

**Recommendations to the Woodstock Select Board
from the Planning Commission
Re On Farm Restaurant Amendment to Zoning Regulations
February 2, 2022**

The Planning Commission is strongly in support of farm-to-table opportunities in Woodstock and helping farmers make a viable living from farming. It's hard work and the profit margin can be quite slim. We as a community benefit from a farm's undeveloped open space and locally available food, so any support we can provide is important, not just for the farmer, but for Woodstock and for Vermont. This perspective is reflected in our Town Plan and our current Zoning Regulations.

In developing the recommendations below, the Planning Commission held a special hearing on January 11, 2022, in which over 50 people were in attendance, both virtually and in person. Additionally, members of the Planning Commission have connected with and learned from: VT Farm to Plate staff, Vital Communities Food & Farm Manager, Vermont Fresh Network, UVM Extension, Cloudland Farm (on farm restaurant in Pomfret), and Philo Ridge Farm (on farm restaurant in Charlotte).

The proposed On Farm Restaurant Amendment is problematic for several reasons – One, the purpose of this amendment is counter to clear goals laid out in the Town Plan to protect the rural areas of Woodstock, for instance:

- *Land Use Goal: “5. to protect the historic settlement patterns of one main village center and smaller hamlets, surrounded by rural areas.” p 108*
- *“Woodstock for the most part is a good example of the concentric circle of planning. The core, the village center, has lot sizes at the highest density (1.8th of an acre). There are even a few grandfathered lots smaller than this. The further one travels from the core, the lower the density. The forested area of the town (located southwest of the village) represents the lowest density with a minimum parcel size of 28 acres. Not only does land size change as one gets further away from the core but also the use of the land changes as one moves further away. The most intense use, retail, is located at the village center. A gradual transition takes place as one goes from central retail to adjacent service to rural agriculture and finally to woodland forestry at the edges.” p 108*
- *“The Residential Five-Acre Area makes up a majority of the low density land area in Woodstock. The primary purpose of this land use area is to provide a location for low-density residential development while perpetuating the open, natural landscape that is so essential to Woodstock's rural character. Most of the development in this land use area lies directly along town roads, with much of it within three hundred feet of these roads. With many of the homes being built close to the road, the back of the lots remain undeveloped. When combined with neighboring lots, the undeveloped portions contribute to larger areas of undeveloped land creating the desired outcome for wildlife habitat and healthy forests. These larger lots carry a twofold benefit, homes for the residents and when viewed in total, a healthy ecosystem. ... Uses in this area should be limited primarily to residential and occupations that can be conducted within a home such as a day care facility or bed and breakfast. ... Development in this area must be of a type and scale that is consistent with the purpose of this land use area. Retail development of any scale is not appropriate for this land use area”. p 109-110*
- *Under the description of Residential 5 Acres: Development in this area must be of a type and scale that is consistent with the purpose of this land use area. Retail development of any scale is not appropriate for this land use area.” p 110*

Two, the scale of the commercial/retail activity proposed by this amendment is out of alignment with activity in Residential areas and doesn't take the impact on neighbors into account. The Amendment allows for a commercial restaurant to be operated in Residential 5 Acre areas, up to 7 days/week; open until 11PM each night; seating 80 people at a time; among other allowances. Because the On Farm Restaurant Amendment impacts Residential areas, it would affect more than half of the Town of Woodstock – this includes main roads right down to small dirt lanes. It also includes areas that are fairly densely populated such as parts of College Hill, Church Hill, areas adjacent to Taftsville such as Sugar Hill, along Route 12 north of town, and many other neighborhoods. Therefore, this issue needs thorough and thoughtful research and discussion – not a rushed process that bypasses the entity charged with overseeing Zoning Regulations.

Three, the Town already endorses avenues for farmers to grow and sell products through Act 143 (Accessory On Farm Business). Currently, Act 143 is being improved at the state level – there's a bill before the House right now (H. 581), supported by the Rural Economic Development Working Group, to clarify rules for Accessory on Farm Businesses.

Additionally, the impetus behind this proposed Amendment is Peace Field Farm, and there are currently lawsuits and countersuits surrounding this project. The Town should wait until those are resolved before moving forward.

RECOMMENDATIONS:

Primary Recommendation: The Planning Commission encourages the Select Board to reject the proposed Amendment in full, for the reasons listed above, and ask the Planning Commission to take up a thorough review of our Zoning Regulations and consider changes to support agri-preneurial activity and diversification of on-farm business aligned with the Town Plan, including potentially on-farm restaurants. Clearly, there is interest by some in the town, as reflected by the petition signatures. This would allow for time for thoughtful consideration and discussion, including with a range of farmers and others involved in Farm-to-Plate, that would go through the proper Planning Commission processes.

Secondary Recommendation: If the Select Board decides not to adopt the first recommendation and it wants to move forward with some kind of amendment now, we urge the following changes to the Amendment to align it with state law and the Town Plan and Zoning Regulations, plus concerns raised by the Act 250 District Commission and Town Development Review Board:

- Include a requirement that to fit under this amendment the entity must qualify as a farm under Vermont State Law
- Remove the retail exclusion for On Farm Restaurants
- Adjust the amendment to recognize that it's in an area zoned residential and must fit the character of the neighborhood, per the Town Plan.
- Address the concern of scale by reducing the number of days open, hours of operation, and people served. We recommend using Cloudland Farm and Philo Ridge Farm as models, both of which are well-known on-farm restaurants in rural areas.
- Remand the modified amendment to the Planning Commission for review and approval before putting it to a vote before the Select Board.