



PLANNING COMMISSION MEETING
Wednesday, October 2, 2019
Minutes

Present: Joe Wilson (Chair), Chuck Gregory, Char Osterlund, Judith Stern, Michael Martin (ex officio), Walter Martone (ex officio)

Absent: Jesse Webster, one vacancy

Also present: Renee Vondle, Town Planner; Randy Gray, George McNaughton, Josephine Hingston, Jim Fogg

1. **Call to Order:** Chair Wilson called the meeting to order at 6:30 p.m.
2. **Roll Call of Commissions**
3. **Requests by commissioners for additions to agenda:**
There were no requests for changes.
4. **Announcements:**
There were no announcements.
5. **Approve Minutes of September 4, 2019**
Chuck Gregory moved to approve the minutes with corrections. Char Osterlund seconded. Motion passed unanimously.
6. **Town Planner's Report**
Town Planner, Renee Vondle gave her report that included confirmation of Selectboard approval of the Master Planning Grant local financial match and approval of the first phase of the Zoning Bylaws. The Bylaws will become effective on October 14, 2019. She noted the outcome of the Selectboard public hearing for the Energy Chapter Amendment. She noted that the 2nd public hearing was set for November 11, 2019. The Energy Committee will work on the 10 questions at their next energy meeting and present their report to the PC on November 6, 2019.

Ms. Vondle gave an update on the PC interviews for the vacancy, noting that the application deadline was September 19, 2019 and the SB will probably be interviewing at their October 14th meeting. She noted that two applications were received. There are also vacancies on the DRB and DDRAC. An ad has gone out twice with no response or potential applicants for these vacancies.

Update on J & L building demolition. Ms. Vondle noted that the Corrective Action Plan has been approved by the Department of Environmental Conservation and is now being reviewed by EPA in Boston, specifically the TSCA Division (Toxic Substance Control Act). If TSCA signs off, it is SDRC's intent to bid the project out over the winter, have the Town apply for a CDBG this winter/spring and do the demolition by spring/summer 2020.

There will be a VLCT Training on Wednesday, October 23rd from 8:45 p.m. on Mineral Street in

Springfield which will include a half day schedule and a full day schedule.

7. Old Business:

A. Energy Chapter (update) – Char Osterlund stated that she has been communicating with Jason Rasmussen of SWCRPC. The Energy Committee will be working on the 10 questions that came out of the Selectboard hearing on September 23, 2019 at the Energy Committee meeting on October 17, 2019 and will have their report ready for the next PC meeting on November 6, 2019. Chair Wilson thanked the Energy Committee for their work.

8. New Business:

A. Trails, Greenways, By-ways and Rural Economy (TGBRE) – Discussion

In attendance for GBRE was Randy Gray (Chair), George McNaughton, Josephine Hingston and Jim Fogg.

George McNaughton addressed the Planning Commission regarding the following items:

1. Expanding the definition of a Home Business

The TGBRE is recommending that the Home Business bylaw allow the use of farm buildings for larger businesses. George McNaughton gave the example of a company who had outgrown their property in Weathersfield who wanted to move their business to Springfield, but were not able to because Springfield's zoning ordinance for Home Businesses puts a percentage limitation on the amount of floor space a business may occupy of no more than 1100 sq. ft. or 50% of the dwelling area, whichever is less. The bylaw also limits the number of employees to 3. Mr. McNaughton stated that the TGBRE would like to see this bylaw changed to allow adaption and re-use of barns and farms for non-agricultural uses and allow a larger percentage of the accessory building for these uses. He noted that this change will stimulate the local economy and expand the grand list.

Josephine Hingston stated that this amendment would preserve farm buildings and make them viable again.

2. Definitions

George McNaughton stated that the TGBRE would like to see the definition Agriculture and Forest Product Processing separated because they believe the two are very different. He noted that forestry processing involves heavy equipment, noise, large amounts of outside storage and potential for ground contamination. Discussion followed. Mr. McNaughton stated that agricultural processing is usually a lighter use and is usually done inside. He stated that Vermont does not grow just one or two agricultural products and ship them far distances, but grows a wide variety of berries and vegetables and that our market needs to be able to process raw materials into a product.

Rural Value-Added Agricultural Processing Facility

Other Farm Business – purpose is to assist in the preservation and conversion of farm complexes which preserve the rural pastoral farmscape aspect of the area surrounding the developed portions of Springfield, to allow for the creation of new farm complexes and farmscapes including vintage barns while stimulating the rural small business economy. Discussion followed.

3. Vintage Barns

George McNaughton citing the concept of Vintage Barns is to allow new barns to look vintage and retain the farmscape aesthetic whether they use old style barn materials or newer, more durable materials. If a farm building is built to look like a vintage barn, the TGBRE does not care that it is newly built. He noted aesthetics is extremely important. Town Planner, Renee Vondle stated that the Development Review Board has no jurisdiction or say about the exterior of a building and what materials are used except in the Downtown Design Review Control District. Mr. McNaughton

stated that they put the vintage barn concept in their definition of Other Farm Business so that a metal pole barn would not be able to take advantage of the expanded Home Business exception.

Jenn Gehly asked if the concept is to allow a business to go into a vintage barn, but not have to be a working farm? Randy Gray stated that it is a matter of aesthetics and that if the property is out in the country, they should be encouraged to make their property look like a farm. Char Osterlund stated that we cannot control how things look and it sounds like we are telling people that if you build something that looks like a barn you can have an expanded business, but if you build a structure that is more functional, you can't utilize the expanded home business use. Joe Wilson used a "Morton Building" as an example of a functional structure. George McNaughton stated that the purpose is to allow non-agricultural businesses in an agricultural zone, but to look like a farm. He stated there are currently farms and barns that are not being used as farms and that it would be nice if these barns can be put to use in order to preserve and save them and give them a new use.

Discussion followed regarding the condition of allowing only a certain percentage of the accessory building for a business. George McNaughton stated that TGBRE does not care if a business occupies 100% of the building or not. Mike Martin stated that barns have a bigger footprint than residences. Randy Gray stated that this is the point. Mike Martin asked if the purpose of this expanded home business use is to adapt and reuse farm buildings for commercial uses and still make them appear to be farms? George McNaughton concurred, but added that the owner of the business would have to reside on the property in order for it to be a home business.

Josephine stated that her family rescued a dilapidated barn and are trying to figure out how they can best use it. Currently her father restores tractors in it. They will never store hay in it again. She stated that agriculture in this state is transitioning to something else and Vermont is trying to attract alternative lifestyles, but it is not an easy solution. Jim Fogg stated that the issue is to find uses that will not alter the aesthetics of a barn, for example, a woodworking shop or workshops for artisans. The outside would still look like a barn as opposed to what happened with the Batchelder farm in Charlestown, NH which became a tire business. The outside has tires on racks everywhere and rows of cars waiting to be served and it does not look like a farm anymore.

Section 3.22 (B) states: The home business shall be carried on wholly within the dwelling/residence or accessory structures to the dwelling residence, and shall occupy no more than 1100 sq. ft. of floor space or fifty (50) percent of the *dwelling area, whichever is less*. Emphasis is on the dwelling and whichever is less, which could represent a very small square footage of a large accessory building. George McNaughton stated that if you have a small house and a big barn then you will only be able to use a small portion of the barn. Discussion followed. George McNaughton suggested adding a new category in addition to the Home Business bylaw.

George McNaughton stated that the TGBRE would like to see the provision of only 3 employees in the current bylaw increase to say "no more employees than the DRB shall determine would be consistent with preserving the farmscape area, and including possible seasonal variation." He noted that they did not specifically put a figure on it because it would have to depend on what the DRB finds reasonable for the specific location. Discussion followed regarding employee parking and delivery trucks.

Char Osterlund stated that the language seems rather vague. She said that the PC had a joint meeting with DRB last month and the DRB has made it clear that they need specific bylaws with clear wording. Discussion followed.

4. Signage:

The PC reviewed the Agricultural Sign Options recommendation which included the specific option, advantages and potential problems. Randy Gray introduced the recommendations and noted that

these refer to Section 3.34 Roadside Stands of the zoning bylaws.

Jim Fogg stated that these were written to acknowledge and encourage that roadside farm stands are a special class of business that need special consideration to foster business vital to the rural side of community. Existing business in this segment of the economy have customers that have been going to their businesses for generations. He stated that he does not see a downside that would allow any unforeseen consequences. He noted that this would be confined to seasonal local roadside produce stands. Discussion followed regarding the definition of the word "local". Judith Stern stated that the legal definition of local is within 35 miles. The definition of "native" is 50 miles and anything outside of 50 miles is just produce. Jim Fogg stated that the common sense definition would be vendors based in Springfield.

Jim Fogg gave the historic background of the Farmers Market triangular sign. He stated that in 2003 after talks with Bill Kearns and approval by the DRB an agreement was made and a grant written for the signs. The agreement stipulated that only nonprofits are allowed to place signs on the bottom of the Farmers Market sign. Town Planner Vondle noted that there was no permit issued, the agreement was not signed by Bill Kearns and no bylaw was written. Jim Fogg stated that the intent of the Farmers Market was to reduce the amount of non-profit signage on the Plaza median by having the fish fry, town recreation signs, etc. on the Farmers Market sign. He stated that the price is quite reasonable and is cut to fit the Farmers Market posts. That was the plan, but some non-profits still choose to have their own signs.

Discussion followed regarding where the roadside farm stand signs could be allowed. Jim Fogg suggested that the roadside farm stand signs could be designated a small space at the base of the Farmers Market sign for local seasonal agricultural produce to temporarily place them in that one place and only there, not on the plaza median. He said it is important for the town to offer them something and people will see that the town is trying to be reasonable and meet them halfway which will reduce tension by making an exemption to all for-profit seasonal farm markets.

Char Osterlund stated that the PC received input from various people who claimed the Farmers Market is a for-profit entity. Jim Fogg stated that the Farmers Market is a non-profit 501C3 who were a prior arm of SOM which is also non for profit. Joe Wilson stated that the issue is that the vendors at the Farmers Market do make a profit. Jim Fogg stated that the individual vendors do not get advertising on the sign, they have to be committed to the market and they do not get any advertising. The market is a co-operative where vendors share responsibilities. Chuck Gregory asked if other vendors who feel disadvantaged by the Farmers Market could take advantage by joining the Farmers Market? Jim Fogg stated that they could at a minimum cost of time and money. The commitment is three hours a week and the fee is \$10 a week as a seasonal vendor or \$15 if they wanted to drop in from time to time. He noted the Farmers Market has spare tables and tents to lend out and insurance comes out of the weekly fees. They also use some of the fees to do some civic minded work.

Walter Martone stated that they are aware of a full time seasonal permanent farm stand that would like to advertise throughout the season. Jim Fogg stated that this particular farm could do it if they

were to change their sign every 2 – 3 weeks. They could place individual signs chronologically for whatever is currently in season (strawberry, asparagus, cucumber, corn, pumpkin). Walter Martone asked if this would monopolize the Farmers Market sign area? Jim Fogg clarified that the seasonal roadside farm signs at present are not that numerable and the height of the signs is low enough that it would not obscure the Farmers Market sign.

Jenn Gehly asked for clarification if the zoning bylaws specifically say that signs cannot be put in the plaza median island. Town Planner, Renee Vondle stated that signs within the highway right-of-way are prohibited (Section 4.18C). Discussion followed regarding how nonprofit signs have come to be allowed in the plaza median island. Mike Martin stated that it is being ignored, rather than allowed.

Walter Martone noted that Section 4.18B 1-10 which pertains to signs that do not require a permit have specific areas where the signs are allowed except for yard sale signs (#8) and signs to be maintained for not more than 2 weeks announcing (#6) an auction, campaign, drive or civic, philanthropic or religious organization which do not specify location. He stated that this makes it seem like they can be placed anywhere and is confusing. Discussion followed.

Chair Wilson thanked the TGBRE for coming and for their work. He stated that the Planning Commission will begin working on Phase II of the Zoning Bylaw rewrite and signs are the first bylaw that will be addressed.

9. Phase II

Chair Wilson informed the commission that the Master Planning Grant was submitted by the SWCRPC to the State on Monday, September 30th. The grant money will be available in February 2020.

Discussion followed regarding scheduling. It was decided that the commission would hold a public forum to address signage at the November meeting and invite SOM, Springfield Area Chamber of Commerce, SRDC, other civic organizations and the public to get their input and then work on the sign bylaw in the following months. Discussion followed regarding the parking lot issues. Mike Martin stated that this is Old Business and he suggested that the commission prioritize them and then schedule accordingly. Town Planner Vondle will forward the current parking lot list to the commission.

Char Osterlund asked when will the PC act on the TGBRE recommendations? Town Planner Vondle recommended that the commission do it as soon as possible while it is fresh on everyone's mind.

Chuck Gregory asked that the commission consider collaborative documentation. Town Planner Vondle stated that collaborative documentation is illegal in the State of Vermont as we have very strong laws about Open Meeting Law. Discussion followed.

Char Osterlund moved to place this issue on a future agenda for discussion. Chuck Gregory seconded. Discussion followed. Motion denied 2-3. (Yea: Chuck Gregory, Jenn Gehly. Nay: Char Osterlund, Joe Wilson, Judith Stern).

10. Identify agenda items for November 6, 2019 meeting – The PC agreed to use the meeting to hold a public forum to discuss the signage rewrite. The meeting will start at 6:00 p.m. and not the regular 6:30 starting time. The PC will invite Springfield On The Move, Springfield Area Chamber of Commerce, SRDC, and the general public to participate in the discussion. It was agreed that the meeting will focus on temporary, permanent and new technology signage. The first 1 ½ hour will be the public forum on signage followed by

prioritizing the Phase II rewrite during the second hour.

Town Planner Vondle asked the commission to spend some time reviewing and thinking about the TGBRE recommendations for Home Business bylaw. This will be addressed during the parking lot discussion.

Walter Martone suggested that the commission write a partial amendment for relevant sign changes so that they can be utilized as soon as possible.

11. Public Comment

Josephine Hingston stated that if there are people who would like to continue to the signage conversation, they are welcome at the TGBRE meetings as well. The next meeting is October 29th.

12. Adjournment

Judith Stern moved to adjourn at 8:55 p.m. Char Osterlund seconded. Motion pass unanimously.

Respectfully submitted,

Renee L. Vondle
Recording Secretary/Town Planner