

**TOWN DEVELOPMENT REVIEW
DRAFT NOTES
October 27, 2015**

Members Present: Charlie Wilson, Fred Hunt, Kim French
Members Absent: Don Bourdon, Ingrid Moulton Nichols
Others Present: Catherine Harriman, Kedric Harriman, Edwin English, Craig Jewett, Patrick Crowl, Michael Olmstead, Mike Olmstead, Dwight Doton, Brian Bontrager, Michael Brands

I. CALL TO ORDER

Vice-Chair Hunt opened the meeting at 7:30 p.m.

II. APPROVAL OF MINUTES

The approval of the October 5, 2015 minutes was continued.

III. PUBLIC HEARINGS

A. Old Business:

1. T-4565-15 Pidlipchak

Application is for Conditional Use Approval to reinstate Subdivision Permit T-4349-12 and to excavate within the Conservation Overlay District (wetland buffer). The property is located on 148 Iver Johnston Road and is zoned Residential Five Acres / Wetland Overlay.

Mr. Pidlipchak was not present.

The hearing was continued to allow the applicant time to have an updated site plan created, that would show the as-built topography.

B. New Business:

1. T-4617-15 Town of Woodstock / Michael Olmstead

Application is for Conditional Use and Waiver to Setback approval to construct a 576 sf pole barn. The property is located on Long Hill Road and is zoned Residential Five Acre.

Mr. Olmstead presented the application.

The TDRB reviewed building elevations, a site plan and the waiver to setback form.

Mr. Olmstead has a contract with the Town of Woodstock to lease the land for collection of maple sap. A pole barn is proposed to store the sap on site. All sugaring, making of the syrup, would be conducted off site. Sap would be transported by truck to the off site sugar house.

The applicant proposes a three sided barn, open on the west. The barn would be located in a flat spot near the town road which had been used as a loading area for trees during a recent forest operation. The applicant would use the existing driveway entrance off of the town road.

The 24' x 24' barn would be a simple pole barn construction with vertical siding. There would be no slab or footers poured.

The barn at its closest point would be located 51' from the Long Hill stream bank and 32' from the town road centerline. The barn would be located approximately 8' below the road surface.

The barn would meet the required 50' riparian buffer but not the 60' front setback.

The TDRB reviewed the waiver to setback form. They agreed the proposed site was the most practical. The stream runs parallel to the road creating a narrow 100' wide strip of land.

Testimony was voted close.

2. T-4619-15 LJBC Associates LLC

Application is for Conditional Use and Flood Hazard approval to change use from office to commercial bakery and to construct a 144 sf ramp on North elevation. The property is located at 1053 West Woodstock Road and is zoned Light Commercial / Light Industrial / Flood Hazard.

Mr. Crowl, owner, presented the application.

The TDRB reviewed a site plan, renderings and photographs for the proposed use.

The TDRB reviewed the conditional use criteria with the applicant.

The owner wishes to move the bakery facilities from the Woodstock Farmers' Market to the former Glassworks building located next door. The proposed 575 square foot bakery and 715 square foot of storage/walk-in cooler would be located in the middle of the building, between the Woodstock Farmers' Market offices and Woodstock Glassworks on the west end.

The bakery would operate 6-7 days a week. There would be 4-5 employees. Parking would remain the same, as the employees would be transferred from the main Woodstock Farmers' Market building.

The bakery would include counter space, two ovens, dish washer and wash up facilities. There is an existing bathroom.

The compressor for the walk-in cooler would be attached to two exterior corner walls on the rear of the building with a shed roof for weather protection. The addition would measure 10' long, 6' wide, 5' high and would be 8' above ground. Placement on the rear of the building significantly reduces visibility and noise issues. The noise of the compressor would be less than 70 db.

A 1:8 ramp, designed for deliveries only, would be attached parallel to the front of the building. As such there is no loss in parking. The ramp is made of pressure treated wood. It measures 4' wide by 36' long with a 5.5' square platform. The lower section would have lattice siding.

A letters from the Town and the Woodstock Aqueduct note adequate sewer and water capacity.

The State Fire Marshall's office has inspected the premises.

The TDRB then reviewed the flood hazard regulations.

Two email reviews of the project from the State's Flood plain Manager, Sacha Paler, were read by the TDRB. Ms. Paler met with the applicant and the Town Planner for a preliminary review on September 22, 2015.

The building is located in the 100 year Flood plain. An elevation certificate was performed by a licensed surveyor. The base flood elevation (BE) is 711'. The main floor with bakery is 713.2'. The lowest floor/ground level is 704.9'.

Based on the submitted substantial improvement calculation, the cost of the proposed improvements would be more than half the value of the building. Therefore, the lower floor enclosure would need to meet the flood proofing requirements stated in Section 405 D.2.c. of the Town Zoning Regulations.

The proposed development with the exception of the ramp would be located 2.2' above the BE, at least one foot above BE is required. The ramp would be attached to the side of the building and meets the anchoring requirements of Section 405. The lowest point of the compressor would be located at 713.2', the same level as the proposed bakery. It would be attached directly to the exterior walls of the building negating a lower support structure.

A small enclosed area located below the first floor was created to protect sewer and water lines from freezing. There are no other utilities located in this area. A small electric heater is placed to keep the space warm.

The applicant offered three options to bring the space into compliance. The first would be to place hydrostatic vents that open on two sides when flood waters are present. The

vents would meet the 1 square inch of opening for each square foot of enclosure standard.

A second option would be to significantly reduce the enclosure's square footage and thus reduce the size of the vents required.

A third option would be to insulate the sewer and water pipes in a manner that negates the need for an enclosure. This method would require approval from the State's regional Flood plain Manager.

The TDRB reviewed the Conditional Use and Flood Hazard criteria with the applicant.

Testimony was voted close.

3. T-4620-15 Woodstock Union High School

Application is for Conditional Use Approval to excavate for an emergency egress driveway on easterly section of property. The property is located at 70 Amsden Way and is zoned Residential Five Acre.

Mr. Craig, engineer, presented the application. Mr. Doton, president of the school board, assisted in the presentation.

The TDRB reviewed a site plan and renderings of the proposed emergency egress.

A TDRB review is required as the excavation exceeds the 5000 square feet threshold of Section 518 Landscaping/Grading.

The high school has been searching an emergency entrance/exit egress for many years. There is only one entrance/exit to the high / middle school, superintendent's office and the Union Arena. Earlier this year, the school was able to purchase a property with approximately 200' of frontage along Mill Road.

The proposed egress would be located along the north section of the property. It would connect Mill Road to the east parking lot located just north of the soccer/lacrosse field. The total length of the egress would be approximately 400'.

The first 100' from Mill Road would be graveled as is. There's an existing driveway and parking area that would not require additional excavation.

The 300' of egress located west of this has a grass surface and contains two large swales which were built in the 1980s for stormwater control.

The swales would be rebuilt to maintain the same stormwater capacity as the existing system yet allow the passage of a 32' long fire truck. A profile of the existing swales with proposed changes was reviewed. The swales are essentially elongated to allow passage of vehicles, yet maintain the necessary stormwater capacity.

The proposed egress would be 18' wide. Two inches of soil, mulch and grass seed would be placed over twelve inches of gravel. The grass would grow to match the existing surface. The gravel would provide sufficient support for vehicles to pass over.

The school would have extra gravel stored on site should the material be needed for repairs during the spring snow melt season when the ground is soft.

During the winter months the egress would be plowed.

Two posts and a chain would be placed at either end of the egress to keep undesired use from occurring.

Any potential stormwater would run off along the athletic fields and not into the nearby brook. The engineer designed the egress and associated excavation to maintain the current stormwater capacity.

Mr. and Mrs. Harriman, downstream neighbors to the east, questioned whether the swale would be blocked by the egress construction. They asked for assurance that the project would not increase stormwater runoff, especially as it impacts the brook which runs by their home.

The applicant noted the project would not require a bridge or culvert. The existing low points of the current swales would be maintained to allow continued flow of stormwater. There would be no work near the brook that impacts its flow. The stormwater system is on school property and is maintained by the school.

The Town Manager and the Fire Chief have reviewed and approved the proposal.

An Act 250 approval is required. The applicant received a preliminary approval as a minor amendment earlier in the day. The Agency of Natural Resources will review the riparian / river corridor impacts of the project. The State's Flood Hazard official reviewed the project as it lies in the 500 year Flood plain.

The TDRB reviewed the Conditional Use and Landscaping / Grading criteria with the applicant. Local flood review is not required as it is not located in the 100 year Flood plain or floodway.

Testimony was voted close.

V. OTHER BUSINESS

A. Administrative Officer's Report

The report was given and discussed.

B. WUHS Internally Illuminated Sign

The TDRB reviewed Zoning Permit T-4588-15 issued to the Woodstock Union High

School to replace sign on Route 4 with an Internally Illuminated Sign. Conditions #7 & #8 require a review of the sign after 30 days of full operation.

Mr. Hunt who lives in West Woodstock, noted that he drives by the sign frequently and has no issues.

Ms. French, a West Woodstock resident, also noted no issues with the sign.

Mr. Wilson noted he has seen the sign illuminated and has no issues.

The Town Planner has heard no specific negative comments, aside from “why is a digital sign allowed in Woodstock?” Issues of brightness, color and motion were not addressed in the various comments received.

Mr. Doton, School Board President, asked for a loosening of the condition restricting the interval of message change to once every two hours. The intent of the sign replacement was to allow more messages. There are numerous daily activities at the school that merit messaging. The two hour limit per sign change is extremely restrictive. The current sign is able to place a number of lines of text but each additional line becomes less readable as the font is reduced in size. Two lines of text work well. Three lines is marginal. Four lines is not readable.

Mr. Doton felt the TDRB’s interpretation of the word “static” is far too restrictive. He agrees with a restriction on scrolling or motion signs. Most digital public displays are measured in seconds not hours. The two hour interval does not allow additional messages.

The Town Planner noted any change in the condition would require a new application and hearing before the TDRB.

Mr. English, who lives across the street from the sign, said at first he thought he would not like the sign. Now that the sign is operational, he has no problem with it.

Mr. Scheu, a PC member and neighbor living opposite and above the school on Barberry Hill Road, addressed the TDRB. He complimented the school on following through with the permit recommendations. The color choice, white letters on a green background is excellent as they tend to lessen glare.

However, he asked the TDRB to take the interpretation of “static” seriously. The PC in changing the sign regulations to allow an internally illuminated sign used the word “static” deliberately to forestall any potential motion within the sign. The school should look at other methods to increase messaging without reverting to a shorter interval.

Mr. Wilson suggested the word “static” should be addressed in the regulations, so the TDRB is not required to offer an interpretation. Clearly written regulations reduce the need to interpret.

Mr. Scheu noted strongly defined items lead to problems as well. There is a need for some flexibility.

Mr. Doton asked if a night time versus day time situation could be written in. A sign changing constantly at night is more problematic than the same interval during daylight hours.

The Town Planner noted the Town Zoning Regulations are currently being rewritten, now is a time to make changes.

The TDRB agreed that as currently operated, the sign has no negative issues.

VI. DELIBERATIONS

A. T-4578-15 Pidlipchak Continued

B. T-4617-15 Town of Woodstock / Olmstead

After discussion, the following findings of fact were established:

1. The TDRB reviewed building elevations, a site plan and the waiver to setback form.
2. Mr. Olmstead has a contract with the Town of Woodstock to lease the land for collection of maple sap. A pole barn is proposed to store the sap on site. All sugaring, making of the syrup, would be conducted off site. Sap would be transported by truck to the off site sugar house.
3. The applicant proposes a three sided barn, open on the west. The barn would be located in a flat spot near the town road which had been used as a loading area for trees during a recent forest operation. The applicant would use the existing driveway entrance off of the town road.
4. The 24' x 24' barn would be a simple pole barn construction with vertical siding. There would be no slab or footers poured.
5. The barn at its closest point would be located 51' from the Long Hill stream bank and 32' from the town road centerline. The barn would be located approximately 8' below the road surface.
6. The barn would meet the required 50' riparian buffer but not the 60' front setback.
7. The TDRB reviewed the waiver to setback form. They agreed the proposed site was the most practical. The stream runs parallel to the road creating a narrow 100' wide strip of land.

After further discussion, Mr. Wilson moved with a second by Ms. French to approve the application as presented.

The motion passed with a 3-0 vote.

C. T-4619-15 LJBC Associates LLC

After discussion, the following findings of fact were established:

1. The TDRB reviewed a site plan, renderings and photographs for the proposed use.
2. The owner wishes to move the bakery facilities from the Woodstock Farmers' Market to the former Glassworks building located next door. The proposed 575 square foot bakery and 715 square foot of storage/walk-in cooler would be located in the middle of the building, between the Woodstock Farmers' Market offices and Woodstock Glassworks on the west end.
3. The bakery would operate 6-7 days a week. There would be 4-5 employees. Parking would remain the same, as the employees would be transferred from the main Woodstock Farmers' Market building.
4. The bakery would include counter space, two ovens, dish washer and wash up facilities. There is an existing bathroom.
5. The compressor for the walk-in cooler would be attached to two exterior corner walls on the rear of the building with a shed roof for weather protection. The addition would measure 10' long, 6' wide, 5' high and would be 8' above ground. Placement on the rear of the building significantly reduces visibility and noise issues. The noise of the compressor would be less than 70 db.
6. A 1:8 ramp, designed for deliveries only, would be attached parallel to the front of the building. As such there is no loss in parking. The ramp is made of pressure treated wood. It measures 4' wide by 36' long with a 5.5' square platform. The lower section would have lattice siding.
7. A letters from the Town and the Woodstock Aqueduct note adequate sewer and water capacity.
8. The State Fire Marshall's office has inspected the premises.
9. Two email reviews of the project from the State's Floodplain Manager, Sacha Pealer, were read by the TDRB.
10. The building is located in the 100 year floodplain. An elevation certificate was performed by a licensed surveyor. The base flood elevation (BFE) is 711'. The main floor with bakery is 713.2'. The lowest floor/ground level is 704.9'.
11. Based on the submitted substantial improvement calculation, the cost of the proposed improvements would be more than half the value of the building. Therefore, the lower floor enclosure would need to meet the flood proofing requirements stated in Section 405 D.2.c. of the Town Zoning Regulations.
12. The proposed development with the exception of the ramp would be located 2.2' above the BE, at least one foot above BE is required. The ramp would be attached to the side of the building and meets the anchoring requirements of Section 405. The lowest point of the compressor would be located at 713.2', the same level as the proposed bakery. It would be attached directly to the exterior walls of the building negating a lower support structure.
13. A small enclosed area located below the first floor was created to protect sewer and water lines from freezing. There are no other utilities located in this area. A small electric heater is placed to keep the space warm.
14. The applicant offered three options to bring the space into compliance. The first would be to place hydrostatic vents that open on two sides when flood waters are present. The vents would meet the 1 square inch of opening for each square foot

of enclosure standard. A second option would be to significantly reduce the enclosure's square footage and thus reduce the size of the vents required. A third option would be to insulate the sewer and water pipes in a manner that negates the need for an enclosure. This method would require approval from the State's regional Flood plain Manager.

15. The TDRB reviewed the Conditional Use and Flood Hazard criteria with the applicant.

After further discussion, Ms. French moved with a second by Mr. Wilson to approve the application with the following condition:

1. **The enclosure located under the main floor shall be floodproofed per Section 405D.2.c. of the Town Zoning Regulations.**

The motion passed with a 3-0 vote.

D. T-4620-15 Woodstock Union High School

After discussion, the following findings of fact were established:

1. The TDRB reviewed a site plan and renderings of the proposed emergency egress.
2. A TDRB review is required as the excavation exceeds the 5000 square feet threshold of Section 518 Landscaping/Grading.
3. The high school has been searching an emergency entrance/exit egress for many years. There is only one entrance/exit to the high / middle school, superintendent's office and the Union Arena. Earlier this year, the school was able to purchase a property with approximately 200' of frontage along Mill Road.
4. The proposed egress would be located along the north section of the property. It would connect Mill Road to the east parking lot located just north of the soccer/lacrosse field. The total length of the egress would be approximately 400'.
5. The first 100' from Mill Road would be graveled as is. There's an existing driveway and parking area that would not require additional excavation.
6. The 300' of egress located west of this has a grass surface and contains two large swales which were built in the 1980s for stormwater control.
7. The swales would be rebuilt to maintain the same stormwater capacity as the existing system yet allow the passage of a 32' long fire truck. A profile of the existing swales with proposed changes was reviewed. The swales are essentially elongated to allow passage of vehicles, yet maintain the necessary stormwater capacity.
8. The proposed egress would be 18' wide. Two inches of soil, mulch and grass seed would be placed over twelve inches of gravel. The grass would grow to match the existing surface. The gravel would provide sufficient support for vehicles to pass over.
9. The school would have extra gravel stored on site should the material be needed for repairs during the spring snow melt season when the ground is soft.
10. During the winter months the egress would be plowed.
11. Two posts and a chain would be placed at either end of the egress to keep

- undesired use from occurring.
12. Any potential stormwater would run off along the athletic fields and not into the nearby brook. The engineer designed the egress and associated excavation to maintain the current stormwater capacity.
 13. The Town Manager and the Fire Chief have reviewed and approved the proposal.
 14. An Act 250 approval is required. The applicant received a preliminary approval as a minor amendment earlier in the day. The Agency of Natural Resources will review the riparian / river corridor impacts of the project. The State's Flood Hazard official reviewed the project as it lies in the 500 year Flood plain.
 15. The TDRB reviewed the Conditional Use and Landscaping / Grading criteria with the applicant. Local flood review is not required as it is not located in the 100 year Flood plain or floodway.

After further discussion, Ms. French moved with a second by Mr. Wilson to approve the application as presented.

The motion passed with a 3-0 vote.

VII. NEXT MEETING

The next meeting is scheduled for November 24, 2015.

VIII. ADJOURNMENT

The meeting adjourned at 9:10 p.m.

Respectfully submitted,

Michael E. Brands, AICP
Town Planner