

**VILLAGE DEVELOPMENT REVIEW BOARD
WOODSTOCK TOWN HALL
31 THE GREEN
October 23, 2019
DRAFT MINUTES**

MEMBERS PRESENT: Jane Soule, Wendy Spector, *Keri Cole
MEMBERS ABSENT: Randy Mayhew, One Vacancy
OTHERS PRESENT: Arthur Norton, Eric Thompson, Eldon Thompson, Mark Hall, Michael Brands

* Via Telephone

I. CALL TO ORDER

Chair Soule called the meeting to order at 7:30 pm.

II. PUBLIC HEARING

A. OLD BUSINESS

1. V-3487-19 DAL, LLC / Mon Vert Café

The application is for Design Review Approval to amend permit#V-3458-17 to relocate heat pump and renovate doors on rear building. The property is located at 28 Central Street and is zoned Residential Central Commercial/Design Review.

There was no one present to submit the application. The application was continued.

2. V-3493-19 Alexandra and Arthur Norton

The application is for Conditional Use approval to request waiver of fence height for side and rear yards. The property is located at 8 Linden Hill and zoned Residential Medium Density.

Mr. Norton presented the application.

Application had been continued to allow time for a site visit which was conducted on October 15, 2019.

Ms. Spector noted the taller rear fence is not an issue as it faces a very steep grade with no near neighbors and is not viewable by the public.

However, the side fence does not meet the “special circumstance” clause of Section 513 Fences. The mature hemlocks create their own screening, especially higher up. A 6' fence would fill in the lower areas where the trees lack branches. Additionally, the Norton property is higher in grade than the neighbors. This would make the fence, from the neighbor’s side appear extremely tall.

Chair Soule agreed with Ms. Spector’s comments.

Mr. Norton stated the fence is mainly for aesthetics. Also, the neighbor's second floor rooms look down on his property.

Ms. Cole is not opposed by the idea of a taller fence but is concerned with the potential precedent of allowing taller fences without evidence of "special circumstances". The VDRB needs to follow the regulations as written.

The VDRB reviewed Sections 513 Fences and 810 Conditional Use criteria with the applicant.

Testimony was voted close.

3. V-3495-19 El-Kam Realty

The application is to obtain Design Review Approval to replace existing window with door. The property is located at 1 The Green and zoned Central Commercial/Design Review.

There was no one present to represent the applicant; therefore, the application is continued.

B. NEW BUSINESS

1. V-3497-19 Zach's Place

The application is for Design Review approval to replace existing window with French doors on west side of building. The property is located at 73 Central Street and zoned Central Commercial / Design Review.

The permit was issued administratively per Design Review Board recommendation that the application be considered a minor application.

B. V-3501-19 Mark Hall/Maryse Brand

The application is for Design Review Approval to install two fences. The property is located at 27 The Green and zoned Residential Low Density/Design Review.

Mr. Hall presented the application.

The VDRB reviewed numerous photographs and a site plan of the proposed fences.

The owners need a fence to protect their young children, 2 and 3 years old. The plan is to fence off the rear portion of the property, which is currently driveway area.

A 3' tall black aluminum fence would be placed along the rear to protect one from the steep bank of the river. The fence has a series of vertical bars that allow views through it. The fence would be 26' long (5' section, 4' gate, 17' section - west to east). There would be a short return to the

garage on the west end. The fence would be similar to the one placed on the riverbank at 11 The Green. The owners desire the flush bottom version.

Along the rear of the east side (37') and across the driveway (13') a 56" tall wood stockade privacy fence with a 16" lattice topper is proposed. Total height is 6'. The fence would cross the driveway tying into a rear corner of the house (4' section, 4' gate and 5' section).

The neighbors to the east have a picket fence along the front portion of the driveway.

The applicant agreed to paint the stockade fence white.

The VDRB read the Design Review Board's recommendation to approve as presented.

Testimony was voted close.

C. V-3502-19 Mary & Mark Franco

The application is to obtain Design Review Approval to install two exterior mounted A/C units. The property is located at 5 School Street and zoned Residential Medium Density / Design Review.

Mr. Thompson presented the application.

The VDRB reviewed numerous photographs and a site plan of proposed condensers.

The A/C condenser and associated tubing would be placed on the southeast side of home.

The owner proposes 2 Mitsubishi A/C condensers to be ground mounted at the rear of home. The units are fairly small measuring 32" x 9" x 12" each.

The associated tubing would run horizontally along the baseboard and vertically along the edge of the window trim to make it less noticeable.

The vertical tube serving the first floor kitchen would be placed along the street side of the rearmost window.

The vertical tube serving the upstairs bedroom would run along the back side of the middle double window.

The tubing would be painted the same color as the clapboard siding.

A white picket fence matching the existing fence would enclose and screen the two condensers.

The neighbor's home is close, creating a narrow viewpoint from the street. The side yard is planted with numerous shrubs and flowers, creating additional screening.

The VDRB read the Design Review Board's recommendation to approve as presented.

Testimony was voted close.

III. OTHER BUSINESS

1. Zoning Officer's Report

IV. DELIBERATIONS

A. V-3487-19 DAL, LLC / Mon Vert Café Continued

B. V-3493-19 Norton

After discussion the following findings of fact were established:

1. Numerous photographs and a site plan were reviewed. Three sections (15'-18' long) of fence are proposed.
2. The owner is requesting an exemption due to special circumstances per Section 513 Fences. The regulations limit fence height to 6' inside and rear yards. The proposed fence would be a 6' board-on-board fence with a 1' lattice topper, creating a 7' tall fence.
3. Two sections of fence are planned for the rear yard. The rear yard drops off severely to the east. The fence would be seen only by the homeowner.
4. A sideyard fence would be placed just inside a line of large mature hemlocks. The fence would start at the southeast corner at the rear of the garage. It would be visible by the neighbor and mostly hidden from public view by the garage. A gate is proposed for access to the neighbor.
5. The applicant feels board-on-board fence is not aesthetic, the lattice topper makes it more neighborly and more pleasant to look at.
6. The owner stated the special circumstances are 1) the rear yard's steepness and lack of visibility and 2) the fence with the lattice topper is more pleasant to look at.
7. A site visit was conducted on October 15, 2019.
8. The VDRB agreed the taller rear fence is not an issue as it faces a very steep grade with no near neighbors and is not viewable by the public. However, the side fence does not meet the "special circumstance" clause of Section 513 Fences. The mature hemlocks create their own screening, especially higher up. A 6' fence would fill in the lower areas where the trees lack branches. Additionally, the Norton property is higher in grade than the neighbors. This would make the fence, from the neighbor's side appear extremely tall.
9. The VDRB reviewed Sections 513 Fences and 810 Conditional Use criteria with the applicant.

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

1. The side yard fence shall be no taller than 6' per regulation.

The motion was approved with a 3-0 vote.

C. V-3495-19 El-Kam Realty Continued

D. V-3497-19 Zach's Place

Approved as a Minor Application

E. V-3501-19 Hall/Brand

After discussion the following findings of fact were established:

1. The VDRB reviewed numerous photographs and a site plan of the proposed fences.
2. The owners need a fence to protect their young children, 2 and 3 years old. The plan is to fence off the rear portion of the property, which is currently driveway area.
3. A 3' tall black aluminum fence would be placed along the rear to protect one from the steep bank of the river. The fence has a series of vertical bars that allow views through it. The fence would be 26' long (5' section, 4' gate, 17' section - west to east). There would be a short return to the garage on the west end. The fence would be similar to the one placed on the riverbank at 11 The Green. The owners desire the flush bottom version.
4. Along the rear of the east side (37') and across the driveway (13') a 56" tall wood stockade privacy fence with a 16" lattice topper is proposed. Total height is 6'. The fence would cross the driveway tying into a rear corner of the house (4' section, 4' gate and 5' section).
5. The neighbors to the east have a picket fence along the front portion of the driveway.
6. The applicant agreed to paint the stockade fence white.
7. The VDRB read the Design Review Board's recommendation to approve as presented.

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

The motion was approved with a 3-0 vote.

F. V-3493-19 Franco

After discussion the following findings of fact were established:

1. The VDRB reviewed numerous photographs and a site plan of proposed condensers.
2. The A/C condenser and associated tubing would be placed on the southeast side of home.
3. The owner proposes 2 Mitsubishi A/C condensers to be ground mounted at the rear of home. The units are fairly small measuring 32"x 9"x 12" each.
4. The associated tubing would run horizontally along the baseboard and vertically along the edge of the window trim to make it less noticeable.
5. The vertical tube serving the first floor kitchen would be placed along the street side of the rearmost window.
6. The vertical tube serving the upstairs bedroom would run along the back side of the middle double window.
7. The tubing would be painted the same color as the clapboard siding.
8. A white picket fence matching the existing fence would enclose and screen the two condensers.
9. The neighbor's home is close, creating a narrow viewpoint from the street. The side yard is planted with numerous shrubs and flowers, creating additional screening.
10. The VDRB read the Design Review Board's recommendation to approve as presented.

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

The motion was approved with a 3-0 vote.

IV. APPROVAL OF MINUTES

The minutes of October 9, 2019 were approved as submitted.

V. NEXT MEETING

The next VDRB meeting will be November 13, 2019.

The Town Planner will not be present.

The VDRB prefers not to meet on November 27, 2019, Thanksgiving eve.

VI. ADJOURNMENT

The meeting was adjourned at 8:30 pm.

Respectfully submitted,

Michael E. Brands, AICP
Town Planner