

**WOODSTOCK PLANNING COMMISSION
WOODSTOCK TOWN HALL
31 THE GREEN
October 7, 2020**

DRAFT MINUTES

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

MEMBERS ABSENT: One vacancy

OTHERS PRESENT: Neal Leitner, Bryce Sammel, Pamela Fraser, Ben Ford, Howard Krum, Mary Margaret Sloan, Jill Davies, Jack Kauders

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

The minutes of September 2nd were reviewed. Susan Silberberg noted that the minutes under S.237 did not indicate that the town planner would draft a letter to the legislature regarding the proposed act. The town planner gave a quick update on S. 237 and mentioned that rather than drafting a stand-alone letter, he joined a group letter from VLCT to the legislature. A motion was made by Sara Stadler to approve the minutes of August 5th as amended. The motion was seconded by Susan Boston.

Motion passed 6-0

III. OLD BUSINESS

A. Accessory on Farm Business (AOFB)

The town planner gave the planning commissioners a summary of the progress made regarding town regulations that can be made or tailored towards AOFBs. He also gave an update on a specific application for AOFB in Woodstock. He mentioned that as part of applying for an AOFB, the farm property has made a Site Plan Review application to the Town Development Review Board (TDRB). The TDRB will look at the application under Section 809, Site Plan Review. Site plan review

standards can be applied to a proposed AOFB as long as they are not more stringent than Act 143.

A discussion of Performance Standards ensued. They can be included in site plan review standards, but they cannot be more prohibitive than what is Act 143 allows for.

A discussion of specific performance standards regarding noise continued since one of the concerns neighbors of farm to table type operations have had is noise related.

Chair Miller asked if these types of performance standards could be adopted or if they would be considered more prohibitive than what is allowed for under Act 143.

The town planner did not know the answer to that. He said he will follow up with the Agency of Agriculture and VLCT to get some answers for the commissioners as they craft AOFB standards.

Chair Miller asked the commission to look a little further into what types of things they could add to site plan review process that will cover concerns about AOFBs.

Susan Silberberg wondered who monitors or enforces rules such as revenue for instance. She wonders who reviews the revenue stream to make sure that the revenue generated from the AOFB does not exceed the limits for example.

Chair Miller thinks the Agency of Agriculture monitors it through reports that are filed by farm owners.

Hearing no further comments, the item was closed until the next Planning Commission meeting.

I. NEW BUSINESS

A. Discussion of Town Plan – Education Chapter

Bryce Sammel, chair of the WCUUSD school board introduced himself to the commissioners. He prepared a statement that he read in regard to the Education Chapter. In summary, he asked to be included in conversations the planning commission has about the Education Chapter.

Chair Miller stated that the adoption process for Town Plan Updates is quite lengthy and reminded Bryce and Pamela that the Planning Commission did not produce the Education Chapter in a vacuum. The commission received input from the school district at the time. But since the process has taken years, the most recent school board members may

have been left out since the most recent meeting with school board members was in September 2019.

Bryce Sammel thanked Chair Miller for the history. He mentioned that the school board is coming up with new policies so they can be more responsive as well. He said that they are looking forward to being part of the discussion moving forward.

School board member Ben Ford stated that he was in attendance at the September meeting. He said that much has happened since then and is happy to work with the Planning Commission as well.

Pamela Fraser, vice-chair of the WCUUSD school board introduced herself to the commissioners. She is hoping this conversation can be a positive step. She stated that there might be some confusion about the process. She said that Woodstock members of the board participating in conversation are not speaking for the board since they are members of a larger body.

Chair Miller noted that the converse is true as well. This is the Woodstock Town Plan and it represents the interests of Woodstock. So they are really representing Woodstock when writing a town plan update.

Select board member Jill Davies asked Sally Miller to clarify what the process is if the Select Board chooses not to adopt the Draft Education Chapter.

Chair Miller responded that the Select Board can vote to send the draft back to the Planning Commission if they have any concerns and that ultimately the Select Board has the final say on the adoption of the Town Plan Update.

She said that upon Select Board approval, the chapter would go to Two Rivers Ottaquechee Regional Planning Commission (TRORC) for their review and approval as well.

Sara Stadler noted that the commission spent a considerable amount of time talking with teachers, touring Hanover schools and Woodstock schools to discern what issues should be brought to light.

Chair Miller noted that parts of the Education Chapter were purposefully written provocatively so that the issues could be addressed.

Ben Ford responded that the characterization of the Education Chapter being provocative aligns with the goals in the strategic plan from the school district as well. He read one of the goals, which is to provide the best education in New England to attract families to settle and stay in the district.

Chair Miller asked that meetings and communication in the future include all interested school board members.

Select Board Member Mary Riley took a moment to congratulate the school for a successful opening of the school year. She noted that it must have been very difficult.

Hearing no additional comment, Chair Miller closed the item. The Select Board must vote to send the Education Chapter back to the Planning Commission for further review and editing.

B. Discussion of Proposed Rural Retreat Amendment

Mary Margaret Sloan of Gilbert's Hill in Woodstock introduced the proposed amendment to the Rural Retreat zoning amendment that was approved by the Select Board at their September meeting.

The proposed amendment to the Rural Retreat did not include a provision for properties listed on the National Registry of Historic Places. Mary Margaret mentioned that she and her husband, Howard Krum are fully in support of the Rural Retreat, but would like Historic Properties added to the zoning amendment so that Gilbert's Hill and its historic ski hill can be included.

Mary Margaret presented a prepared Powerpoint presentation to make her argument. She presented that there are three main steps in securing and caring for a historic farm. The first is securing the land, the next is restoring historic structures on the land, and the final is providing long term care for the property. The presentation made the argument that since providing long-term care for a historic place is financially difficult, they need to look for ways to finance or fundraise the endeavor. The Rural Retreat zoning amendment provides the opportunity to do that for the property owners. Maintaining a historic place over the long-term is cumbersome in multiple ways. She mentioned that securing ways of maintaining historic farms in Woodstock is vital to keeping the resources that these properties provide to the community. Amending the Rural Retreat language to accept historic farms in Woodstock on the National Historic Registry would open opportunity up for these properties.

She summarized that this amendment makes sense since protecting farmscape attributes is a primary goal of the Rural Retreat amendment. She then presented the proposal in the Powerpoint presentation. The proposal was subdivided into three different options that she and Howard

Krum came up with. She ran through each of the three different proposals that the Planning Commission could adopt if they chose.

The first was to provide an exemption to farms on the National Historic Register. The second was to provide an exemption only to properties listed on the National Historic Register and under Vermont Land Trust protection. The third option she presented was to reduce the minimum acreage to 100 acres from 150 acres and to reduce the distance or buffer requirements to 600 feet from the nearest residential structure, from 1,000 feet.

After the presentation finished, Chair Miller opened the topic up to discussion to the Planning Commissioners.

Sam Segal thanked Mary Margaret for her presentation and thought it was a proactive approach. He favored the most restrictive of the options presented. He thought if someone in the future wanted to make a compelling case to loosen the restrictions, they are more than welcome to do that at that time.

Chair Miller asked if either of the other two farms listed on the National Historic Registry had been notified of the proposed amendment.

Howard Krum responded that they have not.

Chair Miller thought they should be notified for comment if the proposed amendment affects their properties. She noted Mary McQuage's property that is on the registry and includes farm tours already, so she might be interested in this amendment.

The town planner agreed and mentioned the affected property owners will be notified.

Chair Miller preferred the option that just includes historically registered properties, but not the one that requires the land to be in the Vermont Land Trust.

Susan Boston agreed, and mentioned that if they adopt an amendment it should not be aimed just at one property in Woodstock.

Susan Silberberg mentioned that they seem to take the stewardship of their historic property seriously, and she thought that Woodstock should think

about stewardship as well and this amendment is one way in which Woodstock could do this.

Sara Stadler concurred with Susan Silberberg's comments.

Chair Miller said that if the Planning Commission can agree on wording for the amendment, they can vote to send it to the Select Board for public hearing.

Susan Boston thought they should include a modification to the definition of Rural Retreat.

The commissioners discussed this and decided to add "or historic properties" to the definition. Chair Miller asked for a motion with amended language.

Sam Segal made a motion to approve an amendment that would include item #4. Farms on the National Register of Historic Places are exempt from criteria 2 and 3 under general requirements. Also, to amend the definition of Rural Retreat to include "or historic properties".

The town planner read off the changes to the Rural Retreat Section 535 and to the definition under Section 110: Definitions.

A motion was made by Susan Boston to approve the Rural Retreat as amended. It was seconded by Sam Segal.

Motion passed 6-0.

The amendment to Rural Retreat in Sections 110 and 535 are highlighted below as part of the amended regulation in its entirety.

SECTION 110 DEFINITIONS

RURAL RETREAT: A facility rented out for events, generally indoors, on large, isolated parcels, or historic farms.

SECTION 535 RURAL RETREAT Minimal Impact Facility

A. Statement of Purpose

1. Rural retreat is intended to support the farmscape attributes and rural character that are so important both to the quality of life and the economic character of Woodstock. One means of accomplishing this is to provide alternative uses for larger isolated parcels that sustain the rural character yet allow low impact events.
2. The primary intent is to allow for the preservation and restoration of existing structures and maintenance of the rural ambience of large undeveloped areas.
3. In order to protect the rural character of the area, the impact of additional traffic on the rural highway system shall be a strong factor in the review procedure. Many of the town's rural roads cannot support additional traffic especially during mud and snow seasons.

B. General Requirements

In addition to the following general requirements, the TDRB may add special conditions as warranted.

1. A manager shall be on site during use of the property.
2. The property shall be no less than one hundred-fifty (150) contiguous acres located in the Residential Five Acre or Forest Reserve Districts.
3. The facility shall be located more than one thousand (1000) feet from the nearest residence.
4. Farms on the National Register of Historic Places are exempt from criteria 2 and 3 under general requirements.
5. Proposed uses are encouraged to take place in existing structures. Any new structures must reflect the scale of adjacent properties and structures.
6. There shall be no more than twenty (20) events allowed per calendar year.
7. There shall be no more than 50 persons present at one time. Five (5) events per year may be allowed with up to 150 persons present.
8. Only one commercial use may be allowed per property.
9. The business may require the following State permits: Act 250, Wastewater, Fire Marshal's Office and Health Department before the use may commence.
10. Retail trade is prohibited.
11. Performance standards of Section 709 shall be complied with.
12. Permit is only valid for the permittee and shall not continue with the property when transferred.

C. Special Standards

1. Outdoor evening events shall be terminated by 9:00 pm on weekdays and 10:00 pm on weekends (Friday - Sunday).
2. Noise impacts shall not exceed 60 dB as measured at the property line. Additional conditions may be placed should noise complaints be received by the P&Z Office.
3. There shall be no firework displays.
4. Concerts are not allowed as a standalone event. Live or recorded music is permitted as a subsidiary component of other events.
5. There shall be no amplified music outdoors.
6. There shall be no outdoor storage.
7. There shall be no camping or RV use.
8. Transport to events shall be via shuttle service from the most proximal heavily traveled area (ie. downtown Woodstock) to the maximum extent possible.

D. Permit Process

1. The rural retreat is a commercial use requiring both Conditional Use Review and Site Plan Review.
2. During the review process special attention shall be granted to protecting the rural character of the area. A highway engineer or traffic consultant may be required to review the application at the applicant's expense. An application may be denied if a road is considered to be too narrow to accommodate additional traffic or if the additional traffic will adversely affect the rural character of the area.
3. The permit shall be reviewed by the TDRB annually for the first two years and thereafter, if warranted.
4. The application shall include a letter of approval from the Woodstock Fire Chief.

E. Parking, Deliveries, Signage

1. Parking shall be adequately screened as determined by the TDRB. One parking space per employee and one parking space per three attendees is required. Additional parking may be required as determined by the TDRB.
2. The access/driveway shall be no more than a ten (10) percent grade and shall be designed to permit adequate access for the proposed delivery vehicles. Adequate turnaround space shall be provided so delivery vehicles are not forced to back in from or onto a public highway.
3. Deliveries shall take place during the normal hours of operation.
4. Signage shall not exceed one twelve (12) square foot sign. Directional signage shall be determined by the TDRB.

B. OTHER BUSINESS

The town planner brought up short term rental regulation in the village. He noted that the town zoning regulations restrict it to one short term rental per property, but the village zoning regulations are silent in that.

He mentioned a bed and breakfast in the village that is entertaining the idea of becoming a short-term rental with multiple short-term rentals in it. He asked the commissioners if they have ever encountered a proposal for multiple short-term rentals on one property.

This has not been brought up before, so a discussion began about the differences between a short-term rental and a B&B. The process is a conditional use permit to do this. The applicant could apply for a conditional use permit for this concept and see where it goes.

The town planner said he will update them on this if it goes any further.

C. NEXT MEETING

The next meeting of the Planning Commission is scheduled for November 4th 2020.

D. ADJOURNMENT

A motion was made to adjourn by Susan Boston. It was seconded by Susan Stadler. The meeting adjourned at 9:20 PM.

Respectfully Submitted,

*Neal Leitner
Town Planner*