

**VILLAGE DEVELOPMENT REVIEW BOARD
DRAFT MINUTES
January 23, 2019**

PRESENT: Randy Mayhew, Wendy Spector, Keri Cole, Elizabeth Daniels
ABSENT: Jane Soule
ALSO PRESENT: Paul Ramsey, Victoria Jas, Michael Brands

I. CALL TO ORDER

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

II. PUBLIC HEARINGS

A. Old Business - None

B. New Business

1. V-3422-18 Woodstock Resort Corporation

The application is for Conditional Use and Site Plan approval to add three additional tent events. The property is located at 14 The Green and zoned Inn.

Mr. Ramsey, Woodstock Inn manager, presented the application.

Zoning permit V-2670-10 allowed up to 15 tented events between May 1 and October 31 annually on the either front or back lawns of the Woodstock Inn.

The Inn would like to increase this by three events on the back lawn as they are currently booked for all 15 events for 2019. Three additional events would be manageable but more than that would create a burden on the facilities and staff. The additional events would be conducted in the same manner as the current 15 events.

The main issue of the events over the past few years has been sound and noise impacts on the neighbors.

Mr. Ramsey noted that not all bands are respectful of noise limits.

A third party, the Village Police Department, monitors sound levels at each event. The Inn also has a monitoring system. The police setup on Cross Street and the Inn personnel setup near the tented event. The police have the authority to stop the event if noise exceeds the 70 dbs. level.

Bands generally like to turn the sound up as the night goes on peaking at the 10:00 pm. closing time. Mr. Ramsey encourages the bands to start at a lower sound level and work their way up versus starting at the 70 dbs. level with no room to increase.

The sound within the tent reaches 100 dbs. To better control sound levels at the end of an evening, the staff have started closing various tent flaps to keep the exterior sound levels within the 70 dbs. level.

A typical peak in sound results from the voices of the crowd, usually at the end when celebrating the bride and groom. This is harder to control but generally lasts no longer than a few minutes.

Horns and similar instruments should not be electronically amplified.

There was one event on October 20, 2018 whereby the sound did get out of hand. The neighbors, the municipality and the police were also not notified of this specific event which was another issue addressed by the neighbors.

Spikes in sound monitoring have also been attributed to passing trucks.

Letters of concern were submitted by neighbors Robert Pear, Corwin Sharp and Arthur Sketcher. Mr. Mayhew read the end of Mr. Pear's letter which listed a number of recommended conditions. The neighbors noted support for Mr. Pear's list of conditions.

Ms. Jas, Cross Street resident, addressed the VDRB and submitted a letter. She agrees with Mr. Pear's letter. She had concerns with the October 20, 2018 noted above. As a neighbor, she prefers not to call the police. She'd rather handled matters directly with the Inn for immediate action.

A discussion of the police reports regarding noise monitoring indicated reports are sent only at the end of the year. The VDRB recommended that these should be sent at least monthly and suggested that they could be placed on the permit board at the town hall entrance as well.

The Town Planner noted that the Police Chief will discuss any noise violations with him on the Monday morning after an event should they occur.

The VDRB reviewed Sections 709 Site Plan Review and 710 Conditional Use with the applicant.

Testimony was voted close.

III. OTHER BUSINESS

A. Administrative Officer's Report

The report was issued and discussed.

IV. DELIBERATIONS

A. V-3419-18 John & Karen King

After discussion the following findings of fact were established:

1. The VDRB reviewed numerous elevations, floor plans, a site plan and a Conditional Use form.
2. On October 18, 2017, a permit was issued to construct a single building with two apartments on the southwest corner of the property. Although the original application was for two buildings with a total of 4 apartments, one building was withdrawn from the application at that time.
3. A second building with two residential units is requested. The building would be 12' 8" shorter than originally applied for. The west unit would be a 1 bedroom unit apartment with a 1 car garage.

4. The Fire Chief verbally approved the plan noting that fire trucks and ambulances would be able to access the site.
5. After review with the Town Manager, a swale at bottom of the driveway was agreed to. A stone lined swale along the west side of the driveway would be built to control stormwater runoff generated from the east side of the lot. Stormwater from the proposed building would flow to the west side of the property away from the driveway.
6. The proposed building would be setback 20' from the side and 35' from the rear, thus meeting required side (10') and rear (15') setbacks.
7. Drainage from the proposed building would drain west to the middle rain garden via gutters. This would then flow to a larger rain garden located further west and north of the permitted driveway. The slope between the street and the rain garden would be planted with 6 Crabapple trees and 3 Blue Spruce trees for additional water retention and erosion control.
8. Thirty-two trees have been cut, but will be replaced with 101 trees for a net gain of 63 trees. Norway Spruce were selected as they absorb water well and are suitable to the climate. They will be strategically placed for optimal water absorption and to help screen the building.
9. Each unit has wheeled containers for trash and recyclables, to be kept inside the garage until day of pickup. The waste and recycling company would back up the driveway to unload each container.
10. The four snow storage areas were shown in red on the site plan. The travel ways would be snow blown to remove snow.
11. The elevations and floorplans were reviewed. The intent is to create a Vermont vernacular style to blend in with the community. The Lincoln Street area was just added to Village Historic District in recognition of the area architecture.
12. The three story building meets the Zoning Regulation height limit of 35'. The building would be built into the hill, creating a story and a half look with dormers on the south/rear elevation. Each unit has a 15' x 16' south side stone patio with 2' retaining wall. The foundation/garage elevation would have a stone veneer siding. The building's siding would be clapboard. The roof would be asphalt shingles.
13. The east unit has a single bedroom and is valued at \$375k. There would be no elevator shaft, the 3 bedroom west unit would include an elevator shaft.
14. The property is zoned Residential High Density, a district which is meant to maximize space.
15. Exterior lighting would be fixtures recessed into the ceiling above the garage's shadow roof.
16. Neighbors expressed concerns with steepness of the driveway, stormwater, character of the area, street safety, over-development, and glare from additional traffic.
18. Attorney for Mr. Lloyd and Ms. Sinopoulos, questioned compliance with Section 611 as the driveway clearly does not meet the 10% standard. A surveyed section shows a 14% average slope over the first 150' of driveway.
19. The VDRB reviewed Sections 710 Conditional Use and 709 Site Plan Review with the applicant which is required for multi-family units.
20. The VDRB recognizes that the driveway does not meet the current standard in Section 611 of a 10% slope. However, the driveway was built years ago well before zoning regulations and is therefore declared to be grandfathered, an existing non-conformance. The property is too steep to reconfigure the driveway. The Fire Chief has visited the site and approves the proposed 20' width which will allow fire truck access. The Town Manager approves the driveway intersection with Lincoln Street with proposed swale and 20' width.

21. The VDRB in regards to the character of the area, noted the area is zoned High Density and as such is meant to accommodate more development in a smaller area. The proposed two unit structure in addition to other permitted development meets the standards of the district.
20. Stormwater concerns are addressed with rain gutter systems, rain gardens, and planned vegetation. The addition of impermeable areas should be mitigated by the placement of the stormwater control systems noted above.

After additional discussion, Ms. Cole moved with a second by Ms. Spector to approve the application as presented.

The motion passed with a 4-0 vote.

B. V-3422-18 Woodstock Resort Corporation

After discussion the following findings of fact were established:

1. Zoning permit V-2670-10 allowed up to 15 tented events between May 1 and October 31 annually on the either front or back lawns of the Woodstock Inn.
2. The Inn would like to increase this by three events as they are currently booked for all 15 events for 2019. They feel 3 additional events would be manageable but more than that would create a burden on their facilities and staff. The additional events would be conducted in the same manner and location as the current 15 events.
3. The main issue of the events over the past few years has been sound and noise impacts on the neighbors.
4. A third party, the Village Police Department, monitors sound levels at each event. The Inn also has a monitoring system. The police setup on Cross Street and the Inn personnel set up within the yard. The police have the authority to pull the plug if noise exceeds the 70 dbs. level.
5. Bands generally like to turn the sound up as the night goes on peaking at the 10:00 pm closing time. Mr. Ramsey encourages the bands to start at a lower sound level and work their way up versus starting at the 70 dbs. level with no room to increase.
6. The sound within the tent reaches 100 dbs. To better control sound levels at the end of an evening, the staff have started closing various tent flaps to keep the exterior sound levels within the 70 dbs. level to compensate for increasing sound levels.
7. A typical peak in sound results from the voices of the crowd, usually at the end when celebrating the bride and groom. This is harder to control but generally lasts no longer than a few minutes.
8. Horns and similar instruments should not be electronically amplified.
9. There was one event on October 20, 2018 whereby the sound did get out of hand. The neighbors, the municipality and the police were also not notified of this specific event which was another issue addressed by the neighbors.
10. Spikes in sound monitoring have also been attributed to passing trucks.
11. Letters of concern were submitted by neighbors Robert Pear, Corwin Sharp and Arthur Sketcher. Mr. Mayhew read the list of recommended conditions at the end of Mr. Pear's letter. The neighbors support Mr. Pear's list of conditions.
12. Ms. Jas, Cross Street resident, addressed the VDRB and submitted a letter. She agrees with Mr. Pear's letter. She had concerns with the October 20, 2018 noted above. As a neighbor, she prefers not to call the police. She'd rather handled matters directly with the Inn for immediate action.

13. The VDRB reviewed Sections 709 Site Plan Review and 710 Conditional Use with the applicant.

After additional discussion, Ms. Cole moved with a second by Ms. Spector to approve the application with the following conditions:

1. The applicant shall hire an independent third party to monitor sound levels for each outdoor event, a detailed written report for each event shall be submitted monthly by the first of the month with the P&Z office.
2. All outdoor events shall finish by 10:00 p.m.
3. Notification at the beginning of each season from the Inn shall be sent to the affected parties, P&Z, and Chief of Police regarding scheduled dates of events for the season and any added dates during the season.

The motion passed with a 4-0 vote.

V. APPROVAL OF MINUTES

The January 9, 2019 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