

**VILLAGE DEVELOPMENT REVIEW BOARD  
DRAFT MINUTES  
April 13, 2016**

**PRESENT:** Jim Mills, Randy Mayhew, Keri Cole, Jane Soule, Benjamin Pauly  
**ABSENT:** None  
**ALSO PRESENT:** Jennifer Falvey, 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-3221-16**                      **Jennifer Falvey**

The application is for Design Review Approval to remove fence. The property is located at 31 Elm Street and is zoned Residential Low Density / Design Review.

Ms. Falvey presented the application.

The VDRB reviewed numerous photographs and renderings.

In 2006, Ms. Falvey received a permit to build a fence. There had not been a fence on the property for the previous 50 years before that.

She assumed that since she had received a permit to built the fence, she did not need a permit to remove it. The fence was removed last year.

Last fall, a privet hedge was placed where the fence had been. The VDRB viewed photographs of the hedge. The privet hedge will create a boundary and also will add to the aesthetics of the property once it matures.

The fence was removed as it was constantly damaged by passers-by, a victim of late-night vandalism. She felt the fence was too damaged to repair and had it removed to the landfill. She did not have any photographic evidence of the fence in a state of disrepair. She did not report the damage to the police.

The Design Review Board unanimously recommended denial of the application and that the fence be replaced as had been permitted in 2006.

The Design Review Board noted this is the only residential property on the east side of Elm Street and south of Pleasant Street that does not have a front yard fence. The lack of a fence makes the property stand out, as the continuity of the streetscape is interrupted.

On the west side of Elm Street and south of Pleasant Street, the Noble house (neighboring the Historic Society), is the sole residential property without a fence.

The Town Planner confirmed a review of the Noble zoning file and a list of 2009 photographs taken of all Design Review properties shows there has not been a fence on the property.

Although, the Congregationalist Church does not have a fence, the Design Review Board noted it is common for churches not to have fences as they prefer an open front yard that offers a more welcoming presence.

The VDRB reviewed Mr. Olson's hand drawn map showing the placement of fences throughout the Village center. Fences are an important component of the village streetscape and help tie Woodstock's unique architecture together.

The Design Review Board suggest a simple picket fence could be placed at a lower cost than the fence that had been removed. The picket fence would allow continuance of the streetscape.

Ms. Falvey read the second paragraph of 405 F. Design Review Limitations and referred to H. Demolitions. Her fence is neither historic nor will its removal detract from the character of the area. The fence was built in 2006. There had not been a fence on this property for the previous 50 years.

The fence is not sustainable as it was continuously vandalized.

The VDRB noted neighboring fences were not vandalized.

She did not know why this was the case, but assumed it to be the lack of exterior lights in the front of her home which would have deterred vandals.

The VDRB reviewed the Design Review Regulations highlighting Section 405 H. e. Demolition of Buildings and Structures which states: "The historical integrity and architectural character of the area where the proposed demolition of a structure is to take place will not be substantially diminished or compromised."

Testimony was voted close.

### III. OTHER BUSINESS

#### A. Administrative Officer's Report

The report was issued and discussed.

### IV. DELIBERATIONS

#### A. V-3221-16 Jennifer Falvey

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

1. The VDRB reviewed numerous photographs and renderings.
2. In 2006, Ms. Falvey received a permit to build a fence. There had not been a fence on the property for the previous 50 years before that.
3. The applicant assumed that since she had received a permit to built the fence, she did not need a permit to remove it. The fence was removed last year. Last fall, a privet hedge was placed where the fence had been. The VDRB viewed photographs of the hedge.
4. The fence was removed as it was constantly damaged by passers-by, a victim of late-night vandalism. The fence was too damaged to repair and was removed to the landfill. There was no photographic evidence of the fence in a state of disrepair nor was the damage reported to the police.
5. The Design Review Board recommended unanimously that the request to remove fence be denied and that the fence be replaced as had been permitted in 2006.
6. The Design Review Board noted this is the only residential property on the east side of Elm Street and south of Pleasant Street that does not have a front fence. The lack of a fence makes the property stand out, as the continuity of the streetscape is interrupted.
7. On the west side of Elm Street and south of Pleasant Street, the Noble house (neighboring the Historic Society), is the sole residential property without a fence.
8. Although, the Congregationalist Church does not have a fence, the Design Review Board noted it is common for churches not to have fences as they prefer an open front yard that offers a more welcoming presence.
9. The VDRB reviewed Mr. Olson's hand drawn map showing the placement of fences throughout the Village center. Fences are an important component of the village streetscape and help tie Woodstock's unique architecture together.
10. The applicant read the second paragraph of 405 F Design Review Limitations and referred to H. Demolitions as they both support removal of her fence. The fence is neither historic nor will its removal detract from the character of the area. The fence was built in 2006. There had not been a fence on this property for the previous 50 years.
11. The VDRB reviewed the Design Review Regulations highlighting Section 405 H. e. Demolition of Buildings and Structures which states: "The historical integrity and architectural character of the area where the proposed demolition of a structure is to take place will not be substantially diminished or compromised."

**After additional discussion, Mr. Mayhew moved with a second by Mr. Pauly to approve the application as presented. The motion passed with a 3-2 vote (Chair Mills and Ms. Soule voted against).**

**V. APPROVAL OF MINUTES**

The approval of the March 25, 2016 minutes was continued to the next meeting.

**VI. ADJOURNMENT**

The meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Michael E. Brands, AICP  
Town/Village Planner