



*Woodstock, Vermont* *The Shire Town of Windsor County*

TOWN-VILLAGE MANAGER GOVERNMENT

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

**VILLAGE DEVELOPMENT REVIEW BOARD  
DRAFT MINUTES  
January 9, 2019**

**PRESENT:** Randy Mayhew, Wendy Spector, Keri Cole, Elizabeth Daniels  
**ABSENT:** Jane Soule  
**ALSO PRESENT:** John King, Greg McKinney, Christopher Lloyd, Vassie Sinopoulos, Tom Hayes, Laurie Marshall, Michael Brands

**I. CALL TO ORDER**

The meeting was called to order at 7:35 p.m.

**II. PUBLIC HEARINGS**

**A. Old Business**

**1. V-3419-18 John & Karen King**

The application is for Conditional Use and Site Plan approval to construct additional duplex on east side of property. The property is located at 25 Lincoln Street and zoned Residential High Density.

The application had been continued from the December 12, 2018 VDRB meeting to receive recommendations from the Town Manager and the Fire Chief.

Mr. King presented the application. Mr. McKinney, engineer, assisted the presentation.

Mr. King showed the VDRB the Highway Access permit issued by Town Manager on January 9, 2019 to expand driveway width to 20' and to place a swale at driveway entrance. The permit is required for any work within the 25' street right of way.

Last summer the ditches along the south side of the street were cleaned by the Town's highway crew.

The originally proposed bump to direct stormwater flow at bottom of driveway was changed to a swale at the Town Manager's request. A new site plan showing this change was submitted on December 20, 2018.

The Fire Chief spoke with the Town Planner on December 14, 2018 to confirm the emergency access to the proposed site. The Fire Chief requires a 20' wide driveway and



that a minimum of 20' of space be retained between the proposed building and the existing residence of Mr. King. The site plan as submitted does conform to this request. Mr. Hayes, attorney for Mr. Lloyd and Ms. Sinopoulos, addressed the VDRB.

Section 611 Required Frontage on or Access to Public Roads states that no land development may be permitted if the finished grade of the proposed access exceeds a 10% slope.

The Town Manager per the Highway Access permit reviews only the portion of the driveway located within the street right of way, 25' from centerline. If the driveway/access was new, a -2% slope would be required. However, this is an existing grandfathered driveway, and therefore is exempt from meeting the negative slope requirement.

Mr. Hayes distributed a driveway profile prepared by his client's surveyor. The driveway averages 14%. The lower portion exceeds 22%. The upper section is essentially flat. Over one hundred feet of the driveway exceeds a 10% slope.

Mr. Hayes stated a grandfathered driveway does not make it a safe driveway.

A requirement of Section 709 Site Plan Review is to achieve maximum compatibility with adjacent property. In this regard the applicant is snow blowing snow onto the Lloyd property which should not be occurring.

Mr. Hayes felt the application did not meet the requirements of Section 709 B.2 concerning adequacy and safety of circulation, parking and loading. Section 710 Conditional Use also refers to access and circulation issues.

Section 710 A.2 character of the area has not been met as evidenced by the numerous letters from the neighbors. Four additional letters were received today. Not one neighbor has shown support for the application. The letters indicate concerns with safety, stormwater, narrow streets and character of neighborhood.

Ms. Sinopoulos addressed the VDRB. The applicant is overdeveloping his property with 6 residential units. No other property in the neighborhood has 6 units on it. All property should be treated equally under the regulations. The process started in August of 2017. A compromise was reached to allow two additional units in October 2017 which neighbors assumed was final. Now the original request is being resubmitted. The only work to vest the 2017 permit was to remove a few trees. No substantial progress has been made, therefore the 2017 permit should be considered null and void.

Ms. Sinopoulos continued. Stormwater issues abound on Lincoln Street due to steepness of Mt. Peg and area land. The Town should be required to take care of these obvious water issues. Both side streets, Ford and Stanton, are very steep and narrow.

Mr. Mayhew asked for a legal summary from the neighbor's attorney.

Mr. Hayes noted the driveway if new, would not be approved due to the 10% clause. The current driveway is far too steep. This causes stormwater runoff. A wider driveway will cause even more stormwater to flow. In the winter, safety issues are a concern with snow and ice on a steep surface. The additional traffic will not help. The regulations require a less than 10% slope.

Mr. Mayhew asked if Section 611 refers only to landlocked pieces.

Mr. Hayes felt no and referenced the phrase within the first sentence of Section 611, "no land development may be permitted" without meeting the following requirements which include the 10% slope limitation.

Ms. Sinopoulos added that the character of the neighborhood would be changed forever if the application is approved.

Ms. Marshall, Lincoln Street neighbor, is concerned with safety of neighbors, children and pets. Lincoln Street is a very narrow street and used by many pedestrians. This is especially true on a winter day like today with the street further narrowed due to snow banks. The proposed over development of the site will have a negative impact on the character of the area.

Mr. King responded. The driveway is grandfathered as is. The Fire Chief approved the access for emergency vehicles. The site would be improved with the addition of 61 trees. Stormwater containment would improve. The driveway would be increased to 20' wide, making it safer. Parking for the most part would be in the garages, with available adequate parking outside. His neighbors are also developers as they built numerous homes in the immediate area. The neighbor's surveyor measured his driveway at a time when Mr. King was not present and had no prior indication of the visit. Housing is a number one issue in Woodstock, we need more homes.

Mr. Mayhew asked Mr. King about the 10 % slope issue.

Mr. King stated the driveway is grandfathered and therefore exempt from the slope issue.

Ms. Marshall stated the Town needs affordable housing and not that proposed by Mr. King which is not affordable.

Mr. King felt the single bedroom unit could be considered affordable as it is in the \$300,000 range.

Testimony was voted close.

After a lengthy discussion, the VDRB agreed to hold the deliberations at the next meeting scheduled for February 23, 2019.

**B. New Business - None**

**III. OTHER BUSINESS**

**A. Administrative Officer's Report**

The report was issued and discussed.

**IV. DELIBERATIONS**

**A. V-3419-18 John & Karen King Continued**

**V. APPROVAL OF MINUTES**

The December 12, 2018 minutes were approved as submitted.

**VI. ADJOURNMENT**

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Michael E. Brands, AICP  
Town/Village Planner