



Woodstock, Vermont *The Shire Town of Windsor County*

TOWN-VILLAGE MANAGER GOVERNMENT

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

**CONSERVATION COMMISSION
MINUTES
March 20, 2019**

MEMBERS PRESENT: Byron Quinn, Al Alessi, Bo Gibbs, Lynn Peterson, Cyndy Kozara, Bethany Powers, Howard Krum
MEMBERS ABSENT: None
OTHERS PRESENT: Brad Ruderman, Eric Sandy, Arnold Powell, Betty Powell, Ben Pauly, Jack Rossi, George Wohlgemuth, Michael Brands

I. OPENING OF MEETING

Chair Quinn opened the meeting at 7:00 p.m.

II. MINUTES

The February 20, 2019 minutes were approved as submitted.

III. OTHER BUSINESS

A. Chair Election

Chair Quinn called for nominations to the annual election of Chairperson. After a unanimous vote Mr. Alessi was elected as Chairperson.

Chair Alessi asked for nominations to be Vice-chairperson. Mr. Quinn and Mr. Klum were nominated. Mr. Quinn was elected Vice-chairperson.

IV. APPLICATION REVIEW

A. T-4890-19 Joseph & Sheri Fisch

Application is for Conditional Use approval to construct new home within the wetland buffer. The land is located at 345 Gabert Road and is zoned Residential Five Acre in a Conservation Overlay.

Mr. Ruderman, engineer/surveyor, and Mr. Sandy, Birdseye Builders, presented the application.

The CC reviewed site plans and building plans for the 6810 sf home.

The 22 acre parcel is complex due to being crossed by two streams and the presence of both Class II and Class III wetlands.



Michael Lew-Smith of Arrowwood Consultants visited the site to view a mapped vernal pool which had never been ground truthed. Mr. Lew-Smith determined the vernal pool not to be a vernal pool, thereby removing one critical element.

Rebecca Chalmers, the State's Wetland Expert, viewed the site due to the presence of Class II, state protected wetlands. Although the proposed siting of the home and driveway access were deemed to be outside of the State's 50' buffer review, Ms. Chalmers did discover two Class III wetlands. The 3000 sf of wetlands are located at the base of a hill just south of a stone wall which serves to separate field from forest. The home would be built immediately north of the stone wall.

The proposed house is located 18' and 23' from the edge of the two wetlands. The Town of Woodstock requires a 100' buffer from wetlands.

The two story concrete structure would be built into the hillside. The south building walls would be cantilevered over the site. This would be 40-50' excluding the support posts. There would be a crawl space but no basement. The roof overhang and upper walls would be 18' and 23' respectively from the edge of the wetlands.

The existing driveway which is built through a riparian area would access the home from the rear/northeast side of the home. The current hill is fairly steep. Significant excavation would have to take place to assure the driveway meets the 10% grade mandate.

Trees would be removed to place the house and driveway. Additional swale work would be required further up the hill to force stormwater away from the home and driveway. There was no design for stormwater control.

A State waste water permit has a septic system sited but not built further south in the field down from the small knoll. The knoll was the original home site when Fisch bought the property a year ago.

The current driveway may be widened.

To mitigate stormwater from entering the stream or the Class II wetlands, the driveway surface would be pitched to the west to have water flow away from the stream. The house would have a gutter system to channel water further west of the home away from the wetlands.

Chair Alessi noted that due to the topology of the hill, it appears stormwater would run directly into the Class III wetlands.

The Town Planner felt the Class III wetlands were located where they are due to the steep hill to the north and the knoll to the south which creates a swale like area between the two. He asked if construction equipment and the building process could avoid the wetland.

Mr. Sandy felt the contractors would be able to avoid working in the wetlands.

When asked if the house site could be moved further north up the hill and more distant from the wetland, the applicant noted the steepness of the hill makes it difficult to place the driveway that far up the hill.

Mr. Ruderman suggested the two wetlands were caused by left over wood chip piles as the site was logged. He felt the wetland had minimal function due to its location and status. The field has been mowed for many years.

The Town Planner noted that numerous wetlands under tree coverage have been found since the 2002 Arrowwood study. The study used aerial infrared photographs to find the wetlands via the color of the ground vegetation. Tree coverage did not allow the ground vegetation to be exposed. He felt the site was wooded during the period the photos were taken.

Mr. Ruderman noted there had been trees in the field before, they may have covered the wetlands during the original 2002 Arrowwood wetland study.

The Town Planner read the first sentence of Section 403 B.2.d. that states "The applicant shall prove that there is no other practical location on their property but that located within the buffer for the intended purposes.", noting that this is a high hurdle for approval.

The previous owner, Dugan, planned to build and located a viable house site before Fisch purchased the lot. The house location and septic field are both mapped on the site plan.

Mr. Sandy felt the house would be best placed on the edge of the wooded area to help screen it. The house was designed for a forested site and to blend into the trees.

The CC agreed the site is difficult due to the presence of wetlands and the steep slope on which the house would be located.

The Town Planner suggested continuing the hearing for a site visit once the snow melts. He asked that the house site be staked. There are numerous issues with stormwater runoff on such a steep slope.

The applicant agreed to postpone the hearing for a site visit.

After additional discussion, Ms. Powers motioned with a second by Mr. Quinn to continue the hearing to a site visit to be held April 12, 2019 at 1:00 pm.

The motion was passed with a 7-0 vote.

B. V-3437-19 11 The Green LLC

The application is for Design Review approval to install exterior lighting & A/C Unit and landscape within the Riparian zone. The property is located at 11 the Green and zoned Residential Low Density / Design Review.

Mr. Pauley, landscape architect, presented the application.

The CC reviewed before and after plans of the proposed landscaping and how it impacts the riparian buffer.

The plans include both a 50' buffer line and a 100' buffer line. The PC has agreed to change the zoning regulations from requiring a 100' buffer to a 50' buffer requirement, but the Zoning Regulation amendments have not yet been officially adopted. The 100' buffer line includes a portion of the home and most of the existing parking area.

The existing patio area directly behind the building would be replaced with a slightly larger patio. A propane fired fire pit would be placed in the northwest corner of the patio. Dry stone laid retaining walls would be 18" tall and would be placed around the patio edges. The patio would have a random cut blue stone surface.

There would be three 6' long stone steps down from the home to the patio. Four more stone steps would be placed at the north end of the stone wall to step down to a lawn area closer to river. Four additional steps would be placed in a second stone wall further north and closer to river. This leads to a second fire pit (wood fired) to be built flush to the ground.

North of the second fire pit would be a curved stone retaining wall. Beyond this, native plantings mainly grasses and shrubs (St. John's Wort and Black Choke Berry), would be planted. These plantings would serve as a filter for stormwater as it drains back towards the river.

The property is unique in that the river bank is nearly vertical. The lawn area is +/- 20' above the river surface. Tropical Storm Irene did not flood over the bank. The lawn areas are not in the FEMA regulated flood zones.

The area of change is currently lawn and gardens. Aside from the proposed patio expansion there would be two stone walls built with associated perennial gardens planted. The majority of the work would take place on the east side of the property behind the existing home.

A stone step path is planned from parking area to the main stone patio. The gravel surfaced parking area would remain as is.

The request would remove 1400 square feet of lawn. The regulations allow a 5% impervious surface. Within the 100' buffer area the impervious surface would be calculated to be 11.5%. Within the 50' buffer, the impervious surface would be calculated to be 1.5%.

Ms. Gibbs asked about the proposed grasses and how their root systems work.

Mr. Pauly noted all grasses are considered "bunching" grasses that will develop a strong root system.

Mr. Caduto asked about using hard pervious surfaces that would allow more percolation and about using native grasses.

Mr. Pauly noted he has used the prairie grasses with good success in other projects. No invasive species are to be planted. The blue stone surface would be random cut stone and placed over gravel allowing for some percolation.

After discussion, the CC recommended approval of the landscaping plan as presented.

IV. NEW BUSINESS

A. 15 Hathorn Hill Street - Swimming Pool within a Wetland Buffer

Mr. Rossi, landscape architect, and Mr. Wohlgemuth, landscaper, presented an informal discussion of a proposal to build an 18' x 40' pool within a wetland buffer. The 15 Hathorn Hill Street property is owned by Jeremy and Sherrie Delinsky. An application has not yet been filed.

The house was built approximately ten years ago. It is located 58' north of the pond. At the time of construction wetland buffers were 50'.

New owners wish to place a swimming pool between home and pond, which would fall within the wetland buffer.

The intent is to place the pool with minimum impact to the pond or the wooded areas along the pond. The current location was chosen to avoid removal of additional trees. The pool surface would be 7' above the pond and 18' to 20' feet away from the pond.

The owners are waiting for snow melt to determine the exact location. Snow melt would also reveal any wetland soils that may exist. A wetland delineator would review the site.

The Town Planner asked about pool maintenance and how that may impact the pond. The owners will contact the pool installers for more details on pool maintenance.

The CC agreed that it would be best to wait for snow melt to have a better understanding of the site. The CC will continue the request to the April 17, 2019 meeting. The CC was welcomed to visit the site, Mr. Rossi will stake the four corners of the swimming pool and will inform the Town Planner when the snow has melted.

IV. OLD BUSINESS

A. Town Plan Update - Forestry/Wildlife Corridors

There is no change from the information presented by the Town Planner at the January 16, 2019 meeting. The Planning Commission is still preparing additional amendments for the Town Plan.

B. Plastic Bag Ban

Michael Caduto, director of Sustainable Woodstock, gave an update on the plastic bag ban. A proposal has been submitted to the EDC to purchase re-useable bags at \$6 a bag. The EDC has not yet taken action on the request. Mr. Caduto tried to establish contact with Mac Markets in Rutland, but has not heard back. Chair Alessi noted he would try to contact Butch Wardwell, the Woodstock store manager. The State Senate has passed the State wide ban legislation, but the House needs to vote on the issue. Change the World kids will be sending a survey around to local businesses in the near future.

C. Carbon Sequestration

Mr. Peterson presented a brief update on Carbon Sequestration. He and Mr. Quinn attended the most recent meeting this past Monday. Dartmouth College is will be sending post-doctoral candidates to help with the Woodstock carbon sequestration project. The students will be fulfilling an education mandate by working with the local group. The State Forestry Department has noted interest in the project. The key is to tie the traditional local forestry economy into the Carbon Sequestration equation. A group, North East Environmental Trust, is attempting to purchase a 350 acre site in Bridgewater for maintenance as an old growth forest. This type use does not adequately address the local forest economy which needs a managed forests where trees are harvested and lumber is sold. Few jobs are created via an old growth scenario.

Mr. Caduto is also looking for a funding source to produce a +/- 75 page brochure on the subject.

V. NEXT MEETING

The next meeting is scheduled for April 17, 2019.

VI. ADJOURNMENT

The meeting was adjourned at 8:50 p.m.

Submitted by,

Michael Brands, AICP
Town Planner