

PLANNING COMMISSION
Draft Minutes
March 2, 2016

Members Present: Sally Miller, Susan Boston, Nick Scheu, Lowell Gray, Keri Cole, Sam Segal
Members Absent: One Vacancy
Others Present: Michael Brands

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

The minutes of the February 3, 2016 meeting were approved as submitted.

III. NEW BUSINESS

A. Town Zoning Review

The Town Planner discussed a list of proposed amendments that had been emailed earlier. The word “buffer” was added after riparian in the definition section. Riparian refers to anything to do with rivers, whereas the buffer area is the focus of the regulations.

In Section 524 Ponds, the Conservation Commission suggested an exemption of ponds that are less than 500 square feet (25' diameter). The PC agreed with the exemption.

1. 2015 State Flood Hazard / River Corridor

The Town Planner emailed the 2015 State Flood Hazard / River Corridor model regulations which had been rewritten to fit the Town Zoning Regulations. The rewritten version had been sent to Pete Fellows at TRORC for review and confirmation. Mr. Fellows was unable to review the rewrite this week and will do so before the April 6 meeting.

Mr. Sheu had a few concerns which could be addressed when the Town Planner confers with Mr. Fellows.

There appears to be a typo in Section III B. 1., whereby it should state “costing not more than \$500”.

Per Section III D.4., is there a need to exempt ponds that are less than 500 sf to match Section 524 Ponds, or does any size pond require review in a flood zone.

In Section III G. 3., how is an individual manufactured home lot’s grandfathered status allowed to continue essentially forever. This led to a discussion on flood safety within the mobile home park.

2. Solar Screening

The PC reviewed the proposed Buffer Strip / Screening rewrite. It was rewritten to meet State standards on solar screening criteria. The State requires that the screening requirements for solar installations cannot be different from that used for regular commercial or industrial proposals. This makes it difficult as most commercial and industrial uses take place within a confined area, due to zoning district limitations. However, solar farms are allowed anywhere. Screening for residential properties is very difficult especially when elevation differences are taken into account.

After discussion, item “v.” was reworded to remove “effective immediately”. It was noted vegetative screening takes time to grow. Planting a five to six foot tall tree becomes very expensive and larger plants have a much lower survival rate than smaller plants at time of transplant.

3. Density Calculation

The Town Planner presented the TDRB’s concern that the calculation of density is not very clear as stated in the district regulations of Article III. For example, in the Residential Medium Density district a one family dwelling requires 8,000 sf of land, as does a two family dwelling, and a three family dwelling requires 16,000 sf of land. Although not stated, a four family dwelling requires 32,000 sf based on the fact that the one family dwelling requires 8,000 sf. The two and three family units receive what can be considered a bonus to encourage more housing.

The Town Planner added a simple formula to Section 508 Density, “number of units” times “minimum lot area”. The PC disagreed noting that the total land area should be divided by the minimum lot area to equal the number of units that would be allowed on a specific parcel.

After lengthy discussion, it was agreed to leave Section 508 as is and to state directly in each section of Article III what is required for a three or more units (depending on the specific district). Although this involves more words, it would clarify the issue.

4. Other

The Town Planner discovered a typo in the Residential One (R1) and Three Acre (R5) districts whereby Short Term Rentals require an administrative permit. This conflicts with Section 525 Short Term Rentals which requires a conditional use except for where the use is exempt: Residential Five Acre and Forestry. The PC agreed to correct this by relocating the Short Term Rental use in R1 and R3 to the “Uses requiring Conditional Use Permit” subsection.

B. Solar Siting Ordinance

Mr. Sheu presented a 4 page draft only of the Solar Siting Ordinance that would replace the Selectboard’s version adopted last spring. The PC will read and review for the April 6th meeting. Instead of directing the ordinance to solar applications only, Mr. Sheu is including all renewable energy devices.

Mr. Sheu is also working on Town Plan language which is loosely based on a 2015 draft from the Town of Bennington Plan.

C. PC Vacancy

Jeff Bendis, Town resident and current Chair of the Village Design Review Board, has submitted his name for the existing PC vacancy. Mr. Bendis has been a long term resident and at one point

wrote a weekly column on business in the Vermont Standard. He will attend the April 6, 2016 PC meeting for discussion of the position. He would continue in his role as Chair of the Design Review Board.

IV. OPEN DISCUSSION

A. Woodstock Sports Letter

The PC discussed a February 8, 2016 letter from Woodstock Sports which is located at 30 Central Street. The owners request a change in the zoning regulations which could allow for additional signage. The issue had been discussed last year. The owners have a non-conforming free standing sign that is 50% larger than the 10 sf free standing sign allowed in the Central Commercial district. Although the owners have the option of placing additional facade signage, they prefer a larger free standing sign for increased visibility. They also asked to be able to place the free standing sign that had been in place on the west side of the building as a facade sign.

The PC noted work on the Village Zoning Regulation rewrite is scheduled to start this summer. This would be the best time to discuss the issue. Signage is always a well discussed topic when the regulations are rewritten. The Town Planner will send a letter informing the owners of the proposed Village Zoning rewrite schedule.

B. Open Meeting Law/Email

Mr. Sheu questioned whether the PC would be in compliance with the State's open meeting law when they discuss various items via email. Do these types of "conversation" require allowance for public participation. If so, how would that occur. Chair Miller noted she's participated in "google meetings", internet oriented group discussions.

The Town Planner will ask VLCT for advice on the matter. He will also discuss the issue with the Town Manager.

IV. NEXT MEETING

The next meeting is scheduled for April 6, 2016 at 7:30 pm. Ms. Boston will not be present.

VI. ADJOURNMENT

The meeting adjourned at 9:10 pm.

Respectfully submitted,

Michael Brands, AICP
Town/Village Planner