

**WOODSTOCK CONSERVATION COMMISSION**  
**MEETING MINUTES**  
**April 17, 2019**

**MEMBERS PRESENT:** Byron Quinn, Al Alessi, Lynn Peterson, Howard Krum  
**MEMBERS ABSENT:** Bo Gibbs, Cyndy Kozara, Bethany Powers  
**OTHERS PRESENT:** Eric Sandy, Brad Ruderman, Brian Mac, Jeff Kamuda, David Kenyon,  
Keith Wagner, Carol Whitney, Adam Morse, Bruce Franzen, Anne  
Marie Harris, Vern Harris, P. Breuleux, Cyrus Benoit, Michael Brands

**I. OPENING OF MEETING**

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

**II. MINUTES**

The March 20, 2019 minutes were approved as submitted.

**III. 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.

A team of six presenters from Birdseye Construction submitted the application.

Owners of the property wish to construct a 6810 square foot home, including two car garage into side hill, just above and within the 100' buffer of two Class III wetlands.

The hearing was continued from the March 20, 2019 CC meeting to allow time for a site visit.

Chair Alessi, Vice-chair Quinn and Town Planner attended a site visit earlier in the day at 4:00 pm with the six presenters. The site visit had originally been scheduled for Friday April 11, but due to snow cover had been changed.

The two Class III wetlands located closest to the proposed home were viewed. Both are small, combined surface area is 2,700 square feet. The smaller wetland is 40' long and the larger is 80' long. There was no evidence of wildlife habitat within the wetlands. Both wetlands had dried out cattails (left over from last year), an indicator of wetland presence. There is no squishy surface or noticeable amounts of water within the wetland areas. The larger wetland is located slightly west of the site.

Mr. Ruderman felt the two wetlands were created by previous logging operations.

Mr. Quinn asked if it was possible to move the house site back 20-30 feet to give little more space between the wetland and the home. The regulations require a 100' buffer. The proposed buffer is 21' and 25' from the edge of a cantilevered structure. The south portion of the structure rests on cement columns and is open underneath. The distance between the cement support wall and each wetland is 50'.

The design is meant to have a minimal impact on the wetlands as most of the home is built on piers with the floor areas placed well above the ground. All roof runoff would be directed away from the wetlands.

The natural drainage pattern causes stormwater to flow either east or west, away from the home site. Remaining stormwater runoff down the hill would be directed west once it hits the stone wall.

The home site allows preservation of the open meadow. The front of the home would be directly in line with the stone wall, placed at the edge of the wooded area. The intent is to preserve as many trees as possible to create a wooded lot environment.

Mr. Mac noted that moving the home back and up the hill would create a longer driveway higher up the hill thus making it difficult to meet the required 10% grade. Additionally, it would be more difficult to keep stormwater from flowing into the main brook and Class II wetlands located east of the site.

Placing the home higher on the hill would make it more visible from Gabert Road, which is not the home owner's desire.

During the past month, the company has restudied the site to see if there was a better location to reduce environmental impacts. It was determined that the proposed site is the best site to reduce impacts to both riparian and wetland buffer areas as well as maintain an open field.

Being so close to the wetland, construction mitigation was requested. The applicant noted they could take measures to assure the buffer area is not compacted during construction and that the wetlands would not be impacted.

Mr. Alessi asked about a swale/rivulet which runs east of and close to the proposed driveway and leads into the main brook.

The swale/rivulet was built during logging operations to keep storm water off of the logging road. The lower portion of the logging road would be rebuilt as the driveway. The swale would be maintained as is.

The driveway would be re-excavated to assure a 10% slope. Final grading (hard pack) would pitch the road surface towards the west to drain away from the main Class II wetlands. Stormwater would run west along the stone wall to exit west of the Class III wetlands.

Two biologists, Arrowwood Associates in 2017, and Errol Briggs in 2015 visited the site and did not flag the two Class III wetlands. Due to the presence of cattails, Mr. Ruderman had the wetlands reviewed by the State Wetland Biologist, Rebecca Chalmers on October 19, 2018.

The CC reviewed Ms. Chalmers report. She determined the two wetlands to be Class III wetlands. The wetlands were mapped. The State does not rule on Class III wetlands and therefore did not take any action. The wetlands are not listed on the Town's Official wetlands maps, which were originally created by Arrowwood Associates in 2002.

All CC members agreed the Class III wetlands are very small in size with limited wetland functions. There was no standing water and no wildlife habitat visible during the site visit. The wetlands do not connect with the larger Class II wetlands to the east of the brook. The wetlands drain directly west of the site.

Mr. Quinn appreciated the fact that the building would be placed on the edge of the woods and not in an open field.

The landowner needs to take extreme caution when building near the wetlands to reduce compaction of soils. All stormwater should be directed away from the wetlands. The driveway needs to drain away from the Class II wetlands.

Ms. Kozara voted via email to deny the application as the regulations Section 403 B.2.d. do not allow building in a wetland buffer when one has other on site locations.

After deliberations, Mr. Alessi motioned with a second by Mr. Peterson to recommend approval of the application with the following conditions:

1. During construction of home the compaction within the Class III buffer area shall be kept to the minimum possible.
2. Stormwater drainage from the driveway shall flow west away from the Class II wetlands and the brook.
3. Stormwater runoff from the home shall be directed west.

The motion passed with a 4-0 vote.

**B. T-4894-19 Carol Whitney**

Application is for Conditional Use approval to replace existing garage and shed with new garage within riparian and flood hazard zone. The land is located at 82 Butternut Lane and is zoned Residential Low Density/Conservation/Flood Hazard.

Ms. Whitney and Mr. Morse, engineer, presented the application.

The CC reviewed photographs, site plans and proposed building design.

An old garage and attached shed building would be removed. A new smaller two car garage would be built further north and east. Intent is to bring the garage into compliance with the flood plain requirements, the floor shall be 1 foot above base flood level.

The placement of the new garage would be 25' east of current location, closer to the home where sheds had been located. This opens up 25' of riparian buffer area which would be planted with grass seed to create a lawn area.

Both driveway and garage site would be built up to elevate them above the flood plain. The former owner had dug out the driveway area years ago to facilitate placement of sheds and garage. Five feet of fill would be added to the driveway to bring the proposed garage into compliance with the flood plain.

The existing stone wall would remain. The stone wall currently serves as a foundation for the existing garage.

A photograph of the April 15, 2019 2" rain event, shows the brook running along the stone wall, just inches from the top of the wall.

The CC agreed removing the former garage and shed would allow an expanded riparian area. This will serve to enhance the riparian buffer.

After discussion, Mr. Peterson motioned with a second by Mr. Krum to recommend approval as presented. The motion passed with a 4-0.

**C. T-4895-19 Stacie and Keith Pearson**

Application is for Conditional Use approval to bury powerlines within riparian buffer zone. The land is located at 1509 Old River Road and is zoned Residential Five Acre in a Conservation Overlay.

Mr. Benoit, engineer, presented the application.

The CC reviewed site plans for the requested work.

The property owner wishes to remove existing utility poles and bury electrical, TV/internet cable and telephone lines that run along their Old River Road frontage.

Four conduits (one extra) would be encased in 6" of cement and buried 42" under the stream bank.

No trees or shrubs would be removed from the riparian area.

Mr. Benoit has contacted both State Stream bank officials and Green Mountain Power to assure proper placement of cables. An official from Green Mountain Power would be present during installation.

The lines would be buried 90' off of the centerline of the road, well out of the Town road 25' right of way.

The entire process should be completed over the course of the summer. The stream would be diverted from its bank for three days. This is required to limit potential erosion into the stream water.

The area would be reseeded according to State riparian buffer standards.

All natural materials to be used in construction aside from the concrete encasement. The removed stone, sand and gravel would be replaced as is. No additional materials should be needed. No fabrics or other manmade materials would be used.

After discussion, Mr. Peterson motioned with a second by Mr. Quinn to recommend approval as presented. The motion passed with a 4-0 vote.

#### **IV. NEW BUSINESS**

##### **A. Informal Discussion**

##### **1. 15 Hathorn Hill Street - Swimming Pool within a Wetland Buffer**

The request is on hold awaiting soil tests to determine wetland presence.

#### **IV. OLD BUSINESS**

##### **A. Town Plan Update - Forestry/Wildlife Corridors**

The Planning Commission is almost ready to hold a public hearing on the proposed Town Plan update. It would include a new Energy Chapter, information on forest fragmentation and wildlife corridors, and a new section on the municipal capital budget. The PC is also rewriting the Education chapter.

##### **B. Plastic Bag Ban**

There was no additional information concerning the plastic bag ban. Mr. Alessi will contact Mr. Wardwell, the local manager of Mac's Market, to feel out the store's thoughts on a plastic bag ban.

##### **C. Carbon Sequestration**

Mr. Peterson presented a brief update on Carbon Sequestration. The group met this past Monday evening. Zach Ralph presented the program's concept to 30 Dartmouth forestry students. Of these 10 students opted to participate in the program. The State Forest Parks and Recreations agency appears to be in favor allowing portions of the Coolidge State Forest to be used for testing carbon sequestration practices. A poster to support carbon sequestration is being created.

#### **V. OTHER BUSINESS**

##### **A. Billings Farm Dam**

Mr. Alessi noted concerns with Sunday/Monday's rain event whereby 2 inches of rain fell in the area. Numerous homes along Route 12 and Stage Road north of the Billings Farm dam suffered water in their basements. He wondered whether removing the dam would lessen potential flooding as the water would be allowed to flow through and not be stopped at the dam site.

The Town Planner suggested contacting the Billings Farm people to see if there have been issues historically and if the issue has had prior study. The dam is a historic site and had been used as an electrical generation site in the early 20<sup>th</sup> century.

##### **B. River Walk Loop**

Mr. Alessi discussed the River Walk Loop, starting at the East End Park heading east along the river and returning along Maxham Meadow Way. A grant has been awarded to the EDC to redesign a 2000 plan for the walk. The same landscape architect, Robert White, was awarded the

contract. A walk with Mr. White and other interested persons is scheduled for April 24<sup>th</sup>. Mr. Alessi invited the CC to attend and to be part of the process.

**V. NEXT MEETING**

The next meeting is scheduled for May 15, 2019.

**VI. ADJOURNMENT**

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

Submitted by,

Michael Brands, AICP  
Town Planner