

**CONSERVATION COMMISSION  
DRAFT MINUTES  
September 16, 2015**

**MEMBERS PRESENT:** Byron Quinn, Al Alessi, Cyndy Kozara, Lynn Peterson, Bethany Powers  
**MEMBERS ABSENT:** Lea Kachadorian, Alan Willard  
**OTHERS PRESENT:** Laird Bradley, Donald Gilbert, Michael Brands

**I. OPENING OF MEETING**

Chair Quinn opened the meeting at 7:30 p.m.

**II. MINUTES**

The minutes of July 15, 2015 were approved as submitted.

**III. NEW BUSINESS**

A. V-3170-15 Donald Gilbert

The application is for Variance Approval to reduce riparian buffer from 100 feet to 55 feet at the southern border of the property. The property is located at 6 River Street and is zoned Residential Low Density / Design Review District/ Flood Hazard / Riparian.

Mr. Gilbert and Mr. Bradley, realtor, presented the application.

At the September 9, 2015 VDRB meeting, the VDRB continued testimony to allow time for the CC to review of the riparian impact of the proposal.

The CC reviewed the Variance Request form and an orthophoto map of the property with the 100' riparian buffer and the requested variance drawn on.

Just before the meeting, three members of the CC (Chair Quinn, Ms. Powers, and Mr. Peterson) attended a site visit with Mr. Gilbert, Mr. Bradley and the Town Planner.

At the site visit, the various buffers, setback and requested variance distances were marked off. Both a 100' and a 50' riparian buffer line were viewed. A triangular area representing the requested variance space was marked with string. It maintains a full 100' riparian buffer on the east property line and reduces the riparian buffer to 55' on the west property line. The 35' front setback (from street centerline) was also marked.

The property has had a mowed lawn to the river since the Civil War. The 2.3 acre property is one of the largest parcels of land on the river bank side of River Street.

The river bank is fairly sharp and steep with numerous mature trees growing along the edge of the bank. There is no intent on removing any river bank vegetation.

There was no damaged suffered from the river side of the property during Tropical Storm Irene. The strong bank of trees and other riparian vegetation helped secure the bank.

In April 2015, a permit was granted to renovate the existing home with an additional el placed on the rear. The rear of the el had a deck which extended slightly into the riparian buffer. This minor intrusion was recommended for approval by the CC.

The property is completely located within the 100' year floodplain thus requiring a Flood Hazard review permit. Any construction or change to the existing building would also require a Design Review permit.

The current asking price is \$745,000. Two recent attempts to sell the property fell through at the last minute. The home has been for sale for many years, but potential buyers bulk at the restricted use on the property due to the 100' riparian buffer.

The existing home does not meet the 35' front setback. Potential buyers have show a preference to relocate the home more to the center of the property. The requested variance would allow more options in site location yet still protect a significant amount of riparian buffer.

Another issue is that the current restricted area makes it very difficult for construction equipment to stay out of the riparian area during a building process.

Chair Quinn asked for comments from the CC.

Mr. Peterson recommended support of the variance request. The lawn to the river has been in place for over a 150 years. The two neighboring homes to the west are completely within the 100' riparian buffer. It's a matter of equity. The owner has agreed to maintain all the existing riparian vegetation along the river.

Mr. Alessi agreed. Although he prefers the yard as is, he understands the difficulty in rebuilding the existing structure.

Although Chair Quinn agrees with the recommendation, he wanted assurance that the Flood Hazard Regulations be adhered to.

The Town Planner stated the regulations require that the first floor of the structure cannot be lower than one foot above the base flood level. The State is also required to review any construction within a Flood Hazard area.

After additional discussion, **Ms. Powers motioned with a second by Mr. Peterson to recommend approval of the variance request. The motion passed with a 4-0-1 vote. Ms. Kozara abstained.**

**B. River Corridor**

In early August, Ned Swanberg - ANR flood official and river scientist, presented the State's proposed river corridor study to the Planning Commission. This month, he sent a model river corridor regulation to be considered for adoption within the Town of Woodstock Zoning Regulations. The model was sent digitally to all commission members. The model essentially merges the river corridor regulations with the FEMA mandated Flood Hazard regulations into one document.

Development within the river corridor areas would be treated as if it were located in the 100 year flood plain. Development within the floodway is prohibited with exceptions for agriculture and forestry. Additional exemptions have been placed for municipal road repairs and utility work. The CC questioned a number of definitions found within the regulation. The Town Planner noted most of these are mandated by FEMA and are difficult to change. To avoid confusion, they are kept within the Flood Hazard section separate from other Town Zoning definitions.

**C. Electric Vehicle Charging Station**

The Town Planner recently received a grant application potential for up to \$25,000 to install an electric vehicle charging station (EVCS) in the community. One of the grant requirements is placement within a State recognized Village Center or Downtown Designation. The Town Planner envisions the charging station to be placed in the East End Village Park and Ride. The Village recently was awarded a separate grant to build the Park and Ride, to be constructed in 2016. The EVCS dovetails well with the Park and Ride grant.

After discussion, the CC noted their support for the application.

**IV. OTHER BUSINESS**

**A. Forestry**

Mr. Peterson emailed a 60 page ANR booklet to members. The booklet is geared to forest property owners with a focus on logging practices. The guide informs owners to be careful with wetlands, steep slopes, erosion, and temporary logging roads. He asked if there is an enforcement mechanism to assure property owners adhere to the recommendations.

The Town Planner noted almost all properties being logged are part of the Current Use Program whereby land owners receive a tax discount for taking care of the forest. The program requires a forestry plan to be created by a certified forester. This would include periodic selective cutting. Loggers are also required to adhere to the "Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont".

In this case, the County Foresters are official in charge of enforcement.

Ms. Kozara noted that a State Procurement Contract stipulates forest awareness when State lands are forested. In this case the State Foresters would be the enforcement agent.

Mr. Peterson also mentioned the Wildlife Forest Watch. This is a group that focuses on species awareness. With climate change occurring a constant review of tree health is important.

Vermont Coverts is promoting planting of trees that have the capacity to exist in both the boreal buffer zone to north and southern forest to the south. This will allow the transition of species to assure future adequate forest coverage. Red oak was mentioned as a good transition species.

#### **B. Bicycle Forum**

Mr. Alessi would like the CC hold a forum to discuss bicycling in Woodstock. Numerous residents and bicycle oriented persons would be invited to talk and brainstorm. Topics could range from bike touring, bike commuting, recreational use, bike to school, bike trails, bike rentals, etc.

Mr. Alessi is willing to draft an agenda, establish a general layout of topics and create a list of potential attendees.

The State has various persons working on bicycling issues ranging from tourism to transportation and economic development. Other municipalities such as Stowe have had success with promotion of cycling. The Town Planner will discuss options with Rita Seto, TRORC Transportation Planner.

After discussion, the CC noted support for the forum and felt the CC meeting date in November would be a good time.

#### **V. NEXT MEETING**

The next meeting is scheduled for October 21, 2015.

#### **VI. ADJOURNMENT**

The meeting was adjourned at 9:00 pm.

Submitted by:

Michael Brands, AICP  
Town Planner