

**VILLAGE DEVELOPMENT REVIEW BOARD  
DRAFT MINUTES  
February 28, 2018**

**MEMBERS PRESENT:** Jane Soule, Wendy Spector, Elizabeth Daniels, Keri Cole, Randy Mayhew

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Charity Lee, Charles Lee, Scott Wunderle, Barbara Kennedy, Ron Behrns, Michael Brands

**I. CALL TO ORDER**

Chair Jane Soule called the meeting to order at 7:30 p.m.

**II. PUBLIC HEARINGS**

**A. Old Business: None**

**B. New Business:**

**A. V-3359-18 Charles & Charity Lee**

The application is for Conditional Use and Riparian Buffer Review Approval to add granite steps and stabilize river bank. The property is located at 19 High Street and zoned Residential High Density / Flood Hazard.

Mr. and Mrs. Lee and Mr. Wunderle, landscape architect, presented the application.

The VDRB reviewed numerous site maps and landscaping plans.

The Town Planner presented an orthophoto of the property. Over 80% of the entire parcel is located within the 100' riparian buffer. The property measures +/- 120' from edge of Kedron Brook to the street right-of-way line. The western property line runs 120' along the Kedron Brook.

A photograph showing the rear yard taken from across the Kedron Brook was presented. Two changes in grade areas were noted, the edge of the lawn where it drops down into the brook and the rear of the home with the walkout basement.

The applicant wishes to create access to rear yard and to stabilize the river bank which is eroding. Granite stairs would be placed for access and numerous plantings would be placed for river bank stabilization.

Ms. Lee presented the access portion of the application. Granite steps would be placed along both sides of the home. The front lawn is approximately 10' higher than the rear yard. The bottom floor is a walk out basement. Ten linear feet of stairs are proposed for the north side. The south side has more steps and a gentler slope from the front driveway to the rear patio area. The installation would be broken up by large grass landings between steps.

Mr. Wunderle reviewed the sectional profiles of the stairs. The proposed grade changes will be made to the minimum extent possible. This will help maintain the existing slope and will reduce required excavation which in turn reduces stormwater impacts.

Granite pavers would also be added to the rear southwest corner of the home. Again there are large areas of pervious landings planned between steps. A propane tank would be relocated further from the building and would be replaced by an underground unit.

The driveway/parking area would be enlarged 3' toward the south. Since some of the work will take place in the 25' street right-of-way, a permit from the Board of Trustees would be required.

Mr. Wunderle presented and reviewed a list of plantings proposed for the side and rear yards.

Numerous plantings are planned due north of north side steps and in the southwest corner near the home. The plantings would provide a natural absorption area for rain water runoff and would offset the addition of the pavers. Many of the plantings are shrub-like such as witch-hazel and rhododendron.

The current rear yard is mowed to the top of the Kedron Brook bank.

Along the edge of the brook, the owner proposes planting a 50' long section of shrubs and other plants. The plantings are meant to be natural looking and would be taller on north and south edges and shorter in the middle. The owners wish to maintain views across the brook.

The major purpose is to plant on the bank to reinforce the soil and to prevent erosion. The bank is steep and drops approximately 4' to a lower platform and then directly to the brook. Plantings would not be placed on the lower platform area near the water. A biodegradable netting would be used to hold plants in place. The netting degrades within a year, which would allow time for the root structures to develop. The netting would be held in place with sticks driven into the bank. No stones or other hard objects would be used to secure the netting.

All plants were chosen for their water tolerance and ability to create a good root structure, all good qualities for riparian vegetation. Many plants are multi stemmed and will generate growth from their root extensions.

The intent is to let the plants take over and not to create a formal garden area. The plants are also chosen to attract birds, bees and other wildlife.

There would be no excavation along the river edge or in the bank area. A small amount of soil

may be added to promote growth. An excavator may be used to help the planting process but the base of the machine would stay well back from the steep sloped area.

There would be no additional exterior lighting. Handrails are not required.

Mr. Mayhew asked why the stairs are considered non-conforming on the Conditional Use form.

The Town Planner noted the form is filled out by the applicant. Hard surfaces placed flush to the ground have not been considered non-conforming in regards to setbacks. Driveways and sidewalks have been allowed with a zero setback. Stone walls and other fencing are not required to meet setbacks.

The VDRB reviewed Conditional Use criteria and Section 403 A.1 Riparian Water Quality with the applicant.

The VDRB agreed with the Conservation Commission's recommendation to approve the application as presented. The CC noted the additional plantings along the river bank would be a benefit to the health of the riparian buffer, the placement of granite pavers would not have a negative impact on the riparian buffer and the loss of impervious area is offset by the numerous plantings proposed.

Testimony was voted close.

### **III. OTHER BUSINESS**

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

The report was issued.

### **IV. DELIBERATIONS**

#### **A. V-3359-18 Charles and Charity Lee**

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

1. The VDRB reviewed numerous site maps and landscaping plans.
2. The Town Planner presented an orthophoto of the property. Over 80% of the entire parcel is located within the 100' riparian buffer. The property measures +/- 120' from edge of Kedron Brook to the street right-of-way line. The western property line runs 120' along the Kedron Brook.
3. A photograph showing the rear yard taken from across the Kedron Brook was presented. Two changes in grade areas were noted, the edge of the lawn where it drops down into the brook and the rear of the home with the walkout basement.
4. The applicant wishes to create access to rear yard and to stabilize the river bank which is eroding. Granite stairs would be placed for access and numerous plantings would be placed for river bank stabilization.
5. Ms. Lee presented the access portion of the application. Granite steps would be placed along both sides of the home. The front lawn is approximately 10' higher than the rear yard. The bottom floor is a walk out basement. Ten linear feet of stairs are proposed

- for the north side. The south side has more steps and a gentler slope from the front driveway to the rear patio area. The installation would be broken up by large grass landings between steps.
6. Mr. Wunderle reviewed the sectional profiles of the stairs. The proposed grade changes will be made to the minimum extent possible. This will help maintain the existing slope and will reduce required excavation which in turn reduces stormwater impacts.
  7. Granite pavers would also be added to the rear southwest corner of the home. Again there are large areas of pervious landings planned between steps. A propane tank would be relocated further from the building and would be replaced by an underground unit.
  8. The driveway/parking area would be enlarged 3' toward the south. Since some of the work will take place in the 25' street right-of-way, a permit from the Board of Trustees would be required.
  9. Mr. Wunderle presented and reviewed a list of plantings proposed for the side and rear yards.
  10. Numerous plantings are planned due north of north side steps and in the southwest corner near the home. The plantings would provide a natural absorption area for rain water runoff and would offset the addition of the pavers. Many of the plantings are shrub-like such as witch-hazel and rhododendron.
  11. The current rear yard is mowed to the top of the Kedron Brook bank.
  12. Along the edge of the brook, the owner proposes planting a 50' long section of shrubs and other plants. The plantings are meant to be natural looking and would be taller on north and south edges and shorter in the middle. The owners wish to maintain views across the brook.
  13. The major purpose is to plant on the bank to reinforce the soil and to prevent erosion. The bank is steep and drops approximately 4' to a lower platform and then directly to the brook. Plantings would not be placed on the lower platform area near the water. A biodegradable netting would be used to hold plants in place. The netting degrades within a year, which would allow time for the root structures to develop. The netting would be held in place with sticks driven into the bank. No stones or other hard objects would be used to secure the netting.
  14. All plants were chosen for their water tolerance and ability to create a good root structure, all good qualities for riparian vegetation. Many plants are multi stemmed and will generate growth from their root extensions.
  15. The intent is to let the plants take over and not to create a formal garden area. The plants are also chosen to attract birds, bees and other wildlife.
  16. There would be no excavation along the river edge or in the bank area. A small amount of soil may be added to promote growth. An excavator may be used to help the planting process but the base of the machine would stay well back from the steep sloped area.
  17. There would be no additional exterior lighting. Handrails are not required.
  18. The VDRB reviewed Conditional Use criteria and Section 403 A.1 Riparian Water Quality with the applicant.

19. The VDRB agreed with the Conservation Commission's recommendation to approve the application as presented. The CC noted the additional plantings along the river bank would be a benefit to the health of the riparian buffer, the placement of granite pavers would not have a negative impact on the riparian buffer and the loss of impervious area is offset by the numerous plantings proposed.

**After further discussion, Ms. Cole moved with a second by Ms. Spector to approve the application with the following condition:**

1. **A permit is required from the Board of Trustees before driveway work is completed in the Village street right-of-way.**

**The motion was approved with a 5-0 vote.**

**V. NEXT MEETINGS**

The next VDRB meeting is scheduled for March 28, 2018, as there are no applications on deck for the March 14, 2018 date.

**VI. APPROVAL OF MINUTES**

The minutes of January 24, 2017 were approved as submitted.

**VII. ADJOURNMENT**

The Board adjourned at 8:15 p.m.

Respectfully submitted,

Michael Brands, AICP  
Town Planner