

**TOWN DEVELOPMENT REVIEW BOARD
Draft Minutes
November 24, 2020**

MEMBERS PRESENT: Brad Prescott, Wade Treadway, Don Bourdon, Kim French
MEMBERS ABSENT: one vacancy
OTHERS PRESENT: Vincent Galluccio, Brad Ruderman, Craig Hervey, Neal Leitner

I. CALL TO ORDER

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

III. PUBLIC HEARINGS

A. Old Business:

B. New Business:

- A. **T-5097-20**; 4778 South Road, LLC, & Charan Kaur, owner; Chris Higgins, agent; 4778 South Road; Parcel #33.02.03.; Zone: Inn/DR; To Remove Balustrades from the Kedron Valley Inn & Tavern and Replace Door on Tavern with 2nd Floor Window.

This application was deemed a minor application by the South Woodstock Design Review Board.

- B. **T-5099-20**; Gary Falwell, owner, Vincent Galluccio, co-applicant; Domenica Galluccio, agent; 2632 Church Hill Road; Parcel # 08.01.13; Zone: R5; To Request Variance for Detached Garage.

Vincent Galluccio introduced his request to the board. He asked for a 10-foot variance from the front yard setback of 60 feet for a single car attached garage and mudroom to be constructed on the south end of the single family home. The front of the garage would continue along the same façade as the existing house. The proposed addition would not decrease the existing non-conformity. The existing single-family home is located on a small lot that is undersized, and therefore legal non-conforming. The house was constructed prior to the current 60-foot front setbacks were introduced as well. The exact distance from the centerline of Church Hill Road is 50.3’.

The applicant said he wishes to have a small one car-garage with a little space for his woodworking area. He did not want to have a two-car garage for aesthetic reasons. A large two-car garage would dwarf the small cape style single story home.

Chair Bourdon asked why he was applying for a variance, rather than a waiver from setbacks.

The applicant said that the town planner recommended a variance.

Chair Bourdon said it would be hard for the board to make the findings for a variance, but the board could probably make the findings outlined under a Waiver to Setbacks in the Town Zoning Regulations.

The applicant asked if he needed to modify his application and come back next month.

Chair Bourdon said he can verbally modify the application during the meeting as it is on record.

The applicant requested to modify his application from a variance to a waiver from setbacks.

The board accepted the modification request. The application was modified to a waiver from setback request.

Hearing no further testimony, the board voted to close testimony on the item.

- C. **T-5100-20**; John M. Connors Jr., owner; Craig Hervey, applicant; 1862 Long Hill Road; Parcel #11.02.06.; Zone: R5; To Construct Swimming Pool & Construction Road in Ridgeline & Wetlands Buffers.

Applicant's agent Craig Hervey and Brad Ruderman introduced the project to the board. The applicant proposes to build an 18' x 42' in-ground pool with a 10' x 14' ancillary pool house. The project will require the construction of a new 950' service road for construction purposes. After the construction is complete, the road will be seeded over and returned to a natural state. A portion of the service road is 28' beyond the established State of Vermont wetland setback, but it will encroach on the Town of Woodstock's 100' wetland buffer by 22' for 120 linear feet. This road is proposed to be 10' wide and will be excavated at a depth of 12". Native soil will be replaced with permeable material. Upon project completion, the full length of the road will be returned to grass and original ground cover. The application requests a 22' variance from the town's 100' wetland buffer. The pool and pool house fall partially along the lower edge of the 500' ridgeline zoning

overlay boundary. The pool will be an in-ground pool, so at grade. The 10' x 14' pool house will be approximately 12' tall at the peak of the roof, and will not be visible from Long Hill Road, or any other road at any point. The applicant requests a Finding of No Impact under the Ridgeline Zoning Overlay District, as per section 406(D)5 in the Town of Woodstock Zoning Regulations.

The board viewed the presentation presented to them and began with questions pertaining to the wetland buffer. Board members asked why the road must encroach into the buffer at all, when it appears that there is room for it to be installed outside of the 100' wetland buffer.

Craig Hervey responded that the road is proposed in that location since it cannot encroach into septic and leach field area, which is located just outside of the 100-foot buffer. Furthermore, an informal mowing path currently exists in the same location as the proposed road. No trees would be removed, and disturbance would be very minimal as the location provides natural grading, so additional grading would not be required. The applicant does not want to disturb much soil or do any grading, since the end-goal is to vegetate the road after construction so that it would not be evident after the pool is finished.

The town planner mentioned that he conducted a site view and walked the entire length of the proposed road, as well as walking other potential areas that would be outside of the 100' wetland buffer. He mentioned that the wetland is significantly lower by approximately 30 feet or so. So, while the 100-foot buffer would be encroached upon by 22 feet, the wetland itself does not appear to be impacted since it is so much lower than where the road would be. He also noted that the property is very remote, and the proposed pool and pool house are not visible from the road. The proposed pool and pool house are set back behind the existing house and located towards the back of the property.

The board discussed the ridgeline zoning overlay. Craig Hervey responded that it is not visible and that the proposed pool and pool house are already on the edge of the woods and would be partially screened by the existing natural vegetation and trees. Hearing no further testimony, the board closed testimony.

IV. DELIBERATIONS

T-5099-20; Gary Falwell, owner, Vincent Galluccio, co-applicant; Domenica Galluccio, agent; 2632 Church Hill Road; Parcel # 08.01.13; Zone: R5; To Request Variance for Detached Garage.

Chair Bourdon opened deliberations on the item.

The board discussed the waiver request and the fact that it does not increase non-conformity. The addition of the proposed mudroom and single car garage would be in character with the existing house.

Brad Prescott motioned to approve as presented, noting the modification request from a variance to a waiver from setbacks as per Section 531.

Kim French seconded the motion.

Motion passed 4-0.

The TDRB finds that the application meets all criteria set forth in Section 531: Waiver to Setbacks:

In all districts, waivers of up to 50% of the setback may be granted using the Conditional Use Approval process, if the following criteria are met:

1. The proposed development is compatible in scale and design of structures and overall existing development pattern of the surrounding area;
2. The proposed development shall not infringe on potential solar gain or vistas of abutting neighbors;
3. The proposed development shall not impinge sight distances on public and private roads;
4. A waiver, if granted, is the minimum necessary to achieve the Stated purpose of this section;
5. The proposed development resolves a practical difficulty and avoids undue hardship in developing the property within the required setbacks.
6. The hardship was not created by the applicant during their ownership.

T-5100-20; John M. Connors Jr., owner; Craig Hervey, applicant; 1862 Long Hill Road; Parcel #11.02.06.; Zone: R5; To Construct Swimming Pool & Construction Road in Ridgeline & Wetlands Buffers.

The TDRB finds that the proposed conditional use meets the following standards of use as defined in Section 403.E(f) Standards for Review:

- i. Reduce impact of stormwater runoff.
- ii. Prevent soil erosion.
- iii. Protect wildlife and fish habitat.
- iv. Maintain water quality.

The board finds that the application meets the intent of the Section 405(D)5: Minor Applications - Finding of No Impact: Ridgeline Overlay District.

The board concurs with the findings and recommendations of approval by the Conservation Commission at their November 18th, 2020 meeting.

Kim French motioned to approve the application as presented. It was seconded by Wade Treadway.

Motion passed 4-0.

I. OTHER BUSINESS

none

II. APPROVAL OF MINUTES – Minutes were approved as submitted.

III. ADJOURNMENT

Meeting adjourned 9:15PM

IV. NEXT MEETING

The next TDRB meeting is scheduled for December 22, 2020.

Respectfully submitted,

Neal Leitner
Town Planner