Woodstock, Vermont *The Shire Town of Windsor County*

TOWN-VILLAGE MANAGER GOVERNMENT

Town Hall • P.O. Box 488 • Woodstock, Vermont 05091 • 802/457-3456

TOWN DEVELOPMENT REVIEW BOARD
Draft Minutes
December 7, 2018

MEMBERS PRESENT:	Frederick Hunt, Charles Wilson, Kim French
MEMBERS ABSENT:	Don Bourdon, Ingrid Moulton Nichols
OTHERS PRESENT:	Michael Brands

I. CALL TO ORDER

Vice-Chair Hunt called the meeting to order at 2:00 p.m.

The November 27, 2018 meeting was cancelled due to lack of power caused by a snow and ice storm.

The applications (T-4869-18 & T-4875-18) from the November meeting will be heard at the December 18, 2018 meeting.

II. APPROVAL OF MINUTES

The approval of the October 23, 2018 minutes was continued.

III. PUBLIC HEARINGS

A. Old Business: None

B. New Business: None

IV. OTHER BUSINESS

A. Zoning Officer's Report

The Administrative Officer presented the report.

V. DELIBERATIONS

A. T-4776-17 Ralph Eames

After a lengthy discussion, deliberations were continued.

1. On September 27, 2017, the Town Planner sent a Notice of Violation to the applicant due to violation of Section 518 Landscaping and Grading.
2. Per Section 518 Landscaping/Grading a Conditional Use permit is required for any addition, removal or redistribution of soil in excess of 5,000 square feet. Additionally, erosion shall be prevented from entering a neighboring property.
3. The applicant owns a construction company, Upland Construction. An office, garage and construction yard are located on the 0.8 acre parcel with direct access off of Route 4.
4. In the summer of 2017, fill and debris from the Mascoma Bank construction site in the Village were added and graded to a 5000 sq. ft. area along the west and south sides of the applicant's building. The applicant estimated that five to six dump truck loads were unloaded. The site was mulched and grass seed was planted. Erosion has occurred as the bank facing the west which is very steep.

5. During a site visit held December 5, 2017, the TDRB noted numerous stones, particles of asphalt and concrete, and other debris had rolled down onto the abutting property. In addition, there was strong evidence of stormwater sediment on the abutting property. The abutter's property is approximately 15' lower than the applicant's property.
6. On March 12, 2018, Chair Bourdon signed a memorandum of recess, that continued the application with 5 requests: 1) an erosion control plan, 2) a before and after plan, 3) a bank stabilization plan, 4) a remediation plan and 5) a report regarding water and soil deposition onto abutting properties.
7. At the April 24, 2018, hearing the applicant was represented by an attorney. The applicant claimed the land in question measured less than 5,000 square feet therefore did not require a conditional use hearing. 5,000 square feet is the threshold for a conditional use review.
8. The neighbors felt the area of impact measured more than 5,000 square feet.
9. In the summer of 2018, construction materials and other inorganic items were removed to comply with the State's Waste Management program.
10. On October 18, 2018, the TDRB conducted a site visit to the applicant's property to view the remediation done over the summer. Hazardous materials were removed from the site and riprap was added to the sloped area to better control stormwater runoff.

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

1. All debris resulting from the 2017 incident discussed above shall be removed from abutters' property with the landowners' permission.
2. All erosion and storm water runoff issues resulting from the 2017 incident discussed above shall cease by June 1, 2019.

The motion passed with a 3-0 vote.

VI. NEXT MEETING

The next TDRB meeting is scheduled for December 18, 2018.

VII. ADJOURNMENT

The TDRB adjourned at 2:30 p.m.

Respectfully submitted,

Michael E. Brands, AICP
Town Planner