

**PLANNING COMMISSION
MINUTES**

REGULAR MEETING

July 17, 2012

MEMBERS PRESENT:

Alan Couch, Vice Chair	Logan Nicoll
Terry Carter	Steve Stengel

MEMBERS ABSENT:

Ethan Gilmour	Norman Vanasse
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OTHERS PRESENT:

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

1. CALL TO ORDER

A. Alan Couch called the meeting to order at 6:04 p.m.

2. ROLL CALL BY RECORDING SECRETARY

- A. All members present, except Ethan Gilmour and Norm Vanasse.
- B. Rose Goings advised that Christine Fuller has officially resigned and is moving out of state.

3. APPROVE MINUTES

- A. The minutes to be approved are from the meeting of June 19, 2012.
- B. **MOTION by Steve Stengel and seconded by Logan Nicoll to approve the minutes from June 17, 2012 as presented. Motion passed unanimously.**

4. COMMENTS FROM CITIZENS

A. There were none.

NOTE: Jason Rasmussen maintains a master file for the regulations and records changes as the board makes them.

5. WORK SESSION – ZONING REGULATIONS

- A. Jason Rasmussen noted that at the last meeting, the board had completed Article 1 and has stopped at Certificate of Occupancy (CO.) He advised that he and Rose Goings had met on July 16th and went over more of the regulations. Specific to Certificates of Occupancy, the board had decided to replace the original language with the alternate, but still wanted to make some changes in the language. They modified the language, giving more information and guidance.
- B. Logan Nicoll noted the usage of Administrative Officer and Zoning Administrator.
- C. Rose Goings said that either one is correct. She advised that in Ludlow COs are issued to make sure that projects are completed according to the permits, plans, specifications and Ludlow and State regulations.
- D. Jason Rasmussen said that the changes made here are not changing how or when COs are needed.
- E. Steve Stengel said that he did not get a CO when he built his house.
- F. Rose Goings advised that was before Ludlow had required COs. They are not making the regulations more restrictive and the town has them since 2007. A CO is to make sure that people built what they said they were going to build.
- G. Alan Couch added that it makes sure that septics are where they are supposed to be and that mechanical equipment and toilets are all in working order.
- H. Terry Carter asked if the 30-day deadline for the Zoning Administrator (ZA) is needed and if it gives Rose Goings enough time. What happens if Rose Goings is out for an extended period of time,
- I. Jason Rasmussen said that is dictated by state law.
- J. Rose Goings said that the Town Manager acts as Acting ZA if she is out. She said that she usually gets decisions out within one week or that she may have to go to the sites on multiple occasions.
- K. Jason Rasmussen said that they have added Temporary CO to allow for items such as landscaping that the applicants may have over the winter until the spring to do.
- L. Rose Goings said that the Temporary CO is helpful with Conditional Use permits, allowing certain amounts of time to complete sections of the project.
- M. Jason Rasmussen referred to the next section, Section 240 – Violations and Enforcement, saying that they are not trying to change this section, but to clarify the language. Much of this is from state law and should be included. Fines were changed by the state from \$100 per day to \$200 per day.
- N. Steve Stengel voiced his concern that this seems too harsh and he does not fully understand the reason for these rules.
- O. Rose Goings explained that this is state mandated and Ludlow has had zoning regulations for many years. They protect the environment, neighbors and applicants. The Planning Commission builds the regulations and give her permission to enforce them, some of this is state regulated.
- P. Jason Rasmussen said that state law requires us to include certain language. He said that next section describes Public Hearings and when they are needed and what is required by the state for warning them and how they would be run. These have not been changed.
- Q. Rose Goings said that this section also describes DRB hearings and noted that they must be on record.
- R. Jason Rasmussen said that the Environmental Court will look at the minutes and recordings in lieu of going through all of the testimony again.
- S. Terry Carter asked if the DRB members have seen this section.

- T. Jason Rasmussen said he would send it to the DRB. He said that included in this section is also guidelines for recording of decisions and documents. It also explains that the DRB has a time limit of 45 days to get decisions to applicants. He said that the next section describes duties and functions of the Planning Commission.
- U. The board had a discussion on whether or not to remove the item that says that a majority of the Planning Commission members must be residents of the town.
- V. Jason Rasmussen said it is existing language, but that he would check the statutes.
- W. Terry Carter noted that in the DRB section it says that the Select Board may vote to remove a DRB member, but that in the Planning Commission section, it says that must be a “unanimous” vote of the Select Board to remove a member of the Planning Commission.
- X. Jason Rasmussen said he would check the statutes.
- Y. The board decided to start their next meeting on August 21, 2012 with the section on the DRB.

6. OTHER BUSINESS

- A. Next meeting August 21, 2012 at 6:00 p.m.
- B. Town Plan Update - Rose Goings advised that she had received comments regarding the Town Plan. She said that she and Jason Rasmussen had gone through the town plan and responded to the comments that she had received.
 - i. Rose Goings noted that in Chapter 1, suggested need for rewording the section regarding housing costs.
 - ii. Terry Carter noted that the new language was not quite strong enough and suggested changing it to read “... Evaluate *and update*...”
 - iii. The board agreed.
 - iv. Jason Rasmussen advised that in the Natural Resources section, the wording was changed regarding increased energy costs.
 - v. The board agreed.
 - vi. Jason Rasmussen read the suggested changes to the Conservation of Agricultural Lands portion of the Soils and Agriculture section.
 - vii. The board did not agree with the suggested changes.
 - viii. The board combined bullets 4 and 5, adding “... *and erosion control plans*...” to section 4.
 - ix. Jason Rasmussen advised in the Housing Chapter, only data numbers were updated.
 - x. Jason Rasmussen noted that in the Local Economy Section, a reference was added to the years that GE had a facility in town.
 - xi. Jason Rasmussen noted that there was suggested need for possible rewording regarding Average Wages in Ludlow.
 - xii. The board agreed that the information provided in the document is factual and should remain as written,
 - xiii. Jason Rasmussen said there were changes in the Public Utilities Section regarding changing language in the Communication Services portion.
 - xiv. The board agreed.
 - xv. Jason Rasmussen noted that in the Transportation section, they removed the references to service from the Senior Center to Gill.

- xvi. Jason Rasmussen noted that Ludlow Streetscapes was removed from the Glossary as no other organizations are listed in it. He added that they would need a definition for Masonry Heater and he would get one. They also removed “subdivider” from the Glossary, saying they use “applicant.”
- xvii. The board was comfortable with the changes.

7. **ADJOURN**

- A. **MOTION by Terry Carter and seconded by Logan Nicoll to adjourn this meeting. Motion passed unanimously.**
- B. Meeting adjourned at 7:28 p.m.

Respectfully submitted,

Lisha Klaiber

Alan Couch, Vice Chairman

Logan Nicoll

Terry Carter

Steve Stengel

Ethan Gilmour

Norman Vanasse
