

MEETING MINUTES
TOWN OF WOODSTOCK, VERMONT
TOWN DEVELOPMENT REVIEW BOARD
31 The Green
Woodstock, VT 05091

The Town Development Review Board held a public meeting on September 26, 2023 to conduct the following business:

Members present: Wade Treadway, Chair, Kim French, Ernie Fernandez, and Alan Willard

Public present: Owen and Maria Shindler, Brad Ruderman, Margaret Fraser, Al Alessi, Roger Logan, Chris Boyles, John Holland, Jennifer Falvey, Jill Davies, David Grayck.

Staff present: Steven Bauer and Stephanie Appelfeller

Administrative Tasks

Call to Order: Wade Treadway called the meeting to order at 7:30 PM.

Adjustments to Agenda: None

Public Hearings:

The Town Development Review Board received testimony on the following proposed developments:

- A. T-0022-24: Owen and Maria Shindler
Lister No.: 05.03.15
Location: 164 Butternut Lane
Review Type: Conditional Use Approval
Proposal: To use property for short-term rentals.

Owen and Maria Shindler presented the application and explained they are the last house on the right on Butternut Lane. The lower level of the home is 900 SF and will be used as a short-term rental. There will be a max occupancy of 4 guests at a time. The Shindler's explained the character of area will not be affected as parking is behind house and will be blocked from sight. No unusual traffic impact. New heat pumps will be installed. The owners live on site full time. Jill Davies asked how neighbors have reacted to this plan and the Shindler's replied the neighbors are supportive. Owen Shindler mentioned they will make a list of rules and provide to Steven Bauer.

- B. T-0028-24: Ann Billings Suokko
Lister No.: 03.02.23
Location: 1511 Barberry Hill Road
Review Type: Conditional Use Approval
Proposal: To make improvements to existing driveway, including emergency pull offs to be constructed at 500 foot intervals.

Brad Ruderman explained the existing driveway does not have enough emergency pull-offs to comply with 500 foot requirements and 4 new locations will be added. The width of driveway is 12 feet minimum. Steven Bauer mentioned a portion of the new pull offs will be in the 15% or higher slope district and questioned the Board if the 4 new pull offs require Conservation Commission and Conditional Use approval. Brad Ruderman said the areas he added will be less than 25% slope and 800 SF total, 200 SF each. Kim French asked why there were 4 turnoffs, Brad explained there are 6 existing, so he needed to add 4 new ones to be every 500 feet. There will be a total of 10 turn offs once completed. Kim French is an abutter and indicated the road is not steep. Alan Willard asked if all 4 pull offs will be on the same side of road and Brad Ruderman said yes, they will be adding fill on the downside of road, each pull off being 10 x 20 feet.

Kim French motioned to close testimony.

Alan Willard seconded the motion.

VOTE: 4-0. Testimony closed.

- C. T-0024-24: Peacefield, LLC & Shade Maple, LLC
Lister No.: 04.01.04
Location: 650 Pomfret Road
Review Type: Conditional Use and Site Plan Approval
Proposal: To operate an on-farm restaurant.

John Holland presented the application. Mr. Holland explained the main differences from the prior application include adding light blocking shades, eliminating four driveway lights, set all lights to 35%, 60 people max capacity, no outside music or events, additional trees on south and north side. John Holland mentioned the reason for the new application is to obtain a permit that is clearer with the new Town Plan and On-Farm Restaurant zoning.

Alan Willard asked why the prior application was a large parcel and current application includes only 13 acres. John Holland mentioned the 13 acres was determined by the Vermont Land Trust. Steven Bauer asked Mr. Holland if the 194 acre parcel had been subdivided, John Holland says yes, the east side of Pomfret Road is 111 acres of which 53 acres in Woodstock, remaining acres on west side of road is 82 acres. Shade Maple leases 190 acres, 111 acres leased from Peace Field and rest of acreage from John and Maureen Holland. Mr. Holland confirmed the restaurant is situated on the 111-acre parcel, of which 53 acres within Woodstock.

Kim French questioned if the farm produces food for this restaurant and the two restaurants in town. John Holland confirmed that is correct, the farm will support multiple restaurants, the subject, Mangalista and Sante.

Kim French asked to clarify the size of building as Section 536 says footprint shall not exceed 2800 SF. Erine Fernandez asked if 14.5' x 34' cold storage space was bolted on to existing structure and considered part of existing structure. John Holland explained that space has a roof over it but is outside space. Al Alessi asked if the space is being included in the total building footprint and Kim French responded they are still getting clarification.

Alan Willard inquired about the height of the building and if it is over 35 feet. Steven Bauer explained building height is defined as vertical distance measured from average elevation at grade of front wall to average height between eaves and ridges which totals 29 feet.

Wade Treadway walked through the Site Plan and Conditional Use criteria and list of requirements for Section 536(B) - On Farm Restaurant. John Holland provided explanations for each requirement with no questions from the Board.

Mr. Holland confirmed hours of operation will be 11:30am to 10pm and site clear of worker by 11pm. Lunch may be provided. The plan is to start opening 2-3 days per week but may increase to 5 days per week.

Wade Treadway explained footprint of building shall not exceed 2800 SF and outdoor dining shall not exceed 25% of total restaurant building. Alan Willard asked square footage of outside seating area, John Holland replied that outdoor seating will be 8'x35' covered porch area. Alan Willard asked what outdoor lighting will be used on the outside porch and John Holland replied there will be 3 domed, down lights. Alan Willard asked if visible from roadways and John Holland responded the light will be visible but light fixture is domed and bulb is not visible from roadway.

Wade Treadway asked for a sample daily menu detailing products produced from farm. John Holland responded it will be very similar to Sante's menu and he will provide a sample menu to the Board.

Alan Willard asked how many parking spaces are on-site and John Holland replied there are 45 spaces. Steven Bauer explained the requirements are one parking space for every 3 seats and one space for each employee, which totals 30 spaces required.

John Holland confirmed there will be no outdoor special events. Wade Treadway mentioned noise shall not exceed 60 decibels at property line and John Holland replied the tests show they are below that level.

Al Alessi is an abutting neighbor and mentioned the sound of cars going by is different than steady level of sound. He asked the Board to consider the constant and steady flow of sound through the valley. He indicated that 40 decibels would be loud in the valley. John Holland replied that the ambient decibels is 35 at all times in the valley and the decibels inside the structure will be below 55.

Margaret Fraser of Woodstock explained Saskadena Six and Artistree are located nearby along the same roadway. She presented a letter from the owners of the Village Inn who could not attend speaking in support of this project and economic development.

Roger Logan of Woodstock mentioned the Town of Woodstock needs to diversify its economy and what attracts people to live here. Can diversify with small artisanal food production.

Chris Boyle, the attorney representing Tom Meyerhoff and Cynthia Volk explained the inadequacies of the application such as stating the on-farm restaurant is on a 13.35 acre parcel. Kim French replied that the Agricultural Agency reflects the activity is occurring on a 194 acre

farm operation and meets the definition of farming. Chris Boyle replied that the Board must go by what is on the application. Section 536(B)(1) states it must have determination from Agency of Agriculture that the piece of land is a farm and there is no determination that the 13.35 acres is a farm. Mr. Boyle acknowledges while the 13.35 acres are within the 194-acre farm, it does not match the designation. The products served at the restaurant must be produced at the farm and the Board needs to determine if the farm is 13.35 acres or 194 acres.

Chris Boyle continued that the maximum footprint of building is regulated at 2800 SF per the regulations. He agreed the 36' x 72' structure (2,592 SF) is part of restaurant but explained that calculation omitted the 8' x 35' porch, 14.5' x 34' kitchen and ingress/egress food storage. Including these spaces, it would be a 3900 SF footprint.

Chris Boyle mentioned the character of the area will be impacted by the building size, absence of menu and lack of knowledge of the size of farm.

Jen Falvey of Pomfret is in favor of the restaurant and submitted a supporting petition with signatures addressed to the Natural Resources Agency.

Kim French mentioned she received a letter from Howard Krum and Mary Margaret Sloan with concerns about Peace Field Farm that raised similar issues to those Chris Boyle mentioned.

Kim French mentioned there were several letters and comments received late in the day. Wade Treadway suggested recessing to review the new information.

Wade Treadway motioned to recess testimony until October 24, 2023, at 7:30pm.

Kim French seconded the motion.

VOTE: 4-0. Testimony recessed to October 24, 2023, at 7:30pm.

I. APPROVAL OF MINUTES

A. 7/25/2023

Alan Willard motioned to accept.

Kim French seconded the motion.

VOTE: 4-0. Minutes Approved.

II. DELIBERATIONS

The Board entered closed deliberations.

III. OTHER BUSINESS

IV. ADJOURNMENT

Alan Willard motioned to adjourn the meeting.

Kim French seconded the motion.

VOTE: 4-0. Meeting adjourned at 10:26pm