

# DORSET ZONING BOARD OF ADJUSTMENT

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Date: October 10, 2016  
Hearing:  
Applicant: The Town of Dorset  
Location: Dorset Town Offices  
Request: Conditional Use review for a new stone weir in the Mettowee River on Lower Hollow Road to facilitate fish passage. Location: Road crossing over stream northeast of 1312 Lower Hollow road. Zoning District: A&RR

Board Members Present: J. LaVecchia (Chairman), T. Rawls, D. Wilson, K. O'Toole, Ed Tanenhaus, S. Jones  
Board Members Absent: B. Bridges R. Stewart  
Also, Present: Tyler Yandow, Zoning Administrator

One matter on the agenda, the other matter was withdrawn by the applicant.

J. LaVecchia, Chairman:

- The application is being put forward by the Town of Dorset, concerning the weir project on the Mettowee River on Lower Hollow Road.
- Because this structure would be built in a flood hazard area, construction requires conditional use.
- We are holding a conditional use hearing and will ultimately get to the regulation 3.5 of the bylaws.
- A stream alteration permit has already been issued.
- Normally Planning Commission (PC) considers conditional use application, and they do a site plan.
- PC thought a site review wasn't necessary.
- T. Yandow: There was nothing in the criteria that addresses what is to be done in the instance. The PC didn't have any objections.
- K. O'Toole: There is a site plan, they had the opportunity to review it, there was no objection, so no issue with the PC. The application was from the Town of Dorset, normally an application from a land owner.
- The Town of Dorset applied on behalf of Trout Unlimited.
- The state owns the water, the Redpaths own the land.

cc: Zoning Administrator, Town Manager, Planning Commission, Town Clerk, Applicant, File

Gabe Bolin from Trout Unlimited out of Concord, NH, spoke and gave an overview of the project. He introduced Hillary Solomon from the Poultney Mettowee Natural Resources Conservation District.

The Lower Hollow Project is part of a larger project: The Mettowee River Restoration Project. The first part of his talk was the overview of the project.

- The partners of this project are: The Green Mountain National Forest/Trout Unlimited/USDA/Town of Dorset.
- This stream project has been in the planning stages for several years.
- The scope is entirely in Dorset all along the Mettowee River
- The northern most point is at the Tower Road Culvert replacement project.
- Two streams come down from the headwaters of the Green Mountain National Forest: one coming in from the West, and one coming in from the East.
- The culvert from the west is privately owned and that owner isn't interested in releasing it.
- The first project is Tower Road which comes from the east. It is all designed and going out to bid.
- The second culvert is at Pastures Lane which is currently in design. That will be built with Tower Road.

The Lower Hollow Project

- Goals: improve aquatic organism passage. Population gets fragmented with barriers so the goal is to limit these barriers to help the flow of fish, etc.
- G. Bolin had a Power Point Presentation and pointed out where the bridge is where this weir will be replaced.
- The wooden log that serves as a weir is about 30 to 40 feet long.
- The distance from the top of the log/weir to the bottom of the water is too far for the trout to travel.
- They want to create a small stone weir and cut the distance for the fish to jump in half.
- It will be smaller and in a semi-circle.
- They would like to use existing material instead of importing fill and raising the bed of the stream. The new distance would be about a foot high.
- The log would remain, and the stones would be added.
- Time Frame: trying to get this done THIS WEEK!! It should only take a day, maybe 2.
- Steve Jones: can this be guaranteed for at least 2 Springs?
  - G. Bolin responded that they have anticipated that, with exercises to be sure the stone sizes are good, tested the water velocity, hydraulic modeling etc.
- Trout Unlimited follows the practices and methodology of the Forest Service.

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Hillary Solomon:

- Met with the land owners and have all the releases from them.
- They send out updates occasionally and keep in touch with all the land owners.

#### 8.6 B Floodway Areas

Conditional Use Review:

- No impact on planned community facilities
- Not adversely affect the character of the area
- Will not adversely affect traffic
- Conforms with requirements under Section 8 of the Dorset By-Laws
- Project does not adversely affect the utilization of renewable energy resources.
- They have the stream alteration permit.

K. O'Toole moves application for construction of a rock weir by Trout Unlimited on Lower Hollow Road as set forth in the application be approved because it complies with the criteria set for in 3.5 of the Town of Dorset By-laws.

S. Jones 2<sup>nd</sup>. Approve 6-0

Respectfully submitted,

Rebecca Nawrath