

PLANNING COMMISSION

PRELIMINARY MINUTES

REGULAR MEETING

October 20, 2015

MEMBERS PRESENT:

Alan Couch, Chair
Terry Carter

Alan Isaacson
Norm Vanasse

Logan Nicoll

STAFF PRESENT:

Rose Goings

OTHERS PRESENT:

Jason Rasmussen

Patrick Cody - LPC-TV

Lisha Klaiber, Recorder

1. CALL TO ORDER

A. Alan Couch called the meeting to order at 6:03 p.m.

2. ROLL CALL BY RECORDING SECRETARY

A. All Planning Commission members present.

3. APPROVE MINUTES

A. The minutes to be approved are from the meeting of September 15, 2015.

B. **MOTION by Alan Isaacson and seconded by Logan Nicoll to approve the minutes September 15, 2015 as presented. Motion passed unanimously.**

4. COMMENTS FROM CITIZENS

A. There were none

5. BROOKS RE-CLASSIFICATION

A. Alan Isaacson noted that at their last meeting, the board had voted to reclassify to A1, Grant Brook, Sanders Brook, Jewel Brook, Lovejoy Brook and Williams Brook. He said that Jason Rasmussen had then sent a map showing how huge the Jewel Brook area is. It covers the whole south side of the town and it may be overkill to reclassify it. It may have an impact on landowners.

B. Jason Rasmussen said that the reclassification should be based on topographical information and the area should be considered the Jewel Brook Watershed.

C. Alan Isaacson said that there are many streams that run into the Jewel Brook. He said that Lovejoy and Sanders are more limited and the Upper Williams is very large and most of it is not in Ludlow. It is way more than just a brook.

D. Rose Goings said that Marie Caduto asked to have this taken off the agenda. She needs to get approval from her superiors and it should not go to the Select Board at this time.

E. Alan Isaacson said that he thinks the Jewel Brook should not be reclassified to A1.

F. Jason Rasmussen said that he had run into Marie Caduto and she has not received any feedback from her bosses. She wants to hold off on the Jewel Brook.

G. Terry Carter said she would like to wait until we hear back from Marie Caduto.

H. Logan Nicoll said he would like to wait until they find out what restrictions would be added on properties in those areas.

I. Rose Goings asked the board about Grant Brook.

J. Terry Carter said they should go forward with Grant Brook.

K. **MOTION by Terry Carter and seconded by Logan Nicoll to reclassify Grant Brook to A1. Motion passed unanimously.**

6. TOWN ZONING REGULATIONS

- A. Alan Isaacson advised that he had attended the Select Board meeting last month and said their response to the proposed zoning regulations was mixed. One person was focused on the formatting and one person wanted more detail in the Executive Summary. The board decided to only hold an informational meeting at their November meeting instead of a public hearing. They were concerned about the draft becoming law when the public hearing is warned.
- B. Terry Carter asked what their major concerns are.
- C. Logan Nicoll said that this board spent a lot of time on the regulations.
- D. Alan Isaacson said one member of the board was concerned about Lot Area Minimum. In the previous version, Non Residential standards had been combined with the residential numbers. The Select Board spent a lot of time on what it was before. He said that he had discussed bringing the projector to the next meeting to show the Select Board members the changes. He added that support is needed at the next Select Board meeting from all Planning Commission members.
- E. Rose Goings advised that the next Select Board meeting is November 2, 2015 at 7:00 p.m.
- F. Logan Nicoll said the Select Board will decide at that meeting if they will warn a public hearing.
- G. Alan Isaacson said they were also concerned that the regulations would become law before people had a chance to read them.
- H. Rose Goings asked if the Select Board knew that the Planning Commission had held public hearings on the regulations at their meetings. She said they must have a reason why they don't want to go forward with the public hearing.
- I. Terry Carter said she would like to see "Big Box" stores on the next agenda.
- J. Rose Goings said they would need to schedule a public hearing about them.
- K. Alan Isaacson said they would need to go to Design Review.
- L. Terry Carter said she just wants to limit the square footage.
- M. Alan Isaacson said the square footage is limited by lot size.
- N. Terry Carter asked what if someone combined lots. She volunteered to find language to address this.
- O. Jason Rasmussen suggested that she look into Windsor and Bennington.
- P. Alan Couch asked what the square footage of Benson's is.
- Q. Rose Goings said about 15,000 square feet.
- R. Alan Isaacson said his concern is that it doesn't fit the context of the town.
- S. Logan Nicoll said if the siding were clapboard it wouldn't stand out as much.
- T. Alan Isaacson agreed, saying it about how it fits in town.
- U. Rose Goings said it is the character of the area and it does fit. She referred to Sunoco and Shaw's. Benson's does not change the character of that area.
- V. Alan Isaacson noted that there are some old homes there.
- W. Rose Goings said that according to the courts, you need to look both ways, up and down the street, to make that determination. The district is Residential Commercial and Sunoco is not old fashioned. The DRB approved it based on the zoning. She said that to be proactive, they may need to consider Design Review in the village, noting Woodstock and Manchester as examples.
- X. Alan Isaacson said that when he was first on the board and they were revising the zoning regulations, no one wanted Design Review.
- Y. Rose Goings agreed, adding that no one wants to be on a Design Review Board.
- Z. Terry Carter said that she has heard a lot of complaints about Benson's.
- AA. Rose Goings said that people did not come to the DRB meeting. She said that only one woman voiced any concern and that was about the old building (where Benson's is currently located) that is historic and she did not want it torn down.
- BB. Alan Couch noted that the next Select Board meeting is November 2nd at 7:00 p.m.
- CC. Alan Isaacson said he is not going to change the Executive Summary, but may review it with the Select Board.

7. SOLAR SITING

- A. Alan Isaacson said there is quite a lot of uproar about the Barker Solar project. He said that people want this board to put wording in the zoning about screening and "surrounded by trees."
- B. Rose Goings said she sent some wording to members tonight.

- C. Jason Rasmussen said that the state recently adopted Act 56 with changes to energy laws. Towns will now have stronger party status at the PSB. Also, towns may now adopt a zoning ordinance for screening standards. He said that Cornwall has done that. This relates to solar projects only and the state wants it as a free standing ordinance. The Cornwall language can be modified to fit Ludlow. Section 3 of Act 56 is the "Screening Requirements." Act 56 sets the state setback requirements, but towns set screening requirements. There have been complaints about the North Springfield trees being too small. The town screening requirements must be the same as any other commercial project requirements would be.
- D. Terry Carter said that she wants to see the Barker Solar project.
- E. Rose Goings said that most people in town don't want to see it. She said that Frank Heald has brought the screening requirements to the Planning Commission to work on.
- F. Alan Isaacson said that he sees no harm in considering screening.
- G. Alan Couch agreed that it is not a bad idea.
- H. Logan Nicoll said that lots of people are concerned about that project.
- I. Alan Couch asked how many other large projects like this could there be.
- J. Alan Isaacson said there are other parcels that would be considered. It is very lucrative for the landowners.
- K. Rose Goings said this would not stop the project, just provide for screening.
- L. Jason Rasmussen said it is weird because it regulates the screening, but no permit is issued by the town. He said that if the town does have that ordinance, the PSB will take it into consideration.
- M. Logan Nicoll said the PSB could also ignore it.
- N. Alan Isaacson asked if that means that someone from town has to participate in the meetings.
- O. Jason Rasmussen said that if the bylaw is clear, it can be done in writing.
- P. Alan Couch asked if the town has commercial screening regulations.
- Q. Rose Goings said that all commercial projects must go before the DRB and present site plans for review. She added that Ranger Solar did say at the Select Board meeting that the project would be screened.
- R. Logan Nicoll said that Ranger Solar did not have an actual plan. They said they would hire someone from Burlington to plan out the aesthetics. He said that he thinks that the Select Board would be in favor of a screening ordinance for solar projects.
- S. Alan Isaacson said he would take a shot at the wording and check in with Jason Rasmussen.
- T. Jason Rasmussen said that Ranger Solar would probably have its permit by the time Ludlow could adopt the ordinance.
- U. Alan Isaacson said he would mention it at the Select Board informational meeting.
- V. Rose Goings asked if Frank Heald is filing intervenor status for the town.
- W. Logan Nicoll said Frank Heald is going to find out if it is needed.
- X. Logan Nicoll said Aaron Svedlow said that Ranger Solar is willing to help the town. He added that the Select Board was not in favor of the project. They also were not in favor of the telecommunications tower that the PSB approved.
- Y. Jason Rasmussen said that the Cold River Decision shows how the PSB reads town plans if anyone is interested in reading it.
- Z. Alan Isaacson asked if they should change the town plan because it says the town encourages renewable energy. He said he would take a shot at wording for an ordinance and run it by Jason Rasmussen and have it for next month's meeting.

8. VILLAGE CENTER

- A. Alan Isaacson noted that they had changed the town plan to reflect extending the Village Center designation. This board will have to prepare a submittal to the state. Do we want to proceed and if so, how.
- B. Jason Rasmussen said there is an application, they need to have new maps, they have to provide photographs and this can be submitted at any time. The paperwork must be submitted 20 days prior to the next meeting of the State Downtown committee.
- C. Terry Carter asked who takes the pictures.
- D. Rose Goings said she can do it.
- E. Jason Rasmussen said that someone has to go to the meeting of the state committee. He said that it is not a huge effort. The board has to provide justification in a clear manner.
- F. Terry Carter asked who will do this.
- G. Jason Rasmussen said he would help, along with Frank Heald and Rose Goings.
- H. Alan Couch asked if Jason Rasmussen has a copy of the application form.
- I. Jason Rasmussen said he will send it to Rose Goings. He added that there is a check list on pages 9 through 10.
- J. Terry Carter noted that the Trustees have already approved changing the Village Center Designation.

9. **OTHER BUSINESS**

A. Solar Siting Meeting

- i. Rose Goings advised that she and Alan Isaacson will be attending a Solar Siting meeting in Montpelier on Wednesday, October 28th at 8:30 a.m. If anyone else is interested in attending, please let her know as soon as possible so that she can register them.

B. Future Projects

- i. Alan Isaacson asked where the commission wants to go from here.
- ii. Logan Nicoll said that at their last meeting, the Regional Planning Commission discussed
 - a) the clean water initiative and how it will affect what we can do on town roads with regard to treatments and runoff and the watershed
 - b) the mapping initiative and how this may help with the river corridors
- iii. Jason Rasmussen said regarding the mapping initiative, there is an effort by the state to get funding for mapping. He said that LIDAR technology provides good details including topography and elevations.

C. River Corridor

- i. Rose Goings said she had not heard anything from the River Corridor people.
- ii. Alan Isaacson said Jason Rasmussen if he can follow up.
- iii. Jason Rasmussen said yes.

D. Next meeting – November 17, 2015.

10. **ADJOURN**

- A. **MOTION by Terry Carter and seconded by Logan Nicoll to adjourn this meeting. Motion passed unanimously.**
- B. Meeting adjourned at 7:02 p.m.

Respectfully submitted,

Lisha Klaiber

Alan Couch, Chairman

Logan Nicoll

Terry Carter

Norman Vanasse

Alan Isaacson