

**DEVELOPMENTAL REVIEW BOARD  
MINUTES**

**February 9, 2009**

**MEMBERS PRESENT:**

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

**OTHERS PRESENT:**

Greg Mauriello	Robin Reilly	Michelle Stinson, LPC TV
Alice Nitka	Ken Saccardo	Lisha Klaiber, Recorder
Marty Nitka		

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 KENNETH AND LORI SACCARDO**

- A. Phil Carter advised that this hearing is for an application for a subdivision in the Village Residential Commercial District to create four lots from two existing lots. Property address is 20 and 22 Tapper Street.
- B. Rose Goings advised that this is application SUB09-004. Posted in the Town Hall bulletin boards January 21, 2009, advertised in THE VERMONT JOURNAL on January 21, 2009, and the abutting property owners were notified January 21, 2009. She advised that all required letters have been received, including Water/Sewer.
- C. Phil Carter administered the oath to all wishing to speak at this hearing.
- D. Ken Saccardo posted the survey and indicated on it where the two existing lots are and where the subdivisions would be. He explained that there are existing structures on 3 of the lots what already have town water and sewer and separate electric meters. He indicated, on the drawing, the location of a proposed new building. He said that he has spoken with Loran Greenslet regarding where the new water sewer lines would be run.
- E. Phil Carter said that the lots being created would be:
  - i. Lot 1 would be 5,448 square feet
  - ii. Lot 2 would be 14,785 square feet
  - iii. Lot 3 would be 9,077 square feet
- F. Ken Saccardo said that there is an error on the drawing and the 3<sup>rd</sup> lot should be .134 acres. It will be corrected on the final plat.
- G. Phil Carter said that it would exceed the required 5,000 square foot minimum. He continued:
  - i. Lot 4 would be 10,926 square feet.
  - ii. There are buildings on lots 1, 2 and 3 and a proposed building on lot 4.
- H. Ken Saccardo said he has not seen the letter from Fire Chief Kolenda, but that the chief would like him to widen the ROW to the Terrasi property.

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- I. Phil Carter asked how wide the current ROW is.
  - J. Ken Saccardo said that it is 14 feet and the chief would like him to add six feet, making it a 20-foot ROW.
  - K. Greg Mauriello said that the chief said that the 20-foot ROW would act as a cul-de-sac and Ken Saccardo believes that he can obtain the ROW from the Terrasis. He added that there are 2 corrections to be made to the final plat:
    - i. Correction to size of lot 3
    - ii. The cut off on the survey says 12 feet and it should be 14 feet
  - L. Phil Carter noted that there is a 15-foot ROW to lot 2.
  - M. Ken Saccardo said that id the flat area above the existing building and there is room for 3 cars to park there. It makes sense with the lay of the land.
  - N. Phil Carter asked if they would show the ROW on the final plat.
  - O. Ken Saccardo said yes.
  - P. Richard Harrison said that Police Chief Billings' letter suggested a pull off section at the top of the hill, on the right side for easier traffic flow.
  - Q. Ken Saccardo said if that were needed, he would do it. He added that he would like to keep as many trees as possible.
  - R. Richard Harrison suggested that Ken Saccardo talk to Chief Billings.
  - S. Ken Saccardo said that with the lay of the land, the top part of Tapper Street could be opened up easily, but there is a ditch on the lower portion. He will consult with the highway foreman.
  - T. Richard Harrison said it would just be a small pull off.
  - U. Julie Nicoll asked where the parking would be for lots 3 and 4.
  - V. Ken Saccardo indicated locations on the drawing.
  - W. Julie Nicoll asked if the 15-foot ROW is "minused" from the acreage on lot 4.
  - X. Ken Saccardo said no.
  - Y. Phil Carter said that it does not have to be.
  - Z. Ken Saccardo said that he would have the parking spaces added on the new survey.
  - AA. Phil Carter said that he doesn't have to. He noted that Ken Saccardo's house is a two-family house and noted that it will still meet density requirements.
  - BB. Richard Harrison asked about parking for lot 4.
  - CC. Ken Saccardo said that it was where Phil Carter had parked on the site inspection today.
  - DD. Phil Carter asked about the spring on the property.
  - EE. Ken Saccardo said that there is a smaller flow in the dry season, but it does flow year round. There are spring rights in his deed.
  - FF. Rose Goings asked about state permits.
  - GG. Ken Saccardo said that he spoke to Sandra Conan and only needs a wastewater permit. He contacted Ed Floyd to take care of that.
  - HH. **MOTION by Julie Nicoll and seconded by Linda Petty to close this hearing. Motion passed unanimously.**
3. **OPEN THE PUBLIC HEARING FOR RIO TINTO MINERALS/LUZENAC AMERICA**
- A. Phil Carter advised that this hearing is for an application for a Conditional Use permit in the Industrial District for site review to improve drainage and grade lot. Property address is 73 East Hill Road
  - B. Rose Goings advised that this is application 317-09-CU. Posted in the Town Hall bulletin boards January 21, 2009, advertised in THE VERMONT JOURNAL on January

21, 2009, and the abutting property owners were notified on January 21, 2009. She advised that the agent for the applicant is Robin Reilly.

- C. Phil Carter administered the oath to all wishing to speak at this hearing.
- D. Robin Reilly advised that the applicant would like to re-grade the parking lot. It was constructed in the early 1970's and drainage is through a catch basin. In the winter the water freezes on the parking lot and the catch basin also freezes. They would like to improve the drainage to the stream and improve the safety of the lot. She distributed a letter detailing the changes to the board members. The drainage would be to the south not the north as indicated in the letter.
- E. Phil Carter asked where they would move the snow loads.
- F. Robin Reilly said up to the mine and mill to keep it out of the drainage swale. That would have volume but not a lot of velocity.
- G. Richard Harrison said that it is good that Luzenac is trying to straighten out this problem. It is a good company for Ludlow.
- H. Robin Reilly thanked Richard Harrison for the compliment. She added that the project would be going through the Act 250 process.
- I. **MOTION by Richard Harrison and seconded by Troy Adams to close this hearing. Motion passed unanimously.**

4. **FINAL PLAT REVIEWS**

- A. Henry Corr and Regina Fitzsimmons
  - i. Phil Carter advised that this is a subdivision on South Hill Road and signed the final plat.
- B. Martin and Alice Nitka
  - i. Phil Carter advised that this is subdivision on Nelson Road and signed the final plat.

5. **OTHER BUSINESS**

- A. Edgar Court Case
  - i. Phil Carter advised that this board had denied an application for a variance and the applicants took the case to court. Environment court ruled in favor of the town of Ludlow and this matter should now be complete.
- B. Curry Court Case
  - i. Rose Goings advised that should has not heard anything on this case, but since it happened at about the same time as the Edgar case, she expects to hear soon.
- C. Ledgewood
  - i. Rose Goings said that the parties would not be coming back to the DRB.
- D. Rowen/Herring Subdivision
  - i. Phil Carter asked if the applicant had requested an extension yet. This board has not met since they were at the last meeting.
  - ii. Rose Goings said that she would check on it.

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6. **REVIEW AND APPROVE MINUTES**

- A. Phil Carter advised that the minutes to be reviewed and approved are from November 24, 2008.
- i. Troy Adams said that on page 5, item v, there is a “.” at the end of the sentence.
  - ii. Julie Nicoll noted that on page 4, item V, there are 2 periods at the end of the sentence.
  - iii. **MOTION by Julie Nicoll and seconded by Linda Petty to accept the minutes from November 24, 2008 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 6:35 p.m.

Respectfully submitted,

Lisha Klaiber

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Phil Carter, Chairman

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Julie Nicoll

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Troy Adams

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Linda Petty

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Richard Harrison