

PLANNING COMMISSION
Draft Minutes
May 9, 2016

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

I. CALL TO ORDER

The meeting was called to order at 7:40 pm.

II. APPROVAL OF MINUTES

The minutes of the April 6, 2016 meeting were approved as submitted.

III. NEW BUSINESS

A. Town Plan Amendments

The PC reviewed the one page Village Center Designation edited by the Town Planner. The PC added “program” after Village Center Designation and “by the State” to the first sentence.

Mr. Bendis submitted an alternate version, which shortened the text significantly yet maintained the boxed benefits portion.

After discussion, the PC selected the Town Planner’s edited version as it fits the Town Plan format and added background material to the discussion.

The PC also discussed the Village Designation map. The PC was emailed a pdf of the map in black and white, which is much harder to read than the color version. A color version of the map will be placed in the plan. A Village Designation map is included as an overlay on the Village zoning map in the current plan but is somewhat difficult to view.

Mr. Sheu questioned why home businesses would not benefit from the offered tax credits.

The State established the designation as an aid to commercial properties. The intent was to focus on downtown areas and village centers with a commercial presence. It was not meant to cover home businesses which would have covered a much larger area.

The Town Planner noted the text would be placed on page 25 of the plan in the Economic Development chapter. The full page map would be placed directly after the text.

After additional discussion, **Mr. Gray, with a second by Mr. Bendis motioned to approve the Town Planner's edited version of the Village Center Designation as discussed. The motion passed with a 5-0 vote.**

The Flood Resiliency chapter was discussed. The Town Planner edited the original TRORC version to correct the historical sequence of flood events and to transform the TRORC recommendations into a format that follows the Town Plan's Action Program.

The PC made a number of minor edits to the chapter.

After discussion, the PC noted preference for the Action Program format of the TRORC recommendations. The numbering of the goals was incorrect. These were corrected. An action item for Goal 4, Objective 4.3 was added, "Evaluate flood vulnerability of emergency service locations."

After additional discussion, **Ms. Boston motioned with a second by Mr. Gray to approve the chapter as modified. The motion was approved with a 5-0 vote.**

The Town Planner reviewed the public hearing dates. The timing is very tight but will allow the Village Center Designation renewal to meet the State's August 1st deadline. The PC will hold a hearing on June 9, 2016. If approved by the PC, public hearing dates of July 12th & 19th will be scheduled for the Board of Trustees and the Selectboard. If approved at both of these joint meetings, the TRORC will review the plan on July 23rd. Once the plan is approved by the TRORC, a renewal application can be filed before the first Monday of August, the 1st.

The Town Planner will send out notification and documents to all abutting towns, the TRORC and the State's Department of Planning and Community Development.

Chair Miller discussed the solar siting situation. It had been hoped the solar siting criteria could be added to the Town Plan with this adoption process. However, new legislation approved Friday May 6th creates a difficult path for approval of the energy portion of a town plan. The energy chapter requires Public Service Board approval before the PSB will consider a plan's impact on a solar application.

The Town Planner read a summary of the Senate Bill, S.230, from a Vermont Digger article. The approved legislation maintains PSB control throughout the solar siting process. Only State-certified plans with an energy chapter approved by the PSB would be allowed to be considered during the application review.

Chair Miller noted that the PSB will not hear new solar projects, 15kw or larger, until after January 2017. This creates an informal moratorium whereby a town plan's energy chapter could be revamped to address the new requirements of S.230.

B. Town Zoning Regulations

Due to an April 26, 2016 decision of the TDRB, the Town Planner is requesting an amendment to the Town Zoning Regulations. In reviewing a variance request to place an additional residential unit on an owner's property, the TDRB decided the variance was not required. The TDRB agreed the calculation of density (units per acre) as written in the regulations is unclear. The regulations note the density requirements for one and two family dwellings and in some instances for three family dwellings but does list the requirements for multi-family dwellings. The Town Planner distributed an amendment that adds a multi-unit requirement stating specifically how much acreage or square footage is required for each zoning district designation within Article III Zoning Districts.

In discussing the amendment, Chair Miller suggested that adding “more than three units” to each district reference would make the calculation requirement even clearer.

After discussion, the PC agreed with the Chair’s suggestion.

After further discussion, **Mr. Gray with a second by Ms. Boston motioned to approve the proposed amendment as discussed above. The motion passed with a 5-0 vote.**

The Town Planner will schedule a public hearing for June 1, 2016.

Title 24 Chapter 117 §4449, states an amendment to a zoning bylaw becomes effective for 150 days until either rejected or adopted. The TDRB is required to consider the proposed amendment from the date the proposed amendment is warned in the official newspaper. In this case, the amendment is to be warned on May 14th, on which date it becomes effective.

Zoning Map Changes

The Town Planner showed the PC a zoning map and noted properties where potential map changes could occur.

Gray Perkins, owner of the residential structure directly south of the South Woodstock Country Store asked to come before the PC to request a change from Residential Low Density to a more commercial zone. Mr. Perkins also owned the store at one time. The Town Planner will invite him to the June 1st meeting.

A second potential change in South Woodstock revolves around an ongoing TDRB hearing of a non-conforming use. The Lyman Shove woodshop has been a commercial use since the early 1800s. The property is located in a Residential Low Density zone which does not allow commercial uses. If the TDRB determines the use was discontinued for more than a year, commercial use of the property would not be allowed. Based on that conclusion, the only way to continue a commercial use of the property would be via a zoning change. In Taftsville, an old barn was allowed to hold weddings due to creative zoning that established Section 515 Historic Barns allowing commercial activities on a limited basis.

In West Woodstock at the junction of Westerdale Road and Liberty Farm Road, a realtor is asking to change zoning that would increase density to one unit per half acre. The property is currently zoned Residential Five Acre, one unit per five acres. A neighboring property is zoned Business Service /Light Industrial which has a residential density of one unit per half acre. The Town Planner will invite the realtor to the June 1st meeting.

A fourth potential change is to add Residential Office properties to the Multiple Low Occupancy Apartment section. Section 531 MLOA allows one can have up to four low occupancy apartments.

Currently, Section 531 includes all other commercially zoned properties. There are only two areas of the town zoned for Residential Office, properties bordering Route 4 in Taftsville and the tack shop/real estate office in South Woodstock.

IV. OPEN DISCUSSION - None

V. NEXT MEETING

The next meeting is scheduled for June 1st. A PC public hearing date for the Town Plan adoption will be held Thursday June 9th.

VI. ADJOURNMENT

The meeting adjourned at 9:00 pm.

Respectfully submitted,

Michael Brands, AICP
Town/Village Planner