

**DEVELOPMENTAL REVIEW BOARD
MINUTES**

April 13, 2009

MEMBERS PRESENT:

Phil Carter, Chairman	Richard Harrison	Linda Petty
Troy Adams	Julie Nicoll	Rose Goings, Zoning Administrator

OTHERS PRESENT:

Britta Galimi	Mary Mutz	Chris Rowen
Lorraine Higgins	Mary Jane O'Hara	Michelle Stinson, LPC TV
Rita Higgins	Bernard Pelletier	Lisha Klaiber, Recorder
Robert Higgins	Ted Reeves	

1. **CALL TO ORDER**

A. Meeting opened at 6:01 p.m. by Chairman Phil Carter. All board members.

2. **OPEN THE PUBLIC HEARING FOR BERNARD PELLETIER AND BRITTA GALIMI**

- A. Phil Carter advised that this hearing is for an application to change the use of a personal garage to a commercial use in the Town Residential Commercial District. The applicants wish to use the space for a car repair and inspection station. Property address is 1087 Route 100 North.
- B. Rose Goings advised that this is application 282-05-CU, Amendment #1. Posted in the Town Hall bulletin boards March 23, 2009, advertised in THE VERMONT JOURNAL on March 25, 2009, and the abutting property owners were notified March 23, 2009.
- C. Phil Carter administered the oath to all wishing to speak at this hearing.
- D. Bernard Pelletier advised that he would like to do small car repairs, lube, oil and filters, small engine repair. He would like to provide pick-up and delivery service to his customers.
- E. Phil Carter asked what the hours of operation would be.
- F. Bernard Pelletier said that he would like to start out part-time, 1:00 p.m. to 7:30 or 8:00 p.m.
- G. Phil Carter explained that whatever hours might be listed in the permit, would be the hours. If the applicant wishes to expand the hours at a later date, he would have to come back for a change to the permit.
- H. Bernard Pelletier said hours would be 8:00 a.m. to 12:00 a.m.
- I. Phil Carter noted that Fire Safety had made suggestions in their inspection report. Some of the suggestions were that the stairs to the storage area would need guards and a platform, all electrical fixtures should be at the proper height, the height of the burner for heat needs to be checked and the ceiling needs to be taped.
- J. Bernard Pelletier said that the work has been done.
- K. Phil Carter asked about any changes to outside lighting.
- L. Britta Galimi said there would be solar spotlights at the garage.

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- M. Phil Carter asked about the state highway permit.
 - N. Bernard Pelletier said they already have it. The state wants a paved apron.
 - O. Britta Galimi said that they told the state they would put in the apron after the weather is better. The state said that would be okay as long as it was done by summer.
 - P. Phil Carter asked about parking.
 - Q. Britta Galimi said that the state said there should be no parking along the shoulder of the road.
 - R. Richard Harrison asked how many parking spaces they had and needed.
 - S. Britta Galimi said the garage is 1,280 square feet.
 - T. Phil Carter calculated the number of spaces at 1 vehicle for the garage and 6 additional spaces.
 - U. Julie Nichol said they could count the spaces in the garage.
 - V. Rose Goings said that they have 5 by the house and 5 by the garage.
 - W. Linda Petty asked if they would be needing a dumpster.
 - X. Bernard Pelletier said that he makes runs to the transfer station.
 - Y. Linda Petty asked about oil.
 - Z. Bernard Pelletier said that he keeps track of amounts. It goes to people who can use it in their furnace. He keeps a list of who gets it and when and the amounts.
 - AA. Troy Adams asked if he would be doing any painting.
 - BB. Bernard Pelletier said only small touch-ups, nothing big.
 - CC. Richard Harrison asked about fire extinguishers.
 - DD. Britta Galimi said they have 2 there from Green Mountain Fire.
 - EE. Bernard Pelletier said that Chief Kolenda said that was okay.
 - FF. Richard Harrison suggested they get more.
 - GG. Julie Nichol asked about a sign.
 - HH. Bernard Pelletier said it would be off the corner of the garage and be 3' x 6'.
 - II. Britta Galimi said it would have s frame structure the same as the "Welcome to Ludlow" sign.
 - JJ. Rose Goings said they would have to apply for a sign permit.
 - KK. Phil Carter asked if there would be any changes to the exterior footprint.
 - LL. Bernard Pelletier said no.
 - MM. **MOTION by Julie Nicoll and seconded by Troy Adams to close this hearing.**
Motion passed unanimously.

3. **OPEN THE PUBLIC HEARING FOR BELLA LUNA'S RISTORANTE**

- A. Phil Carter advised that this hearing is for an application for an amendment to a Conditional Use permit in the Town Residential Commercial District to allow for outside dining at the existing restaurant. Property address is 66 Route 100 North.
- B. Rose Goings advised that this is application 87-135-CU, Amendment #4. Posted in the Town Hall bulletin boards March 23, 2009, advertised in THE VERMONT JOURNAL on March 25, 2009, and the abutting property owners were notified on March 23, 2009. She advised that all letters are in.
- C. Phil Carter administered the oath to all wishing to speak at this hearing.
- D. Mary Mutz advised that she would like to provide outside dining in the patio area. She already has an outside liquor license and wants to add food.
- E. Phil Carter asked how many tables.
- F. Mary Mutz said 6.

- G. Phil Carter asked if there would be any changes to the outside lighting.
- H. Mary Mutz said no, just little oil lamps. The current lighting is sufficient.
- I. Phil Carter asked if there would be any changes to the look of the patio,
- J. Mary Mutz said planters and eventually she would have the top of the fountain capped.
- K. Phil Carter asked if any people had been drinking outside, yet.
- L. Mary Mutz said not a lot, as she had not advertised.
- M. Phil Carter asked if there would be music outside.
- N. Mary Mutz said no.
- O. Rose Goings asked how many people would be seated per table.
- P. Mary Mutz said 4.
- Q. Julie Nichol asked how late they would be having people outside.
- R. Mary Mutz said that Chief Billings set a 10:00 p.m. curfew. She added that it would be nice to have wedding rehearsal dinners outside.
- S. **MOTION by Julie Nichol and seconded by Richard Harrison to close this hearing. Motion passed unanimously.**

4. **OPEN THE PUBLIC HEARING FOR THE TOWN AND VILLAGE OF LUDLOW**

- A. Phil Carter advised that this is an application for a permit for flood hazard review to maintain and replace water main lines in the Village. The application also includes the construction of a 400,000-gallon water storage tank.
- B. Rose Goings advised that this is application 318-09-FHR. Posted in the Town Hall bulletin boards March 23, 2009, advertised in THE VERMONT JOURNAL on March 25, 2009, and property owners were notified on March 23, 2009. She added that not all of those who were notified will be affected by the project. She read a letter from Mark Youngstrom of Otter Creek Engineering into the record (copy attached.) This letter describes the scope of work. The engineer has been working with Frank Heald. A letter from the Water Quality Division has also been received.
- C. Phil Carter administered the oath to all wishing to speak to this matter.
- D. Bob Higgins asked the time frame.
- E. Rose Goings said they plan to start at the end of May and be completed in October. The project will be done in phases.
- F. Mary Jane O'Hara asked if there would be an interruption to water supply.
- G. Phil Carter said that he does not know, but doubts it.
- H. Richard Harrison said there may be limited interruptions during daytime hours.
- I. Rose Goings said that the Aquifer Protection area also supplies water. She would have to check with Frank Heald if Meadow Street will be affected. The town needs to replace the old lines and comply with all FEMA requirements.
- J. Phil Carter said that the only function of this hearing is for Flood Hazard Review and to make sure there is no greater impedance to the water flow during construction. The engineers and the state have already insured there will be no further encroachment on the water.
- K. Rose Goings noted that the level of the water cannot increase. Also there must be stream alteration permits and inspections by the water quality division.
- L. Richard Harrison said that this project will help the fire department with water flows. There will be loop lines and that will provide better pressure and cleaner water. When complete, the water will be better.
- M. Phil Carter asked the age of the lines being replaced.

- N. Richard Harrison said they go back to the 1800's.
- O. Phil Carter read the following quote from the letter from the Water Quality Division: "In order for the Village to ensure that the project is compliant with their Flood Plain Management Ordinance, the Village should require some certification from a professional engineer, licensed land surveyor or other qualified professional at the completion of the project that the installation and replacement of the water main line was completed as proposed."
- P. Rita Higgins asked the locations of the pipes
- Q. Phil Carter said that the map is difficult to read and said that better copies are in the Planning Office.
- R. Rita Higgins asked if they would be able to get into their driveway.
- S. Richard Harrison said probably.
- T. Mary Jane O'Hara asked if the lines on Main Street had already been replaced.
- U. Richard Harrison said he did not know.
- V. Rose Goings said that some breaks had been repaired. She added that any construction on Main Street would possibly back up traffic a bit.
- W. **MOTION by Richard Harrison and seconded by Linda Petty to close this hearing. Motion passed unanimously.**

5. **OTHER BUSINESS**

- A. Rowen/Herring Subdivision
 - i. Phil Carter said a letter from the applicant had requested an extension in November
 - ii. Rose Goings suggested that the board grant an extension from this meeting for 12 months.
 - iii. **MOTION by Julie Nichol and seconded by Linda Petty to grant an extension for 12 months (April, 2010.) Motion passed unanimously.**
- B. Okemo Limited Liability Company
 - i. Rose Goings advised that Ted Reeves is here and has a copy of a Letter of Credit for \$66,300.
 - ii. Ted Reeves advised that he had a draft of the Letter of Credit a few weeks.
 - iii. Rose Goings advised that this board did not meet last month. She added that there are changes up at Okemo. There is an outstanding extension for permits and she has spoken to Mike, but has not heard anything.
 - iv. Ted Reeves said they are preparing the new applications now for CNL.
 - v. Phil Carter asked if the permits were all for Jackson Gore.
 - vi. Ted Reeves said all Okemo areas.
 - vii. Phil Carter asked about the 9-hole golf course.
 - viii. Ted Reeves said that is one that has lapsed and they will need a new one. It was in the Capital Budget for this year, but is under review.
 - ix. Richard Harrison asked about the Conference Center.
 - x. Ted Reeves said the original design was in Phase 2, but is being redesigned to reduce the size. He does not know if they will do it this year or next. There is also no time frame on Coolidge.
 - xi. Rose Goings asked if there was a certificate for the Letter of Credit.
 - xii. Ted Reeves gave a copy of the draft to board members for review. It will be renewable annually.

- xiii. Rose Goings asked when the board would get the final copy.
- xiv. Ted Reeves said that is the board has no changes, this will be the final language and they could have it in a couple of days or a week. He added that the language is standard and mimics the language in the original \$550,000 Letter of Credit.
- xv. Phil Carter said the board would send a quick response.

6. REVIEW AND APPROVE MINUTES

- A. Phil Carter advised that the minutes to be reviewed and approved are from February 9, 2009
 - i. Troy Adams said that on page 2, item 2M, the “id” should be “is.”
 - ii. **MOTION by Julie Nicoll and seconded by Linda Petty to accept the minutes from February 9, 2009 as corrected. Motion passed unanimously.**

7. ADJOURN

- A. **MOTION by Julie Nicoll and seconded by Linda Petty to adjourn. Motion passed unanimously.**
- B. Meeting closed at 6:49 p.m.

Respectfully submitted,

Lisha Klaiber

Phil Carter, Chairman

Julie Nicoll

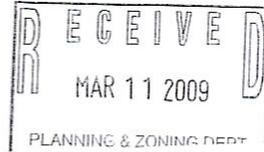
Troy Adams

Linda Petty

Richard Harrison



OTTER CREEK
ENGINEERING, INC.



March 9, 2009

Ms. Rosemary Going
Zoning Administrator
Village of Ludlow
P.O. Box B
37 Depot Street
Ludlow, VT 05149

Subject: Village of Ludlow, Vermont
Water System Improvements Project

Dear Rosemary:

Enclosed are completed Zoning Permit and DRB referenced project. A complete set of the construction plans is in the office if you need to reference them for any reason.

The Village's project consists of the following items:

1. Replacement of approximately 15,000 linear feet Andover Street, Pond Street, High Street and Meadow Street, with associated appurtenances.
2. A 400,000 gallon water storage tank on Hemingway Hill property, at the site of the Village's abandoned

Andover Street ✓
 Pond Street ✓
 High Street ✓
 Depot Street ✓
 Prospect Street ✓
 Main Street ✓
 Meadow Street ✓
 Hemingway Hill Rd.

(For ABOTTERS)
 Valves, hydrants
 Ralloffa

We understand portions of this project lie within Flood Hazard Areas, as defined by the Ludlow Zoning Regulations. For those areas, please be informed that all work shall incorporate the following standards:

1. All water mains shall be ductile iron and buried a minimum of 4 feet (5½ feet typically) below grade. The only exceptions shall be:
 - a. The bridge on Depot Street where the pipe shall be attached to the bridge beams and insulated.
 - b. A beam supported crossing of Jewell Brook, just upstream of the Main Street Bridge. This pipe will be installed so it is not lower than the existing bridge deck structure. The insulated pipe will be solidly supported on a steel beam.
 - c. A buried stream crossing of Jewell Brook near the Andover Street railroad trestle. The pipe will be placed at least 3 feet below the stream

P.O. Box 712 • 404 East Main Street, East Middlebury, Vermont 05740
Telephone: 802 • 382-8522 Facsimile: 802 • 382-8640 E-mail: info@OtterCrk.com

110 Merchants Row, 4th Floor, Suite 15, Rutland, Vermont 05701
Telephone: 802 • 747-3080 Facsimile: 802 • 747-4820 E-mail: info@OtterCrk.com



- bed, with fully restrained joints, in accordance with Water Supply Division standards and the issued Stream Alteration Permit.
2. All water mains will be tested to 200 psi, prior to acceptance.
 3. All water mains will be tested for the absence of bacteriological contamination, prior to acceptance.
 4. At all locations (except for the tank site, which is not in a Flood Hazard Area) there will be no change in finished grade elevations. All disturbed areas will be restored to pre-construction conditions, or better.

In summary, all water mains are designed to minimize or eliminate the potential of water system contamination due to flood waters, and in compliance with the applicable guidance provided in FEMA-348 "Protecting Building Utilities from Flood Damage."

Enclosed for your use are two sets of Drawings, showing the locations of the proposed improvements. Should you have any questions, please do not hesitate to contact me or Frank Heald.

Sincerely,

Mark P. Youngstrom, P.E.
Principal Engineer

: Frank Heald - Village of Ludlow
Deputy Director - DEC/Water Quality Division