State.
- x. Commissioner Andrew Seward stated he believes that the state can approve four lots, but the town can have the final say and only allow three lots. There is a recorded survey with three lots currently.
- xi. Commissioner Schulz stated one issue is going from four bedrooms to six bedrooms which appears to be a violation of the state permit and may be a violation of Town approval. A second issue is the Building Registration form that they filed, which says there are six bedrooms proposed also describes the size of the lot as 7.9 acres which is the size of a lot on the four-lot subdivision filed with the state. It is not the size of a lot on the three-lot subdivision that the PC approved. He expressed concern that the Bolaleks sold lots inconsistent with what the Town approved.
- xii. Regarding one of the citizen concerns: Chair noted that Commercial use on property this size would likely require an Act 250 permit. All in agreement to seek a jurisdictional opinion from Act 250 coordinator if needed.
- xiii. Commissioner Schulz suggested having current owners join a meeting to answer questions and clarify what their plans are. Bruce Paquette and Christine Boudreau agreed. Commissioner Andrew Seward agreed it would be a good idea to invite them to a meeting
- xiv. Chair agreed it would best to seek clarity on the lot size, on if it is 6-bedroom dwelling, on if they understand they are currently not permitted by State to have 6 bedrooms on that site, and on if use is residential or commercial (B&B).
- xv. Chair noted for the citizens that they may come to the Town Office to review the final approved plat and that the Town clerk make a reproduction for them. The property transfer records, Building Construction Registration, and grand list should all be available at the Office for review as well. Bruce and Marie Paquette will come to the office.
- xvi. The Chair recognized Stephen Michel who stated the initial application to the Town was for four lots and that State permitting was done for four lots/original plan. During the process Mr. and Mrs. Bolalek decided to change it to a three-lot subdivision. He thinks the new owners would need to go back to the State and get a permit for a six-bedroom house.
- xvii. The Chair suggested the following plan: he will check the recorded deed to see if lot sizes match what was approved. If they disagree, we will take a pause and seek counsel. If lot sizes agree, Chair will contact owners by phone and ask for information on the following items: lot size, number of lots, size of new construction, knowledge of permit, and type of use. Planning Commission members were all in agreement with that plan. Concerned citizens also agreed.
- xviii. Commissioners wondered if answers should be submitted in writing or by attending the next meeting and have information recorded in the minutes.

### 4. Town Plan Revisions

- a. Update on Utilities and Facilities

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- i. Reviewed the Chair's notes from a conversation with Kristina Carter at Green Mountain Power (GMP)
  - ii. Main GMP pain points are cross-country line routes, those not within or adjacent to the road rights of way.
  - iii. They occasionally need Town help when landowners don't agree
  - iv. Lines can also be in conflict with street trees
  - v. Buried lines (aka "cable and conduit") are also an option – and at a comparable cost but requires town permission to dig in the right of way.
  - vi. Landowners are responsible for bringing power to undeveloped lots which can be prohibitively and increasingly costly
  - vii. We have one substation
  - viii. Have 3-phase power along Belmont Rd
  - ix. New homes (especially second homes) have dramatically increased power demands
  - x. Recommended that EV charging be co-located with "things to do" such as hiking, shopping, or parking (say for a business)
  - xi. Recommended follow up discussion about EV charging with Dan Mackey
  - xii. Recommended follow up discussion about residential solar with Zach Casey
  - xiii. Commissioner Andrew Seward noted that a negative to buried wires: could make road construction/culverts more expensive. If water gets in buried wires they would need to be replaced.
  - xiv. Commissioner James Seward suggested continuing or resurrecting a moratorium on commercial solar. Chair responded that it is his understanding that for the town to have any say in permitting or siting of solar energy production, the Town would need to have an "enhanced energy plan". And we currently do not have that.
- b. Housing
- i. Commissioner Schulz took a look at housing statistics and was quickly overwhelmed. Chair hopes the Commission can provide Commissioner Schulz assistance on what to look for.
  - ii. Discussion about what might constitute an approaching crisis situation related to housing. Chair noted that the new draft Town Plan Introduction and Goals talked about wanting Mount Holly to be a place where a diversity of people can afford to live and that we not end up as a resort town with mostly second homes.
  - iii. Agreed to try to capture data about current housing trends and information about what we want to happen/to achieve.
  - iv. Commissioner Sullivan spoke about a developer in Ludlow and their plans/property purchases. Foresees significant development pressure in Mount Holly.
  - v. Commissioner Schulz wondered if things get much worse and the threat to our community becomes more real, if some form of significantly limited zoning might be acceptable. Chair stated he does not think zoning is possible.

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- vi. There was lament that the only tool the State (due to Dillon's rule) really gives towns to have local control of or guide development are land use ordinances commonly described as zoning. The Chair noted that in the context of providing more affordable housing zoning can actually be counterproductive.
  - vii. Current Town Plan only has a single sided page related to housing and is essentially worthless. Discussion about updating the data tables presented in the 2008 Plan. And provide a table with housing trends.
  - viii. Chair stated it would be nice to characterize the problem to see if there really is a crisis unfolding.
  - ix. Commissioner Andrew Seward suggested having a table/graphs with trends of sale price of homes, cost of square footage, median rent. Vermont Department of Taxes is a possible source for price of homes. Chair will try to obtain past five years of sales.
  - x. Information to look for in the census: demographics, owner occupancy rates, poverty levels.
  - xi. Commissioner James Seward shared that Channel 3 had broadcast housing information recently
  - xii. Stephen Michel stated David Johnson may have resident vs nonresident information – obtained by sorting zip code.
  - xiii. Discussion about learning more about what happens if too many homes sell well above assessed value. Is a forced reappraisal required?
  - xiv. Stephen Michel shared that the Conservation Commission recently discussed recommend a zero net change approach to development to balance new construction with maintaining our rural lifestyle.
  - xv. Agreed to continue discussion next month in consideration of the time.
5. Public Comments: none
  6. Upcoming meetings
    - a. Regular meeting – April 20<sup>th</sup>, 7:00 pm (3<sup>rd</sup> Wednesday) Commissioners Schulz and Sullivan will be absent
  7. Meeting adjourned at 8:46 pm

For the Commission,  
Renee Sarmiento, Clerk

In draft form until approved on April 20<sup>th</sup>, 2022

# GMP Utilities & Facilities

March 25, 9am

## Called Kristina (Kris) Carter

Office: (802) 770-3441

Mobile: (802) 355-0466

[kristina.carter@greenmountainpower.com](mailto:kristina.carter@greenmountainpower.com)

### Residential service

- GMP main pain points are moving cross country wire and pole to run along roads
- Out of staters are hesitant to relocate poles and grant trimming rights and easements
- Actively working to relocate Belmont Rd, Gates Rd, and Shunpike Rd - all look to be on track to complete
- Projects to relocate 10 or more poles are capital projects managed by the "Core group"
- Occasionally assistance is needed from the town when GMP can't get permission from landowners
- Town may be asked to grant permission to bury utilities (known as "cable and conduit") in the road right of way
- Branch Brook Rd is also another pain point due to challenges with topography and old maple trees lining the street
- Will typically use cable and conduit when dealing with trees that can't be cut
- Ditching tool makes burying conduit economical unless rock is encountered
- GMP usually deals directly with the Select Board who is then responsible for including the relevant parties (eg. Tree warden)
- Primary damage to street trees is from snow plows
- Some undeveloped lots do not have power service due to the distance from nearest pole
- Example of this is lots on Frost Hill Rd between Blackberry Lane and Teer Rd. Estimate is \$70,000 to bring power in.
- Costs are increasing each year due to materials and labor
- GMP current scheduling into 2023 for that kind of work due to parts availability

## Infrastructure

- One GMP owned substation in Mount Holly on Old Turnpike Rd near Hortonville Rd
- Line comes out of Rutland and then toward Ludlow where it ties into VELCO and on to Cavendish
- Substation serves north-west to approximately East Wallingford and south-east to just after Wright construction
- After Wright construction is serviced by Ludlow Electric
- Transmission easement line is cross country but there don't seem to be any need to relocate
- Because of the width of the right of way the maintenance costs aren't very high
- A few times a year the line is flown over to look for hazard trees etc
- Brush is cut from the ground on occasion using clearing saws or similar (done recently)
- Herbicide spraying is performed occasionally after a notice is sent out to the town, local paper, and to landowners

## Commercial

- 3-phase power is located along Belmont Rd between the substation and the Belmont Village and truncates near the Odd Fellows
- Past wind turbine project only proposed to use single phase power
- "Roof top" solar projects also need approval from Public Utilities Commission (PUC)
- Talk to Zach Casey about solar etc (need number)
- A private business could use an amplifier to create 3-phase power on the customer side of the meter
- Or use a generator to create 3-phase power
- Countryside Lock and Alarm just added solar to cover their own costs but does not put power back on the grid. They have an upgraded transformer and service layer.
- Service layer upgrades are increasingly common in newer (especially out of stater) homes - can go 200 A, 400 A, 600 A,
- Still most common is 100 A service (60% of homes)
- Residential and commercial rates are different
- Started to see some cannabis grow facilities with charges in excess of \$800/mon but none in Mount Holly yet
- Maple sugar operations have moderate power needs for reverse osmosis (RO), pumps, and evaporators. Still use single phase.

## EV Charging

- GMP recommend that charging stations be co-located with "things to do"
- near: Hiking or shopping facilities
- Charging could take 4-6 hours
- Requires 3-phase power so recommended looking at vicinity of municipal center
- Talk to Dan Mackey about EV charging etc (need number)

## 6- bedroom Town submission at former Bolalek Minor subdivision Rt. 155 at Maple Hill intersection.



**From** MARIE PAQUETTE <blamegus@aol.com>  
**To** <planningcomm@mounthollyvt.org>, <mounthollyselectboard@gmail.com>  
**Cc** sasafra67 <sasafra67@aol.com>, <mthollytc@yahoo.com>  
**Date** 2022-03-30 12:20

WW-1-1820-1\_Plan002.pdf(~597 KB)

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Dear Select Board and Planning Commission:

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After speaking with our Town Clerk this morning, we agreed that to best address some concerns/questions we have on the above referenced subdivision, we should send this over for your input.

Back in November the Planning Commission held a Public Hearing for review of Mr. and Mrs. Bolalek's request for a Minor Subdivision of their lot at Route 155 near Maple Hill Rd. intersection and directly adjacent to our properties.

The information provided to us indicated a minor subdivision into 3 lots with permitting from the State for 3 four-bedroom single family residential house sites with the accompanying approved potable and wastewater permitting based upon those uses and plans submitted.

Based on some information we recently learned of - we looked at the permits and accompanying paperwork submitted to the state by the Bolaleks and posted on the state website. In it we found what appears to be an amendment to the Plans discussed at our Board meeting(attached below). It appears that the lot sizes on the amendment have been altered for an additional 4th Lot on which the state approved water and wastewater permitting for an additional "no more than one 4-bedroom single family residential home."

Our question/concern on this is two-fold.

1. Did the subdivision originally approved as a minor subdivision change to allow another lot (which we think might have made it a Major subdivision)? Not having received the latest complete survey we are just seeking clarification of this question.

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2. But, more importantly, we understand that the new owners plan to place a 6-bedroom home (rather than the approved 4-bedroom) on one of the lots with a possibility of use change as a bed and breakfast rather than a residential use?

This important second concern is around that change (increase) in the water input and output beyond what was approved by the State of Vermont and the Town. We worry that we are located downhill from this proposed 6-bedroom (possibly commercial) building and that this increase in size and usage, without properly calculated and approved systems, could result in problems with our drinking water.

We kindly ask your assistance and attention in helping us resolve our concerns in this matter as it is important to us.

Sincerely,  
Bruce and Marie Paquette  
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