

**PLANNING COMMISSION**

**PRELIMINARY MINUTES**

**ZOOM ELECTRONIC MEETING**

**ZOOM MEETING LINK: <https://us02web.zoom.us/j/89774958900>**

**MEETING ID:897 7495 8900**

May 19, 2020

**MEMBERS PRESENT:**

Alan Couch, Chairman                      Terry Carter                      Ryan Silvestri

**MEMBERS ABSENT:**

Alan Isaacson                      George Tucker, Jr.

**STAFF PRESENT:**

Rose Goings

**OTHERS PRESENT:**

Jason Rasmussen                      Lisha Klaiber, Recorder                      Eric Chattergee -Okemo Valley TV  
Recorded on tape                      Recorded for TV

**1. CALL TO ORDER – ELECTRONIC MEETING GUIDELINES**

- A. Alan Couch called the meeting to order at 6:12 p.m. He advised the following Electronic Meeting Guidelines:

This open meeting of the Town of Ludlow Planning Commission is being conducted remotely consistent with Governor Scott’s Executive Order of 01-20 Act 92, due to the current State of Emergency given the outbreak of the coronavirus.

In order to mitigate the transmission of the virus and reduce the risk of COVID-19 illness, we have been advised and directed by the State of Vermont to suspend public gatherings, and as such, the Governor’s Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible physical location. All members of public bodies are allowed and encouraged to participate remotely.

**2. ROLL CALL**

- A. Alan Couch asked members, when I call your name, please respond in the affirmative.

Alan Couch – aye  
Terry Carter – aye  
Ryan Silvestri – aye

Alan Couch advised that Alan Isaacson and George Tucker are absent. He advised that there is a quorum.

3. **CONSIDERATION OF ANY CHANGES, ADDITIONS OR REMOVALS TO THE AGENDA**

- A. No changes were needed.

4. **APPROVE MINUTES**

- A. Alan Couch advised that the minutes to be approved are from the meeting of February 25, 2020.  
B. **MOTION by Terry Carter and seconded by Ryan Silvestri to approve the minutes February 25, 2020 as presented. Motion passed unanimously.**

5. **COMMENTS FROM CITIZENS**

- A. There were none.

6. **ZONING AMENDMENTS – FLOOD REGULATIONS**

- A. Alan Couch advised that at the April meeting of the Select Board, John Broker-Campbell commented that there were issues when the town was trying to get the permit for the renovation project at the Water Treatment Facility that necessitated the town having to get a variance for the project. John Broker-Campbell said that Ludlow's flood regulations make it very difficult to build in the floodway. He said that John Broker-Campbell suggested that the town may want to revisit Section 660 ¶B. Alan Couch said that he asked Rose Goings to put this on tonight's agenda to start a discussion. He said that this board has not received any feedback from the Select Board on this. Alan Couch said that this board had spent considerable time thoroughly reviewing the regulations and he personally likes the way they are. He does not think that having to get a variance to build in the floodway is a bad thing. He added that ACT250 has strict requirements and so does FEMA. He would like to put this on the agenda for next month.
- B. Rose Goings advised that this topic was part of the conversation regarding the Timber Inn. The owners are in the process of trying to get a FEMA buyout. She said that the Wastewater Treatment Facility project required a variance because we don't allow any construction in the floodway. John Broker-Campbell suggested that we might want to relax the regulations in the floodway for non-residential properties. She said that after Irene, the town was almost put on probation with the NFIB and we needed to enhance our regulations. It was John Broker-Campbell who recommended that Ludlow be put on probation. She does not understand why he made those comments at the Select Board meeting. She can forward the emails that were circulated at that time and recently as to why he said that.
- C. Terry Carter said that some people were upset by those comments. She thinks the regulations are fine.
- D. Rose Goings said that at the time when it was suggested, Ludlow did not adopt the River Corridor. The Planning Commission noted that the state maps were out of line. She said that Gretchen Alexander from ANR was supposed to make changes to the maps, but they had not heard back from her.
- E. Jason Rasmussen said that the ANR did make some minor changes.
- F. Terry Carter said that the maps said that High Street was in the river corridor, but that does not flood. She said that people went to High Street for safety during Irene.

- G. Rose Goings agreed that it does not flood in the areas on High Street that were included on the river corridor maps.
- H. Alan Couch said he would like to get more feedback and input from the other board members. He thinks that the stricter regulations are better.
- I. Jason Rasmussen said he had spoken to John Broker-Campbell and that John Broker-Campbell thought that, in general, the Ludlow regulations are good, but specific to the floodway, are stricter than other towns. Jason Rasmussen said that regarding Critical Facilities, such as the Wastewater Treatment Facility, they can't make improvements without a variance. He said that you can allow more flexibility for Critical Facilities and it might be worth looking into.
- J. Alan Couch asked with variances, wouldn't Critical Facilities be given due deference for extra consideration.
- K. Jason Rasmussen said that criteria for variances are hard to meet. You could allow for more flexibility if the Critical Facility meets the No Rise Standard Certification - or will not raise the flood elevation.
- L. Alan Couch said we will put this on the June agenda for more informal discussions.

## 7. MUNICIPAL PLANNING GRANT

- A. Jason Rasmussen said that while we are early, the state will again have a grant program. Applications are due in October. This year, priority will be given to COVID related recovery, Housing updates (he added that Ludlow was a Pilot Community for zoning regulations for housing) and Village Center Master Plans. He said that he will work with the board on the application. He added that by August, they should flush out their application.
- B. Alan Couch asked if we would have to specify how we would spend the money.
- C. Jason Rasmussen said yes. He said the State has changed the rules a little and Ludlow is considered a rural town. He said that the Regional Planning Commission could act as your agent and you could hire us and we could do the work. We can help you with the application.
- D. Rose Goings asked how the COVID related recovery works, is it for the Municipality or towns.
- E. Jason Rasmussen said he doesn't know all of the details and will get back to the board. He thinks it is to help towns, businesses and residents.
- F. Rose Goings said that she thought it might be to help groups like Black River Good Neighbors with meals.
- G. Jason Rasmussen said he doesn't think it is meant for feeding people.
- H. Alan Couch said we should start thinking about this. He added that this board has been discussing Affordable Housing. He said we could also look into economic recovery. He asked Jason Rasmussen if there was a link to the grant information.
- I. Jason Rasmussen said yes and he will forward it to board members. He will also look into the details about the COVID recovery grant.

## 8. OTHER BUSINESS

- A. Rose Goings asked where the board left off with short term rentals.
- B. Alan Couch said it was put on the back burner because we were waiting to see what the State is going to do. We should look at that again.
- C. Terry Carter said that businesses can't find employees because employees can't find full year rentals because property owners are going with Air B&B.

- D. Ryan Silvestri said that he personally goes back and forth between 2 different condos. He hopes that this may change in the future. He said that renters may start to prefer more long term rentals. He added that any regulations regarding short term rentals would be hard to monitor and enforce. There needs to be a deterrent. He said there is no way to police it or make people conform to the rules.

9. **ADJOURN**

- A. **MOTION by Terry Carter and seconded by Alan Couch to adjourn this meeting. Motion passed unanimously.**
- B. Meeting adjourned at 6:37 p.m.

Respectfully submitted,  
Lisha Klaiber

---

Alan Couch, Chairman

---

Ryan Silvestri

---

Terry Carter

---

George Tucker, Jr.

---

Alan Isaacson