

**VILLAGE DEVELOPMENT REVIEW BOARD
DRAFT MINUTES
July 22, 2015**

PRESENT: Jim Mills, Randy Mayhew, Benjamin Pauly, Jane Soule, Keri Cole
ABSENT: None
ALSO PRESENT: Tom Hayes, Holley Whittemore, KC Whittemore, Sam Segal, Lorissa Segal, Chris Ambrose, Cary Hollingsworth, Michael Brands

I. CALL TO ORDER

The meeting was called to order at 7:30 p.m.

II. PUBLIC HEARINGS

A. Old Business **None**

B. New Business

1. V-3153-15 **The Frost Mills Nominee Trust**

The application is for Design Review and Riparian Buffer Approval to build an 81 square foot tree house. The property is located at 4 Benson Place and is zoned Residential High Density / Design Review / Riparian.

Mr. Hayes, attorney, presented the application.

The VDRB reviewed a site plan and photographs of the tree house which has already been constructed.

The tree house plan as submitted with the application was withdrawn.

The design was changed to simplify the concept. There would be no walls as previously designed. Instead, just a platform and 2" x 4" wood railings would be constructed.

Mr. Hayes showed the VDRB photographs of the as-built structure.

The wooden structure is located nine feet above ground. A rope ladder to a trap door would serve as access.

No nails would be used to anchor the structure to the tree. The structure is attached utilizing wood clamp like devices. A pulley and rope are placed to bring supplies up.

The contractor would apply a special treatment to the wood to create a gray weathered finish. No other colors would be used.

The tree is located 40' from the top of the bank and is, therefore, within the 100' Riparian Buffer. There would be no established path to the site. Access would be random from all areas of the lawn. There would be no riparian vegetation removed in construction or use of the tree house.

The floor of the tree house would be 9' above ground level which is an additional 9' above the mean high water mark of the Ottawaquechee River. The structure would not be touched by floodwaters.

The VDRB read both the Design Review and the Conservation Commission recommendations to approve as presented.

Chair Mills reminded the applicant that a permit is required to construct or place any item within the Design Review District.

Testimony was voted closed.

2. V-3154-15 Adam and Serra Abramson

The application is for Development Review and Design Review Approval to place a 16' linear fence & gate on property line and attach a generator shed to the existing non-conforming shed. The property is located at 48 Elm Street and is zoned Residential Low Density / Design Review District.

Mr. Hayes, attorney, presented the application.

The VDRB reviewed a number of photographs of the existing shed and renderings of the proposed addition and fences.

In October 2014, an application to approve an as-built generator, shed and platform were denied by the VDRB in their present location.

The current application is seeking approval to attach the generator shed to an existing nonconforming shed.

The generator shed would be placed behind the existing shed, and would not be visible to the passing public.

The generator would sit on a cement platform that sits within the shed. The shed has an open design for air flow. It is constructed of rough wood with a peaked wood shingled roof.

The structure would be 4' wide, 5' long and 4.5' tall. The existing shed is 12' 3" long, 7' 8" wide and approximately 11' tall. The size of the generator shed would be less than 25% of the existing shed and should therefore comply with the nonconforming structure regulations.

The existing shed is nonconforming because it is approximately 2' off of the property line. A 15' setback is required. The proposed shed would be placed in line with the shed to maintain the 2' setback.

The existing fence would be extended 8' towards the shed. It would be built of the same height, style and materials.

An 8' gate would be placed between garage and shed to line up with the front facade of the shed. The scalloped gate would be of the same style and materials as the fence.

The Design Review Board recommended the gate be constructed of two 4' sections versus the proposed single 8' section. The two gate solution would create less strain on the gate's hinges, yet retain the same look.

The VDRB read the Design Review recommendation to approve as presented.

The VDRB reviewed the Non-conforming structure criteria with the applicant.

The shed, located 2' from the property line, does not meet the required 15' setback. The generator shed would be in line with the shed and would share the same 2' setback.

The generator shed would be directly behind the shed and would not be visible from the street. The neighbors have a garage also placed directly on the property line which would block their view of the generator.

The shed was rebuilt recently but was in existence before 1977. The garage as well is non-conforming and was built well before 1977.

The dimensions the generator and associated shed are less than 25% of the shed.

A propane gas line from the garage servicing the generator may be buried underground.

The VDRB agreed the proposed generator shed placement complies with the Non-Conforming Structure criteria.

Testimony was voted close.

4. V-3155-15 Holley Whittemore

The application is for Conditional Use Approval to use property as a short term rental. The property is located at 11 Church Street and is zoned Residential Low Density / Design Review.

Ms. Whittemore presented the application.

The VDRB reviewed a Conditional Use form, a floor plan and site plan.

The VDRB reviewed the Short Term Rental Use criteria with the applicant.

The State Fire Marshall inspected the site and granted approval for use as a Short Term Rental.

There is parking on site for two cars. The unit is one of four condo units on site. As a member of the condo association they have certain rules to comply with.

Chair Mills noted the condo may only be rented as a Short Term Rental for six times per calendar year.

At the time the applicants purchased the condo, they assumed they would be able rent it as a Short Term Rental to help pay for the purchase.

The intent is to rent for no less than a week and no longer than two months at a time.

Barbara West of Quechee Lake Associates would manage the facility.

Testimony was voted closed.

4. V-3157-15 Samuel and Lorissa Segal

Application is for Conditional Use Approval to construct a 2823 sq. ft. single family dwelling with 550 sq. ft. garage in the Scenic Ridgeline. The property is located on 3 Highland Avenue Extension and is zoned Residential Three Acres / Scenic Ridgeline Overlay.

Mr. and Mrs. Segal presented the application. Mr. Ambrose, contractor, was present.

The VDRB reviewed a site plan and numerous renderings of the proposed home.

Applicants wish to place a 97' long, 17' wide and 16' 8" high home in the Scenic Ridge line. The home is designed to be long and narrow to fit a long and narrow lot, and also to create a home with a very low profile. The home would be built into the hillside. The basement portion would be exposed on the north side.

The parcel is forested. The entire neighborhood is heavily forested. The Billings Park borders the property on the rear and to the south. The park has a thick forest of mature red pines directly behind the home site.

The proposed site is a vacant lot located at 3 Highland Avenue Extension on a private road which serves three homes currently. There are four homes within the immediate neighborhood, all of which were built within the last 30 years or so.

The parcel is fairly steep with a 40' rise over a 105' run. The home would be placed on the east side of the lot, the west side of the lot would remain forested as is. The center of the lot has an 80' x 80' no build area per deed restriction. The driveway would enter at the northeastern most corner of the lot. Owner intends to remove trees only from the driveway area, the home site and directly south of the home.

The sole vantage point is the Billings Farm and Museum service entrance located on River Road. This is 3500', distance from, and 200', in elevation below, the home site.

Mr. Segal noted it may be visible as well from the Ianuzzi farm further east on River Road.

The area immediately north of the homesite is heavily forested with mainly large mature maple trees. It is virtually impossible to see the home during the summer months due to the heavy foliage. The home may be slightly visible from the vantage point during winter months, but such views would be heavily screened by the numerous deciduous trees located north of the site.

The area behind the home as viewed from the vantage point is a mature red pine forest. Due to the low height of the home, the hillside, and the red pine forest located behind the home, the home would not be noticeable from this vantage point.

The home would have a metal roof. The same metal material would be applied as siding on both the north and south elevations. The material would be allowed to rust creating a dull reddish brown color. The east and west ends of the home would be sided with natural wood and left unpainted.

The proposed windows are mainly long narrow casement windows. They would be few in number on the north elevation which faces the vantage point.

Proposed lighting would be very minimal; solar path lights and entry lights at the doors for safety.

It was noted that the location of home is within an established neighborhood in the Village. An additional home at this location would not be considered out of place.

The Conservation Commission recommendation of approval as presented was read by the VDRB.

Testimony was voted close.

5. V-3162-15 Jonathan & Wendy Spector

The application is for Design Review Approval to amend zoning permit V-3061-14 for minor exterior changes. The property is located at 16 The Green and is zoned Residential Medium Density / Design Review.

The Design Review Board recommended approval as a minor application and the permit was issued administratively.

III. OTHER BUSINESS

A. Administrative Officer's Report

The report was issued and discussed.

B. Cary Hollingsworth

Mr. Hollingsworth and his wife own the Ardmore Inn located on Pleasant Street and within the Design Review District. The windows and the roof are in need of replacement.

Two solutions for the window replacement were mentioned: a contractor could remove existing glass and replace with double glass retaining most architectural details in place or a new sash with double glass could be installed. The owner questioned whether a clad window could be used. The VDRB responded that Anderson and other companies now create clad windows that are acceptable.

The roof has sections of slate and standing seam. The owner would like to retain slate on the north facing/public view side and standing seam on south facing roofs. A middle section would be completed with standing seam as well. In the future, solar panels may be attached to the south facing rear roof.

Although slate is the best looking replacement item, the VDRB is well aware of its replacement costs and have allowed standing seam roofs.

IV. DELIBERATIONS

A. V-3153-15 Frost Mills Nominee Trust

After discussion the following findings of fact were established:

1. The VDRB reviewed a site plan and photographs of the tree house which has already been constructed.
2. The tree house plan as submitted with the application was withdrawn.

3. The design was changed to simplify the concept. There would be no walls as previously designed. Instead, just a platform and 2" x 4" wood railings would be constructed.
4. The VDRB viewed photographs of the as-built structure.
5. The wooden structure is located nine feet above ground. A rope ladder to a trap door would serve as access.
6. No nails would be used to anchor the structure to the tree. The structure is attached utilizing wood clamp like devices. A pulley and rope are placed to bring supplies up.
7. The contractor would apply a special treatment to the wood to create a gray weathered finish. No other colors would be used.
8. The tree is located 40' from the top of the bank and is therefore within the 100' riparian buffer. There would be no established path to the site. Access would be random from all areas of the lawn. There would be no riparian vegetation removed in construction or use of the tree house.
9. The floor of the tree house would be 9' above ground level which is an additional 9' above the mean high water mark of the Ottawaquechee River. The structure would not be touched by floodwaters.
10. The VDRB read both the Design Review and the Conservation Commission recommendations to approve as presented.

After additional discussion, Ms. Cole moved with a second by Mr. Mayhew to approve the application as presented.

The motion passed with a 5-0 vote.

B. V-3154-15 Adam & Serra Abramson

After discussion the following findings of fact were established:

1. The VDRB reviewed a number of photographs of the existing shed and renderings of the proposed addition and fences.
2. In October 2014, an application to approve an as-built generator, shed and platform were denied by the VDRB in their present location.
3. The current application is seeking approval to attach the generator shed to an existing nonconforming shed.
4. The generator shed would be placed behind the existing shed, and would not be visible to the passing public.
5. The generator would sit on a cement platform that sits within the shed. The shed has an open design for air flow. It is constructed of rough wood with a peaked wood shingled roof.
6. The structure would be 4' wide, 5' long and 4.5' tall. The existing shed is 12' 3" long, 7' 8" wide and approximately 11' tall. The size of the generator shed would be less than 25% of the existing shed and should therefore comply with the Nonconforming Structure regulations.

7. The existing shed is nonconforming as it is approximately 2' off of the property line. A 15' setback is required. The proposed shed would be placed inline with the shed to maintain the 2' setback.
8. The existing fence would be extended 8' towards the shed. It would be built of the same height, style and materials.
9. An 8' gate would be placed between garage and shed to line up with the front facade of the shed. The scalloped gate would be of the same style and materials as the fence.
10. The Design Review Board recommended the gate be constructed of two 4' sections versus the proposed single 8' section. The two gate solution would create less strain on the gate's hinges yet retain the same look.
11. The VDRB read the Design Review recommendation to approve as presented.
12. The VDRB reviewed the Non-conforming Structure criteria with the applicant.
13. The shed, located 2' from the property line, does not meet the required 15' setback. The generator shed would be in line with the shed and would share the same 2' setback.
14. The generator shed would be directly behind the shed and would not be visible from the street. The neighbors have a garage also placed directly on the property line which would block their view of the generator.
15. The shed was rebuilt recently but was in existence before 1977. The garage is also non-conforming as it was built well before 1977.
16. The footprint of the generator and associated shed are less than 25% of the shed.
17. A propane gas line from the garage servicing the generator may be buried underground.
18. The VDRB agreed the proposed generator shed placement complies with the Non-Conforming Structure criteria.

After additional discussion, Ms. Cole moved with a second by Ms. Soule to approve the application as presented.

The motion passed with a 5-0 vote.

C. V-3155-15 Holley Whittemore

After discussion the following findings of fact were established:

1. The VDRB reviewed a Conditional Use form, a floor plan and site plan.
2. The VDRB reviewed the Short Term Rental Use criteria with the applicant.
3. The State Fire Marshall inspected the site and granted approval for use as a Short Term Rental.
4. There is parking on site for two cars. The unit is one of four condo units on site. As a member of the condo association, they have certain rules to comply with.
5. Chair Mills noted the condo may only be rented as a Short Term Rental for six times per calendar year.
6. At the time the applicants purchased the condo, they assumed they would be able rent it as a Short Term Rental to help pay for the purchase.

7. The intent is to rent for no less than a week and no longer than two months at a time.
8. Barbara West of Quechee Lake Associates would manage the facility.

After additional discussion, Ms. Soule moved with a second by Mr. Mayhew to approve the application as presented.

The motion passed with a 5-0 vote.

D. V-3157-15 Sam and Lorissa Segal

After discussion the following findings of fact were established:

1. The VDRB reviewed a site plan and numerous renderings of the proposed home.
2. Applicants wish to place a 97' long, 17' wide and 16' 8" high home in the Scenic Ridge line. The home is designed to be long and narrow to fit a long and narrow lot, and also to create a home with a very low profile. The home would be built into the hillside. The basement portion would be exposed on the north side.
3. The parcel is forested. The entire neighborhood is heavily forested. The Billings Park borders the property on the rear and to the south. The park has a thick forest of mature red pines directly behind the home site.
4. The proposed site is a vacant lot located at 3 Highland Avenue Extension on a private road and serves three homes currently. There are four homes within the immediate neighborhood, all of which were built within the last 30 years or so.
5. The parcel is fairly steep with a 40' rise over a 105' run. The home would be placed on the east side of the lot, the west side of the lot would remain forested as is. The center of the lot has an 80' x 80' no build area per deed restriction. The driveway would enter at the northeastern most corner of the lot. Owner intends to remove trees only from the driveway area, the home site and directly south of the home.
6. The sole vantage point is the Billings Farm and Museum service entrance located on River Road. This is 3500', distance from, and 200', in elevation below, the home site.
7. The area immediately north of the home site is heavily forested with mainly large mature maple trees. It is virtually impossible to see the home during the summer months due to the heavy foliage. The home may be slightly visible from the vantage point during winter months, but such views would be heavily screened by the numerous deciduous trees located north of the site.
8. The area behind the home as viewed from the vantage point is a mature red pine forest. Due to the low height of the home, the hillside, and the red pine forest located behind the home, the home would not be noticeable from the vantage point.
9. The home would have a metal roof. The same metal material would be applied as siding on both the north and south elevations. The material would be allowed to rust creating a dull reddish brown color. The east and west ends of the home would be sided with natural wood and left unpainted.

10. The proposed windows are mainly long narrow casement windows. They would be few in number on the north elevation which faces the vantage point.
11. Proposed lighting would be very minimal; solar path lights and entry lights at the doors for safety.
12. It was noted that the location of home is within an established neighborhood in the Village. An additional home at this location would not be considered out of place.
13. The Conservation Commission recommendation of approval as presented was read by the VDRB.

After additional discussion, Ms. Cole moved with a second by Ms. Soule to approve the application as presented.

The motion passed with a 5-0 vote.

E. V-3162-15 Jonathan & Wendy Spector (issued Administratively)

V. APPROVAL OF MINUTES

The June 10, 2015 minutes were approved as submitted.

The June 24, 2015 minutes were approved as submitted.

VI. ADJOURNMENT

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Michael E. Brands, AICP
Town/Village Planner