

## PLANNING COMMISSION

### Minutes

January 4, 2017

**Members Present:** Sally Miller, Lowell Gray, Susan Boston, Jeff Bendis, Michael Pacht, Sam Segal

**Members Absent:** Keri Cole

**Others Present:** Michael Brands

#### I. CALL TO ORDER

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

#### II. APPROVAL OF MINUTES

The December 7, 2016 minutes were approved by unanimous vote.

#### III. BUSINESS

##### A. Cheese Aging / Storage Facility

At the last PC meeting, Mr. and Mrs. Werner discussed their intent to open a cheese storage and aging facility on a West Woodstock property located directly on Route 4. The land owner preferred that there be no retail sales on-site. The Werners would like to be able to sell some cheese on-site. The Town Planner encouraged the two parties to discuss the issue. The Town Planner has not received any additional information from either party. No action was taken.

##### B. Town Zoning Regulations Rewrite

The Town Planner sent a four page list of zoning changes that have been discussed by the PC and temporarily approved over the past year.

A list of the changes with written comments made by Mr. Bendis were distributed to the members. Mr. Bendis led a discussion of his comments.

The review started with Section 403 Conservation Districts. The PC agreed to the proposed language: B.1.f.v. “the following will determine if the addition can be approved” was added after “residence”. Additionally, “shall be” replaced “is” after “addition” in 2).

In Section 404 Design Review changes were made to clarify the process of a minor application.

Mr. Segal asked to return to Section 403. He questioned the inclusion of non-confirmed vernal pool sites in the Critical Areas Inventory map.

Approximately twenty non-confirmed vernal pools were mapped by the Vermont Center for Eco Studies. They have not been site checked to confirm they are actual vernal pools. The confirmation process is both costly and time consuming. Therefore, the sites would be reviewed as development occurs on a case by case basis. The landowner has the option of hiring a wetland delineator or having the Conservation Commission review the sites to confirm or not confirm the presence of a vernal pool.

Mr. Segal felt this was an undue burden on property owners and preferred not to include the non-confirmed sites on the official map.

A map of Woodstock with the confirmed and non-confirmed vernal pools was passed around. Mr. Gray noted the two non-confirmed sites on his property are located accurately.

Chair Miller and Mr. Pacht felt it was better to review potential vernal pools versus the other option whereby they could be destroyed via lack of knowledge of their existence.

After a lengthy discussion, the Town Planner was asked to contact the Vermont Center for Eco Studies to request how the non-confirmed vernal pools were discovered. The Town Planner will also ask what percentage of non-confirmed vernal pools become confirmed pools once they are site checked.

Section 505 Buffer Strip / Screening changes were reviewed. In the preamble, “shall be determined” was placed after “vegetation” on the 3<sup>rd</sup> line. Mr. Bendis felt the list of review standards could be consolidated and suggested joining “A” and “C”. The PC agreed to combine A & C by adding “in order to achieve compatibility with surrounding vegetation” after “development”.

The Town Planner noted the intent of the change was to include solar and alternative energy site screening to the standard commercial screening requirements.

After discussion of Section 524 Ponds, the PC agreed to remove “made” from first sentence.

In the Section 525 Short Term Rentals, the PC agreed to remove “liability insurance” references. In D. “garbage” was changed to “rubbish” and “viewed from the street” was added at end of sentence. In E. “Regulations” was changed to “house rules”. Additional minor typos and clarifications were also made.

In Section 531 Generators / Heat Pumps / AC, the PC agreed to add the following: “G. The testing cycle of generators shall be scheduled during normal business hours.”

The PC discussed map changes.

The PC discussed the addition of 13 properties to the Community district. A list of the properties was sent to the Commission earlier. The list includes parcels owned by the town, churches and private non-profits. The PC agreed to add the properties to the Community district. Chair Miller suggested, and the PC agreed, to add the parking lot across the street from the Senior Center to the district. The Town Planner noted that the lot is owned by the Senior Center and he will add this to the map.

The PC also supported the rezoning of a number of West Woodstock properties located at the bottom of Westerdale Road from Business Service /Light Industrial to Residential Low Density. The PC agreed to rezone the lower half of the Stott lot to Residential Low Density. The upper half would retain a Residential Five Acre designation. The Town Planner will send letters to the abutters and land owners affected by the proposed change.

**C. Enhanced Energy Planning Workshop**

The Town Planner noted that TRORC has selected three other towns and not Woodstock to participate in the enhanced energy planning process. The process is a pilot program to help towns write an enhanced energy chapter for their respective town plans. The chapter will become essential to Act 248 hearings - the review of solar and other alternative energy production. The process will be shared by TRORC as work progresses. Chair Miller is a member of the TRORC Energy Committee and will keep the PC up-to-date with the process.

**D. TRORC Land Use Plan**

The Town Planner talked to TRORC Planners, Chris Sargent and Pete Fellows, concerning the proposed Woodstock land use maps that have been prepared for the Regional Commission's Master Plan. The maps are completed as part of the State imposed regional plan mandates. The intent is to estimate areas of probable growth in the Village and hamlet areas. The maps do not follow parcel lines exactly as the estimates are meant to be soft and not fixed.

The PC questioned the intended use of the maps and if there would be consequences to accepting the boundaries as drawn. The Town Planner noted the land use section of the Regional Plan is on hold at the moment. The PC did not want to be restricted by the proposed growth areas, especially since they are not the creation of the PC. The Town Planner will confer with Mr. Fellows and ask for any written text that would accompany the maps.

**E. 2<sup>nd</sup> Shutter Case**

The Town Planner noted a second court case involving retention of shutters on buildings located within the Design Review District was won by the Village. The Environmental

Court's decision was based on the successive application doctrine whereby an application once denied cannot be approved without substantial change. There is very little Vermont case law on the successive application doctrine, therefore this case will be a bell weather case. An Associated Press article on the subject was in the January 4, 2017 edition of the Valley News.

**IV. NEXT MEETING**

The next meeting is scheduled for February 1, 2017.

**V. ADJOURNMENT**

The meeting adjourned at 9:00 pm.

Respectfully submitted,

Michael Brands, AICP  
Town/Village Planner