

PLANNING COMMISSION

Minutes

June 7, 2017

Members Present: Sam Segal, Susan Boston, Jeff Bendis, Sally Miller, Keri Cole, Michael Pacht
Members Absent: One Vacancy
Others Present: Kevin Geiger, Chris Damiani, Barbara Berry, David Livesley, Dora Foschi, Charlotte Hollingsworth, Sarah Stader, Susan Ford, Wilk Noll, Barry Milstone, Luke Underwood, Patrick Fultz, Phil Jenkins, Ben Pauly, Michael Brands

I. CALL TO ORDER

Chair Miller called the meeting to order at 7:00 pm.

Chair Miller asked for a moment of silence to honor the recent passing of Planning Commissioner Lowell Gray.

Two candidates for the PC vacancy introduced themselves. Michael Malik is a Village resident and owns a local business. He recently became a member of the Economic Development Committee but would work on both boards should he be appointed. Sara Sadler is a 3-year Town resident and retired attorney.

II. APPROVAL OF MINUTES

The minutes of March 29, 2017 were approved as submitted.

III. PUBLIC HEARING

A. 2017 Town Zoning Rewrite

Chair Miller read a brief review of the proposed zoning changes to the Town of Woodstock Zoning Regulations. The amendments are the result of the five year rewrite of the zoning regulations.

Amendments include: §403 on Riparian and Vernal Pools, §404 Design Review, §505 Buffer Strips, §524 Ponds, §525 Short Term Rentals, §530 Waiver to Setback and §709 Nonconforming Uses. New sections are §532 Generators/ Heat Pumps and §820 Reconsideration/ Rehearing. Map changes include So. Woodstock Hamlet Commercial, Community and Critical Areas Map.

Chair Miller asked if there were any comments on the proposed amendments save the Short Term Rental changes. There were no comments.

Chair Miller read the proposed Short Term Rental amendments and opened discussion on the changes. A lengthy discussion took place.

Mr. Fultz, owner of Sleep Woodstock, distributed and discussed his letter which had been emailed to all PC members. Accompanying the letter, was a petition signed electronically by 15 lodging owners asking that the increase from 10 to 12 rentals per year be rescinded.

Mr. Jenkins, owner of the Deerbrook Inn, is working with a State Senate summer group to generate a bill on the short term rental issue as a member of VIBBA, Vermont Inn and B&B Association. Safety is the key concern. Lodging taxes are required to be paid. An equitable playing field should be established between inn owners and short term rentals. Lodging facilities require numerous State inspections, water and health among others that STRs do not have to do. Another issue is that long term rentals for local residents are being lost due to the increasing influx of STRs.

Mr. Milstone, owner of the Farmhouse Inn at Robinson Farm, spoke against the proposed changes.

Mr. Underwood, manager of the Kedron Valley Inn, noted his opposition to the proposed changes. Inns and other tourist industries are suffering a major labor crisis in Vermont due to the lack of affordable housing for employees. This is a significant impediment that is exacerbated by the allowance of STRs.

Chair Miller suggested that all other changes to the STR are good legislation and should be approved. This is with the exception of the increase from 10-12 rentals per year.

Mr. Segal in discussing the evolution of the increase to 12 rentals, stated enforcement of the number of times one is allowed to rent is a very difficult task. To counter this, a more realistic rate was proposed.

Mr. Livesly, owner of the Woodstocker Inn, suggested that the regulations be established first and then once information comes in the numbers can be increased.

Ms. Hollingsworth, owner of the -Ardmore Inn, stated that health department inspections should be required for STRs. Regulations create a better product, referring to the "Vermont" brand.

Ms. Cole also suggested acceptance of the regulations as proposed with a 10 per year allowance as stated in the current regulations.

Mr. Malik stated long term rentals are great until one gets a bad tenant. STRs can help the property owner by providing additional income. He does agree with the level playing field concept but feels STR renters are a different client than those that rent at an inn.

The PC agreed to the retention of the 10 times per year language and noted they would reopen the discussion once the final recommendations come out of the State committee study group.

After discussion, Ms. Cole motioned with a second by Mr. Pacht to adopt the Short Term Rental amendments as written with the retention of the 10 times per year allowance. The motion passed with a 6-0 vote.

After additional discussion, Ms. Cole motioned with a second by Ms. Boston to approve the zoning amendments as discussed. The motion was approved with a 6-0 vote.

The next step is a public hearing with the Select Board.

IV. NEW BUSINESS

A. Town Plan Energy Chapter

TRORC's Mr. Damiani and Mr. Geiger discussed the rewrite of the Town Plan's energy chapter in a manner that would allow the Town and Village to participate in the Act 248 proceedings. Act 248 is the State's Public Service Board review of alternative energy proposals such as solar fields, wind farms, etc.

Since January 2017 TRORC has been working with three towns. Woodstock would be the fourth. Most of the work required for the energy chapter has been accomplished via the other three towns. However, the chapter will need to be customized to the specific energy needs of Woodstock.

A number of maps noting wind, solar, hydro potentials were distributed. Woodstock has the right to list preferred sites. The Act 248 Commission appreciates towns with the preferred locations versus towns that list un-preferred sites.

Statutory preferred sites are landfills, parking lots and other such areas. Prohibited sites are floodway, agricultural, and national wilderness areas.

Numerous tables were shown noting energy usage. Green Mountain Power has been very helpful in supplying energy usage data.

The schedule is tight. TRORC will write a draft for review for the July 5 PC meeting. At this meeting the PC will review the maps and data for preferred sites. The onus is on TRORC to complete the work within a certain time frame. The PC is under no immediate time frame, although they should finish as soon as possible. A full Town Plan adoption process will be required.

The PC agreed to work with TRORC on the adoption process.

B. Integrated Agriculture

At the last PC meeting (which was not official because there was only three members in attendance) Mr. Pauly submitted his Integrated Agriculture amendment for the Town Zoning. Mr. Pauly's submittal was based on regulations taken from Hinesburg and Shelburne.

As a result of this discussion, the Town Planner wrote a shortened version addressing many of the comments made at the May meeting. The proposed amendment includes a list of standards addressing distance from neighbors for the different types of events, hours of operation, noise impacts, traffic impacts and number of events per year.

Mr. Pauly listed wedding statistics from the Woodstock Inn. Last year, there were 2800 room nights resulting from 40 weddings with 60% of attendees staying at the Woodstock Inn. The other 40% stayed elsewhere in the Woodstock area. All attendees dined out and went shopping, thus a significant boon to the local economy. Weddings are a big deal.

The weddings proposed for the Kelly Way gardens would be different than those that take place at the Woodstock Inn. There would be a 120 person maximum at Kelly Gardens. The Woodstock Inn has a 250 person maximum.

The main intended events at Kelly Gardens would be classes, food tastings and other garden related sessions and not specifically weddings.

In regards to the Town Planner's rewrite, Mr. Pauly felt the regulations should be more flexible in allowing wine and other products that are not produced on-site. The pairings are an important part of the presentation.

Chair Miller stated she was uncomfortable with additional retail expansions as they are difficult to control and once allowed almost impossible to restrict.

The regulations could be written with a square footage maximum to keep product sales in check.

Mr. Segal felt there should be a relationship between what is produced on-site and what is sold on-site.

The Town Planner suggested a special definition of farms that could be allowed to hold events versus allowing all ag or forestry businesses to do so. Allowing weddings on every back road will not be viewed favorably by residents concerned with their peace and quiet.

After a lengthy discussion, it was agreed to hold off on the integrated ag concept and to concentrate on the current needs of Kelly Way. The PC agreed to establish a special district as an auxiliary use to an inn. The district would have specific allowances and review procedures. The Town Planner will create the overlay district and write up a section on the proposed uses. This will be reviewed at the July 5 PC meeting.

C. Village B&B Amendment

Susan Ford, attorney representing the Charleston House B & B, addressed the PC. The Charleston House, currently for sale, is a grandfathered 9 guest room bed and breakfast. Current regulations allow only three guest rooms per B & B. Ms. Ford stated a recent sale fell through due to the requirement within the Bed & Breakfast definition that only one employee is allowed. Ms. Ford felt it would be very difficult to operate a 9 room

B&B with only one employee and asked that the requirement be removed.

After a brief discussion, Ms. Cole motioned with a second by Ms. Boston to remove the phrase “and involving not more than one full time employee” from the B & B definition. The motion passed with a 6-0 vote.

The Town Planner will submit a public hearing ad for the July 5, 2017 PC meeting.

D. Re-appoint Acting Administrative Officer - Phil Swanson

The Board discussed the re-appointment for an Acting Administrative Officer which is requires renewal every three years. The Acting Administrative Officer would sign zoning permits in the absence of Michael Brands.

Ms. Boston motioned with a second by Mr. Pacht, to reappoint Town Manager, Phil Swanson to the Acting Administrative Officer position. The motion was approved with a 6- 0 vote.

V. OPEN DISCUSSION None

VI. NEXT MEETING
The next meeting is scheduled for July 5, 2017.

VII. ADJOURNMENT
The meeting adjourned at 9:30 pm.

Respectfully submitted,

Michael Brands, AICP
Town/Village Planner