

**PLANNING COMMISSION
MINUTES**

REGULAR MEETING

April 17, 2012

MEMBERS PRESENT:

Christine Fuller, Vice Chair	Alan Couch	Norman Vanasse
Terry Carter	Steve Stengel	

DRB MEMBERS PRESENT:

John Boehrer	Julie Nicoll
Richard Harrison	Linda Petty

OTHERS PRESENT:

Rose Goings	Logan Nicoll	Lisha Klaiber, Recorder
Jason Rasmussen		Michelle Stinson – LPC-TV

1. CALL TO ORDER

A. Christine Fuller called the meeting to order at 6:00 p.m.

2. ROLL CALL BY RECORDING SECRETARY

A. All members present, except Ethan Gilmour. It was noted that Fred Glover will no longer be serving on the board.

3. APPROVE MINUTES

A. The minutes to be approved are from the meeting of February 21, 2012.

B. **MOTION by Christine Fuller and seconded by Alan Couch to approve the minutes from February 21, 2012 as presented. Motion passed unanimously.**

4. COMMENTS FROM CITIZENS

A. There were none

5. WORK SESSION – ZONING REGULATIONS

A. Christine Fuller advised that Jason Rasmussen and Rose Goings had put together and outline of possible changes and revisions that the board may want to consider when updating the Zoning Regulations. She added that DRB members were also given a copy of the list.

- B. Jason Rasmussen advised that this is a brainstorming list and possibly a focus list. He added that the list includes state statute changes and problem areas in the current regulations.
- C. Steve Stengel asked for a copy of the Zoning Regulations.
- D. Christine Fuller said that the group would go through the list, item by item, and that DRB members are invited to comment and let the Planning Commission know which items should receive immediate attention, if something is missing and also items that the DRB does not consider necessary.
- E. Item 1 – Affordable Housing
 - i. Jason Rasmussen advised that they need to add explicit language for “equal treatment of housing” as per the state.
 - ii. Steve Stengel recounted that they had formed a Ludlow Community Land Trust a few years back and public response was not positive. The opinion was linked to low income housing.
 - iii. Jason Rasmussen asked the board what they may want to include. He added that they don’t include a density bonus in the PUD section.
 - iv. Terry Carter said that the town had voted that down.
 - v. Christine Fuller noted that the density in the Village has been reduced.
 - vi. Rose Goings said they need to look in the town plan about Affordable Housing and how it is treated and they need to work with the housing community to keep Affordable Housing in town.
- F. Item 2 – Ridgeline Development
 - i. Jason Rasmussen said that there are new maps in the town plan that show potential areas.
 - ii. Steve Stengel advised that Peter Crowley had given him quite a bit of information and he would bring it in.
- G. Item 3 – Changes to Route 100 North (Scenic Byway)
- H. Item 4 – Land Use Goals in Town Plan (See 9A)
- I. Item 5 – Possible PACE District
 - i. Jason Rasmussen explained that this is the Property Assessed Clean Energy District and would be a voluntary project, something like a bonding situation where home owners would make energy efficiency improvements to their homes and the upfront costs would be paid by the program and the property owners would pay the program back over time.
 - ii. Richard Harrison said the state would help.
 - iii. Steve Stengel asked how this is tied to Efficiency Vermont.
 - iv. Jason Rasmussen said that Efficiency Vermont may possibly administer the program. This would not be part of zoning.
 - v. Rose Goings asked if they would need to create a new district.
 - vi. Jason Rasmussen said this is a new program and he can get more information
- J. Item 7 - Changes to Wording (note #6 is missing from list)
 - i. Rose Goings suggested that board work on these areas as they work their way through the regulations.
- K. Item 8 –Definitions
 - i. Rose Goings said that she has been working on these and said that it should be considered a priority.
- L. Item 9 – Changes to Chapter 117
 - i. Item a – General

- a. Jason Rasmussen advised that the Land Use law discusses the Planning Commission's role in administration. He added that there is nothing in the Zoning Regulations about enforcement.
 - b. Rose Goings asked about the Waiver provision
 - c. Jason Rasmussen said the Legislature has provided this as an option to variances because they are difficult to get.
 - d. Christine Fuller asked the DRB members for their thoughts on this.
 - e. Richard Harrison said he prefers the 5 criteria
 - f. John Boehrer said that waivers may cause problems because they are not specific.
 - g. Rose Goings said the waiver would give another chance for people to appeal; it would be a bad situation.
 - h. Richard Harrison said the board really needs to look at setbacks in the Lakes District.
 - i. Rose Goings said that currently, the DRB follows very specific guidelines; waivers may offer too much flexibility.
 - j. Christine Fuller noted that this item will be omitted from the list.
 - k. Jason Rasmussen asked about how they handle landlocked lots.
 - l. Rose Goings said that is handled by the DRB.
 - m. Jason Rasmussen said there are new laws about exemptions for telecommunications and windmills. He will check into them, but these are not in the Zoning Regulations.
- ii. Item b – Conformance with Municipal Plan
- a. Jason Rasmussen said the board needs to make sure the regulations conform to the town plan. They may want to look at the maps in the town plans and the zoning maps. They could also look at stream buffers, steep slopes, wild life areas, incentives for village growth.
 - b. Steve Stengel asked about people filling in areas that were washed out by Irene.
 - c. Jason Rasmussen said there were probably things done without permits and there is no clear answer, but the board can look at it.
 - d. Christine Fuller said that the Lakes Association came to this board in the past and it may be a good idea to invite them back for their comments and suggestions.
 - e. Jason Rasmussen asked about off-street parking
 - f. Rose Goings said there is some in the village, including the lot by IGA.
 - g. Alan Couch said they should look at that. There are employees of businesses in the village that park on the street in front of other businesses instead of at IGA
 - h. Jason Rasmussen mentioned local Traffic Impact study guidelines.
 - i. Rose Goings said that would have come in helpful for the Timber Creek project, but it also depends on how much more the DRB wants to take on. She also said they don't want to over-regulate. It would be useful for small subdivisions that are not required to go to Act 250.
 - j. Jason Rasmussen asked about incentives for village growth
 - k. Rose Goings said they may want to include that in the new Village Center District. She asked if that would affect the DRB.
 - l. Jason Rasmussen said no, but if you change the regulations, it may. He asked about how they handle exterior lighting.

- m. Rose Goings said the DRB does have standards. She said that there are also lights on signs and that needs to be addressed. There should be performance standards for signs also.
 - iii. Item c – Conditional Use Review
 - a. Jason Rasmussen said they may want to update the 5 standards for Conditional Use permits.
 - b. Rose Goings said that she agrees and she would also like to see them work on the Village standards. They also need to be reworded, clarified and have things spelled out more specifically.
 - c. Jason Rasmussen said they could add more of the state Act 250 items to local review.
 - d. Rose Goings said the ones the DRB currently reviews are working fine, but they can look into others.
 - iv. Item d – Site Plan Review
 - a. Jason Rasmussen asked if the DRB wanted to make any changes to Site Plan Review, maybe lighting.
 - b. Richard Harrison said it is working okay.
 - c. Linda Petty said the board does discuss lighting
 - d. John Boehrer said that sometimes people do not understand and need clearer instructions for variances.
 - v. Item e – PUD provisions
 - a. Rose Goings said that as long as they meet state standards we are okay, but we can always improve it. She added that Timber Creek is a mixed use PUD, with residential, ski trails, and a lodge and it is working out.
 - b. Jason Rasmussen asked about density bonuses.
 - c. Linda Petty said that is not a good idea.
 - d. The other DRB members agreed and Christine Fuller said it would be removed from the list.
 - vi. Item f – Check for updates to Flood Hazard provisions since Irene
 - a. Jason Rasmussen said that since Irene, the state is looking for towns to use state language and not make up their own.
 - b. Richard Harrison suggested tabling this until the state makes their changes
 - c. Christine Fuller said it would be tabled.
 - M. Item 12 – Agricultural updates (farm stands) (note items 10 and 11 are missing from list)
 - i. Rose Goings said that she is concerned about buildings initially constructed for use are agricultural buildings and then the property changes hands or the people decide to turn these structures into other types of uses. She said that should be reviewed.
 - N. Item 13 – Signs
 - i. Jason Rasmussen suggested a standalone sign ordinance.
 - ii. Rose Goings said signs will take a long time to work on to create an ordinance.
 - iii. Jason Rasmussen said there are sign ordinances out there and we can combine them to make one that works for Ludlow, but it will take time.
 - O. Item 14 – Lakes District
 - i. Rose Goings said an issue in the Lakes District is stairs and deck. They are – in general – getting too big and this needs to be clarified. She said we should invite the Lakes Association in for discussion about this.
 - P. Christine Fuller asked the board where they want to start.
 - Q. Richard Harrison suggested lighting and signs
 - R. John Boehrer said the Lakes District
 - S. Julie Nicoll said she would like to look into the PACE district.

- T. Jason Rasmussen said that is a little outside the parameters of the grant, but we can set something up and get someone in.
- U. Christine Fuller asked Rose Goings what her priorities are.
- V. Rose Goings said Chapter 117. She advised that the grant is only for 18 months. She would also like to work on CU and Variance review, changes to the Preservation District and Flood Hazard Review. She would like to focus on them.
- W. Christine Fuller suggested starting with Item 9 - Chapter 117 Review at the next meeting on May 15, 2012.
- X. Jason Rasmussen said he could work on that and asked DRB members if they would like draft copies.
- Y. Members said they would.

6. **OTHER BUSINESS**

- A. Opening on Planning Commission
 - i. Julie Nicoll advised that her son, Logan is at tonight's meeting and is interested in the opening on the plc.

7. **ADJOURN**

- A. **MOTION by Norman Vanasse and seconded by Terry Carter to adjourn this meeting. Motion passed unanimously.**
- B. Meeting adjourned at 7:07 p.m.

Respectfully submitted,

Lisha Klaiber

Terry Carter

Ethan Gilmour

Alan Couch

Steve Stengel

Christine Fuller, Vice Chairman

Norman Vanasse