

**PLANNING COMMISSION
PRELIMINARY MINUTES**

REGULAR MEETING

June 18, 2013

MEMBERS PRESENT:

Alan Couch, Chair	Logan Nicoll
Terry Carter	Norman Vanasse

OTHERS PRESENT:

Ron Bixby	Rose Goings	Lisha Klaiber, Recorder
John Broker-Campbell	Jason Rasmussen	Vincent Guerrero – LPC-TV
Mike Doran	Ted Reeves	

1. CALL TO ORDER

A. Alan Couch called the meeting to order at 5:59 p.m.

2. ROLL CALL BY RECORDING SECRETARY

A. All members Planning Commission members present.

3. APPROVE MINUTES

A. The minutes to be approved are from the meeting of May 21, 2013.

B. **MOTION by Norman Vanasse and seconded by Logan Nicoll to approve the minutes from May 21, 2013 as presented. Motion passed unanimously.**

4. COMMENTS FROM CITIZENS

A. There were none.

5. ALL HAZARD MITIGATION PLAN – JOHN BROKER-CAMPBELL, SWCRPC

A. John Broker-Campbell advised that he works in the Emergency Management Planning area of Regional Planning and that the town had previously submitted its AHMP to FEMA. In May, we were notified that the plan had not been approved as a tool for emergency preparedness. FEMA send a list of items that they want included in the plan. The list included clarification on Town and Village separation of authority. More input from the public including fire and police departments, residents and Okemo. They want more current public hearings. John Broker-Campbell said that he would come to the July meeting and it should be warned as a public hearing. The bulk of the plan is to address the public process. Items C4 and C5 on the list refer to the previously submitted plans table on page 42. According to FEMA, the items listed as mitigation on that table, were not mitigation, but response actions. FEMA provided some suggestions. He will work

with Rose Goings to draft a revised plan. He hopes to have the new plan submitted in late July or August.

- B. Ron Bixby said that he will work with them on the plan.
- C. Rose Goings said that she will publish the agenda for the July meeting in the papers and on the website. She noted that is very hard to get people to come to the meetings.
- D. John Broker-Campbell said he would also post it on Regional's website.
- E. Alan Couch asked if this is an annual process.
- F. John Broker-Campbell said no, an approved plan is valid for 5 years, but you need to start the update process early. He thinks that if this revised plan is accepted, they should start to work on the new plan next winter. It may take 2-3 years to complete.
- G. Ron Bixby asked if FEMA is the only body to approve the plan.
- H. John Broker-Campbell said first the plan is submitted to the state for approval. If the state approves it, it goes to FEMA. If FEMA approves it, it goes to the Select Board and then is returned to FEMA. The Select Board can be included at any point in the process. FEMA also wants to see Okemo included in the process.
- I. Ted Reeves said that Okemo will work with them on the plan.
- J. John Broker-Campbell asked board members that if they have any comments, questions or suggestions to please send them to Rose Goings and she will get them to him.

6. ZONING BYLAW AMENDMENTS

- A. Jason Rasmussen said that he had emailed a rough draft to members and has a rough draft markup of the map, showing possible zoning areas. He referred to the areas marked State Forest and said that there is no corresponding zoning district.
- B. Alan Couch asked if there is any development in that area.
- C. Ted Reeves said the area cannot be developed. There are also some areas of bear habitat. He recommends that they leave the area alone.
- D. Jason Rasmussen pointed out areas on the map referred to as Municipal Conservation District and they are town owned.
- E. Rose Goings said she would like to have those areas color-coded the same as the State Forest areas.
- F. Terry Carter said that the Aquifer Protection District on the map would be changed to coincide with the area designated by ANR.
- G. Jason Rasmussen asked about previous discussions regarding creation of new RC2 district in addition to the existing RC (which would then be RC1) district. He pointed to areas discussed for this including Rod and Gun Club Road. He also indicated areas that may be changed to Residential.
- H. Logan Nicoll said that he likes the list of permitted and Conditional Uses suggested for the RC districts.
- I. Terry Carter suggested inviting the residents of the areas affected to come to a meeting.
- J. Jason Rasmussen said the Route 100N corridor may be RC2. It would have a lesser degree of commercial conditional uses. He suggested Route 100 north of Clear Lake Furniture and maybe to allow outdoor events.
- K. Rose Goings suggested concerts, festivals as a conditional use on Rod and Gun Club Road.
- L. Jason Rasmussen said that making it a conditional use would establish a process to have these events with DRB conditions.
- M. Rose Goings said these events are not mentioned in the Zoning Regulations.

- N. Ted Reeves said that the town does have an Entertainment Permit process. He was concerned that if they put this into the zoning regulations, would Okemo or others, have to come to the DRB for each event they want to have.
- O. Rose Goings said that there is currently a court case going on for someone who wanted to run events and it was not in zoning.
- P. Alan Couch said if it is in zoning and approved as a conditional use permit, what if it gets out of control, what recourse we have.
- Q. Terry Carter said the DRB would make conditions.
- R. Rose Goings said it is hard to say what conditions would be imposed. She added that you would not have to come back to each event. Possibly yearly.
- S. Terry Carter said maybe they would only have to come back if they wanted to change the conditions of the permit.
- T. Ted Reeves said they would need a strong definition of “Outdoor Event” and how it is dovetailed into different districts. He added that Okemo has not had any big problems with Festovol.
- U. Jason Rasmussen agreed that they would need a definition first and said he would have that for the next meeting.
- V. Jason Rasmussen referred to list of uses for RC districts and said that the state regulations state that if a district has Single Family Residence as a permitted use, it must also include Two-Family Residence as a permitted use. He said that the list of conditional uses in RC2 is smaller.
- W. Terry Carter said that she likes the idea of 2 separate RC districts. She added that the idea of having Outdoor Events is making her nervous. She was considering the residents in the areas.
- X. Logan Nicoll suggested adding it as a Conditional Use in the Mountain Recreation District.
- Y. Rose Goings said this is just a working session and she and Jason Rasmussen would continue working on it.
- Z. Terry Carter said that she wants to vote on adding an RC2 district.
- AA. Rose Goings said they need to talk about lot sizes.
- BB. Jason Rasmussen said he made RC1 and RC2 the same size lots as the existing RC district sizes. He suggested adding the area by the end of Pleasant Street Extension up to the Industrial Park. He asked about changing some to Residential only. He suggested leaving the area by LaValleys as is and asked about the area by Jeld Wen.
- CC. Alan Couch said that he sees no benefits either way by changing some to Residential only.
- DD. Jason Rasmussen said that Jeld Wen is RC.
- EE. Logan Nicoll asked about Industrial.
- FF. Terry Carter said they should leave some flexibility.
- GG. Ron Bixby said that his suggestion is to leave that as it is.
- HH. Terry Carter said that for the areas where there are only houses, they should change them to Residential only.
- II. **MOTION by Terry Carter and seconded by Logan Nicoll to change the area where there is just residential homes, east of Pleasant Street Extension to the ball fields with the river on the North, between the railroad tracks on the south, as indicated on the map to Residential. Motion passed. Alan Couch opposed.**
- JJ. Rose Goings asked Alan Couch why he is opposed.

- KK. Alan Couch said that for the people who own property there, currently RC, by changing it to Residential, we are limiting the uses of those properties.
- LL. Rose Goings said they would notify the people and have them come to a meeting to discuss this.
- MM. Alan Couch said that he sees no reason to limit those peoples' abilities to use their property as they want.
- NN. Jason Rasmussen said they would be limiting the conditional uses of the properties involved.
- OO. Rose Goings said they could consider RC2, where there would be more limited commercial uses.
- PP. Alan Couch said that if that area changes, the board should then also change other areas in town equitably.
- QQ. Jason Rasmussen moved on to the Jackson Gore District.
- RR. Ted Reeves said they do have outdoor events there. He referred to the land use matrix provided by Jason Rasmussen and said that he has some comments that he would scan and send to Jason Rasmussen. He is concerned about how changes in language would affect Jackson Gore and Mountain Recreation Districts. He noted Real Estate offices.
- SS. Jason Rasmussen said he may have missed some uses in the matrix.
- TT. Ted Reeves asked if they wanted to change an existing Real Estate office to a retail store, would they have to go to the DRB.
- UU. Rose Goings said it would be a change of use and yes, they would have to go to the DRB.
- VV. Ted Reeves voiced concern about having to go to the DRB for every outdoor event they hold.
- WW. Jason Rasmussen said that was not the intent. He said that for a new business it would be a one-time permit.
- XX. Mike Doran said they need to get definitions.
- YY. Alan Couch said the town needs something to address this issue.
- ZZ. Rose Goings said that the definition of Outdoor Recreation does not include concerts. They are trying to add something to address this. She added that this issue did not arise because of Okemo, but another property.
- AAA. Jason Rasmussen said he would get better definitions. He noted that he had added 2-family homes to Jackson Gore permitted uses, along with accessory apartments, group homes, Home Child Care, Home Occupations, et al.
- BBB. Rose Goings advised that the Jackson Gore District was voted on by the residents of Ludlow and she does not know if it should be changed. Those items are not included in the purpose of the district.
- CCC. Jason Rasmussen said state law requires them, but we should check with legal.
- DDD. Ted Reeves advised that there are no single family homes in Jackson Gore. They are not allowed and there are no permanent residences. The district was developed and defined within an envelope.
- EEE. Alan Couch asked about condominium documents. He also asked about the other Okemo developments.
- FFF. Ted Reeves said that Jackson Gore documents state no permanent residences. In the other developments, there can be permanent residences. He said that Jackson Gore is condominiums. People may own full shares, but no permanent residence. The HOA documents also preclude that.
- GGG. Jason Rasmussen said he would get a legal opinion.

- HHH. Ted Reeves said that Jackson Gore falls into a unique crack because of the way it was designed.
- III. Alan Couch noted that they may need to correct the existing wording in the description of Jackson Gore. He pointed out some wording that did not make sense.
- JJJ. Ted Reeves said he would check into it.
- KKK. Jason Rasmussen moved to the Industrial District and said they need to clarify conditional uses of Temporary Crushing and Temporary Storage.
- LLL. Terry Carter said they should check on houses in that district.
- MMM. Jason Rasmussen said they would clean it up.
- NNN. Terry Carter asked about helipads and runways.
- OOO. Jason Rasmussen said that Cavendish just passed an ordinance to deal with that.
- PPP. Ted Reeves said that Jackson Gore is a designated helipad location for emergency use, primarily DART.
- QQQ. Ron Bixby said the Fire Department has 4 designated landing zones.
- RRR. Jason Rasmussen said there is probably a distinction between emergency non-emergency uses. He said there are some ordinances out there. He said that he would get together drafts for RC1 and RC2 and a definition of Outdoor Events for the next meeting.

7. **OTHER BUSINESS**

- A. Next meeting July 16, 2013 at 6:00 p.m.

8. **ADJOURN**

- A. **MOTION by Norman Vanasse and seconded by Logan Nicoll to adjourn this meeting. Motion passed unanimously.**
- B. Meeting adjourned at 7:25 p.m.

Respectfully submitted,

Lisha Klaiber

Alan Couch, Chairman

Logan Nicoll

Terry Carter

Norman Vanasse
