

**WOODSTOCK PLANNING COMMISSION
WOODSTOCK TOWN HALL
31 THE GREEN
August 5, 2020**

DRAFT MINUTES

MEMBERS PRESENT: Sally Miller, Eric Goldberg, Sara Stadler, Ben Jervey, Susan Boston, Susan Silberberg

MEMBERS ABSENT: Sam Segal

OTHERS PRESENT: Neal Leitner, Al Alessi, Larry Niles, Ken Howe

I. CALL TO ORDER

Chair Miller called the meeting to order at 7:30pm.

II. APPROVAL OF MINUTES

The minutes of July 1st were reviewed. A motion was made by Sara Stadler to approve the minutes of July 1st as submitted. The motion was seconded by Susan Boston.

Motion passed 5-0, Susan Silberberg abstained since she was not on the Commission during the July 1st meeting.

III. NEW BUSINESS

A. Accessory on Farm Business (AOFB)/ Integrated Agriculture discussion

Chair Miller opened the item to discussion. She summarized that the commission last visited the topic in 2018, while Act 143 was being crafted. At the time the commission titled it Integrated Agriculture. Now that Act 143 is final, the term is Accessory On Farm Business, or AOFB. At the December 4, 2019 commission meeting, Section 103 Definitions was updated to include Agricultural Events and Accessory Uses. The definition defines events and accessory uses associated with agriculture per Act 143 which shall be on a farm regulated by the AAFM under its RAPs and the operation shall be subordinate to the farming operation to be considered accessory. Section 803 Site Plan Approval was amended to agricultural events and accessory uses. Therefore, no zoning permit shall be issued for agricultural event and accessory uses until the TDRB grants site plan approval.

Chair Miller also discussed a specific location in the Town of Woodstock that appears to have the intention of operating an AOFB, so the discussion has been brought back to the commission's attention again.

The town planner mentioned that the property has two barns, one has a farm determination from the Agency of Agriculture and one does not. An AOFB cannot be located in a barn or structure that has a farm determination. They can only be located in accessory structures.

The town planner also mentioned that the applicant has received a liquor license. The Selectboard issued the liquor license upon the condition that all necessary state and local permits must be obtained prior to use of the liquor license.

Susan Boston asked what makes the property a farm. Larry Niles responded that the property has received a farm determination from the Agency of Agriculture.

Chair Miller stressed to Al Alessi and Larry Niles that the Planning Commission writes the regulations. The Development Review Boards issue the permits for applications. She said the Planning Commission should figure out how they should address this topic. She also mentioned that the state has the issue well covered in terms of identifying criteria for qualification for an AOFB.

Larry Niles asked about Integrated Agriculture. Chair Miller responded that Integrated Agriculture was discussed in 2018 by the commission, but nothing was ever adopted. The draft Integrated Agriculture policy should not be interpreted as a policy that is in effect.

A discussion was held about municipal regulations. Chair Miller said that town regulations cannot be more restrictive than the state regulations under Act 143. She said the commission already adopted amendments under Section 103 and 809 as referred to earlier. The draft integrated agriculture section is more restrictive than Act 143. Therefore, adoption of something like Integrated Agriculture may not be possible.

Larry Niles asked if they need an Act 250 permit. The town planner said he will ask the Act 250 division in regards to the property and get an answer.

Larry Niles asked the town planner if a site plan application has been submitted to the town. The town planner responded that no site plan has been received. An administrative permit for the barn structure itself was issued in 2015. But a site plan review would be required by the TDRB prior to operation of an AOFB.

Al Alessi asked if the property is larger than 150 acres. If the property is less than 150 acres it would not qualify for the Rural Retreat under the Town Zoning Regulations.

Chair Miller thought the property is not larger than 150 acres. The town planner will confirm that it is under 150 acres.

Al Alessi asked if the AOFB would break the agreements under the Land Trust that is on the property. Chair Miller said that it is interesting and should be asked at a public meeting.

A discussion of what accessory is defined as. Susan Boston said that Rural Retreat defined the type of events allowed under the Rural Retreat classification. The commission discussed previous applications that have tried to get accessory businesses, and that Act 143 defines accessory clearly.

Susan Silberberg asked how much leeway they have on defining accessory, since Act 143 is fairly specific.

Chair Miller agreed. She asked the town planner to ask Kaitlin Hayes at the Agency of Agriculture if the draft Integrated Agriculture could be potentially be adopted.

Susan Silberberg asked the town planner could also ask Kaitlin Hayes if any other towns have adopted language in regard to AOFBs and Act 143. The town planner said he will ask the Agency of Agriculture.

A discussion related to the Integrated Agriculture draft ensued.

Events were also discussed. Impacts such as traffic, noise and lighting was mentioned. Additionally, many types of events could quickly exceed 50% of the income that the farm produces, so they would not be accessory at that point.

Al Alessi stressed that he is concerned that the property would like to build a restaurant and create a farm just so that the restaurant could operate, which would not be accessory.

Susan Boston asked about how the town could tell an applicant that a proposed use is not accessory to a farm.

Sara Stadler thought they could view tax returns to determine accessory.

Al Alessi noted that Mangalista is doing the farming on the property for the property owner currently. Mangalista is the entity that obtained the liquor license for the property.

Chair Miller thought the property owner is letting Mangalista do the farming so the farming component of the property could be built up as a farm.

Chair Miller stated that at this point, the applicant does not have an Act 250 ad it has not applied for a site plan review with the TDRB, so they cannot operate until they receive the proper permits.

Ken Howe thought the intent of the regulation (ACT 143) should be kept in mind when addressing this topic.

Chair Miller closed the discussion.

IV. CONTINUED BUSINESS

A. Town Plan Update - Education Chapter

Chair Sally Miller opened the item to the commission for discussion and summarized where they left off. Language is needed to create a final draft version that can be sent to the Selectboard for review. Between this meeting and the May 6th, 2020 Planning Commission meeting the U.S. News and World Report updated their education rankings for 2019. The new rankings placed Woodstock High School at 3rd in the state from 17th in the state in 2018. This is a dramatic improvement from the 2018 rankings, which were cited in the current draft Education Chapter. The Planning Commission conducted some additional research into the change in ranking since the May meeting. Eric Goldberg made some edits to the Education Chapter that were reviewed and discussed by the Commission.

Susan Boston discovered that the U.S. News and World Report changed their methodology from 2018 to 2019. Ben Jervey noted that a snapshot comparison from 2018 and 2019 isn't possible since the state testing methodology has changed as well.

A discussion was held on Act 60, school management issues and potential recommendations.

Chair Sally Miller suggested that the Commission move the discussion forward so they can send a draft to a public hearing. She thought that they should use Susan Boston's comments about the ranking methodology and use Eric Goldberg's changes to the introduction. Susan Boston proposed language for the paragraph on rankings. The commission discussed wording changes to the rankings paragraph. They also discussed the ranking differences between overall rankings and the math and reading rankings.

After discussion ended, the language changes were made to the introduction and the rankings paragraph. The town planner read the amended wording back to the commissioners.

A motion to approve the Final Draft Education Chapter and send it to a public hearing was made by Eric Goldberg. It was seconded by Susan Boston.

Motion passed 6-0.

Woodstock Town/Village Plan
EDUCATION

The quality of Woodstock’s public schools is critical to the fabric and future of the town as well as the school’s constituent communities. The Windsor Central Modified Unified Union School District (WCMUUSD), which administers the public schools serving Woodstock—the Woodstock Elementary School (WES) and the Woodstock Union High School & Middle School (WUHSMS)—is facing significant challenges that must be addressed directly and aggressively in order to ensure that the town’s students receive the best possible education and that the town remains an attractive destination for families with school-aged children. Many of these issues have been long in the making, and the Planning Commission believes the Town needs to work with the school board to seek appropriate resolution.

Woodstock has historically had an excellent educational program but this has been compromised in recent years by challenges that are currently facing many Vermont schools. Statewide property taxes for school funding implemented in 1998 have effectively limited investment for local education in “sending towns.” Demographic changes and increased housing costs have affected enrollment at our schools, but a statewide mandate to merge schools has led to increased enrollment from area towns, tuition students and school choice keeping overall population relatively steady.

Restoring the academic excellence that has historically been a hallmark of Woodstock is the single most important issue for the long-term viability and vibrancy of our community. This is an ambitious and necessary undertaking. It is imperative for the children currently in our community and for their children. The cost of doing nothing will be substantial to the Town in the form of lower property values and tax base as people leave town in search of better school facilities.

Windsor Central Modified Unified Union School District (WCMUUSD)

The Windsor Central Modified Unified Union School District encompasses the towns of Barnard, Bridgewater, Killington, Plymouth, Pomfret, Reading, and Woodstock and includes WUHSMS and associated elementary schools. The WCMUUSD School Board oversees all of the schools and member towns approve one budget for all schools.

There are currently serious deficiencies within the school district and particularly at the WUHSMS—many of which are exasperated by the broader challenges—that demand deliberate and urgent intervention. Our schools should be a magnet which brings families to our community, when in fact they do just the opposite. Many families, particularly those with higher performing students, are actually pulling them out of our schools. The town must take immediate action to address issues with the WUHSMS facilities, academic performance, and social and behavioral concerns.

The WCMUUSD school board and administration have begun to take some action to address these issues, including the adoption of a new Strategic Plan in 2019. These efforts must be expanded, and implementation timeframes need to be established.

Woodstock Elementary School (WES)

The WES has served the children of Woodstock at the present site since 1957. The school currently serves students from Woodstock, Pomfret, Bridgewater, and Reading in grades Pre-K through Grade 6. The school has historically had enrollments as high as 390. With the increased enrollment from neighboring district towns and an increase in academic programs, the WES facilities are approaching their ideal capacity.

WES School Population*

<u>Class/Year</u>	<u>PreK</u>	<u>K</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>Total</u>
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'04-05	0	21	31	27	27	28	25	41	200
'09-10	0	27	28	29	26	28	22	36	196
'14-15	1	15	22	24	34	16	34	30	176
'18-19	47	21	26	28	23	25	27	36	233
'19-20	19	37	28	40	38	38	37	44	281

(* '18-20 reflects additional students from Pomfret, '19-20 additional students from Reading)

* '03-19 Stats from Vermont Agency of Education
 '19-20 Stats from Windsor Central Supervisory Union

WES continues to provide a wide array of programs to enrich and support student learning across the spectrum. The school offers Art, Library, Music, Physical Education, and STEM lab to all K-6 students. The STEM (science, technology, engineering, math) Lab and Makerspace is an exploratory learning space that strives to infuse the STEM disciplines into the broader curriculum. In the 2019-2020 academic year, Spanish instruction was reduced from a school-wide instruction to [grades 3-6]. WES also has an Educational Support Team (EST) to assist teachers with the classroom accommodations and remedial services for children with educational or emotional needs. The school also has a dedicated staff member for behavioral and emotional support.

Community involvement is very high. Parents and other community members volunteer time on a regular basis, and the PTO is active in fundraising for the school. In 2012 a new outdoor playground and learning areas were built with funds raised privately.

In 2011-12 Woodstock Elementary School completed a Safe Routes to School assessment program which encouraged offsite solutions to making the community more accessible to walkers and bikers. Fund-raising for improvements to the playground is underway in 2019-2020. Woodstock encourages the Elementary School to maintain a village location.

WES has deferred maintenance issues. The school recently failed routine lead tests conducted by the State of Vermont. Out of 28 taps sampled, 12 taps had levels at or above the action level. Most (9) were at 4-5 ppb. 2 at 6-7 ppb. and 1 at 11ppb.

WES Pre-K

The Woodstock Elementary School Pre-K is an inclusive, play-based program serving families of young children ages 3-5 in Woodstock, Vermont and its surrounding communities. They are part of a network of quality programs in the Windsor Central Supervisory Union that serve families in the district. The program was full for the 2019-2020 school year and they needed to turn away children from the town. The school is currently considering increasing the capacity of the Pre-K program which needs to be balanced with the space needs of the Elementary School.

After School Program (ASP)

The After School Program (ASP) at WES serves children from the Woodstock Elementary School. They provide childcare for children in grades Pre-K through 6th grade. The program runs from 2:50-5:30 everyday school is in session. The goal of the ASP is to provide a safe, happy, warm environment where the children can enjoy a healthy snack and have both structured and free-play time in and outdoors. For the 2019-20 school year, ASP was full and needed to turn away students.

Woodstock Union High School & Middle School (WUHSMS)

The WUHSMS serves as the public middle and high school for students from Barnard, Bridgewater, Killington, Plymouth, Pomfret, Reading, and Woodstock, and also accepts tuition students from other towns.

While the WUHSMS has a long and proud history and continues to produce many successful students, there are some clear and urgent problems that must be addressed through the full implementation of the newly-adopted (2019) 21st Century Master Plan and other measures.

Middle/High School Population*

<u>Class/Year</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>	<u>Total</u>
'04-05	112	96	115	108	98	98	419
'09-10	86	92	102	96	101	109	408
'14-15	70	75	73	93	107	74	347
'18-19	79	60	104	98	88	72	362
'19-20	74	73	80	98	92	78	348

(Of the 887 students, 2020 (PreK - 12), 112 are tuition students and 9 are school choice students)

- * '03-19 Stats from Vermont Agency of Education
- '19-20 Stats from Windsor Central Supervisory Union

Facilities:

In 2017 a parent-driven, privately-funded study by the architectural firm Lavalee/Brensinger determined the WUHSMS building to be at or beyond its useful life and spending additional funds to maintain existing systems was no longer cost effective. The building is 60-plus years old and fails to meet health and safety codes in a host of critical areas. The building does not fulfill ADA requirements, it does not meet snow load or seismic code, the air quality tests “poor”, and fire suppression operates in only parts of the structure. Aesthetically, the building has limited natural light, low ceilings, and outdated furnishings throughout.

According to a recent analysis by the Harvard School of Public Health, a healthy, safe, and well-designed learning environment can have broad and far-reaching positive impacts. “The evidence is unambiguous, the school building is as important as any other factor in academic achievement and student health,” and the impact of moving students to a school building that meets 21st Century criteria is “measurable and immediate.” The report notes that these impacts extend beyond academic achievement, and include mental health, physical health, safety and security, substance abuse, and even extracurricular involvement.

The campus currently has a football field and other athletic fields, as well as a privately funded ice hockey rink. Some athletic facilities are not equal to other towns in our division, especially lacrosse fields, basketball courts and the lack of a track. Despite these deficiencies, our athletic teams are competitive at a state level.

In 2019 at the recommendation of the Campus Configuration Committee, the school board voted to investigate financing options for implementing the recommendations of the 21st Century Master Plan; rebuilding the Middle and High School buildings. The school will need significant help generating support for replacing the building and navigating the challenging education funding environment.

Beyond the facilities, there are several significant areas of concern that need to be addressed if the town hopes to not only retain, but attract new families to our community.

Academics (This section has to be rewritten or eliminated. The US News 2019 report (which suggests a remarkable turnaround) undermines the case we were making with the 2018 data. Further, Goal 2, (below) would no longer seems necessary.

In US News and World Report’s 2018 rankings of public high schools, Woodstock Union High School ranked 17th in the State of Vermont out of 54 eligible schools, and 3,826th nationally, out of more than 17,000 schools. The Woodstock Union High School “Math and Reading Performance” was just under the 78th percentile nationally in the US News’ rankings, or 12,760 out of 17,425 high schools. The Hanover High School ranking, an alternative to families looking to relocate to the Upper Valley, ranks 238 in math and reading. The 2019 report ranked Woodstock Union High School 3rd in the state. A new ranking methodology was implemented, it is unclear if the new methodology affected this ranking.

College enrollment rates stated in the WUHS High School Profile 2020 are as follows:

Class of	2015	2016	2017	2018	2019
Total %	72	78	75	75	76

Woodstock Union High School offers various courses, programs, and learning opportunities on site and outside of the school that allow students to demonstrate achievement toward the Woodstock graduation requirements. Students may also design their own learning opportunities toward graduation as long as they meet the criteria for graduation. Programs include the C3 (Center for Community Connections), Hartford Career and Technology Center, Virtual High School (online learning) and programs at Vermont colleges and Dartmouth College.

Vermont Youth Risk Behavior Survey Report

Per the 2017 Vermont Youth Risk Behavior Survey Report, 49% of Woodstock High School students have used tobacco vaping products versus the state average of 34%; 47% have used marijuana versus the state average of 37%; 7% have used cocaine versus the state average of 4%; and 31% of Woodstock students have been offered, sold or given illegal drugs while at school, versus the state average of 15%.

Act 60

Woodstock continues to suffer financially under ACT 60. The implications are increasingly critical to the town as it looks to find funding for the new Middle/High School building, among other projects the town must address. ACT 60, passed in 1997, redistributes education tax dollars from towns like Woodstock, with above average property tax bases to towns within the state

that have average or below average property tax bases. For FY20, Woodstock sent \$13.64 million to the state in education tax dollars and received back \$6.37 million (\$2.70m to MS/HS and \$3.67m to WCMUUSD) to fund our school expenses, i.e. in 2020 alone, Woodstock effectively gave \$7.27 million to the rest of the state.

In terms of funding the new building, estimated to cost \$50-\$70 million, the State of Vermont has indicated that it cannot provide financial assistance. The School Board is looking at financing this project through public and private fundraising in combination with a bond which must be approved by voters in all district towns and will increase local taxes. Funding for capital expenditure is exempt from the Act 60 multiplier, but any increase will exacerbate the housing affordability issue the town currently faces. How this building is funded will have an impact on the entire town, in addition to the School Board, residents of the school district must be fully engaged in this process.

ACTION PLAN

Goal 1 - Fully support the funding and construction of a new Middle School and High School per the recommendations outlined in the 21st Century School Master Plan.

A. The Select Board should form a School Action Working Group composed of elected town officials, School Board members, active community members and others with interest and expertise, who can focus on the funding of a new building.

B. The School Action Working Group should obtain legal advice, from counsel with expertise in Vermont's school funding mechanisms, to help the Town understand its options. This expert will inform, assess and assist the School Board's efforts to effectively finance a new building and build public support for this project. The following specific questions are a start and an expert will likely have further areas to explore;

- 1.** Does the state have any legal obligation to fund, in total or part, a new school building when the current building has exceeded its useful life and fails to meet numerous code requirements?
- 2.** If there is no obligation to fund, is it possible that the need to rebuild a school can lower the amount of money Woodstock must share with the State for education?
- 3.** If a bond is required to fund this infrastructure project, does the State have any legal obligation to participate with the Town in the financing expense?

Goal 2 - Improve the Academic Performance and Ranking of Woodstock Schools

A. The Planning Commission recommends that an independent education expert be engaged to help identify the issues that need to be addressed, and provide options for dealing with academic and behavioral issues. Specifically this person would provide the following:

- 1.** An assessment and recommendation in regard to the School Board's Strategic Plan for improving student performance. This would include an evaluation of the resources requested, the costs to be incurred, the implementation timeframes, and the metrics for evaluating success against the strategy.
- 2.** An assessment of each school's administrative staff (WES) and WUHSMS), including an assessment of their policies and practices for evaluating and managing their classroom teachers and specialists.
- 3.** An assessment of teaching staff and their classroom practices. This will require the consultant to spend time in each classroom.

B. The consultant would work closely with the school board, superintendent, the principal and teachers. However, to assure independence, it is important that the consultant report directly to the Select Board.

C. The successful implementation of the recommendations laid out in this chapter requires finding and retaining the best leadership possible.

Goal 3 - Reduce Substance Abuse Issues in the School

A. The Select Board should recommend that the District hire an independent consultant to interview students, teachers, and administration and assess current uses of illegal and dangerous substances, including tobacco, alcohol, vaping products, and illegal drugs. The consultant should compare our district's use rates with state and national averages, and identify causes of problematic levels of use and abuse.

B. The Select Board should recommend that the District dedicate funds for Substance Abuse and Drug Counseling training for all behavioral counselors at the middle and high schools.

C. The Select Board should convene a Community Substance Abuse Task Force to address the substance abuse problem that exists in our schools. The Task Force should include parents, teachers, a substance abuse specialist, a representative of the Police Department, and a representative from the Ottauquechee Health Center.

Goal 4 - Address the crippling effect of Act 60 on our Town's ability to maintain critical infrastructure

- A. *The Town needs to urge its elected state representatives to push for changes to the financial obligations of ACT 60. The taxes required to fund school operations at a basic level, when factoring in the Act 60 multiplier it is difficult or impossible to maintain existing Town assets, let alone improve them.*

V. OTHER BUSINESS

Chair Miller introduced the new Planning Commissioner Susan Silberberg to the Commission. The Commissioners introduced themselves to Susan Silberberg. Susan Silberberg introduced herself to the Planning Commission as well.

Chair Miller thanked Eric Goldberg for his contributions to the Planning Commission and his service. He has resigned and will no longer be part of the commission. The board thanked him as well and wished him the best.

VI. NEXT MEETING

The next meeting of the Planning Commission is scheduled for September 2nd 2020.

VII. ADJOURNMENT

A motion was made to adjourn by Susan Boston. It was seconded by Susan Stadler. The meeting adjourned at 8:25 PM.

Respectfully Submitted,

*Neal Leitner
Town Planner*