

PLANNING COMMISSION

MINUTES

REGULAR MEETING

March 18, 2014

MEMBERS PRESENT:

Alan Couch, Chair
Terry Carter

Logan Nicoll,
Norman Vanasse

STAFF PRESENT:

Rose Goings

OTHERS PRESENT:

Gary MacIntyre
Mary Jane O'Hara

Jason Rasmussen
Ann Rose

Lisha Klaiber, Recorder
Michelle Stinson – LPC-TV

1. CALL TO ORDER

A. Alan Couch called the meeting to order at 6:01 p.m.

2. ROLL CALL BY RECORDING SECRETARY

A. All members Planning Commission members present. He advised that there is still an opening for one more member.

3. APPROVE MINUTES

A. The minutes to be approved are from the meeting of January 21, 2014.
B. **MOTION by Terry Carter and seconded by Logan Nicoll to approve the minutes from January 21, 2014 as presented. Motion passed unanimously.**

4. COMMENTS FROM CITIZENS

A. There were none.

NOTE: Jason Rasmussen maintains the master files on his computer and notates suggestions and possible changes as they are discussed.

5. ZONING BY LAW REGULATIONS

A. LAKES DISTRICT
i. Gary MacIntyre asked that board how they plan to adjust to the new state package.

- ii. Jason Rasmussen advised that the new draft is closer to adoption and that our draft is different from the state's draft.
 - iii. Logan Nicoll said that the state draft contains a provision for a point system regarding trees and buffers.
 - iv. Gary MacIntyre said that regulations for buffer on the lower level are the same.
 - v. Norman Vanasse said he would be happy with just buffers.
 - vi. Terry Carter asked about grandfathered properties.
 - vii. Logan Nicoll said that whatever the land that you have is, you will be able to continue.
 - viii. Gary MacIntyre said the letter from the Lake Rescue Association points out some issues. The state has stated that any rules in existence would remain. What we have is not in existence. He said that we should approach the state for relief or a variance. We should tell the state that we have a hardship on the grounds that
 - a) there are only 3 lots on the lakes that could be subdivided
 - b) 2 or more lots could not meet the state's new regulations
 - c) about 85% of the lots on the lakes are non-conforming and only a few of the remaining existing lots will conform to the new regulations
 - d) the new regulations would add to the non-conformance of the existing lotsHe continued suggesting that Ludlow adopt part of the state regulations. We can't meet the new regulations. He said that Ludlow should take and key some parts of the local regulations like size of lots.
 - ix. Alan Couch said the suggestions were food for thought.
 - x. Ann Rose said that the state is not saying that the lots have to conform.
 - xi. Gary MacIntyre said that we have to give the state something. Our properties will be more non-conforming and 80% of the places could not put on additions. Let us keep the 50 foot setback. We may have to change future development. We are proving hardship to the state. One issue is water run-off and perks. We can deal with these, there are solutions.
 - xii. Alan Couch said the board would look into this.
 - xiii. Mary Jane O'Hara asked of the state has rules, can Ludlow put in lesser restricting rules.
 - xiv. Logan Nicoll said that in a past draft from the state, there were allowances.
 - xv. Jason Rasmussen said that towns may adopt more stringent laws. He said that he is concerned about the remaining grant funds and time. The Lakes district is not quite there yet and the budget is limited. Should he continue to work in this or move on?
 - xvi. Alan Couch said that board members should do some research.
 - xvii. Jason Rasmussen said that if passed, the state rules may become effective on July 1, 2014.
 - xviii. Alan Couch said the board would try to work in that direction.
 - xix. Ann Rose asked about fees.
 - xx. Alan Couch said that people would possibly be required to get both state and town permits.
 - xxi. Jason Rasmussen asked the board what it would like him to focus on.
 - xxii. Gary MacIntyre noted that the draft of H526 is online. HE volunteered to take the current draft of the Ludlow regulations and compare them to the state draft. He would make his suggestions as to what to keep and what not to keep and see what will work for the town.
 - xxiii. Alan Couch said that would be great and said the board would appreciate it.
 - xxiv. Rose Goings said they should move forward with the sign regulation and other things that are still outstanding. The board needs to finish off with Jason. They can come back to this after she has done some work on it. We have been working on this for 4 months.
 - xxv. Gary MacIntyre said that with the new state procedures, it will take a long time and higher fees to get permits. The state will not have the funds to provide inspectors.
 - xxvi. Rose Goings said that the state does not do inspections for septic permits.
- B. SIGN REGULATIONS

- i. Jason Rasmussen said the sign regulations are now part of the Zoning Regulations.
- ii. Rose Goings said that there are no definitions of free-standing signs and sandwich signs. She said that internally lit signs are grandfathered. The need to address signs in ROWs and off-premise signs. She said that currently, the Village and Town sign regulations are the same, but the parcels in the town are larger. She recalled that Tina Rosen had come to the boards requesting assistance in putting up a sign that would have more visibility than on Depot Street. We need to adjust and consider more signs for some businesses. Does the board want to allow free-standing signs? Currently, they are not allowed, but they are all over town. She advised that Manchester has a town sign ordinance that is great and tickets can be issued for violations. We give a letter to violators and they are given 7 days to correct the situation. If not, we can go to Environmental Court. There would be no limit on the number of tickets issued.
- iii. Alan Couch said he thinks there should be separate regulations for the town and village. They should discuss freestanding signs.
- iv. Norman Vanasse asked about special event signs.
- v. Rose Goings said that are allowed. She said that freestanding signs are important, but people put them in the ROWs and sidewalks in the Village. Some are left out overnight. We need to discuss if that is then considered temporary or permanent. We don't allow currently lit signs, but some have been grandfathered. When people change those signs, I make them remove the internal lighting. This should be in an ordinance. Internal lighting should be removed if the signs are changed in any way. Also, does the board want an ordinance or to continue to keep this in the zoning regulations.
- vi. Terry Carter asked Rose Goings her preference.
- vii. Rose Goings said that both can be enforced. The ordinance is stricter and a real document. She said she would email the Manchester document to board members. It is much more detailed.
- viii. Jason Rasmussen said if they remain in the zoning regulations there are the administrative part and the standards. The ordinance would be a stand-alone document.
- ix. Rose Goings said that the ordinance would be about 10 to 15 pages and explains everything. People who violate that would be issued municipal tickets.
- x. Norman Vanasse asked what the objections are to internally lit signs.
- xi. Rose Goings said people say they are ugly, too modern and not "Vermonty."
- xii. Logan Nicoll asked about light pollution.
- xiii. Rose Goings said that stuff inside the stores is not covered.
- xiv. Norman Vanasse asked about fluorescent lights.
- xv. Rose Goings said that can be addresses.
- xvi. Terry Carter said that if we leave this in the Zoning Regulations, we will need to add more language.
- xvii. Jason Rasmussen said they could start with the Manchester document.
- xviii. Alan Couch suggested leaving in the Zoning Regulations. It is friendlier.
- xix. Terry Carter asked if they leave it in the Zoning Regulations, how they address the town and village.
- xx. Rose Goings said there are two sets of zoning regulations with different standards.
- xxi. Jason Rasmussen suggested working through the existing standards and change the village to fit the village.
- xxii. Terry Carter asked if they wanted to start tonight.
- xxiii. Rose Goings said she would prefer for the board to look over the Manchester ordinance. She will start working on it. For the village, they need to consider sizes and side streets. According to state statute, off premise signs are not permitted. She said that maybe they could reduce the setback requirements. She said she would put together some ideas and get them to the board

before the next meeting. She said she would go through the Manchester ordinance and look into ordinances or regulations from other towns similar to Ludlow.

- xxiv. Jason Rasmussen said he would work with Rose Goings.
- xxv. Alan Couch said that makes sense.
- xxvi. Terry Carter asked about Liz Crowley and Tina Rosen's request to put signs on Depot.
- xxvii. Rose Goings said there is no way that can happen. State statute will not allow it. We did put up a sign at the stop light. It would be great to have directional signs. Even the museum has had a hard time and we can't do anything about off premises signs.
- xxviii. Terry Carter asked about the Rotary sign as you are coming into town.
- xxix. Rose Goings said they have to get approval from the state. She also mentioned the green signs that the state allows.
- xxx. Ann Rose said that you have to apply to the state for them and they cost about \$200-\$300 per year.
- xxxi. Jason Rasmussen said that their options are limited because of the State Billboard Law. It also disallows anything in ROWs.
- xxxii. Mary Jane O'Hara asked what the standard is for that.
- xxxiii. Rose Goings said 10 feet from the town ROW. She said she would get something together for the next meeting.

C. LANDING STRIPS AND HELIPADS

- i. Rose Goings said that she has been working on the wording for this and would like to finalize it tonight.
- ii. Jason Rasmussen said they had reviewed this a few months ago and that he had made the changes the board had discussed.
- iii. Rose Goings said that no new landing strips would be allowed and the existing fall under Conditional Uses. Routine maintenance, EMS equipment and float planes are exempt. The requirements include site plans and operating information such as hours of operation, approach and departure routes, noise effects and screening. We already have the noise and dust standards. It also addresses parking for planes and cars. The setback is 200 feet minimum in residential areas from the edge of the pad and a 20 foot deep landscaped area.
- iv. Jason Rasmussen said that state aviation and FAA rules must all be met.
- v. **MOTION by Terry Carter and seconded by Logan Nicoll to adopt the changes to the Landing and Helipads section of the zoning regulations. Motion passed unanimously.**

6. **OTHER BUSINESS**

- A. Alan Couch asked board members to review the Manchester sign ordinance along with any other suggestions that Rose Goings sends. He also asked them to review House Bill 526. He said they would review the lakes and sign regulations at the next meeting.
- B. Jason Rasmussen said that May is approaching and the grant will be closed out. He suggested they also look into other items in the Village zoning and he would start drafting some ideas for changes.
- C. Rose Goings said she would put that on the agenda for the next meeting.
- D. Next meeting is on April 15, 2014.

7. **ADJOURN**

- A. **MOTION by Logan Nicoll and seconded by Norman Vanasse to adjourn this meeting.
Motion passed unanimously.**
- B. Meeting adjourned at 6:51 p.m.

Respectfully submitted,

Lisha Klaiber

Alan Couch, Chairman

Logan Nicoll

Terry Carter

Norman Vanasse
