

**TOWN DEVELOPMENT REVIEW BOARD**  
**Minutes**  
**February 28, 2017**

**MEMBERS PRESENT:** Frederick Hunt, Charles Wilson, Kim French  
**MEMBERS ABSENT:** Don Bourdon, Ingrid Moulton Nichols  
**OTHERS PRESENT:** Chris Higgins, Greg McKenney, Gary Thulander, Nick Mahood, Todd Uva, Evan Kay, Bryon Lockhart, David Murphy, Mike Moriarty, Carole Moriarty, Leah Skypeck, Matt Bouteiller, Cy Benoit, Jordan Jusiduran, Seth Westbrook, Samuel Segal, Billy Bybee, Linda Hankowski, Garvin Vaughan, Robert Vaughan, Jeff Tucker, Chris Ambrose, Deb Hawthorn, Carol Cunningham, Michael Brands

**I. CALL TO ORDER:**

Vice-chair Hunt called the meeting to order at 7:30 pm.

**II. APPROVAL OF MINUTES:**

The minutes of the November 29, 2016 meeting were approved as submitted.

**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 did not attend the hearing.

Testimony was voted close.

**2. T-4682-16 Meadow Ridge Farm, LLC**

Application is for Conditional Use & Conservation District Overlay Approval to relocate existing driveway with 1100 l.f. driveway within the Wetland Buffer. The property is located at 963 Grassy Lane and is zoned Residential 5 Acres / Conservation District.

The TDRB agreed to review both applications, T-4682-16 and T-4683-16, together as the driveway runs through the two abutting parcels which are owned by the same person. Two applications are required, one for each parcel.

Mr. McKenney, Willis Engineers, gave an update to the TDRB.

After a site visit, the State wetland expert has allowed the main part of the driveway as built to remain. An area immediate to the wetland on the southeast corner will be relocated to increase the buffer area with the wetland. A State permit is being applied for.

The Town Planner noted that once the State has issued the wetland permit, the hearing can proceed.

Testimony was continued.

The Town Planner suggested that the placement of a propane generator within the wetland buffer should also be discussed with the State's wetland expert.

**3. T-4683-16 Meadow Ridge Farm, LLC**

Application is for Conditional Use & Conservation District Overlay Approval to relocate existing driveway with 1100 l.f. driveway within the Wetland Buffer. The property is located at 857 Grassy Lane and is zoned Residential 5 Acres / Conservation District.

The TDRB agreed to review both applications, T-4682-16 and T-4683-16, together as the driveway runs through the two abutting parcels which are owned by the same person.

See testimony above re: T-4682-16.

**B. New Business:**

**1. T-4714-16 Birch Hill Investments**

The application is for Conditional Use & Conservation District Overlay Review Approval to relocate old studio to wetland buffer. The property is located on The Loop Road and is zoned Residential Five Acre/ Conservation District.

Mr. Higgins, farm manager, presented the application.

The TDRB reviewed numerous photographs of the site and the studio building.

In October 2016, the applicant received a permit to replace existing studio with a new 593 sq. ft building in the Scenic Ridgeline overlay zone. At the time, the applicant did mention the possibility of relocating and reusing the building as a bath house.

The applicant wishes to recycle the 413 sq. ft. studio building. It would be relocated to an area just southeast of the pond and would be used as a bath house.

The building would have no services: water, septic or electric.

The building would be elevated slightly above the ground and placed on sonna tubes. There would be no foundation.

According to the Town's Critical Areas Inventory map, the pond is designated as a wetland. The

majority of ponds in the Town have the wetland designation, although many are not surrounded by a wetland soil type.

The northwest corner of the pond does have wetland soils as evidenced by cattails and other wetland plants. The rest of the pond shore does not have a wetland soil. The southwest area of the pond is mainly a sandy beach. This is where the building would be placed.

All of the pond shore except for the sandy beach area has a small band of vegetation. The south edge is steep and wooded. The north and west edge opens up to mowed hay fields.

The December 14, 2016 Conservation Commission minutes were read. The CC recommended approval of the request as submitted.

At its closest point the building would be setback 31' from the water's edge. The building would be 111' from the town road.

The rear of the building (facing the road) would be set into the hillside, requiring a small amount of earth removal. Two small firs would also be removed. This is the only vegetation to be removed. The rear of the building (facing the road) has no doors or windows.

Testimony was voted closed.

## **2. T-4713-16 Woodstock Resort Corporation**

The application is for Conditional Use & Conservation District Overlay Review Approval to establish a commercial multi-use trail network. The property is located at 1489 South Road and is zoned Residential Five Acre / Conservation District.

Mr. Mahood, the WRC Recreation and Nordic Trail Director, and Gary Thulander, Woodstock Inn President, presented the application.

The proposed use is a commercial use and a portion of it is placed within the wetland/vernal pool buffer, therefore a Conditional Use review is required.

The TDRB reviewed the numerous maps and a multiple page application.

There are 11 miles of XC ski trails that have been in existence for over 30 years. The site maps show an additional 7 miles of trails mainly built for mountain biking during the warmer months. The trails are multi-purpose (hiking, snow shoeing, fat tire biking, etc.) depending on the season of the year. Some of the trails, mostly on the northern portion of the area, pass through the wetland and vernal pool buffer areas. The trails were hand built without excavators or power equipment. The forest canopy was not disturbed. Biologist Kent McFarland advised on trail placement. A two-page report was submitted. Mr. McFarland's letter notes the mountain bike trails as currently placed and managed will not cause undue harm to the vernal pools or the wetlands.

The application contains articles on trail making and the economic benefits garnered in other towns.

The trails are designed very carefully following national mountain bike standards to prevent erosion and to create a safe environment for users. The trails are not excavated and follow the natural terrain. Steep areas are avoided. The trail has a minimal footprint, 8" - 18" wide, just wide enough for a bicycle tire.

The trails would be closed during spring run-off and when the trails are deemed too muddy. Trails are no fun to ride in the mud and doing so creates a maintenance issue. Each year, a biologist will determine the amphibian breeding and migration period, generally mid-spring. During this period, trails located within the Amphibian Protection Area or Clustered Vernal Pool area would be closed to use.

This past year, the first year, there were 400 users from May through October, which averages out to 2-3 people per day. There is a charge to use the trails. Users register at the Sports Center located at 1489 South Road (Route 106) where there is ample parking.

Season pass holders would be able to enter from eastern Lincoln Street entrance. There would be signs noting this requirement. There is no designated parking at this location.

Future expansion would take place at the Suicide Six ski center located in Pomfret. The Inn does not want to overuse the Mt. Peg area or create a crowded facility.

On January 11, 2017, the TDRB members with the Town Planner, Mr. Mahood, Mr. Ramsey - Woodstock Inn manager, and Mr. McFarland - applicant's biologist, walked the site. Particular attention was paid to the vernal pool complex on Mt. Peg.

The December 14, 2016 Conservation Commission minutes were discussed. The CC unanimously recommended approval of the application with 4 conditions: 1) all trails, including the Quarry Loop Trail, located within the Amphibian Protection Area or Clustered Vernal Pool areas as shown on the map entitled "The Proposed Background Zoning Layers" shall be closed during spring amphibian breeding and migration periods, 2) a biologist is required, annually, to set the time of the breeding and migration period and this information is to be filed with the P&Z Office, 3) the Quarry Loop Trail (through the vernal pool cluster) would be used only during the winter months, and 4) there shall be no signage placed within the buffer areas relating to the vernal pools.

The CC stated their strong support for the proposed outdoor activity but also stated it is their duty to assure adequate protection of the vernal pools, wetlands and the associated wildlife.

The clustered vernal pools contain 4 vernal pools and is known to have a rare and endangered species, the Jefferson salamander. The Quarry Trail runs through this area. In addition, the wetland/vernal pool protection area runs from the top of Mt. Peg, the site of the 4 vernal pools to a wetland located near Hartland Hill Road.

Section 403 B. 4. Clustered Vernal Pools and Adjacent Wetlands includes land located between wetlands or vernal pools that are within 1500' of one another. A no-less-than 100' wide linking corridor is required. The Conservation Commission per their review found the forest would not be disturbed and agreed with Mr. McFarland's assessment that the trail system would not cause harm.

The BioFinder map also shows the presence of two unconfirmed vernal pools, one of which lies in

the amphibian corridor area between Mt. Peg and Hartland Hill Road. The website shows the area under discussion to be of a Tier 2 and Tier 3 level, indicating very high and high areas of concern from a State biological view point.

The February 21, 2017 Act 250 approval was discussed. The Quarry Trail that runs through the vernal pool complex was removed. The approval did include a series of future trails, that are not included in this current Conditional Use request. The future trails will be applied for under separate application. Before the Act 250 permit was issued, the State biologist reviewed the site with the applicant.

The Town Planner noted discussions of the application with various members of the Billings Park Commission (BPC). They noted concern with biker/hiker conflict and how to prevent this. Unfortunately, none of the members was able to attend. A “memorandum of understanding” (MOU) with the applicant was sent, but was not compatible with the P&Z computer software. A brief email, referencing the MOU, between Mr. Ramsey and BPC member Alison Clarkson was read by the TDRB. The email noted removal of the Quarry Trail and that WRC would not be engaging any other Mount Peg Park trails for mountain bike activity.

Ms. French stated during the site visit that access and signage were unresolved issues. During the site visit the potential conflict of mountain bike users and day use of the Town’s Mt. Peg Park were mentioned.

The site map includes two entrances on Lincoln Street. The main access point is the Sport Center located on Route 106 at the south end of the trails. The Sport Center is the desired entrance location, where tickets are bought and equipment can be rented.

The Town Planner stated there is a trail that runs 300' parallel to Lincoln Street that dead ends at the vehicular entrance to Mt. Peg. In the summer of 2016, bikers used this trail to loop through the Town’s Mt. Peg Park area. Retaining this trail would encourage users to continue looping through the Town’s park. The Billings Park Commission does not want additional mountain bike use on the Town property. The two Lincoln Street entrances, located within 700' of one, do not appear to be necessary. The western entrance is well used by local hikers and families to access Mt. Peg.

Mr. Thulander explained that the easternmost Lincoln Street entrance, closest to Hartland Hill Road, would be the main bike entrance. The Lincoln Street entrance to the west of this is the main vehicular entrance for access to the Mt. Peg area for special events such as catered occasions. It is chained to keep unauthorized vehicles out. Mowing and logging equipment also use this entrance for access to the fields and forest beyond.

A newly created parking space on the easternmost Lincoln Street entrance is used occasionally for a maintenance vehicle. The parking space is not for trail users. The Select Board require an access permit as it is located within the highway right-of-way.

Sign issues can be resolved on an administrative permit level. The majority of the signs would be placed well within the forest and not be visible to the passing public.

Mr. Westbrook, President of the Woodstock Area Mountain Bikers Association (WAMBA), read a letter of support for the application. WAMBA is a self policing organization composed of 52 members ranging in age from 9 to 75 years old. WAMBA is currently building and using trails on the Woodstock Aqueduct property. Trail design is important. Mountain bikers are serious about protecting natural life. The mountain bike trails will be a major economic benefit for the Town.

Mr. Mahood was questioned about area mountain bike trail systems. Killington is developing trails. Both Norwich and Hanover have trail systems. The application details the Northeast Kingdom's trail system which is a multi-town effort and the Barre trail system.

Mr. Thulander stated the sport has been an economic generator for the Woodstock Inn. Additional trails are being developed at the Suicide Six ski area in Pomfret which is also owned by the Inn.

Mr. Steele, 33 Maple Street resident and mountain bike rider, felt Woodstock needs a draw like the trail system can provide. There are numerous riders from the Boston area interested in relocating to a Vermont community with mountain bike trails.

Ms. Moriarty, WAMBA member and local resident, in support of the application noted mountain biking is a great activity for families. The trails will encourage families to live here. This will benefit the school system.

Ms. Jusidman, WAMBA member, spoke up in support of the trail system. The trails are great for the local economy, families and outdoor recreation.

Mr. Segal, Planning Commission member and Mt. Peg abutter, spoke in support of the application. He moved back to Woodstock to raise his family. Activities such as the trail system offers are a great draw for the community and future residents. He supported the work of Kent McFarland, the applicant's biologist. Nature is something to be shared and not overly protected. The trails are low impact.

Testimony was voted close.

### **3. T-4711-16 Christopher & Brigitte Ambrose**

Application is for Design Review and Conditional Use approval to convert to residential, remove garage, exterior building changes, create parking and use property as a Short Term Rental. The property is located at 4979 South Road and is zoned Residential Low Density / Design Review / Flood Hazard.

Mr. Ambrose presented the application.

The TDRB reviewed numerous photographs of the existing structure and renderings of the proposed changes and proposed floor plans.

The applicant received a permit in July 2016 to flood proof existing structure. The current application is to convert a former woodshop to a 3-bedroom residence and to use it as a Short Term Rental.

Mr. Ambrose reviewed the proposed elevation changes. On the west (street) elevation: 1) remove double doors on the north end, 2) extend small roof cover over middle two windows, 3) replace 4 window units with Andersen windows ½ as tall, 4) remove existing garage and convert to parking, 5) retain shingle siding and replace where necessary, 6) replace single doors with new doors, and 7) add two exterior lights.

The street side windows are being shortened to create privacy for the residents. The two middle second story windows would remain full length. The structure is very close to the road.

On the east (rear) elevation: 1) remove two porch wings and retain centered two story porch, 2) add stairs from upper to lower deck inside porch areas, 3) remove board and batten siding on upper deck and add railing, 4) add 2 sets of French doors from porch to interior living area, 5) convert double windows on either side of porch to triple windows, and 6) raise grade up against home by 2' to protect foundation.

On the north elevation: 1) change windows in current locations with new insert units, and 2) window in attic to be converted to 2' x 3' wooden gable attic vent.

On south elevation: 1) remove garage, 2) add 4 new windows, and 3) replace window in attic with 2' x 3' wooden gable attic vent.

An existing 2' tall x 8' long stone retaining wall would be increased to 4' tall at the rear of the proposed parking lot. The two car parking area is to the south of the building in the same location as the removed garage. This may be relocated closer to Route 106 due to flood hazard requirements.

The Town Planner showed a photograph of the building taken in the early 1930's. There have been very few changes since. An attached sawdust shed was added to the south end of the building. The applicant's renovation would remove the shed.

The Design Review Board recommended approval as presented with the retention of the shingle siding.

The flood hazard impact was then discussed. The building is located totally within the flood plain yet outside of the floodway.

The cost of renovation exceeds half the value of the building, therefore the entire building is required to be flood proofed.

All living areas and all appliances such as furnace and water heaters would be placed at least one foot above base flood level.

The State Flood Hazard official has not yet sent in a recommendation on the application. The application was deemed incomplete due to lack of specific information on the amount of fill required for the parking area and the rear foundation of the building.

Mr. Ambrose wishes to place two parking spaces directly south of the building. He also wishes to add fill to support the foundation walls and to help prevent frost damage. He calculated 18 cubic yards of fill would be needed.

An alternative plan is to locate the parking spaces closer to the road which would cut fill requirements to half (9 cubic yards).

After discussion the TDRB recommended the second option which requires 9 cubic yards of fill.

Mr. Ambrose will discuss the issue with the State Flood official.

The TDRB reviewed the Short Term Rental request.

Dave Green, the State Fire Marshall, inspected and issued the State permit for the Short Term Rental.

Mr. Ambrose lives next door and would serve as manager. The home would comply with the 10 times per year Short Term Rental restriction.

Mr. Ambrose has read the Short Term Rental requirements.

Testimony was continued due to lack of the State Flood official's recommendation.

#### **IV. OTHER BUSINESS:**

##### **A. Zoning Officer's Report**

None.

##### **B. Mertens House**

Ms. Cummings, Director of Mertens House, asked what process would be required should a roof be added to a recently approved walkway. The walkway along with an 10-car parking area was approved via zoning permit T-4599-16. A variance was required for the walkway as it did not meet setback standards.

Ms. Cummings showed the Board a proposed image of the roof. It would be flat with a membrane cover. The sides would be left open. The walkway is 4' wide and +/- 40' long. The TDRB appreciated the flat roof design as it reduces the overall visual impact.

The TDRB questioned lighting. The T-4599-16 permit reserves the right to review the as-built lighting. The Town Planner suggested clamshell fixtures which could be placed low (3' high) on the support posts as only the walkway surface requires illumination. Lights mounted high up on the roof ceiling would shed too much light for the neighborhood.

After discussion, the TDRB agreed an administrative permit could be issued to add a roof to the approved structure.



**V. DELIBERATIONS:**

**A. T-4578-15 Pidlipchak**

**After discussion, the following findings of fact were established:**

1. The applicant constructed a driveway just east of the pond within the wetland buffer, excavated an area north of pond for a proposed home site and excavated an area east of existing home.
2. A Conditional Use permit is required to address Section 403 B. Wetland Buffers, Section 518 for landscaping that exceeds 5000 square feet and to subdivide the property into two lots per Section 714 Subdivision.
3. The Conservation Commission reviewed the potential impact to the wetland on June 17, 2015 after a site visit which was held on May 11, 2015. The CC agreed the wetland in question is a long standing pond with a well established form, the driveway is constructed further away from the pond than had been planned originally per subdivision approval, and a number of swales and culverts have been placed to keep water runoff from entering the pond. The CC concluded there should be no significant negative impact to the pond resulting from the current excavation and site work.
4. A Conditional Use permit to subdivide the property into two lots was issued on August 7, 2012. However, the permit did not vest as the applicant did not file the required survey mylar in the Town Clerk's Office as conditioned per permit.

**On June 27, 2015 the TDRB received the following testimony:**

5. The TDRB asked for an engineer's as-built site plan to show the existing work. The current submittal is hand drawn by the applicant and is difficult to understand. The engineer's survey with two foot contours submitted at the time of the 2012 subdivision request was used as a base map.
6. An updated plan needs to show the as-built excavation including culvert sizes, stormwater swales, driveway location, and proposed home and septic sites.

**On May 24, 2016 the TDRB received the following testimony:**

7. The engineer has submitted the as-built site plan with the correct (existing) topo lines.
8. An issue is the lack of the State wastewater permit for the proposed new home. A new septic system (mound) would be placed just north of current home. The engineer has not finished the design work. A lot line adjustment would be done to add the portion of the east lot containing the proposed septic system to the west lot.
9. The TDRB noted that once the State's Wastewater permit is issued the hearing can proceed.

**On September 22, 2015, the Board received the following testimony:**

10. The applicant presented the new plans with updated topographic lines showing work thus far completed.
11. A new septic system would be placed up the hill from the house site. This was required as the former septic site was inadvertently excavated and destroyed. A new septic site would be located on the lot of the existing house and up hill from proposed home site.
12. The proposed home would be located more than 100' from the pond to comply with the required wetland buffer.
13. Culverts and drainage swales have been placed to prevent stormwater from entering the pond and from creating erosion on neighboring properties.
14. The Board agreed the excavation issues within the wetland buffer have been satisfied.
15. The applicant did not attend a TDRB meeting from June 28, 2016 through February 28, 2017. The application has been ongoing for nearly two years without resolution.

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

1. **Excavation work within the wetland buffers has been approved.**
2. **The subdivision request is denied as the applicant has not submitted a State approved waste water permit that would verify replacement of the destroyed septic system.**

**The motion passed with a 3-0 vote.**

**B. T-4682-16 Meadow Ridge Farm, LLC Continued**

**C. T-4683-16 Meadow Ridge Farm, LLC Continued**

**D. T-4714-16 Birch Hill Investments**

**After discussion, the following findings of fact were established:**

1. The TDRB reviewed numerous photographs of the site and the studio building.
2. In October 2016, the applicant received a permit to replace existing studio with a new 593 sq. ft. building in the Scenic Ridgeline overlay zone. At the time, the applicant did mention the possibility of relocating and reusing the building as a bath house.
3. The applicant wishes to recycle the 413 sq. ft. studio building. It would be relocated to an area just southeast of the pond and would be used as a bath house.
4. The building would have no services: water, septic or electric.
5. The building would be elevated slightly above the ground and placed on sonna tubes. There would be no foundation.
6. According to the Town's Critical Areas Inventory map, the pond is designated as a wetland. The majority of ponds in the Town have the wetland designation, although many are not surrounded by a wetland soil type.
7. The northwest corner of the pond does have wetland soils as evidenced by cattails and other wetland plants. The rest of the pond shore does not have a wetland soil. The southwest area of the pond is mainly a sandy beach. This is where the building would be placed.
8. All of the pond shore except for the sandy beach area has a small band of vegetation. The south edge is steep and wooded. The north and west edge opens up to mowed hay fields.
9. The December 14, 2016 Conservation Commission minutes were read. The CC recommended approval of the request as submitted.
10. At its closest point the building would be setback 31' from the water's edge. The building would be 111' from the town road.
11. The rear of the building (facing the road) would be set into the hillside, requiring a small amount of earth removal. Two small firs would also be removed. This is the only vegetation to be removed. The rear of the building (facing the road) has no doors or windows.

**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.**

**E. T-4713-16 Woodstock Resort Corporation**

**After discussion, the following findings of fact were established:**

1. The proposed use is a commercial use and a portion of it is placed within the wetland/vernal pool buffer, therefore a Conditional Use review is required.
2. The TDRB reviewed the numerous maps and a multiple page application.
3. Eleven miles of XC ski trails have been in existence for over 30 years. An additional 7 miles of trails mainly built for mountain biking are proposed. The trails are multi-purpose (hiking, snow shoeing, fat tire biking, etc.) depending on the season of the year. A section of trails, mostly on the northern portion of the area, pass through the wetland and vernal pool buffer areas. The forest canopy was not disturbed. Biologist Kent McFarland advised on trail placement, a two page report was submitted. Mr. McFarland's letter notes the mountain bike trails as currently placed and managed will not cause undue harm to the vernal pools or the wetlands.
4. The application contains articles on trail making and the economic benefits garnered in other towns.
5. The trails are designed very carefully following national mountain bike standards to prevent erosion and to create a safe environment for users. The trails are not excavated and follow the natural terrain. Steep areas are avoided. The trail has a minimal footprint, 8" - 18" wide, just wide enough for a bicycle tire.
6. The trails would be closed during spring run-off and when the trails are deemed too muddy. Trails are no fun to ride in the mud and doing so creates a maintenance issue. Each year, a biologist will determine the amphibian breeding and migration period, generally mid-spring. During this period, trails located within the Amphibian Protection Area or Clustered Vernal Pool area would be closed to use.
7. This past year, the first year, there were 400 users from May through October, which averages out to 2-3 people per day. There is a charge to use the trails. Users register at the Sports Center located at 1489 South Road (Route 106) where there is ample parking.
8. Season pass holders would be able to enter from eastern Lincoln Street entrance. There would be signs noting this requirement. There is no designated parking at this location.
9. On January 11, 2017, the TDRB members with the Town Planner, Mr. Mahood, Mr. Ramsey - Woodstock Inn manager, and Mr. McFarland - applicant's biologist, walked the site. Particular attention was paid to the vernal pool complex on Mt. Peg.
10. The December 14, 2016 Conservation Commission minutes were discussed. The CC unanimously recommended approval of the application with 4 conditions: 1) all trails, including the Quarry Loop Trail, located within the Amphibian Protection Area or Clustered Vernal Pool areas as shown on the map entitled "The Proposed Background Zoning Layers" shall be closed during spring amphibian breeding and migration periods, 2) a biologist is required, annually, to set the time of the breeding and migration period and that this information is to be filed with the P&Z Office, 3) the Quarry Loop Trail (through the vernal pool cluster) would be used only during the winter months, and 4) there shall be no signage placed within the buffer areas relating to the vernal pools.
11. The clustered vernal pools contain 4 vernal pools and is known to have a rare and endangered species, the Jefferson salamander. The Quarry Trail runs through this area. In addition, the wetland/vernal pool protection area runs from the top of Mt. Peg, the site of the 4 vernal pools to a wetland located near Hartland Hill Road.
12. Section 403 B. 4. Clustered Vernal Pools and Adjacent Wetlands review includes land located between wetlands or vernal pools that are within 1500' of one another. A no-less-than 100'

- wide linking corridor is required. The Conservation Commission per their review found the forest would not be disturbed and agreed with Mr. McFarland's assessment that the trail system would not cause harm.
13. The February 21, 2017 Act 250 approval was discussed. The Quarry Trail that runs through the vernal pool complex was removed. The approval did include a series of future trails, that are not included in this current Conditional Use request. The future trails would be applied for under separate application. Before the Act 250 permit was issued, the State biologist reviewed the site with the applicant.
  14. The Town Planner noted discussions of the application with various members of the Billings Park Commission (BPC). They noted concern with biker and park user conflict and how to prevent this. A brief email, referencing the MOU, between Mr. Ramsey and BPC member Alison Clarkson was read by the TDRB. The email noted removal of the Quarry Trail and that WRC would not be engaging any other Mount Peg Park trails for mountain bike activity.
  15. Ms. French stated the site visit prompted questions on access and signage. The potential conflict of mountain bike users and day use of the Town's Mt. Peg Park were mentioned.
  16. The proposal includes two entrances on Lincoln Street. The main access point is the Sport Center located on Route 106 at the south end of the trails. The Sport Center is the desired entrance location, where tickets are bought and equipment can be rented.
  17. The Town Planner stated a trail runs 300' parallel to Lincoln Street that dead ends at the west (vehicular) entrance to Mt. Peg. In the summer of 2016, bikers used this trail to loop through the Town's Mt. Peg Park area. Retaining this trail encourages users to continue looping through the Town's park. The Billings Park Commission does not want additional mountain bike use on the Town property. The two Lincoln Street entrances, located within 700' of one another, do not appear to be necessary. The western entrance is well used by local hikers and families to access Mt. Peg.
  18. The applicant stated the easternmost Lincoln Street entrance, closest to Hartland Hill Road, would be the main bike entrance. The western Lincoln Street entrance is the main vehicular entrance for access to the Mt. Peg area for special events such as catered occasions. It is chained to keep unauthorized vehicles out. Mowing and logging equipment also use this entrance for access to the fields and forest beyond. It is not intended to be used by bikers.
  19. A newly created parking space on the easternmost Lincoln Street entrance is used occasionally for a maintenance vehicle. The parking space is not for trail users. The Select Board require an access permit as it is located within the highway right-of-way.
  20. The TDRB in their review agreed that the conditions established by the Conservation Commission adequately address the vernal pool and wetland concerns. Concerning the 525' long trail that runs parallel 300' to Lincoln Street, the TDRB noted concern with the dead end nature of the trail. The site visit and testimony indicated concerns with bike use in the Town's Mt. Peg Park area. Removing this trail removes potential conflict with the Town's park. There is adequate parking at the Sports Center for the proposed use.
  21. The TRDB reviewed Section 403 Conservation District, Section 521 Off-street Parking, Section 810 Conditional Use, and Section 809 Site Plan criteria with the applicant.

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

1. **All trails, including the Quarry Loop Trail, located within the Amphibian Protection Area or Clustered Vernal Pool areas as shown on the map entitled "The Proposed Background Zoning Layers" shall be closed during spring amphibian breeding and migration periods.**

2. A biologist shall be required, annually, to set the time of the breeding and migration period and this information shall be filed with the P&Z Office.
3. The Quarry Loop Trail (through the vernal pool cluster) shall be used only during the winter months.
4. There shall be no signage placed within the buffer areas relating to the vernal pools.
5. The +/- 525' portion of the trail that runs +/- 300' parallel to Lincoln Street is not approved.
6. The maintenance parking space on Lincoln Street shall require a Town highway access permit.

The motion passed with a 3-0 vote.

F. T-4711-16 Chris & Brigitte Ambrose Continued

**VI. NEXT MEETING:**

The next TDRB meeting is scheduled for March 28, 2017.

Ms. French will not attend the March meeting and Mr. Wilson will not attend the April meeting.

**VII. ADJOURNMENT:**

The TDRB adjourned at 9:05 p.m.

Respectfully submitted,

Michael E. Brands, AICP  
Town Planner