

CONSERVATION COMMISSION
November 20, 2019
DRAFT MINUTES

MEMBERS PRESENT: Al Alessi, Byron Quinn, Bo Gibbs, Cyndy Kozara, Howard Krum
MEMBERS ABSENT: Lynn Peterson, Bethany Powers
OTHERS PRESENT: Pritam Singh, Simran Johnston, Catherine Harwood, Ellen Tully,
Joseph Hendrick, Jeremy Delinsky, Jack Rossi, George Wohlgemuth,
Michael Brands

I. OPENING OF MEETING

The meeting opened at 7:00 p.m.

II. MINUTES

The minutes of October 16, 2019 were approved as submitted.

III. APPLICATION

A. T-4975-19 Kedron Valley Farm

The application is for Conditional Use approval to construct gravel parking lot and driveway within 100' of a wetland and to encapsulate a stream within the riparian buffer. The property is located at 5798 South Road and zoned Residential Five Acre / Conservation.

Mr. Singh and Ms. Johnston owners of the property presented the application.

The CC reviewed numerous photographs, a site plan and a map of the wetland.

The 15,700 square foot pond was handmade sometime in the 1980s. The drainage out of the pond is a straight ditch. It was handmade and was not created by natural forces.

The farm fields near the road are very fertile, with 6' - 8' of topsoil. The fields are not considered wetlands, only the pond is a wetland per the Critical Areas Map.

The pond is mapped as a wetland as all ponds in Woodstock are. There is not an abundance of wetland vegetation near the buffer. There is plenty of vegetation around the pond, trees and shrubs. There is no intent to remove any of the existing vegetation.

Wildflowers with a heavy dose of sunflowers were planted in the field to the east of the driveway entrance. These are meant to feed the birds and other wildlife.

A 130' x 33' parking lot and associated 18' wide driveway was constructed last June. This would hold up to 14 vehicles. Parking is meant to be used by farm visitors.

In June, the contractor dug up the field and placed a parking lot without contacting the P&Z office first. Once notified by the Town Planner, no additional work has occurred since. The contractor dug up soil, laid a membrane down and placed hard pack and gravel to create a parking lot and driveway. The stream was encapsulated within buried culverts from the pond to Route 106.

The driveway location on Route 106 was approved by the AOT. The State Stream Bank Alteration officials approved the encapsulation as they have the stream listed as manmade.

The parking lot is 75' from the edge of the wetland, 100' is required.

The use is considered agriculture. The Department of Agriculture requires a 50' riparian buffer along streams and rivers. However, they leave the review of wetland impacts to the local municipalities.

The pond was most likely placed in a very wet area, as there is a large watershed to the north feeding it.

The parking lot was placed on the front of the property for visual purposes. It serves as easy access for visitors visiting the farm. The field in front is a large vegetable garden. There is a chicken house on wheels as well.

The site plan shows a complying alternative parking lot location which meets the 100' wetland buffer.

The owner prefers to keep the parking as-built. This would be much less disruptive to stormwater and potential erosion impacts.

The area south of the pond has been mowed for many years. No substantial vegetation was removed to create the parking lot or farm fields.

Ms. Harwood, doing business as RiverCat on Guardian Farms which is located directly west on Route 106, noted concerns with stormwater and water table impacts. The area is wet and shouldn't be developed. She also noted concerns with future development proposed directly west of the KVF farmhouse.

Mr. Singh appreciates the neighbor's concerns. An issue may arise with a proposed driveway relocation. The current driveway is very difficult to negotiate.

The Town Planner noted a building is currently placed in the wetland buffer and needs to be removed.

Mr.. Singh stated it is on skids and will be moved outside of the buffer area.

Ms. Kozara felt the parking lot should be rebuilt to conform with the 100' buffer. The wetlands are important. This would have happened had the application been reviewed before construction.

Mr. Quinn felt, the parking lot should be left as is, there is no need for additional excavation which would have an impact on the buffer zone.

After discussion, Mr. Quinn motioned with a second by Mr. Alessi to recommend approval as presented.

The vote was 3-2 with Ms. Kozara and Ms. Gibbs voting against. Both supports building the parking area outside of the 100' buffer.

IV. NEW BUSINESS

A. Delinsky - 15 Hathorn Street

Mr. Delinsky, Mr. Rossi - landscape architect, and Mr. Wohlgemuth - landscape contractor, asked for an informal review to locate a swimming pool within the 100' wetland buffer. The property is located at 15 Hathorn Street.

The issue had been discussed at the May 15, 2019 CC meeting where a request to build a pool 18'-20' from the pond's edge was denied.

Two alternatives were shown to the CC. One shows the pool outside of the 50' line from the pond, and one shows the pool within the 50' line. The hill flattens out at the 50' mark.

Mr. Delinsky noted that since they bought the property the pond has seen significant improvement due to their ongoing maintenance. The pond is manmade. It does not stay full during the summer months, this makes the water murky, warm and unusable.

The pond is essentially surrounded by forests, causing constant leave debris during the warmer months.

There are three other pools in the neighborhood.

Part of the proposal is to enhance the wetland buffer area by planting numerous wetland plants along the hillside down to the pond.

The State Wetland expert, Rebecca Chalmers, reviewed the site and determined the pond area to be a class 3 wetland.

Ms. Gibbs stated that heavy rains in 2016 would have flooded the properties below Mr. Delinsky's had he not completed maintenance work on the pond.

The deep end of the pool would be 8'.

Mr. Quinn asked if the pool could be moved back any to create more separation from the pond.

It was noted that the hill starts to rise rapidly making it difficult to move the pool site.

The pool house was removed from the earlier project and the pool has been redesigned to be much smaller.

One issue not yet resolved is that the top foot of water needs to be removed each year before winter. This is about 3,300 gallons. The owner hopes to release the water slowly, preferably down the slope through the additional wetland plants and into the pond. A second option would be to drain the water into a swale that would eventually end up in the stormwater drain at Pine Street. The Town Manager and Highway superintendent have not yet been spoken to.

The pool water has a very mild salt solution added to maintain clear clean water. It should not be harmful to vegetation especially if released slowly.

Construction access would be between the house and the pond, an area within the wetland buffer.

Some trees would be removed to allow the project, mostly evergreens.

Both Mr. Quinn and Ms. Kozara support the plan that keeps the pool outside of the 50' buffer area.

The CC agreed.

The Town Planner asked that the formal application have a more detailed landscape plan.

IV. OLD BUSINESS

A. Town Plan Update

Both the Energy Chapter of the Town Plan and the Public Service Board Act 174 Determination Form received final approval from TRORC on October 30, 2019. The form grants the town the right to take part in any regulatory hearings associated with alternative energy facilities >50kw such as solar farms. The Town Planner assumes the CC will play a large role in this process.

B. Carbon Sequestration

Mr. Peterson was not present. There was no update on the matter.

C. Plastic Bag Ban

Mr. Caduto was not present. There was no update on the plastic bag ban.

D. Green Burial

Mr. Quinn noted there are two towns in Vermont that allow green burials. An important component is how deep the remains have to be buried. The two towns have different specifications on this. The Town Planner will look into the matter.

V. OTHER BUSINESS

A. River Loop Trail

Mr. Alessi noted in July, he and a number of participants walked the proposed River Loop trail. The trail is funded by the EDC via a State Planning Grant. Apparently, the Woodstock Resort Corporation and Billings Farm and Museum are very supportive. The intent is to prohibit bicycle use on the trail.

Mr. Alessi encourages the educational components to be highlighted versus the recreational aspects. Riparian buffers, flood issues and wildlife habitat would be chief subjects.

Ms. Gibbs asked about ADA standards.

The trail at first will be roughed in and would not have a smooth surface. The riverbank sections flood every spring creating a lot of erosion. However, the ex-railroad track section is fairly flat, well surfaced and should be able to accommodate wheelchairs etc.

VI. NEXT MEETING

The next meeting is scheduled for January 22, 2019.
The December meeting was canceled.

VII. ADJOURNMENT

The meeting was adjourned at 8:40 p.m.

Submitted by,

Michael Brands, AICP
Town Planner