

PLANNING COMMISSION
Draft Minutes
March 8, 2018

MEMBERS PRESENT: Sally Miller, Susan Boston, Sara Stadler, Eric Goldberg, Michael Pacht
MEMBERS ABSENT: Sam Segal, Jeff Bendis
OTHERS PRESENT: Matt Stover, Jason Debritko, Barbara O’Connell, David Beilman, Mary McVey, Amy Trotsky, David McGuire, Bettyanne McGuire, James Ziobro, Liam Murphy, Michael Trotsky, Katie Trotsky, Michael Brands

I. CALL TO ORDER

Chair Miller opened the meeting at 6:30 p.m..
(Meeting started early due to a major snow storm.)

II. APPROVAL OF MINUTES

The minutes of January 3, 2018 were approved as submitted.

The review of the January 31, 2018 minutes were placed on hold due to lack of a quorum able to approve them.

The PC discussed the November 29, 2017 minutes per a request by Ms. O’Connell to add numerous clarifying edits. After discussion, the PC agreed the proposed edits were not necessary to understand the intent of the minutes and left the minutes as approved.

III. NEW BUSINESS

A. Matt Stover - Education

Mr. Goldberg introduced Matt Stover, board member of the recently created Windsor Central Unified District (WUCD). The middle school building needs some major work, but the budget cannot cover the costs. Numerous infrastructure issues are occurring and not being repaired. Over time this delayed maintenance time will create a significant funding issue down the road. Another issue is that families looking to move to the Upper Valley are moving to Hanover instead of Woodstock once they’ve looked at the school here.

WCUD was recently formed in September 2017. The member towns include Bridgewater, Killington, Pomfret, Plymouth, Reading and Woodstock. Barnard is the one area town that is not part of the WCUD.

Mr. Stover clarified that he is speaking as an individual and not as a representative of the school board. A power point presentation was shown with numerous charts and budget figures.

All member towns have a shrinking student population, averaging a 2% loss rate per year for the past decade. This is a statewide issue shared with the other northeastern states.

Three elements are converging that will cause a large budget gap within five years: high fixed cost for infrastructure, a declining enrollment, and challenging state revenue. Future federal funds appear to be diminishing as well.

There would be a 20% tax rate default within five years if the tax rate was held constant.

Declining enrollment is a statewide problem. Woodstock should do all they can to encourage families to move here.

School costs are broken down as follows: 21% administration, 11% infrastructure, 5% food & transportation, 45% student programming, and 18% special education. The WCUD 2018 budget is \$21.8 million.

A bar chart of enrollment trends showed the consistent decline in student population since 1999.

School funding sources are 9% federal, 30% state, 37% non-homestead, and 24% homestead tax.

Due to Act 60/64 legislation, for every tax dollar raised for education in Woodstock half (\$0.50) goes to receiving towns such as Rutland. This is known as the so-called “gold town” phenomena.

The five-year trend includes: 18 points down, a \$3.5 million budget default, and 2.4 % decline in student population.

In the future, the board will have to make some hard decisions to address the problem.

Complicating this outcome, Vermont is the number 3 state in the country on a cost per child basis and WCUD is one of the most expensive school districts in Vermont. Approximately \$16,000 is spent per child per year.

The PC asked if consolidation of schools saves money. Cutting back on administrative costs is helpful, but there is no proof that it is beneficial. Maine’s efforts to consolidate appear not to be working.

The current district allows school choice which over time may help with the consolidation of schools. Existing schools have a guarantee allowing them to remain open for at least a four-year period.

It was noted that New Hampshire school budgets are generally 50% less than their eastern neighbor. Vermont schools are staff heavy. They have 50% more personnel than other states.

Ms. Miller noted special education costs are reimbursed somewhat at the federal level.

Mr. Stover felt block grants are a possibility whereby the school district would be able to spend the grant as they see fit.

Mr. Goldberg asked if there was any way to raise money outside of the standard budget process. He suggested soliciting private and corporate donations.

Mr. Debritko noted it's a shame most taxpayers are not aware of the Act 60/64 restraints which forces half of one's taxes go to another town.

Deferred maintenance is a major issue, one that parallels the enactment of Act 60 legislation.

All agreed, Woodstock is a unique community that has the ability to address the costs issues and to attract families. More work needs to be done along these lines.

It is very important to keep Woodstock a topnotch school. This is very helpful in encouraging transfer students. Tuition from this source has become very important to the school budget.

Next week an architect will give a presentation on potential upgrades for the school which is now 60 years old. Hopefully this will enable well thought out goals for future repairs/renovations.

Addressing the injustice of Act 60 may take a lawsuit, as it appears impossible to convince the State legislature to change it.

Various strategies are being proposed such as developing a learning center within the school and encouraging course work geared toward a multi-year level versus a single grade level.

Any positive action will take dedicated parents and other interested parties. The current school board and many school administrators are new. This is a good time to generate some good energy and establish new directions.

IV. OLD BUSINESS

A. Village Zoning Rewrite

The Town Planner gave a brief update. A 50' riparian buffer proposal was discussed with the Conservation Commission. This followed a conditional use hearing concerning a 120' deep property that is 80% in the riparian zone.

The CC was okay with a 50' buffer for developed parcels but asked that parcels with 100' of undeveloped area should retain their 100' designation. The Village has few parcels that have a full untouched 100' riparian zone. The rewritten regulation also adds an

exemption for publicly owned park space, as most park spaces have an abundance of vegetative cover with few if any buildings. A copy of the proposed riparian buffer regulations was distributed.

Once the Town Planner has more comments concerning the list of potential VZR changes, he will be able to do more rewrites. The conversation stopped at signs.

B. Town Plan Energy Chapter Revision

Revisions to the Town Plan Energy Chapter have been typed up. The PC asked to have the rewrite and potential alternative energy location map sent to them. A special meeting was set for Monday, March 26, 2018 at 7:30 p.m. The meeting will be devoted to the Energy Chapter.

V. PUBLIC HEARINGS:

A. T-4795-17 200 Westerdale Road, LLC

Chair Miller opened the public Hearing in accordance with 24 V.S.A. §4441, for an amendment to the Town Zoning Regulations to convert the lower three acre section of an 8.0 acre parcel #32.01.18. located at 200 Westerdale Road from Residential Five Acre to Residential One Acre at 7:30 p.m..

Ms. Trotsky asked to record the meeting and placed a digital recorder on the main table.

Chair Miller read the warning notice for the public hearing. She recommended that comments be kept short due to the snow storm.

The owner, 200 Westerdale Road LLC, intends to rezone the lower three-acre section of an 8.0 acre lot from Residential Five Acre to Residential One Acre. The property has three living units on-site when purchased by the applicant. The applicant intends to create a one-acre parcel for each of the proposed three one-acre lots.

Town Planner noted that letters were emailed to the PC earlier from Michael Trotsky, Amy Trotsky, John & Katie Trotsky and Liam Murphy, attorney for Michael Trotsky. All letters noted opposition to the proposed change in zoning.

A phone call was received earlier in the day from Jan Hutchinson, who noted both she and her husband oppose the change in zoning.

Comments were requested.

Mr. Ziobro, Liberty Road resident, noted his opposition to the proposed zoning.

He stated disagreement with the findings noted in the Section 4441 report, which was placed on the Town's website. Since the homes have been removed from the property, local traffic has decreased significantly. The potential to build eight homes on the land would have an impact on the Town budget. A wetland located on the southeast corner

next to the Town of Woodstock property needs to be protected.

Michael Trotsky, owner of 452 Westerdale Road, objects to the proposal. The issue is very difficult as it impacts a once close neighborhood. All the Trotsky family members oppose the proposed zoning change. The Hutchinsons, abutters, are unable to attend. They also oppose the proposed change. The Camps, abutters and Cabot Road residents, are neutral.

Mr. Trotsky noted his attorney, Mr. Murphy feels the zoning change is spot zoning. This is illegal and should be cause for rejection. The Town Plan does not support the proposed change and referred to page 105 of the Town Plan. He also referenced the wetland between the town's property and the applicant's property.

Chair Miller stated a similar rezoning issue had been hashed out last year over a three-month period of time that resulted in no change to the zoning of the area. The current application was allowed to move forward as it was assumed there would be more support from the neighbors.

Mr. Murphy is a real estate and land use attorney. He felt the proposal was a clear case of spot zoning as there is no abutting Residential One Acre district. He also felt the prescribed process is not being followed. The Section 4441 Report lists the wrong criteria. He also brought up the presence of a wetland on the site. The proposed change does not meet the Town Plan compatibility test, and referenced the Future Land Use map on page 113 of the Town Plan.

Mr. Beilman, an architect representing the applicant, showed the PC a zoning map of the area. The map shows this is not a case of spot zoning. There are numerous one-acre zoning districts in the area. All properties abutting Liberty Road are zoned Residential One Acre. The property across the road is zoned Business Service/ Light Industrial, with one acre zoning. The Commercial/Light Industrial zone on Route 4 is a one acre district. The abutting town property is zoned Community which is a one acre district.

The applicant, Ms. O'Connell addressed the Planning Commission. She is not a developer and does not wish to become one. The property was purchased as a good neighbor with the intent to remove an eyesore and to prevent undesired development within the neighborhood. As a Westerdale resident, she too has to drive by the property. There is no intent to make a profit. The removal of the old dilapidated buildings and property clean up was a costly process. The zoning change would enable well-built buildings that could contribute to the quality of the neighborhood. Without the zoning change it will be very difficult to sell the property. She noted the PC will make the decision they have to make.

Amy Trotsky asked that the zoning change not be approved. She stated that there should be no more than two residential units on the entire parcel.

Ms. McVey stated support for the request and hopes emotions do not get in the way. The

wetlands are protected by Town regulations and would never be built in. The proposed change would be in character with the neighborhood.

Ms. Boston reminded everyone of the statement in the November 29, 2017 PC minutes. The PC would allow the zoning change request to move forward unless there was significant opposition to the proposal and then it would be denied by the PC and would not be passed on to the Select Board for further review.

After additional discussion, Ms. Boston with a second from Ms. Stadler motioned not to rezone the property in question. The motion passed with a 4-0-1 vote (Mr. Pacht abstained).

The request to rezone the 200 Westerdale Road LLC 8.0 acre parcel is denied.

V. NEXT MEETING

The next regularly scheduled meeting is April 4, 2018. Both Ms. Boston and the Town Planner will not be present.

A special meeting will be held on Monday, March 26, 2018 at 7:30 p.m..

VI. ADJOURNMENT

The meeting was adjourned at 8:35 p.m..

Respectfully submitted,

Michael Brands, AICP
Town/Village Planner