

***PLANNING COMMISSION***  
**Draft Minutes**  
**July 1, 2015**

**Members Present:** Sally Miller, Paul Highberg, Marilyn Spaulding, Nick Scheu, Sam Segal, Susan Boston  
**Members Absent:** Keri Cole  
**Others Present:** Don Gilbert, Laird Bradley, Carol Wood, Michael Brands

**I. CALL TO ORDER**

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

**II. APPROVAL OF MINUTES**

The minutes of the June 3, 2015 meeting were approved as submitted.

**III. NEW BUSINESS**

**A. Riparian Buffer - Don Gilbert**

Mr. Bradley, local realtor, and Mr. Gilbert asked that the Village Zoning Regulations be amended regarding the riparian buffer.

Mr. Gilbert owns a home and detached apartment at 6 River Street. The home was damaged in Tropical Storm Irene and has not been occupied since. The home has been in the Gilbert family for more than a hundred years.

A site map prepared by an engineer for a recently approved application to build a home was shown to the PC. The map shows the extent of the riparian buffer and flood zones. It also notes location of existing structures and a proposed addition to a heavily renovated main home.

A second map, prepared by the Town Planner, shows the flood zone and riparian overlays over an orthophoto of the property.

The current buildings are non-conforming as they do not meet the front setback of 35' from street centerline. The floodplain covers the entire lot to the street. The floodway covers a third of the lot along the river. The 100' buffer, as measured from top of slope, covers approximately 3/4 of the lot.

Mr. Bradley noted that the lot has been for sale for a couple of years, but due to regulatory restrictions the sales have fallen through. The buildable area is extremely restricted. The majority of potential purchasers desire a home closer to the river and not as close to the street. The lot appears large as it is all lawn to the river, but its narrow shape makes it difficult to build on.

Mr. Bradley feels the riparian buffer is too restrictive in general. Village properties are, as a rule, smaller lots. It is very rare to have built landscapes such as those in the village with a 100' setback potential. The 100' buffer from top of slope places an undue limitation on development of these lots.

Mr. Bradley mentioned the 48 Elm Street 2.46 acre lot owned by the Abramsons. The lot has 0.7 acres of riparian or a 46% riparian coverage. The Gilbert lot, in comparison, has a 71% riparian coverage due to its shape.

Mr. Bradley suggested a change where properties with more than 50% riparian coverage would be eligible for a reduction in buffer coverage. It could be a sliding scale, higher buffer coverage would allow more reduction of the buffer.

Chair Miller discussed the 2012 adoption process of the Village riparian regulations. It was a back and forth discussion with the Conservation Commission. At the time, the 2011 Tropical Storm Irene was still fresh on everyone's minds.

Although there is no riparian vegetation, the chief focus of the regulation, the Gilbert property does have a strong tree presence. The full lawn to river situation has been in place since the mid 1800's. Many of the river properties in the Village share the same trait.

Chair Miller noted that any regulation change needs to reflect its impact on all Village properties and not just the individual requesting the change.

Carol Wood, realtor, asked if the riparian buffer could be moved to allow building a conforming home per street setbacks. She envisioned a stone retaining wall to hold flood waters back.

It was noted this would involve the federal flood standards, and would be problematic.

The Town Planner mentioned that Ned Swanberg, State Flood Official, is scheduled to discuss the State's proposed river corridor concept at the August 5<sup>th</sup> PC meeting. The Riparian Buffer and Flood Hazard regulations are an integral part of that discussion.

Mr. Bradley stated the property was subdividable before the Riparian Buffer regulations were adopted, as the property as a long street frontage. A 75' buffer could allow the lot to be built on.

The PC noted they will continue discussion of the topic, but did not promise a quick fix.

## **B. Village Sign Request**

The discussion at the last meeting concerning the Woodstock Sports (Alison and Peter Johnston) request to have more signage was continued. The current square footage of the three largest stores in the Central Commercial district were reviewed. The approximate first floor retail space was listed as 3000 sf for Woodstock Pharmacy, 2000 sf for Gillinghams and 2000 sf for Woodstock Sports. Of the three, only the Woodstock Sports has a free standing sign.

The Woodstock Sports building is unique in that it is much narrower than most buildings of this size. The allotted sign square footage per business is calculated based on the width of the building front.

One way to allow more signage for Woodstock Sports would be to write a clause allowing additional signage for retail spaces that have the unique characteristic of a narrow front and a deep building.

The main desire of the store is to have a larger free standing sign. However, they would also like additional signage on the west side of the building. Free standing signs are limited to 10 sf in the Central Commercial zone and 20 sf in all other commercial zones. The 10 sf size was adopted to assure signs are more pedestrian scaled. The other commercial zones are dependent on vehicular traffic and thus are eligible for larger signs.

After additional discussion and review, the PC asked the Town Planner to check the size of the freestanding signs within the Central Commercial zone.

The PC also discussed the fact that since signage is always a big issue at the time of regulation rewrite, it may be better to wait to hear from all businesses and residents alike next year when the Village Zoning is scheduled for a rewrite.

The Town Planner will present his findings of measured existing free standing signs within the Central Commercial area at the August meeting.

### **C. Selectboard's Ordinance re: Byways and Solar Siting**

On June 9, 2015 the Selectboard adopted the "The Town of Woodstock Supporting Plan Standards for the Protection of Scenic Byways and Vistas & the Siting of Solar Energy Facilities". The ordinance was written by an attorney at the Selectboard's request.

Due to the eminent, at the time, PSB application to construct a solar farm in Taftsville, the Selectboard quickly adopted the ordinance without PC input or review. After reading the document the PC agreed a rewrite would improve both the content and the format of the ordinance. The document is posted on the Town's website and has been sent to all PC members.

Although the current solar farm project has been withdrawn, the State is still encouraging these large scale solar farms. The PC agreed there is a need for a solar siting ordinance, but wish to draft one that compliments both the Town Plan and the local zoning regulations.

Mr. Scheu offered to review and draft an improved document. The document as written has a negative tone and needs to be rewritten in a more positive light. A draft could be sent around for comment to all members as was done during the Town Plan rewrite process.

Chair Miller compared the current solar farm situation to the initial development of cell towers in Vermont. At first, cell towers were exempt from local regulation. The State then allowed each town, if they desired, to write regulations that could not prohibit the towers but would allow for orderly development of them. The result is an 18 page cell tower regulation which was adopted as part of the zoning regulations.

The Town Planner distributed the town's cell tower regulations for guidance in the solar siting rewrite. It is also available on the Town's website.

Both the Selectboard and the PC should coordinate their efforts to establish a Town goal regarding solar farm siting. Chair Miller will speak with the Town Manager.

Mr. Highberg reminded the PC that climate change is a very serious issue and change needs to

happen before it is too late. Solar energy is a clean positive replacement of fossil fuel use.

**D. Town Zoning Regulations Rewrite**

The Town Planner noted the Town Zoning Regulations are due for a rewrite. They were adopted five years ago in 2010. State law requires that both the Town Plan and associated zoning regulations be compatible. Therefore, after a town plan rewrite, the zoning regulations should be reviewed to assure compatibility with one another.

The Town Planner does not foresee a major rewrite as there have been few complaints from residents over the past few years. A main focus area would be the potential river corridor concept and the related storm water elements: flood hazard and riparian buffers.

**E. UPDATES**

**1. Taftsville Solar Farm**

Chair Miller informed the PC that the proposed 500 kW solar farm planned for the Spooner lot in Taftsville has been withdrawn by the developer. The Taftsville community has raised funds to purchase the property. The Town Planner stated that the Spooner property would be donated to become part of the abutting Taftsville Cemetery.

**2. Town Zoning Sign Amendments**

The Selectboard adopted the proposed sign amendments to the Town Zoning Regulations on June 16, 2015. The amendment allows for two signs per business (up from one per business) and three signs where a larger building front (+100') is located.

**3. River Corridor**

The Town Planner tentatively invited Ned Swanberg, head State flood official, to the August 5, 2015 meeting. The main subject of discussion would be the State's proposed River Corridor regulations and associated maps. Mr. Fellows, TRORC, gave a presentation at the May PC meeting. Mr. Swanberg would also discuss the interaction of all stormwater related regulations: stormwater, flood hazard, riparian buffer and to an extent wetlands. The PC confirmed the invitation.

**4. Route 12 Historic Ski Properties**

Chair Miller informed the PC that the Apple's ski site property on Route 12 is for sale. Numerous local groups are fund raising to purchase the property. Both the Trust for Public Lands and the Vermont Land Trust are working on the project. The site is valued at \$1.4 million. In addition, the groups are focused on the sled hill abutting the National Park which included the original ski lodge. Ski history buffs are very supportive of these efforts. The Apple property is noted as the site of the first ski tow in the U.S.

**IV. NEXT MEETING**

The next meeting is scheduled for **August 5, 2015 at 7:30 pm.**

**VI. ADJOURNMENT**

The meeting adjourned at 9:30 pm.

Respectfully submitted,

Michael Brands, AICP  
Town/Village Planner