

WOODSTOCK PLANNING & ZONING COMMISSION
REGULAR MONTHLY MEETING
THURSDAY, APRIL 20, 2017 AT 7:30 PM
WOODSTOCK TOWN HALL, MEETING ROOM 1

I. MONTHLY MEETING AT 7:31 PM

- a. Call to Order – Meeting was called to order by Jeff Gordon at 7:31p.m. Noted that there is a quorum.
- b. Roll Call – Jeff Gordon, Fred Rich, Dorothy Durst, Dexter Young, Joseph Adiletta (arrival @ 7:37p.m.), Ken Ebbitt, Delia Fey Town Planner/ZEO, Laura Cournoyer-Gagne (Recording Secretary)
- c. Absent – Travis Serrine, Duane Frederick, John Anastasi, D. Porter, Syd Blodgett, Gail Dickinson

MOTION TO ADD FEBRUARY MEETING MINUTES TO ITEM V AND ADD LETTER C TO ITEM VIII, POST APPROVAL PERMIT MADE BY D. DURST, SECONDED BY F. RICH. MOTION PASSED UNANIMOUSLY.

II. CITIZENS' COMMENTS – NONE

III. DESIGNATION OF ALTERNATES – Ken Ebbitt

IV. CHAIR'S REPORT

Thanks to all the commissioners for all their work being done at the regular and subcommittee meetings and thank you to Delia, Tina and Laura. Noted that no business conducted at March meeting. There will be no subcommittee meeting in May 4th, the annual training will be done instead @ 7:30p.m. The PA490 didn't not pass at the Town meeting, current provisions for PA490 are being used.

V. MINUTES - Regular Meeting Minutes – February 16 and March 16, 2017 MOTION TO APPROVE AS PRESENTED MADE BY F. RICH, SECONDED BY D. DURST. D. Durst asked if had to be present at meeting to vote, J. Gordon said no. MOTION PASSED UNANIMOUSLY.

VI. NEW BUSINESS

- a. Proposed Text Amendment: Zoning Regulation, Ch. II Definitions – several revisions and new definitions, need to schedule Public Hearing. J. Gordon explains that a 30-day notice is needed; would bring to June 15th. D. Durst states that the proposed draft amendment date as today's date, definitions worked on tonight move to public hearing in June. J. Gordon replies that it can be looked at and pull out those to wait on if concerns. D. Durst adds in Jan/2016, the commission agreed to certain wording and now some words are not in the definitions, and not comfortable taking some words out. D. Young says can cancel public hearing and review, then do another public hearing. D. Fey says it may not be clear on the copies, perhaps take original to Chase Graphics to have color copies made. J. Gordon states that if hold and discuss next month the public hearing will be in July, can make changes. Can get color copies to the commission and bring up at next meeting, add to agenda for next month. **MOTION TO TABLE UNTIL NEXT MONTH MADE BY D. YOUNG, SECONDED BY F. RICH.** J. Adiletta asks if the package of definitions is the current to change zoning to match the subdivision. J. Gordon says yes, with exception to any changes that may be made in subdivision to match zoning. **MOTION PASSED UNANIMOUSLY.**

VI. PUBLIC HEARING – 7:45 P.M. – (hearing began at 7:55p.m.)

J. Gordon explains that for making discussion easier, all will be discussed and vote on all separately. Proposed text amendments as listed: documents: individual items (wording), document dated 4/6/17 from John Navarro. Notice published in local newspaper on 4/7 and 4/14/17. ECOG was notified.

- a. Proposed Text Amendments to the Subdivision Regulations:
 - #042017a Ch. I.a) re: shall be in harmony; Ch. II Definitions – several revisions and new definitions;
 - #042017b Ch. IV Submission Requirements, 1.c.1 – slope;
 - #042017c Ch. V 3.b – ridgelines; 4.c.2 – slope; 4.c.3.c & d – common driveways; 4.d -slope
 - #042017d Ch. VI 2 a & g – conservation priorities;
 - #402107e Ch. IX Insurance & Bonds – to delete majority of text; D. Durst propose to table both IX & XI. J. Gordon says can do that after the hearing. F. Rich says he would like to know what John Navarro's objections are. J. Gorgon says suggestion raised to close and make motion to table discussion for further review. D. Fey says there are differences between the zoning and subdivision statutes, and reads from memo date March 15th. If not in regulations for subdivision, then cannot require a bond for a given development.

#402107f Ch. XI Storm Water Pollution – to delete majority of text; table until next meeting.

MOTION TO CLOSE PUBLIC HEARING MADE BY J. ADILETTA, SECONDED BY F. RICH. MOTION PASSED UNANIMOUSLY.

VIII. OLD BUSINESS

a. Proposed Text Amendments to the Subdivision Regulations:

#042017a Ch. I.a) re: shall be in harmony; **MOTION TO ACCEPT REVISION MADE BY D. DURST, SECONDED BY D. YOUNG. MOTION PASSED UNANIMOUSLY.** Ch. II Definitions – several revisions and new definitions; **MOTION TO APPROVE DEFINITION REVISIONS MADE BY D. DURST, SECONDED BY D. YOUNG. MOTION PASSED UNANIMOUSLY.**

#042017b Ch. IV Submission Requirements, 1.c.1 – slope **MOTION TO APPROVE MODIFICATIONS MADE BY D. DURST, SECONDED BY D. YOUNG. MOTION PASSED UNANIMOUSLY;**

#042017c Ch. V 3.b – ridgelines **MOTION TO APPROVE MODIFICATION MADE BY D. DURST, SECONDED BY F. RICH. MOTION PASSED UNANIMOUSLY;** 4.c.2 – slope – **NO CHANGES MADE;** 4.c.3.c & d – common driveways **MOTION TO APPROVE MADE BY D. DURST, SECONDED BY F. RICH. MOTION PASSED UNANIMOUSLY;** 4.d –slope **MOTION TO APPROVE MADE BY D. DURST, SECONDED BY F. RICH. MOTION PASSED UNANIMOUSLY.**

#042017d Ch. VI 2 a & g – conservation priorities; **MOTION TO APPROVE CHANGE MADE BY D. DURST, SECONDED BY K. EBBIT. MOTION PASSED UNANIMOUSLY**

#402107e Ch. IX Insurance & Bonds – to delete majority of text; **MOTION TO TABLE CHAPTER XI TO SUBSEQUENT MEETING MADE BY D. DURST, SECONDED BY F. RICH. MOTION PASSED UNANIMOUSLY.**

#402107f Ch. XI Storm Water Pollution – to delete majority of text; **MOTION TO TABLE CHAPTER XI TO SUBSEQUENT MEETING MADE BY D. DURST, SECONDED BY F. RICH. MOTION PASSED UNANIMOUSLY.**

J. Gordon says that commission can revisit the motion for closing the hearing, to change to continue chapters IX & XI. **MOTION AMENDED TO CLOSE PUBLIC HEARING, WITH EXCEPTION OF CHAPTERS IX & XI WILL BE CONTINUED MADE BY J. ADILETTA, SECONDED BY F. RICH. MOTION PASSED UNANIMOUSLY. MOTION TO DELETE THE EXHIBITS AND PUT IN THE SUBDIVISION TIMELINE FLOW SHEETS THAT ARE BEING USED, MADE BY F. RICH, SECONDED BY D, YOUNG. MOTION PASSED UNANIMOUSLY.**

b. Review of DRAFT sign Zoning Regulations –

- i. Phase I (lawsuit related & content based restrictions): J. Gordon states that the town attorney agrees with what D. Fey proposed, stating that it is relative to Supreme Court ruling. Commission can review and bring one document to public hearing. D. Durst asks if any danger to town by waiting or implementing. J. Gordon says that the attorney said there was no rush, just be aware to fix. Attorney reviewed and had no comments to what was there. Durst states to expedite would be wise, and to incorporate the attorney's letter dated 3/9/17. J. Gordon says there are 3 phases with exceptions of signs; all due to court decision (ruling). D. Durst says pg. 5, question in comments. J. Gordon says that comments were regarding supreme court, all except pg. 7. Town Attorney had nothing to add to the changes made by D. Fey. F. Rich states that pg. 5, there are 2 comments on 1st paragraph, but all crossed out. D. Fey explains that the comments include those from the Business Association, however the Regulations are no longer allowed to be content specific as the current temporary sign regulations are; the attorney agreed. The PZC discussed the options of going through all 3 phases and submit as 1 amendment with 1 public hearing or to do them individually and go with 3 separate amendments and hearings at different times. One of the questions D. Fey asks is if a separate permit is going to be required for all signs, or will the signs be included in business permits, changes can be made. J. Gordon asks if more time is needed, the consensus is yes, more time is needed, will table until next meeting.
- ii. Phase II (Signs & Illumination): J. Gordon says that since taking time to review other documents, perhaps do the same. Commission agreed, will be brought up at next meeting.

J. Gordon says that an effective date is needed for the changes made to the Subdivision Regulations from the public hearing.

MOTION TO MAKE EFFECTIVE DATE OF CHANGES TO THE SUBDIVISION REGULATIONS MAY 20, 2017, MADE BY F. RICH, SECONDED BY D. YOUNG. MOTION PASSED UNANIMOUSLY.

J. Gordon mentions the discussion from February meeting regarding Special Permits that have been approved and that later require additional fee when the construction permit was needed. 1) Keep the review that D. Fey does 2) Don't call it a 'permit', call it something else, wouldn't have to pay state fee, and do we charge anything additional or add to original permit fee, if additional is needed. D. Durst asks about drafting a fee schedule for the commissioners to review. J. Gordon adds that a look at additional fee ordinances can be done. D. Durst says it could be reviewed all at once. K. Ebbitt asks when is it reviewed? D. Fey responds that it is reviewed every month. J. Gordon adds that it is in the budget. D. Fey explains that the revenue isn't being showed accurately, so added land use and application fees and they are hand written on the page. The total printed on the page is the total of the bonds. J. Gordon says to look at the fee ordinance. F. Rich asks D. Fey what she thinks the fee should be since she does the work. J. Gordon adds that the commission can look at the different items on the fee ordinance to discuss at a later time. D. Durst says the total fee and follow up should be paid up front. J. Gordon will get copy of current ordinance and flag some of the items and send memo. D. Young adds that if the charge is up front, and doesn't need a 2nd inspection, then applicants will over pay. J. Gordon says it can be reviewed.

IX. ZEO REPORT

270 Lyon Hill Rd: complaint about trash, letter sent.

Brookwood Apartments: letter of zoning compliance sent out once the deck that was put in without a permit was resolved.

J. Adiletta asks about the external sign and internally lit sign and must it meet regulations, J. Gordon says yes, there shouldn't be signs internally lit, would send violation notice. J. Adiletta brings up, as there was a person who brought up doing a demonstration as to what it would look like at one of the meetings. J. Gordon says that there hasn't been any change to the sign regulations regarding illumination. D. Durst says that no action should be taken until a decision is made. J. Gordon says that if in violation, then enforce, unless decide to hold and vote. It was a demonstration to show what it looked like. D. Durst suggest sending a memo to the business owner reminding that it was running a test because under discussion with withholding any violation for now until decision made. **MOTION TO HOLD OFF ON ENFORCEMENT TO ILLUMINATED LIGHTING UNTIL DECESION MADE BY D. DURST, SECONDED BY K. EBBITT. MOTION PASSED UNANIMOUSLY.**

X. CITIZEN'S COMMENTS

D. Young asks who checks the signage put up by business's to be sure line of sight is not affected; referring to the bank on Rte 171. D. Fey says that the Highway Foreman, John Navarro checked the day that sign was being installed and it was required to be moved farther from the road, and that problem has been corrected as sight line is now well over the required minimum and is not obstructed by the sign now that it has been moved. D. Fey also mentioned that there is a segment in the proposed sign regulation amendment pertaining to this issue.

XI. BUDGET REVIEW AND BILLS

Design Professionals, Inc., Invoice #309-0266-3 in the amount of \$596.25. **MOTION TO PAY DESIGN PROFESSIONALS MADE BY J. ADILETTA, SECONDED BY D. YOUNG. MOTION PASSED UNANIMOUSLY.** Noted that the O'Briens paid their bill on 3/21/2017. D. Fey asks if the O'Briens do not submit report, how does the commission want her to handle, to be sure work is done correctly; their engineer hasn't been paid and he was sending reports. No release of the O'Brien's bond unless all the work is completed satisfactorily and the engineer's bills for inspection are paid, such as the engineer.

XII. CORRESPONDENCE

a. Public Records Policy: Disposition of public records

XIII. OTHER

XIV. ADJOURNMENT

MOTION TO ADJOURN MADE BY D. YOUNG, SECONDED BY J. ADILETTA. MOTION PASSED UNANIMOUSLY @ 10:12P.M.

Respectfully submitted,

Laura Cournoyer-Gagne

Recording Secretary

DISCLAIMER:

These minutes have not yet been approved by the Planning & Zoning Commission. Please refer to next month's minutes for approval/amendments. Please note that the audio recording is the legal record of the meeting.