

PLANNING COMMISSION

**MINUTES
REGULAR MEETING**

April 21, 2015

MEMBERS PRESENT:

Alan Couch, Chair
Logan Nicoll

Terry Carter
Norm Vanasse

Alan Isaacson

STAFF PRESENT:

Rose Goings

OTHERS PRESENT:

Jason Rasmussen

Luke Chrisinger - LPC-TV

Lisha Klaiber, Recorder

SPECIAL MEETING – REORGANIZATION

1. **CALL TO ORDER**

A. Meeting opened at 5:55 p.m. by Chairman Alan Couch.

2. **ROLL CALL BY RECORDING SECRETARY**

A. All members present.

3. **ELECTION OF CHAIRPERSON**

A. **MOTION by Alan Isaacson and seconded by Norm Vanasse to elect Alan Couch as chairman. Motion passed unanimously.**

4. **ELECTION OF VICE-CHAIRPERSON**

A. **MOTION by Terry Carter and seconded by Norm Vanasse to elect Logan Nicoll as vice-chairperson. Motion passed unanimously.**

5. **ELECTION OF CLERK**

A. **MOTION by Terry Carter and seconded by Logan Nicoll to elect Alan Isaacson as clerk. Motion passed unanimously.**

6. **ELECT PAPER OF RECORD**

- A. Rose Goings advised that the previous newspapers of record were THE VERMONT JOURNAL and THE RUTLAND HERALD (as back-up).
- B. Terry Carter noted that THE VERMONT JOURNAL does not charge the town for the notices.
- C. **MOTION by Alan Isaacson and seconded by Norm Vanasse to keep THE VERMONT JOURNAL as paper of record and THE RUTLAND HERALD as backup. Motion passed unanimously.**

7. **ELECT RECORDING SECRETARY**

- A. **MOTION by Terry Carter and seconded by Logan Nicoll to appoint Lisha Klaiber as recording secretary. Motion passed unanimously.**

8. **ADOPT RULES OF PROCEDURE**

- A. Rose Goings advised that she had forwarded Rules of Procedure to board members.
- B. **MOTION by Logan Nicoll and seconded by Terry Carter to adopt Rules of Procedure as presented. Motion passed unanimously.**

9. **SET DAY AND TIMES OF MEETINGS**

- A. Alan Couch advised that meetings are held on the 3rd Tuesday of each month, at 6:00 p.m.

10. **ADJOURN**

- A. Alan Couch adjourned the meeting at 6:01 p.m.

REGULAR MEETING OF THE PLANNING COMMISSION

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 Planning Commission members present.

3. **APPROVE MINUTES**

- A. The minutes to be approved are from the meeting of March 17, 2015.

- B. **MOTION by Terry Carter and seconded by Alan Isaacson to approve the minutes from March 17, 2015 as presented. Motion passed unanimously.**

4. **COMMENTS FROM CITIZENS**

- A. There were none

NOTE: Alan Isaacson maintains the files on his computer and notates suggestions and possible changes to the regulations and Municipal Plan as they are discussed.

5. **MUNICIPAL PLANNING GRANT – Flood Resiliency**

- A. Rose Goings advised that this is the grant they received for Flood Resiliency. She said that at their last meeting, the board discussed talking to the Select Board and Trustees about the map and the process for changing the ANR River Corridor Map. This board suggested writing a letter to the ANR to start the process to change the map.
- B. Alan Isaacson said they also have to add a chapter to the Municipal Plan to comply with the new state requirement. He said that he sent members a draft of the letter to send to the ANR.
- C. Jason Rasmussen said the letter, which must come from the Trustees and Select Board must ask the ANR to start the process to amend the river corridor, explaining that the corridor is too wide.
- D. Alan Isaacson said that the letter looks good and he assumes it meets all of our needs.
- E. Jason Rasmussen said that the state procedure allows for changes to the map based on a letter. He suggested they look at stream geomorphic assessment data, other stretches where there are town roads and structures and in the village, to look at the Village Center Designation.
- F. Logan Nicoll said it seemed like the Trustees and Select Board are on board, but that the Trustees are worried about cost.
- G. Jason Rasmussen said that he does not think there is any cost to the town/village.
- H. Rose Goings said that she spoke to Bill Kearns in Springfield and Springfield has started the process. She said that he did not mention cost, but she will ask him about it. She said she does not think it will cost us anything.
- I. Logan Nicoll said that from what he has read, he thinks that the ANR absorbs the costs.
- J. Alan Isaacson said, that unless it is ridiculously expensive, he thinks it would be worthwhile.
- K. Jason Rasmussen said he does not think it is costing Springfield anything and does not think it would cost Ludlow anything. He said that if they start the process, they will know.
- L. Alan Isaacson asked the board if the letter is okay. He made some changes and if they approve, he will accept the changes and send board members a copy of it.
- M. Rose Goings said that they still have to add a chapter to the Municipal Plan for Flood Resiliency.
- N. Alan Isaacson said that Jason Rasmussen had sent him a draft and he had tweaked it a little. He said that it talks about damages caused by Irene. He said he also added the information that in the Village Zoning Regulations, the Trustees had approved added stream setbacks and this board is working on that in the town regulations. He said that the wording refers to the ANR map, so even if the ANR changes the map, we can just include the new map.

- O. Jason Rasmussen said the Flood Resiliency is a new Municipal Plan requirement and it needs to be included. It needs to identify erosion hazard areas, flood hazard areas, the FEMA Flood Map and the ANR River Corridor map. He said that it includes tables and if the map changes, the tables would have to change.
- P. Alan Isaacson said he thinks that we can map the technical changes without going through the process of adopting a new Municipal Plan. He said he thinks we can call it technical corrections.
- Q. Logan Nicoll said he likes the tables. He said they have good information
- R. Terry Carter agreed. She asked who is considered municipal staff.
- S. Rose Goings said that the Planning Commission guides us. We tell you the law and you make the changes. She said we will all meet with ANR. She added that they need to do this as soon as possible in case other towns are also going to do it. Springfield is first, and we want to get in before other towns also start the process.
- T. Jason Rasmussen said if other towns also want to do this and get in before Ludlow; it could delay the process for quite a while. He suggested they get the letter in as soon as possible.
- U. Rose Goings said they can present the letters to the Select Board on May 5th and to the Trustees on May 6th and have them sign the letters and get them out right away.
- V. **MOTION by Alan Isaacson and seconded by Terry Carter to present the letters to the Select Board and Trustees, have them signed and send them to the ANR. Motion passed unanimously.**
- W. Alan Isaacson referred to the draft of the chapter to be included for Flood Resiliency, in the Municipal Plan. He asked if board members had any comments.
- X. Jason Rasmussen said that he had highlighted some areas for discussion. He said that after the ANR receives the letter, they will call or come and meet and ask how you want to change the map. You may want to say based on Stream Geomorphic Assessment and other data.
- Y. Alan Isaacson said maybe Jason Rasmussen, Rose Goings and I can meet with Frank Heald to go over the map. He said that certainly, behind the mill where there are concrete walls along the river, it should not be widened.
- Z. Logan Nicoll said also Smith Street should not be included in the river corridor.
- AA. Jason Rasmussen said they should also look for areas of local concern that the ANR did not include.
- BB. Rose Goings said possibly Smithville.
- CC. Alan Isaacson said they need to identify places on the map that flood with every major rain.
- DD. Alan Couch said the culverts are backed up, goes across Governor's, down Main Street and down Mill Street.
- EE. Rose Goings said that the Select Board is talking about working on those culverts.
- FF. Alan Couch said Village Pizza first.
- GG. Rose Goings said there are also places on the lakes. She indicated the beginning of East Lake Road, where the house is high. She said that is a wet area, noting that it is on the map. She said she does not think the map missed any areas.
- HH. Alan Isaacson said that maybe there are no areas of local concern this flood and are not on the map.
- II. Alan Couch suggested leaving the heading and they could get back to it later.
- JJ. Jason Rasmussen said the Flood Regulations protect the flood hazard areas and asked if there are any other areas to identify.
- KK. Rose Goings said they are in the process of applying for a FEMA grant for the Smithville buyouts. She said that there are houses that flooded. She added that IMERYYS has 3 houses and a barn that will be razed and taken off the tax maps.
- LL. Jason Rasmussen said they could add the Smithville area.
- MM. Terry Carter asked about the ballpark down there.

- NN. Alan Couch said that would be Fletcher Fields.
- OO. Jason Rasmussen said they can also mention the grant and that Smithville floods fairly regularly, that there will be buyouts and the houses razed.
- PP. Logan Nicoll said they should also mention that the town is working on revamping and strengthening the culverts on Commonwealth. He said that the culverts were not sized for major storm events and are too small.
- QQ. Jason Rasmussen asked about the last line regarding to protecting river corridor areas that still function.
- RR. The board slightly changed the wording and kept the line.
- SS. Jason Rasmussen said he also added references to “upland forests.”
- TT. There was general consensus among board members to keep it in.
- UU. Jason Rasmussen said that he had not highlighted anything else.
- VV. Alan Isaacson said that he had looked over the chapter and thought it was okay.
- WW. Logan Nicoll said he liked it also.
- XX. Alan Isaacson said that he would add the chapter to the Municipal Plan and send it to the board for the next meeting.

6. **VILLAGE CENTER/ MUNICIPAL DEVELOPMENT PLAN**

- A. Alan Isaacson said they also have to make changes to the Village Center Designation section in the Municipal Plan.
- B. Rose Goings said they should add the Village Center changes before they send it to the Trustees.
- C. Alan Isaacson said they changed the map for it and they need to add the properties.
- D. Jason Rasmussen said he spoke to the staff member at State who oversees Village Center Designations and he said the Municipal Plan needs to call for changes in the Village Center, but advised they should not show the exact proposed boundaries, in case the changes are not approved.
- E. Alan Isaacson said that the Municipal Plan says where we want it to go. If the state denies it, that’s still what we wanted. He added that what he had read on the web is that it has to be designated on the Municipal Plan.
- F. Jason Rasmussen said the Village Center map is designated 2011. It is up to you whether you want to show the desired changes or not is up to you.
- G. Alan Isaacson suggested they add another small map indicating where we want to expand it to and asked Jason Rasmussen if he could make that map.
- H. Jason Rasmussen said yes.
- I. Alan Isaacson he would add the additional map, chapter on Flood Resiliency and change the table of contents.

7. **ZONING BY LAW AMENDMENTS**

- A. Ridgelines
 - i. Alan Isaacson suggested they do an overlay district for the areas to be protected.
 - ii. Terry Carter said to look at areas over 1500 feet.
 - iii. Rose Goings said look at the area, when you are coming south on Route 103, from Mount Holly, to look up at North Hill.

- iv. Jason Rasmussen said the map labels the contours, not the highest points.
- v. Terry Carter suggested protecting places you can see from the highways and maybe ½ mile around the peak.
- vi. Alan Isaacson said ½ mile is a lot, suggesting maybe down 150 feet in elevation from the peak.
- vii. Alan Couch said that was reasonable.
- viii. Rose Goings indicated the area around Old Weston Mountain.
- ix. Alan Isaacson said that is the Aquifer District and asked if that is protected.
- x. Rose Goings said they are building there and that this board had changed the Aquifer boundaries.
- xi. Jason Rasmussen said things would start to blend and 150 feet is getting tricky. He said that is why he did the view shed analysis.
- xii. Alan Isaacson said that they have to identify all the top points and then show the overlay on it. They need to tell what the map will show.
- xiii. Logan Nicoll said that he likes the view shed analysis as a starting point. It shows the peaks that he likes in the town.
- xiv. Rose Goings suggested taking the zoning map and putting the overlay on it and taking the view shed analysis and combining them.
- xv. Jason Rasmussen said the view shed identifies points visible from state highways.
- xvi. Alan Couch said that would only take in one side of the slopes.
- xvii. Alan Isaacson said take the top 300 feet in elevation and asked Jason Rasmussen if he can take the marked up map and mark it up 300 feet down from any peaks.
- xviii. Jason Rasmussen said he could do that and will try to get something to them before the next meeting.
- xix. Alan Isaacson pointed out some wording regarding accessory structure and total accumulation over a 10 year period and asked the board members thoughts on it.
- xx. There was general consensus among members to delete the phrase.
- xxi. Rose Goings suggested, since Jason Rasmussen has had to leave the meeting, that they wait for the next meeting to continue discussions about ridgelines.
- xxii. Alan Isaacson referred to item 2A and said that he does not know what to do with it wording. It pertained to heights of buildings 20 feet below ridgeline. He said it basically means that a building should not be sticking out above the ridgeline.
- xxiii. Logan Nicoll said you may not want to say ridgeline; you may want to change it to natural wooded area.
Alan Isaacson agreed and said they should add “of the protected area” to that.
- xxiv. Rose Goings said why would you not want to allow building within 300 feet of the tops.
- xxv. Alan Isaacson said that was to prevent clearcutting.
- xxvi. Alan Couch said you can’t limit people’s rights to use their property.
- xxvii. Alan Isaacson said this is to protect views, not limit development. He said the point is not to see the buildings.
- xxviii. Logan Nicoll said maybe it should be more than 20 feet, possibly 50 feet.
- xxix. Alan Isaacson said that it too much, suggested 25 to 30 feet.
- xxx. Alan Couch said that could be excluding development.
- xxxi. Alan Isaacson said it depends on the angle of the slope. He suggested they leave it at 20 feet.
- xxxii. Logan Nicoll said he likes what they did at Hawk.
- xxxiii. Rose Goings said they could ask Plymouth for the wording they used.
- xxxiv. Terry Carter said that the Hawk Corporation did that. She said she would like the distance increased.

- xxxv. Alan Isaacson said they would leave it at 20 feet for now.
- B. Town Zoning Definitions
- i. Alan Isaacson said that he changed Building Height.
 - ii. Rose Goings said there used to be a diagram explaining BOCA and she thinks that is a good idea because some people do not understand BOCA.
 - iii. Alan Isaacson said he added a definition for Enclosed Service and Repair.
 - iv. The board said okay to the definition.
 - v. Alan Isaacson said he added a definition for Private Power Generation Facility.
 - vi. The board said okay to the definition.
 - vii. Alan Isaacson said he added a definition for Small Scale Machinery/Equipment Sales, Service and Repair.
 - viii. The board said okay to the definition.
 - ix. Alan Isaacson said he found a definition for Strip Commercial Development
 - x. The board said okay to the definition.
- C. Town Sign Section
- i. Rose Goings, referring to the Village Sign Ordinance, said that they should put this off until other items are completed. She added that there is no rush to it.
 - ii. Alan Isaacson said that Jason Rasmussen had suggested that the board revisit Section 540, but that he doesn't think it needs changes.
 - iii. Rose Goings said that there are no issues in this section for the town.
 - iv. Alan Isaacson said that it does not need to be reviewed, that it is working.
 - v. Rose Goings said yes, and added that there are not a lot of signs in the town.
- D. Zoning District Map
- i. Alan Isaacson said they need to review Signs and finalize the zoning map. He said that the board had discussed removing descriptions and instead, referring to the map as the final arbiter. He asked if everyone is happy with the map, the one we marked up.
 - ii. Rose Goings said that the marked up map includes Source Protection Areas, Municipal Conservation District, some changes to Residential, the RC2 district, Tiny Pond changed to State Forest, some changes to the Industrial District and changing the end of Pleasant Street Extension to Residential.
 - iii. Alan Isaacson said they also added West Hill Dam to Municipal Conservation.
 - iv. Rose Goings said that is shown on the map. She said if everyone is happy with this, they will change the zoning districts to match the map.
 - v. Terry Carter said they should write letters to the people who own property on Pleasant Street Extension to see if they want it to be changed to Residential.
 - vi. Rose Goings said they can send an agenda for the next meeting spelling out this item on it, to the property owners and invite them to the meeting.
 - vii. Logan Nicoll asked about air strips.
 - viii. Rose Goings indicated them on the map.
 - ix. Alan Isaacson said he would ask Jason Rasmussen to make these changes to the map.

8. **OTHER BUSINESS**

- A. Next meeting – May 19, 2015.

9. **ADJOURN**

- A. **MOTION by Norm Vanasse and seconded by Logan Nicoll to adjourn this meeting.
Motion passed unanimously.**
- B. Meeting adjourned at 7:32 p.m.

Respectfully submitted,

Lisha Klaiber

Alan Couch, Chairman

Logan Nicoll

Terry Carter

Norman Vanasse

Alan Isaacson