VILLAGE DEVELOPMENT REVIEW BOARD
DRAFT MINUTES
September 23, 2015

PRESENT: Jim Mills, Benjamin Pauly, Keri Cole, Randy Mayhew
ABSENT: Jane Soule
ALSO PRESENT: Don Gilbert, David Beilman, Leigh Barnum, 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-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 presented the application.

The owner seeks relief from the riparian regulations as they restrict the sale of his property.

A 100' buffer is required from the river bank. This reduces the buildable area of the one acre lot to less than 20% .

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

The owner placed colored string to show the location of the various buffers, setbacks and requested variance distances. The 100' and a 50' riparian buffer line were marked. A triangular area representing the requested variance space was clearly visible. The request maintains a full100' 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, as the existing home is within the setback.

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 Conservation Commission.

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 shown 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.

The Conservation Commission's recommendation to approved the request was based on the following facts: a) the lawn to the river has been in place for over a 150 years, b) the two neighboring homes to the west are completely within the 100' riparian buffer, c) it's a matter of equity, and d) the owner has agreed to maintain all the existing riparian vegetation along the river.

The owner stated there is no intent to subdivide the property.

Mr. Mayhew noted a preference for a building design with specific dimensions whereby a limited amount of variance would be requested versus an open blanket exemption. A home had been permitted earlier this spring without a variance.

A variance should only be granted when there is no possibility of building something on site.

The 100' riparian buffer is recommended by the State and the State does increase disbursement of funds during natural disasters.

The applicant noted the house does need to be rebuilt, needs new foundation, new room

layout. The flood regulations prohibit use of the basement area as is.

Both Mr. Mayhew and Mr. Pauly had an issue with the second question of the variance form, "no possibility of the property can be developed".

The special concern is that the home needs to be removed/demolished, current home does not meet front setback. A complying home would be very narrow due to the riparian buffer and therefore would not meet historical proportions of area homes.

Testimony was voted close.

2. V-3176-15 Thomas and Susan McCaughey

The application is for Design Review Approval to exterior changes to North Elevation of barn. The property is located at 26 Pleasant Street and is zoned Residential High Density / Design Review.

The application was presented by Ms. Barnum, representing the contractor.

The Town Planner noted the elevation was mislabeled and should state north not south.

The owner wishes to make changes to the north elevation from that approved in 2013 via zoning permit V-2972-13 which allowed relocation and conversion of a barn. The barn was moved to the approved location but the exterior work has not yet been completed.

The applicant proposes to retain the original wider barn slider door that had been on the barn before its relocation. Two slider barn type doors, one on each side of the opening, had been originally approved. Within the opening, a double set of french doors with side lights and transom lights overhead is proposed. This would replace two large sliding glass doors.

On the west end of the facade, the 2 two over two double hung windows would have more separation. This is facilitate by the removal of the sliding door originally approved.

A smaller eight pane window would replace the large single pane window originally approved above the door opening. Two basement windows would be added below the sill.

The Design Review Board reviewed the application commenting that the simple barn-like slider door conflicts with the more upscale multi-pane french doors which in turn conflict with the two over two windows located just west of the door. After discussion, the Design Review Board recommended the removal of barn slider door concept, and replacing the two over two windows with six over six windows to match those of the rest of the house.

The applicant stated a preference for retaining the design as submitted in the application.

The rear elevation can only be seen by the property owner, as a large barn blocks the neighbor's view to the west and a large mature line of trees blocks views from the east. The rear of the property is the Ottauquechee River.

Testimony was voted closed.

3. V-3184-15 Pauline Billings

The application is for Design Review Approval to construct steps within covered porch. The property is located at 4 Bond Street and is zoned Residential Low Density / Design Review.

Mr. Beilman, architect, presented the application.

The VDRB reviewed photographs of the porch area and a plan of the proposed steps.

The applicant wishes to add a set of stairs that would be protected from the weather. The existing front stairs ice up during the colder months creating a dangerous situation.

The front steps would remain as is.

A second set of stairs with three steps would be placed within the covered porch. The sides of the porch have a unique line of carved posts set close together creating a privacy screen.

Access to the stairs would be from the south side of the porch. The upper side panel would be removed and stored for future replacement if desired. A lower panel would be removed. The ground would have a brick walkway to match existing.

All construction would match existing architectural details.

The front of the home is heavily landscaped which significantly screens the porch from public view.

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

Testimony was voted closed.

4. V-3180-15 Village of Woodstock

The application is for Design Review Approval to construct a 296 square foot addition to comfort station and add office. The property is located at Mechanic Street and is zoned Central Commercial / Design Review.

Continued as the applicant was not present.

III. OTHER BUSINESS

A. Administrative Officer's Report

The report was issued and discussed.

B. 15 River Street Condominium Association Shutter

The Town Planner showed the VDRB the full size sample of a vinyl shutter. The 15 River Street Condominium Association proposes mounting this shutter instead of the original wood shutters due to cost considerations. The VDRB felt the vinyl shutter is too flimsy to mount as it had been placed, on window hooks with a stay placed on the way to hold shutter in the open position. There were concerns of the look of the shutter as it ages.

IV. DELIBERATIONS

A. V-3170-15 Donald Gilbert

After discussion the following findings of fact were established:

1. The owner seeks relief from the riparian regulations as they restrict the sale of his property.
2. A 100' buffer is required from the river bank. This reduces the buildable area of the one acre lot to less than 20% .
3. The VDRB reviewed the Variance Request form and an orthophoto map of the property showing the 100' riparian buffer and the requested variance.
4. The owner placed colored string to show the location of the various buffers, setbacks and requested variance distances. The 100' and a 50' riparian buffer line were marked. A triangular area representing the requested variance space was clearly visible. The request maintains a full100' 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, as the existing home is within the setback.
5. 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.
6. 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.
7. 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.
8. 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 Conservation Commission.
9. 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.
10. The existing home does not meet the 35' front setback. Potential buyers have shown 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.

11. 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.
12. The Conservation Commission reviewed the request and recommended approval based on the following facts: a) the lawn to the river has been in place for over a 150 years, b) the two neighboring homes to the west are completely within the 100' riparian buffer, c) it's a matter of neighborhood equity, and d) the owner has agreed to maintain all the existing riparian vegetation along the river.
13. The special concern is that the home needs to be removed/demolished, current home does not meet front setback. A complying home would be very narrow due to the riparian buffer and therefore would not meet historical proportions of area homes.
14. After reviewing the variance form, the VDRB determined the request met the Variance criteria listed in Section 715 of the Village Zoning Regulations.

After additional discussion, Mr. Mayhew moved with a second by Ms. Cole to approve the application with the following conditions:

1. The requested variance would become applicable, only with demolition (permitted or via a natural disaster) of the existing main structure.
2. Once the main structure has been removed the requested variance becomes applicable.
3. If the main structure remains, the variance request is not allowed.

The motion passed with a 4-0 vote.

B. V-3176-15 Thomas and Susan McCaughey

After discussion the following findings of fact were established:

1. The Town Planner noted the elevation was mislabeled and should state north not south.
2. The owner wishes to make changes to the north elevation from that approved in 2013 via zoning permit V-2972-13 which allowed relocation and conversion of a barn. The barn was moved to the approved location but the exterior work has not yet been completed.
3. The applicant proposes to retain the original wider barn slider door that had been on the barn before its relocation. Two slider barn type doors, one on each side of the opening, had been originally approved. Within the opening, a double set of french doors with side lights and transom lights overhead is proposed. This would replace two large sliding glass doors.
4. On the west end of the facade, the 2 two over two double hung windows would have more separation. This is facilitate by the removal of the sliding door originally approved.
5. A smaller eight pane window would replace the large single pane window originally approved above the door opening. Two basement windows would be added below the sill.
6. The Design Review Board reviewed the application commenting that the simple barn-like slider door conflicts with the more upscale multi-pane french doors which in turn conflict with the two over two windows located just west of the

door. After discussion, the Design Review Board recommended the removal of barn slider door concept, and replacing the two over two windows with six over six windows to match those of the rest of the house.

7. The applicant stated a preference for retaining the design as submitted in the application.
8. The rear elevation can only be seen by the property owner, as a large barn blocks the neighbor's view to the west and a large mature line of trees blocks views from the east. The rear of the property is the Ottauquechee River.

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

The motion passed with a 4-0 vote.

C. V-3184-15 Pauline Billings

After discussion the following findings of fact were established:

1. The VDRB reviewed photographs of the porch area and a plan of the proposed steps.
2. The applicant wishes to add a set of stairs that would be protected from the weather. The existing front stairs ice up during the colder months creating a dangerous situation.
3. The front steps would remain as is.
4. A second set of stairs with three steps would be placed within the covered porch. The sides of the porch have a unique line of carved posts set close together creating a privacy screen.
5. Access to the stairs would be from the south side of the porch. The upper side panel would be removed and stored for future replacement if desired. A lower panel would be removed. The ground would have a brick walkway to match existing.
6. All construction would match existing architectural details.
7. The front of the home is heavily landscaped which significantly screens the porch from public view.
8. The VDRB read the Design Review Board's recommendation to approve as presented.

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

The motion passed with a 4-0 vote.

D. V-3180-15 Village of Woodstock (Continued**)**

V. APPROVAL OF MINUTES

The September 9, 2015 minutes were approved as submitted.

VI. ADJOURNMENT

The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Michael E. Brands, AICP
Town/Village Planner