

PLANNING COMMISSION

MINUTES

REGULAR MEETING

October 21, 2014

MEMBERS PRESENT:

Logan Nicoll, Vice Chair Alan Isaacson
Terry Carter Norm Vanasse

MEMBERS ABSENT:

Alan Couch, Chair

STAFF PRESENT:

Rose Goings

OTHERS PRESENT:

Jason Rasmussen Luke Chrisinger – LPC-TV Lisha Klaiber, Recorder

1. CALL TO ORDER

A. Logan Nicoll called the meeting to order at 6:01p.m.

2. ROLL CALL BY RECORDING SECRETARY

A. All Planning Commission members present, except Alan Couch.

3. APPROVE MINUTES

- A. The minutes to be approved are from the meeting of September 16 2014.
- B. Alan Isaacson advised that on page 2, Items 4P, 4Q and 4R, refer to Town Meeting and asked that be clarified.
- C. Alan Isaacson said that on page 5, Items 6B through 6G, should be moved to Other Business.
- D. **MOTION by Terry Carter and seconded by Alan Isaacson to approve the minutes from September 16, 2014 as corrected. Motion passed unanimously.**

4. COMMENTS FROM CITIZENS

- A. Rose Goings advised that next Wednesday, VLCT will be hosting a forum for Planning and Zoning and will be discussing the Shore land Protection law. She said that she and Alan Isaacson are going and she invited other board members to attend.
- B. Logan Nicoll said he would check to see if that would be a day off for him. He said that he has gone to other forums such as this and they are very informative.

- C. Rose Goings said for others to let her know as soon as possible. She said that she and Alan Isaacson would be leaving at 6:45 a.m. to go to the meeting.

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

5. **ZONING BY LAW AMENDMENTS -**

A. FINALIZE VILLAGE ZONING

- i. Jason Rasmussen said he sent the revised draft to members. He received some good comments and suggestions from Alan Isaacson.
- ii. Alan Isaacson said that he did read through the entire document.
- iii. Logan Nicoll said that he thought they were eliminating Article 6 and making it stand alone.
- iv. Rose Goings said it was done because it had to be approved by FEMA and is ready to put in the document.
- v. Jason Rasmussen said that he plugged in what the Trustees had approved and Article 6, definitions and renumbering. There is some overlap with Article 7, the section for other definitions.
- vi. Alan Isaacson said that if a definition exists in the rest of the document and the Flood Hazard Regulations or if only in the Flood Hazard Regulations, he has a concern that the definitions be consistent. He noted that some definitions in Article 7 are not worded the same as in Article 6.
- vii. Jason Rasmussen said that he did not finish cleaning up Article 7. He asked if the board wanted the Flood Hazard definitions in both Article 6 and Article 7.
- viii. Alan Isaacson asked how that would affect what the Trustees have already approved.
- ix. Rose Goings said that 2 definition sections, one for the Flood Hazard Regulations should stay there. The other definition section is okay, but all definitions should be the same and should be in both sections also. It does not change anything with the Trustees.
- x. Jason Rasmussen said he would check the definitions and make sure they all match. He said the information in section 691 was approved.
- xi. Logan Nicoll suggested that they change the subheading for that section to make it Flood specific.
- xii. Jason Rasmussen asked if they wanted the subheading to read FLOOD HAZARD DEFINITIONS.
- xiii. The board agreed.
- xiv. Alan Isaacson noted the definitions of Accessory Structures are different in Article 7 and Section 691.
- xv. Jason Rasmussen said that the definition of development is more expansive in the Flood Hazard regulations than in other definitions sections. He suggested they keep the definitions sections separate. He said that in the Flood Hazard Regulations storage of equipment is included and needs to be clarified.
- xvi. Alan Isaacson said that his comments brought up some questions. In Section 250, the wording indicated that the Trustees did a resolution that created the DRB. It also says that DRB members are appointed by Trustees.
- xvii. Terry Carter said they are appointed by the Select Board.

- xviii. Rose Goings agreed that it was the Select Board. She said that she would check about the resolution.
- xix. Alan Isaacson suggested that board members each read through the document and make comments.
- xx. Jason Rasmussen said that Alan Isaacson's comments are pretty straightforward.
- xxi. Alan Isaacson referred to Section 252.1, item 3. He noted that the wording says that the hardship is created by the applicant. It should read that the hardship was not created by the applicant.
- xxii. Rose Goings said she would check the statute.
- xxiii. Jason Rasmussen explained that was the rewording when statements were changed to questions for the variances.
- xxiv. Rose Goings said that was to make it easier for people to understand what they need to do for variances. The document now asks them questions. There are 5 items covered for variances.
- xxv. Jason Rasmussen said that per past discussions, he also moved the Preservation District from the Appendix A into the main document as Article 4. He said that he had changed the square footage for Accessory Buildings in the Preservation District from 120 square feet to 144 square feet to make it the same as other districts.
- xxvi. Alan Isaacson noted that Andrea Lehtonen had brought that up in her letter.
- xxvii. Jason Rasmussen said that the board has not accepted all of the changes that were discussed. He said he would keep the marked up copy and send board members a clean copy.
- xxviii. Alan Isaacson said that he would like a clean copy to review before they send the new copy to the Trustees. He said he would like to discuss single family, multi family and two family buildings. They should be consistent.
- xxix. Rose Goings suggested that each person take a section to review.
- xxx. Terry Carter said more eyes on will see more later on, but preliminarily take one section per person.
- xxxi. Logan Nicoll said there are over 100 pages in the document, each person could take 20 pages to review for the next meeting.
- xxxii. Alan Isaacson noted that in Article 6, the Administrative Officer, Zoning Administrator and ZA are all referenced, but nowhere in the document does it say they are all the same.
- xxxiii. Jason Rasmussen said that in Section 210 it does refer to all 3.
- xxxiv. Alan Isaacson suggested they put it in the definitions that all 3 are the same.
- xxxv. Terry Carter asked about Flood Hazard Administrator?
- xxxvi. Alan Isaacson suggested that also be added.
- xxxvii. Jason Rasmussen said that some definitions are subtly different.
- xxxviii. Alan Isaacson said the definitions for signs should be listed consistently.
- xxxix. Rose Goings said that she prefers they all start with "Signs," then the separate type. She suggested Signs, flush mounted as an example.
 - xl. Jason Rasmussen said he would make all the signs definitions that way.
 - xli. Jason Rasmussen asked board members to send him any new comments.
 - xlii. Terry Carter suggested assigning sections.
 - xliii. Logan Nicoll said that may be helpful.
 - xliv. Alan Isaacson said they need to look at the whole document.

- xliv. Logan Nicoll asked board members to have their final comments for the next meeting.
- xlvi. Jason Rasmussen said he would make the changes discussed tonight and get them out to board members.
- xlvii. Rose Goings said the next meeting is November 18th.
- xlviii. Alan Isaacson said he would like the draft at least 2 weeks before that.

B. SET PUBLIC HEARING DATE FOR VILLAGE DRAFT

- i. Rose Goings said that they have not sent this to the Trustees yet and she wants to send them a draft before this board sets a public hearing date. She said the trustees want to see the underlines and highlights to be able to see what the changes are.
- ii. Logan Nicoll said they can't set the date for the hearing until they have finalized the draft changes.

C. REVIEW DRAFT OF TOWN ZONING

- i. Rose Goings said they had started to go over the town regulations and some of the things in the village regulations are the same in the town regulations. She said that the FHR are done. She said that signage activity in the town is less than is the village. The rest is done and can be converted over from the village to the town. They still need to look at maps and the new RCII District.
- ii. Logan Nicoll said that they should postpone this to the next meeting.
- iii. Jason Rasmussen said they need to review the Shore land Protection law.
- iv. Logan Nicoll said they should finish up the village regulations first.
- v. Rose Goings said that the Lakes Association people would like to be involved in the discussions regarding the Lakes District.
- vi. Terry Carter asked who would be handling things pertaining to the Shore land Protection law.
- vii. Rose Goings said that this board would need to make a proposal to the Select Board. If they approve it, they it would be proposed to the state. This will be discussed at the forum next Wednesday.
- viii. Jason Rasmussen said the town will have to decide if they want to take it on.
- ix. Alan Isaacson said there would be changes in the town and village. He asked if they want to make the areas affected by the Shore land law another article or standalone section.
 - x. Logan Nicoll asked if he meant to make it a separate district.
 - xi. Rose Goings asked if he means to replace the Lakes District.
 - xii. Logan Nicoll said they would have to change the maps.
- xiii. Jason Rasmussen said there are a few options; an overlay district or special standards for the Lakes District. He said overlay may be better.
- xiv. Rose Goings said that the new law also includes Tiny Pond and the West Hill Dam. The West Hill Dam is in the Mountain Recreation District.
- xv. Terry Carter said the Lakes Association would have input.
- xvi. Logan Nicoll said that at the last meeting he attended at the state, the discussions made town control seem more doable. The state would serve as the review board. It seemed to address what we need.
- xvii. Terry Carter said it sounds like a good compromise.
- xviii. Rose Goings said that we have had some projects come up and they have registered and gotten permits. It seems to be working okay, but has postponed some applications. The state Shore land people handle the state portion and she handles the town regulatory portion. We have to decide if we want to take on delegation.

- xix. Alan Isaacson said that Tiny Pond is partially in Mount Holly and asked how that would work. Would we just be responsible for Ludlow's side? Possibly, we could just add Tiny Pond and West Hill Dam to the Lakes District.
- xx. Rose Goings said she does not know if we want to include West Hill properties in the Lakes. It is currently in the Mountain Recreation District. She would need to think about it.
- xxi. Alan Isaacson said that West Hill Road is less than 250 feet from the dam and he thinks that the road creates a barrier.
- xxii. Jason Rasmussen said he would have to check the statute. He added that there would also be issues for dam maintenance. He needs to think through the standards.
- xxiii. Logan Nicoll said that Frank Heald suggested at the Select Board meeting that the town drain the dam for maintenance.

6. FINAL REVIEW SUBDIVISION DRAFT REGULATIONS

- A. Jason Rasmussen advised that they have not changed since the board last looked at them. He will send out the latest draft.
- B. Rose Goings suggested they review them at the next meeting.
- C. Jason Rasmussen said he may have added a few definitions.

7. OTHER BUSINESS

- A. There was none.

8. ADJOURN

- A. **MOTION by Norman Vanasse and seconded by Terry Carter to adjourn this meeting. Motion passed unanimously.**
- B. Meeting adjourned at 7:04 p.m.

Respectfully submitted,

Lisha Klaiber

Alan Couch, Chairman

Logan Nicoll

Terry Carter

Norman Vanasse

Alan Isaacson