

PLANNING COMMISSION
Draft Minutes
May 6, 2015

Members Present: Sally Miller, Paul Highberg, Sam Segal, Marilyn Spaulding, Nick Scheu
Members Absent: Keri Cole, Susan Boston
Others Present: Peter Johnston, Alison Johnston, Pete Fellows, Michael Brands

I. CALL TO ORDER

The meeting was called to order at 7:30 pm.

II. APPROVAL OF MINUTES

The minutes of the March 4, 2015 meeting were approved as submitted.

III. NEW BUSINESS

A. WOODSTOCK SPORTS SIGN REQUEST

Alison and Peter Johnston, Woodstock Sports owners, asked the Planning Commission to change the Village Sign Regulations to allow them more signage.

The sports store has been in Woodstock for 43 years. The Johnstons have owned the store for 32 years. It is the third oldest operating business in the Village.

The owner showed photographs of the signage placed last year and the current signage. A bike shop was placed in the back of the store and the owners wish to acknowledge this with additional signs. Bright yellow oval signs were placed on top of the existing free-standing sign. The Administrative Officer stated the signs were not legal, as they had no permit and the existing sign (14.7 square feet) was already over the 10 square foot maximum. The yellow oval Bike signs were relocated to hang inside of the enclosed porch. A permit is not required as the signs are placed more than 12" from the interior surface of the glass.

In addition, the owners would like to place the old Woodstock Sports (new ones were placed last year) on the rear of the building on either side of the bike shop's service entrance door.

The owners asked that the signs be considered grandfathered, noting that other older establishments such as the Woodstock Pharmacy and Gillingham's have signage in excess of that currently allowed.

The PC explained that the pharmacy and store signs were placed well before the adoption of zoning and for that reason are considered grandfathered.

The owners stated a need for the additional signage to be able to sustain themselves and to be successful. Internet sales and out of town stores are hard to compete with.

Mr. Johnston stated the building is unique as it is narrow and deep. It is located at the east end of the Central Commercial district. A neighbor's tree blocks the west bound view of the store.

Chair Miller noted the regulations have become very complicated over the years especially concerning signage. To accommodate all sign requests, a thorough and careful review is required.

Mr. Segal stated many businesses want more signage. But this has to be balanced with needs of the community. The regulations should not be custom made to fit a specific owner's request.

The PC will brain storm the issue and hopefully create regulations that fit the needs of all people and not just some people.

Mr. Highberg stated the PC needs to show support for local businesses, but regulations need to be balanced and fair.

B. RIVER CORRIDORS

Pete Fellows, TRORC planner, gave a short presentation on the State's River Corridor program.

A large map of the Town and a smaller map for the Village were distributed. The maps show the river corridor area as an expansion of the current FEMA flood hazard areas and the 50' and 100' stream / river buffers.

After Tropical Storm Irene, State government officials started rethinking the physical characteristics of rivers and streams. Irene exceeded both the 100 year and 500 year FEMA flood limits in many communities. A better way of regulating the issue is to consider water bodies to be live organisms and their stream beds tend to meander over time. This meander potential is what the State hopes to show in its mapping of the river corridor.

The FEMA flood maps show the floodway, the force/current of the water, and the 100 and 500 year floodplains, the water essentially is in storage waiting for the river/stream's force to subside. These storage areas can be larger than the FEMA maps show and are captured as part of the river corridor program.

To encourage adoption of the river corridor concept, the State is offering additional money to FEMA flood recovery funds. Normally FEMA covers 75% of a municipalities' costs. Woodstock has adopted regulations regarding FEMA Flood Hazard zones, riparian buffers and stormwater. By doing so the Town receives 12.5% in addition to the 75% FEMA funds. This amount could increase to 17.5% with the adoption of a river corridor regulation. On a multi-million dollar incident, the 5% increase can be substantial.

The State is still working out a model regulation. Mr. Fellows will keep the PC up to date with changes as they occur.

Mr. Fellows asked the PC to check the maps out on the ANR website in order to verify the corridor placement.

A quick review showed the High Street properties in the Village to be problematic. The corridor appears to go up a hill side which would not be feasible in a likely flood scenario. Another issue is that of current development within the corridors. How would the expansion or relocation of these homes be handled under the proposed regulations.

Mr. Fellows suggested that the Village change their zoning to prohibit any new development within the floodway. By doing so, the Village's flood recovery reimbursement percentage would be increased.

Mr. Fellows will keep in contact with the Town Planner as developments proceed.

C. T-4551-15 Zoe Zillian

The application is to amend Town Zoning Regulations to allow two signs per business. The property is located at 1837 West Woodstock Road and is zoned Business Service / Light Industrial.

The application was continued from the April 1, 2015 meeting.

The Town Planner distributed a draft regulation that included the comments from the last PC meeting to allow up to two signs for all businesses and to allow a third sign for businesses with a business frontage exceeding 100'.

The Town Planner showed the PC photographs of all signs currently in place on Route 4. The zoning files were reviewed to determine the permitted square footage per sign. Unfortunately, many of the signs are considered grandfathered. The Town Planner did not have enough time to measure each sign individually.

The Town Planner read off the maximum square footage of signage allowed per district. This ranged from 50 square feet for commercial and industrial uses to 12 square feet for an inn, hamlet and residential/office zones.

After discussion, the PC agreed to approve the proposed regulations as written based on the fact that the maximum signage limits noted above would prohibit excessive signage. The PC scheduled a public hearing date for June 3, 2015.

The Town Planner will create a formal public hearing draft and send appropriate warnings as required by State statutes.

D. UPDATES

1. Design Review Amendments

The Board of Trustees Public Hearing for the proposed Design Review amendments is scheduled for May 12, 2015 to be held at 7:00 pm.

2. Taftsville Solar Farm

The PC discussed last week's April 29, 2015 informal hearing on the proposed solar farm in Taftsville. The hearing was conducted by Sustainable Woodstock. The presentation was made by developer Tom Garden of Triland Partnership LP, a Massachusetts based company.

The PC read Mr. Garden's 45 day advance letter which was dated April 27, 2015. The letter is sent 45 days before official submittal to the PSB, thus allowing comments from interested parties.

A response letter dated May 1, 2015 from TRORC was also reviewed. The TRORC asked for screening and noted concerns with the Class III wetlands on site.

The PC has the opportunity to write a letter in response to the proposal. The deadline is June 13, 2015.

After a lengthy discussion, the PC could not come to agreement on a response to the project. The PC will discuss this again at its June 3, 2015 meeting.

3. Stone House Act 250

The Town Planner noted that the applicant asked to extend the deadlines for both demolition of the structure and the time to finish the Historic Survey by a year each. The Act 250 Board granted the request. The deadlines were extended to December 2016 and December 2017 respectively.

4. Riparian Court Decision

The Town Planner informed the PC that a recent Superior Court Environmental Division order for docket # 130-8-14 Vtec concerning the Kevin and Diane Dugan property located at 37 Pleasant Street was made April 8, 2015. Unfortunately the decision did not discuss impacts in the riparian zone nor the riparian buffer regulations as written. The court side-stepped the riparian issues by noting a lack of specificity in the application. The application did not refer to a terrace, fire pit or path even though all three items had been included on the site map. All three items were denied by the court. Therefore, the court notes that either the three items be removed or be reapplied for.

IV. NEXT MEETING

The next meeting is scheduled for **June 3, 2015 at 7:30 pm.**

VI. ADJOURNMENT

The meeting adjourned at 9:45 pm.

Respectfully submitted,

Michael Brands, AICP