

**PLANNING COMMISSION**  
**Minutes**  
**December 7, 2016**

**Members Present:** Sally Miller, Lowell Gray, Susan Boston, Jeff Bendis, Keri Cole, Michael Pacht, Sam Segal  
**Members Absent:** None  
**Others Present:** Michael Weinberger, George Wilson, Jesse Werner, Sarit Werner, Michael Brands

**I. CALL TO ORDER**

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

**II. APPROVAL OF MINUTES**

The November 2, 2016 minutes were approved by unanimous vote.

**III. PUBLIC HEARING**

**A. Michael Weinberger - 79 Pleasant Street - Parcel #21.52.16.**

Public hearing per Title 24 V.S.A. Chapter 117 Section 4441 to amend the Village Zoning Map by converting a Residential High Density lot to Commercial/ Light Industrial.

Mr. Weinberger presented his request.

The PC reviewed the Zoning Map showing the proposed change. The Commercial / Light Industrial district would be extended south to include the Weinberger parcel.

The 1/4 acre property located on the Town/Village line at the base of Hartland Hill Road had been used for many years as an architect's office until Mr. Weinberger's retirement. The property had been zoned for commercial light industrial uses up to 1992 at which time all properties along Pleasant Street east of Richmond corners were changed to Residential High Density. The office use continued as a non-conforming use for many years. Over a year has passed since the use ceased operations. This negates the continuance of the non-conforming use. The owner is requesting that the parcel's previous zoning designation be restored as the structure on site is not amenable to residential use.

Mr. Wilson, owner of the property directly west of the Weinberger parcel asked about proposed parking impacts.

The Town Planner noted the current request is to change the zoning designation. First the Planning Commission approval is required, then the Board of Trustees would hold a hearing before final approval. After the zoning change is approved a conditional use / site plan review would be held for any commercial uses. At that time parking would be reviewed.

Mr. Weinberger noted that there were eight to ten parking spaces on site when the architect's office was operational.

The Town Planner noted a call from Geoffrey Nichols, owner of the property directly west of Weinberger's supported the change and hoped his property would be eligible for a similar designation in the future. The Nichols' property has a residential use with numerous apartments.

Testimony was voted closed.

**After discussion, Mr. Pacht with a second by Ms. Cole motioned to approve the proposed change of zoning from Residential High Density to Commercial/Light Industrial as presented. The motion passed with a 7-0 vote.**

#### IV. OLD BUSINESS

##### A. Jesse and Sarit Werner - Cheese Aging/Storage Facility

Mr. and Mrs. Werner continued the discussion the PC has had with father Leo Werner over the past few months.

Mr. Werner is owner and cheese maker at the Plymouth Cheese Factory. Mrs. Werner is owner and marketing director. She is also a member of the Pentangle Board of Directors and knows the area well.

The Plymouth Cheese Factory was established in 1890, it is the second oldest in the United States. Currently there are 14 products. They've been admitted to the Good Food Merchant Guild.

The main constraint with the Plymouth location is that of cheese storage and aging. A 14,000 square foot barn would serve to both store and age the cheese. The intent is to encourage other regional cheese makers to store on site as well. The Woodstock area is perfect for their planned expansion.

The Werners had been speaking with Tom Debevoise, dairy farmer and owner of a West Woodstock property abutting Route 4, about a long term lease of a 2-3 acre site. A site visit with the Town Planner and Mr. Debevoise located a potential site for the proposed facility.

A December 6, 2016 letter to the PC from Mr. Debevoise and his wife was read. The Debevoises support the cheese storage and aging proposal but have concerns with potential retail sales. Mr. Debevoise was not present.

Although the Werners had not seen the Debevoise letter, they were aware that the proposed retail sales were not supported by the landowners. Therefore, they felt the deal was off and intend to look into other sites that may work along Route 4. They have tried without success to contact Mr. Debevoise.

Chair Miller noted that Ms. Werner spoke to Sustainable Woodstock about up and coming business opportunities. The talk was well received by those present.

The Werners are also offering a Plymouth Artisan agriculture product line, mainly preserves and sauces made of local produce. They would like to be able sell both cheese and the agricultural products from their site.

The PC noted support for the project as evidence of a potential zoning change. The selected site could be rezoned Business Service/Light Industrial to allow the cheese storage. Additionally to allow a restricted retail component the Town Planner created an ag-related retail component. This would restrict sales to agricultural items grown or produced within 50 miles of the site and to 5% of the building size with a cap of 1,000 square feet.

The PC also stated they had no desire to extend retail uses in the West Woodstock area, which is why the BS/LI zone (a non-retail zoning designation) was chosen. Numerous national companies over the years have expressed interest in Route 4 real estate. However, the PC does support locally grown and produced agricultural products.

After discussion, the PC strongly encouraged the Werners to contact Mr. Debevoise to see if a mutually acceptable plan can be worked out.

The Town Planner stated he will send a message and a copy of the minutes to Mr. Debevoise.

## **B. TOWN ZONING 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. Unfortunately only the first page was sent. The PC will do a more thorough review at the January 4, 2017 meeting once they receive the full list.

Per discussion at the November meeting, an item "I." was added to Section 524 Short Term Rentals which requires a letter of compliance every January. The amendment was handed out and discussed.

Mr. Pacht suggested a specialized form be created, which could be signed and sent to the Planning and Zoning Office every January by the permit holder. The form could be notarized as well. (I hereby declare the above to be true.)

Mr. Segal did not support the amendment, feeling the letter to be too intrusive.

Mr. Gray noted the Town should not be in the business of collecting State taxes, and asked to remove the second half of the amendment.

Mr. Segal added that neighborhood concerns should be addressed on a case by case basis. A blanket letter is not necessary for the majority who comply with their permits.

After discussion, the PC agreed to remove the reference to room and meals taxes and supported the idea of a specialized form. The sentence "I." was changed to: "A Section 525 compliance report shall be filed by the permit holder, or designated agent, with the Planning and Zoning Office by January 31<sup>st</sup> of each year."

Zoning map changes were discussed. The Gray Perkins lot next to the South Woodstock Country Store would be changed from Residential Low Density to Hamlet Commercial.

In West Woodstock off of Westerdale Road, the Halle/Berry parcel and the Richard Adams parcel were changed from BS/LI to Residential Low Density. The new owner of a neighboring lot would like to change the zoning from Residential Five Acres. The owner desires to place more housing on site. The Town Planner suggested zoning half of the eight acre lot to Residential Low Density. This would allow eight units on site.

The Town snow dump is the only lot that is currently zoned "Community". A fourteen lot list was put together for a potential Community zoning designation. The lots are either Town owned or owned by a public non-profit. The list and a map will be sent to the PC for discussion in January.

**C. Gerrish - Act 250**

The Act 250 altered permit for Nicholas Burke and the Gerrish Corporation has been finalized. The permit holder is required to pay \$50,000 to the State Office Historic Preservation Office in four payments. A Design Review application to demo the building is required by February 1, 2017. Demo of the building must be concluded by December 1, 2017. The Village historic survey is to be completed by December 1, 2018.

The Town Planner will contact the State Office Historic Preservation Office to coordinate efforts with the rewritten historic survey and the potential expansion of the historic district. The PC will be part of the process and should think about potential areas of expansion. The actual work would not start until full payment has been made.

**D. Shutter Case Article - Vermont Standard**

The Town Planner noted there is an article in the November 23, 2016 issue of the Vermont Standard on the Environmental Court's decision concerning shutters. The decision supports the VDRB and DR decisions that require a landowner to replace the shutters on a residential building located on Pleasant Street. The case is important as the Village lost a shutter retention case two years ago. The Design Review regulations were strengthened with regards to retaining shutters on existing buildings.

**IV. OTHER BUSINESS**

**A. East End Developer Brochure**

An event at the Woodstock Inn presented the Woodstock East End Development Opportunities brochure. The event was sponsored by Sustainable Woodstock, Economic Development Committee, and the Woodstock Area Chamber of Commerce. A digital version of the 130 page brochure is available on the Town's website and from the Planning & Zoning Office.

**B. TRORC Energy Planning Proposal**

The Town Planner noted he has submitted a request to TRORC to be part of their enhanced energy planning process. Three regional commissions, including TRORC have been selected by the State to run a pilot program. The process would start early next year. The result would be a new town plan chapter on Energy. The process is also required should the Town wish to participate in Act 248 hearings regarding large scale alternative energy applications.

**C. TRORC Land Use Plan**

Chris Sargent, TRORC Planner, asked for comment on the Woodstock land use maps that have been prepared for the Regional Commission's Master Plan. The PC reviewed the maps and had a number of questions mainly concerned with proposed future growth areas. How and why were the growth areas mapped. Woodstock's growth rate is zero as the population is not expected to increase. The Town Planner will confer with Mr. Sargent on the issue.

**IV. NEXT MEETING**

The next meeting is scheduled for January 4, 2017.

**V. ADJOURNMENT**

The meeting adjourned at 9:00 pm.

Respectfully submitted,

Michael Brands, AICP  
Town/Village Planner