

**TOWN DEVELOPMENT REVIEW BOARD**  
**Meeting Minutes**  
**October 27, 2020**

**MEMBERS PRESENT:** Brad Prescott, Wade Treadway, Don Bourdon, Kim French  
**MEMBERS ABSENT:** one vacancy  
**OTHERS PRESENT:** Michael Brands, Tom and Cynthia Meyerhoff, Daniel & Moira Notargiacomo, Carole Pickett, Craig Jewett, Ben Halley, Mr & Mrs. Gould, John Holland, Matt Lombard, Al Alessi, Neal Leitner

**I. CALL TO ORDER**

Chair Don Bourdon called the meeting to order at 7:30 p.m.

**II. PUBLIC HEARINGS**

**A. New Business:**

- 1. T-5084-20;** Peace Field, LLC, owner/applicant; 650 Pomfret Road; Parcel #04.03.01.; Zone: R5; For Site Plan Review for Accessory on-farm Business.

Brad Prescott asked what the high tunnel is for.

He responded that the dome is for growing produce. Holland said he's raising 70 pigs, jersey cows and 200 hens.

Wade Treadway asked what the intention of the structure is.

Holland said the barn will be used for farm events with a maximum occupancy of 60.

Brad Prescott asked how often the space would be used.

Holland said the events would be held 4 or 5 times a week for corporate events, family dinners and reservation only events.

Brad Prescott asked if he will be able to provide 50% of food from the farm.

Holland said he would aim for greater than 50%.

Brad asked if there would be specific open and closing times.

Brad asked specifically about the intended use.

Holland said it would be for tastings and events and would be dictated by how much food the farm produces.

Brad Prescott asked if the hours could be defined.

Holland said the limitations would be the produce.

Kim French asked about the impact it would have in the area, and specifically light pollution.

Holland said the lights are downcast other than the three lights lighting the façade.

The walkway lights would be downcast.

Kim asked how far the neighbors are.

Holland said Al Alessi and his brother in-law, they are approximately 700-800 feet away.

Mrs. Powell is located approximately 1000 feet away on the other side of the road.

Holland noted that sounds travel in this valley, but his events would be indoors, so no outdoor noises other than vehicular traffic.

He is providing 70 parking spaces in total, but expects a maximum of 60 at the largest.

Holland said the added traffic would be minimal.

Kim asked about the production. She said 50% would go to serving, and what would the rest go to?

Holland said value added products.

Wade Treadway asked if everything will be held indoors.

Holland said he intends on using the patio in warmer months for outdoor dinners.

Wade asked if there would be tents for events.

Holland did not answer directly.

Don Bourdon asked about the current use of the farm.

Holland said there are vegetable plantings and 70 pigs, approximately 200 hens, 10 cows. Three full time employees currently and looking at

employing 7 people full time from animal management, crop growth and catering.

Don asked about other state permits and Act 250.

Holland said the state permits are in process.

He described the fire inspection process and the requirements that he has been trying.

Don asked if he plans to keep it in the Vermont Land Trust.

Al Alessi asked about potential house lots on the property.

Holland said the VT Land Trust has been very aware and helpful.

Don said the board needs to determine if the proposal meets the definition of an AOFB.

Holland said the Agency of Agriculture has made that determination.

Brad Prescott mentioned that the FAQs of AOFBs mentions who determines the AOFB. He read the determination of AOFB under the FAQs on page two.

Brad asked about the on-farm dinners featuring qualifying products at a smaller scale than a restaurant.

He said the smaller scale than a restaurant is a little vague.

Town planner said the DRB must determine that the operation meets the definition of AOFB per Act 143.

The board asked for public comment.

Al Alessi said he is a neighbor at 799 Pomfret Road and is concerned about the impact this would have on the character, and any impacts. He thought this would be a slippery slope and it would change the area with the lighting and other issues.

Holland said he will be using Act 143 to make the property a working farm. He said without the AOFB component, there will be no farm.

Holland said Al is frustrated, but you should try to permit things in Vermont.

Holland said Vermont has done a great job of slowing things down to the point they don't happen, but they can't slow the opioid epidemic. If there is no opportunity for work and business, then opportunity is lost.

Michael Brands stated that external lighting Section 513, states you're not allowed to illuminate structures.

He said the parking areas are not screened and needs to.

The sign is too large per sign code.

The barn would need an Act 250 review.

Michael asked the TDRB to wait until an Act 250 hearing is scheduled.

He stated weddings are not allowed under the Act 143. Weddings were struck from the original draft.

Brad Prescott said the legislation said events and does not mention weddings.

Tom Meyerhoff at 460 Pomfret Road stated that he is concerned about traffic that the operation would create.

Wade Treadway noted that some of the problem he has is that the barn for catering came first, and then the farm came second. So he's concerned that the AOFB might not be accessory. He commended John for following the correct channels for getting an AOFB permit. He thought there is a lot of fine tuning to do still. He noted site plan requirements such as light pollution and screening.

Holland said there are plenty of agricultural uses in the barn in question, such as grow lights in the upstairs.

Don Bourdon thought there is information that need to be digested by the board. He asked the public to send comments.

Don said the board must determine that the AOFB is accessory.

Production goals were brought up to help determine if the project is an AOFB.

Mr. Lombard asked the board to consider the farming and agricultural components. He said the property is a farm first and foremost.

The TDRB placed the item into recess until further information is received from neighbors and other agencies.

2. **T-5089-20**; Carole Pickett, owner/applicant; 4632 South Road; Parcel #33.01.19.; Zone: R1/DR; To Stabilize Kedron Brook Stream Bank Behind House.

Carole Pickett introduced her project to the board. She described her river bank and the process she has gone through to get to the board.

She mentioned any work would not be done until next July since you can't do any river work outside July through October.

She described that they would like to cut the bank back a bit so it slopes, and place rocks under the undercut to stabilize it.

She said the trees on the bank may or may not remain in the riverbank stabilization.

She met with the Army Corps of Engineers over the project as well.

The Conservation Commission approved her request.

The board closed testimony.

3. **T-5092-20**; Woodstock Resort Corp., owner; Bill Stetson, agent; 0 Lincoln Street; Parcel #24.53.12 / 24.51.23.; Zone: RHD & R5; To Regrade Driveway off Lincoln Street.

Craig Jewett from Otter Creek engineering introduced the project to the board.

He said they would put a ditch on the west side of the road to convey the water down the driveway further.

Brad Prescott asked why the grading goes onto an adjacent property.

Craig said it is being done to help Mr. Veredese develop his property.

Kim French asked if this is essentially making the drive the same but with a new ditch on the west side of the road.

Craig said that the ditch would include a berm as well.

The Notargiacomo's said they live on Thomas and said the drainage in the spring coming off the road is major and is concerned.

Michael Brands described the water drainage coming off of the drive began years ago when there was a logging operation. The drainage from the road is an issue.

He said the major concern is about the removal of the culvert in the middle of the road. He said it serves major rain events. He thought it would be best to leave the culvert in there since it works.

He said there are no water bars and rip rap to slow the velocity of water as it comes down the driveway.

He said it looks like trees would be removed. He asked if the trees will be removed.

Craig said the trees along the ditch on the western edge would be removed.

He said they plan to install check dams.

Michael asked how many trees would be removed.

Craig said he can give an estimate on that. He also said the resort could make the road narrower to save trees.

Kim asked what the width is now.

Craig said it varies. He also responded that the culvert Michael mentioned can remain. The inlet location can remain to avoid drainage issues.

Michael asked if the road would be angled.

Craig said the road would be tilted westward by about 6”.

Craig said he is working with the property owner to get his property hooked up to sewer.

He also described future grading and drainage improvements when the property to the west of the drive comes for development.

Michael said the only reason to do this is for septic.

Don Bourdon said the culvert should remain.

Brad Prescott read his comments he had prepared.

The culvert inlet would remain and be extended.

Swale would be stone lined, a number of check dams installed.

Trees would be cut to a minimum.

Michael said the water coming off the driveway into the road.

Craig said they will install a new waterbar to redirect stormwater flow.

The TDRB closed the item to testimony.

#### **IV. DELIBERATIONS**

- 1. T-5084-20;** Peace Field, LLC, owner/applicant; 650 Pomfret Road; Parcel #04.03.01.; Zone: R5; For Site Plan Review for Accessory on-farm Business.

The board began deliberation by discussing the definition of an Accessory On Farm Business (AOFB) as defined by Act 143. They discussed the presentation made by the applicant and reviewed comments submitted by abutters. A lengthy discussion ensued about the definition of an AOFB. Per guidance from the Agency of Agriculture, the TDRB must first determine if the proposed AOFB meets one or both of the definitions. The two parts of the definition are as follows:

- the storage, preparation and sale of qualifying products, provided that more than half of the sales are from qualifying agricultural products principally produced on the farm;
- educational, recreational, and social events that feature agricultural practices and /or qualifying agricultural products.

The board decided that they need more information to make this determination and wanted to allow for further comment from interested parties and those who were in attendance.

A motion was made to place the item into recess until further comments and information are received to help the board make a determination.

**Motion passed 4-0.**

2. **T-5089-20**; Carole Pickett, owner/applicant; 4632 South Road; Parcel #33.01.19.; Zone: R1/DR; To Stabilize Kedron Brook Stream Bank Behind House.

The board discussed the previous stream bank restoration project the applicant did a few years prior. They noted that it was successful and stabilized the bank erosion process.

The board noted that the bank stabilization plans approved by the State DEC were adequate for their approval.

The board read the minutes of the Conservation Commission meeting, which approved the application as submitted.

Pursuant to Section 403.1.(e) & (f), the TDRB finds that the project meets and promotes the criteria set forth as listed below.

- vii. Stream restoration projects, including dam removals, in accordance with a plan approved by the Vermont Agency of Natural Resources.
- f. Standards for Review:
  - i. Reduce impact of stormwater runoff.
  - ii. Prevent soil erosion.

- iii. Protect wildlife and fish habitat.
- iv. Maintain water quality.

A motion was made to approve the application as presented. It was seconded.

**Motion passed 4-0.**

- 3. **T-5092-20**; Woodstock Resort Corp., owner; Bill Stetson, agent; 0 Lincoln Street; Parcel #24.53.12 / 24.51.23.; Zone: RHD & R5; To Regrade Driveway off Lincoln Street.

Chair Bourdon opened deliberations on the item.

The board found that the application for grading requires a conditional use permit per **Section 518.b** since it is removal or redistribution of the soil in excess of 5,000 sq. ft.

Brad Prescott moved to accept application with the following conditions. Kim French seconded it.

- 1) Culvert altered to be extended
- 2) That check dams are installed
- 3) Swale is stone lined
- 4) Number of trees removed is minimized as is practical.
- 5) That the road is narrowed as much as is feasible.

**Motion passed 4-0.**

- I. **APPROVAL OF MINUTES** – The minutes of August 25<sup>th</sup> were approved as submitted.

**II. ADJOURNMENT**

Meeting adjourned 9:45PM

**III. NEXT MEETING**

The next TDRB meeting is scheduled for November 24, 2020.

Respectfully submitted,

Neal Leitner  
Town Planner