

***PRELIMINARY MINUTES***

**VILLAGE OF LUDLOW  
BOARD OF TRUSTEES**

**PUBIC HEARINGS AND**

**REGULAR MEETING**

**6:00 PM**

**December 6, 2016**

**BOARD MEMBERS PRESENT:**

Bob Gilmore, Chairman                      David Rose

**BOARD MEMBERS ABSENT:**

Richard Harrison

**STAFF:**

Frank Heald                                      Rose Goings

**OTHERS PRESENT:**

Wayne Hammond                              Ed McEneaney – LPCTV

**PUBLIC HEARING**

Pursuant to the provisions of Title 24, Chapter 117, § 4442, of the Vermont Statutes Annotated, the Planning Commission for the Village of Ludlow proposes to adopt an amendment to the Village Zoning and Flood Hazard Regulations and to hear comments on proposed changes to the Municipal Plan.

The Planning Commission for the Village of Ludlow will conduct a public hearing for the residents, taxpayers and interested persons in the Village of Ludlow on December 6, 2016 at 6:00 p.m. in the Town Hall Conference Room to hear comments on the “Regulations” and “The Plan.”

1. Bob Gilmore opened the public hearing at 6:00 p.m.
2. Rose Goings advised that the warning for the Residential Commercial District was worded incorrectly, saying before the Planning Commission and should have said Village Trustees. She would like to reschedule this for next month. She added that the warning would be corrected and suggested that the Trustees may want to discuss it tonight and make any comments or suggestions that they may have. These could be included in the text for next month. She added that the hearing for the Town Plan amendment could still be done tonight.
3. David Rose asked if the Village District Standard is solely for the RC district and what had it replaced.
4. Rose Goings said it is a new statement.
5. David Rose read the standard wording and asked the reason for including it.

6. Rose Goings said that Planning Commission wants to keep small businesses in the village and to discourage larger stores. They do not want big box stores. The Planning Commission wants to support small, local businesses, typical “Ma & Pa” shops and keep those types of shops in town. She added that the Planning Commission had suggested limiting building size to 5,000 square feet, but that had not been approved by either the Select Board or Trustees. She added that the Select Board had approved the District Standard language.
7. Bob Gilmore asked if there was a square footage limit.
8. Rose Goings said no, the district standard language leaves it for DRB interpretation.
9. David Rose said that may make it so that potential businesses would not get permits.
10. Rose Goings said that it does not include expansion of existing businesses, such as Aubuchon’s expansion. The Planning Commission does not want businesses that take all of Main Street.
11. Bob Gilmore said that businesses would be within the character of the village.
12. David Rose said that he is pro-business. They improve the tax base, lower taxes and provide jobs. He said this leaves too much to DRB interpretation. He is not in favor of the standard.
13. Bob Gilmore asked what vacant lots would accommodate large big box stores. He said the Kelley lot, but Mr. Darcy’s but is in the flood area.
14. Rose Goings said it is only 3 acres, partially in the town and in the flood area. She added that a large company could buy up lots, tear down buildings and build a larger store. The chance of that is slim. She said the Planning Commission wanted to cover all bases. She asked if the trustees could suggest a different statement.
15. David Rose said no statement at all, or WE SUPPORT ALL BUSINESSES IN THE VILLAGE. He said the standard as written is wishy washy.
16. Rose Goings said the Planning Commission felt that the statement was a compromise to the limit to 5,000 square feet that had been rejected by the Select Board and Trustees.
17. David Rose said the existing language in the regulations describes what is in the village and what is allowed.
18. Bob Gilmore said he is on the fence. He would like to promote business and the little shops do struggle.
19. Rose Goings said the Planning Commission’s goal is to help small shops and keep out larger businesses with cheaper prices.
20. Bob Gilmore asked again where there are any lots in the village big enough.
21. Rose Goings said there are very few.
22. Bob Gilmore asked if the language is needed.
23. Rose Goings said the Planning Commission feels that it is needed.
24. Bob Gilmore said he would have to think about it. He is opposed to big stores, but does not see where they would fit. He is opposed to strip development.
25. Bob Gilmore said they would now discuss the proposed amendment to the town plan.
26. David Rose said the Planning Commission has proposed adding the same language to the town plan. He will not support this.
27. Rose Goings said the Select Board did support it and it is a Municipal Plan. The Planning Commission wanted support from the Select Board and Trustees. They do not want to stop expansion of current businesses.
28. David Rose said that was not stated in the town plan amendment.
29. Rose Goings said that IMERYYS and Aubuchon’s expanded. She said the DRB and Planning Commission are in favor of the language.
30. Frank Heald said that was before this language was added.
31. David Rose said he wants it removed. He would like it to say WE SUPPORT ALL BUSINESSES.
32. Bob Gilmore said he would support it in the town plan. It gets to issues that may occur. It is good wording and he is not opposed to it. It would not draw away from the economy of the downtown. He tabled this discussion until the next meeting.

33. MOTION by Bob Gilmore and seconded by David Rose to close the public hearings. Motion passed unanimously.
34. Public hearing closed at 6:23 p.m.

### **REGULAR MEETING**

#### 1. **Call to Order**

- A. Chairman, Bob Gilmore, called the meeting to order at 6:23 p.m. Richard Harrison absent.

#### 2. **Approve Minutes from Previous Meetings**

- A. Bob Gilmore advised the minutes to be approved are from the regular meetings of November 1, 2016.
- B. **MOTION by David Rose and seconded by Richard Harrison to accept the minutes from November 1, 2016 as presented. Motion passed unanimously.**

#### 3. **Comments From Citizens**

- A. Rose Goings said that the Planning Commission has gone to the Select Board to discuss the future of the Municipal Plan. They would like to do a full, comprehensive update. The existing plan does not have goals for the next 10 to 15 years, it lacks ambition, is not comprehensive enough and not definitive enough. The Planning Commission would like to hire professional consultants to help with this process. They will apply for grants. If they cannot cover the costs with grants, they will come to the Select Board and Trustees for funds. They will do community outreach and hold several meetings.
- B. David Rose said the Planning Commission should come to the boards first for consensus.
- C. Bob Gilmore said the work that has been done on the plan is good.
- D. David Rose said they have to update it every 5 years.
- E. Rose Goings explained that the laws have changed. They need to readopt the plan within the next year, specifically to update the Energy Chapter. Then, they will readopt it at that time and then can apply for 8 years for a new plan. Chester recently received a \$70,000 grant for their village plan update.
- F. Bob Gilmore asked if the Planning Commission wants to have separate plans for the town and village.
- G. Rose Goings said no. The Planning Commission wants to get the community involved. She said that she and Alan Isaacson had recently attended a meeting in Montpelier and learned more about how to get people involved. It costs money.
- H. Frank Heald said that to do a comprehensive rewrite, the Planning Commission would need outside professional help. He said that with surveys, the professionals know how to word the questions and analyze the answers. They have no preferred answers.
- I. Rose Goings said if the board felt that the town plan is adequate, the Planning Commission will go forward with just the Energy Chapter.
- J. David Rose asked what the Select Board had said.
- K. Rose Goings said they would like the Planning Commission to put some ideas together with costs.
- L. David Rose said he would also like to see some costs and have more information.

- M. Frank Heald said the Select Board felt the same way.
  - N. Bob Gilmore said the work the Planning Commission has done is good, including the historic district and downtown.
  - O. Frank Heald said the Village Center.
  - P. Bob Gilmore said he would also like more information for next month.
4. **Holiday on Main Street – Road Closure Request**
- A. Bob Gilmore advised that a request had been received from Holiday on Main Street for a road closure for part of High Street in front of the Baptist Church that connects High Street to Main Street. They would like to close the road on Saturday, December 10<sup>th</sup> from 5:00 p.m. to 8:00 p.m. for the celebration. He said this had been done in the past.
  - B. David Rose said it is good for the town.
  - C. **MOTION by David Rose and seconded by Bob Gilmore to approve the request for the road closure on December 10, 2016 from 5:00 p.m. to 8:00 p.m. for a holiday celebration. Motion passed unanimously.**
5. **Consider Request from Village Homeowner for Cleaning in Village Row**
- A. Wayne Hammond advised that one of his customers had requested approval to selectively remove some of the smaller trees in the town ROW that have grown and obstructed his customer's view of Okemo. His customer lives at 20 Gill Terrace. There is also a larger tree that is leaning that he would like to take down. He said they will not clear cut.
  - B. David Rose asked if the property line is clearly marked.
  - C. Wayne Hammond said one side is a stone wall, but he does not know about the other side.
  - D. Frank Heald said it is a piece of about 1.8 acres that had at one time been considered for a water tower
  - E. David Rose asked if the town has any liability.
  - F. Frank Heald said that Mr. Hammond will give up a Certificate of Insurance, naming the village as other insured.
  - G. Bob Gilmore asked when this would happen.
  - H. Wayne Hammond said he wants to get in there to see what is there. He may start soon, or wait until spring.
  - I. **MOTION by David Rose and seconded by Bob Gilmore to approve the request for clearing of trees on the village parcel at the top of Gill Terrace. Motion passed unanimously.**
6. **Sewer Allocation Requests**
- A. **South Face Village @ Okemo – temporary sales office**
    - i. Property address is Lodge Road, Parcel 060201.000
    - ii. Frank Heald advised that this is a request to hook on a temporary sales office.
      - a) Hook on fee – \$4,500.00
    - iii. **MOTION by David Rose and seconded by Bob Gilmore to approve this application for a hook on fee for the temporary sales office at \$4,500.00.**
    - iv. Frank Heald noted that this is a temporary office and when it moves, the hook on fee will be credited to the new facility. This may not happen until out in the future and he wants this noted on the record.
    - v. **Motion passed unanimously.**

7. **FY2018 Budget Workshop**

- A. Frank Heald advised that this is a first draft of the Village and Waste Water budgets. On the Waste Water budget, there is \$75,000 in Capital on page 10. There is also \$82,000 in depreciation expense. This is all within the rate structure if they take the \$75,000 from the sewer fund. They need to replace parts in the WW Treatment Plant and also need a new pickup truck. They have sufficient funds. There is \$700,000 in the capital account.
- B. David Rose advised that there will be work coming as they are doing a comprehensive study of the facility.
- C. Frank Heald said the Village budget is up 4% which is about .6¢ on the tax rate.
- D. David Rose said it is pretty flat, mostly cost of doing business, labor and insurance. He asked if this is the year to ask the Select Board for an increase in the 3/5 highway account.
- E. Frank Heald said you can ask.
- F. David Rose asked about State Aid to Highway amount.
- G. Frank Heald said he has applied to reclassify Pleasant Street/Pleasant Street Ext. from Class 3 to Class 2 and that will kick the Highway Allowance a bit. He has also applied to re-classify Commonwealth, Barker and Quentin Phalen and part of Commonwealth is in the village.
- H. David Rose asked if there will be any large purchases.
- I. Frank Heald said they need to replace the trackless in FY2018. He asked board members to review the draft and give him any questions or comments before the next meeting.

8. **Other Business**

A. **Mobile Radar Sign**

- i. Frank Heald said that the mobile radar sign has been retired for the winter. The battery doesn't last as long and it gets whipped with snow.

B. **Walker Street Bridge Project**

- i. Frank Heald advised that construction is scheduled to start on June 1, 2017 for a 35 day period. There is a significant incentive of \$790 per hour, up to about \$250,000 for finishing early. (The same rates will be the penalty for late completion.) Cold Water Bridge is the contractor. He said that he has had 2 meetings with local businesses on Main Street to encourage them to find ways to make this successful. There may be a possible release for street vendors and parking offenses. They will enforce NO PARKING on Pleasant Street, High Street and Depot Street. This will keep the roads clear for EMS vehicles and trucks. There will be signs for No Tractor Trailers and they will not be allowed to go through Ludlow. The Chamber of Commerce is also involved and we are trying to find funds in the Town and Village for promotions. The jackhammers will be going full bore on June 3<sup>rd</sup> and June 4<sup>th</sup> and we have offered the Baptist and United Churches use of the upstairs auditorium for services.

C. **Commonwealth Avenue**

- i. David Rose advised about the project.
- ii. Frank Heald said that there is a problem with the alignment that was proposed to FEMA as it proposed that a large section of the project, beginning behind the house at 78 Main Street be open ditching. The homeowners are opposed to the open ditch concept and went to the Select Board who agreed that the plan doesn't work. However, to enclose the open ditch with a box culvert increases the cost substantially. He said that he got the sense from the engineer that FEMA used a cost benefit analysis (CBA) that was just based on an

estimate. We would like to have a new CBA done, with a broader spectrum and that should be finished soon. If it justifies the significant increase, we will go back to FEMA. The Select Board thinks the work should be done and we will have to revisit the bond and borrow the money.

- iii. David Rose asked if they would go back to FEMA.
- iv. Frank Heald said the FEMA grant is for \$870,000 and the cost may be from \$1,500,000 to \$1,800,000. He said he will keep them advised, but it appears the project will not happen next year.

9. **Set Date for Next Meeting**

- A. Meeting set for Tuesday, January 3, 2017 at 6:00 p.m.

10. **Sign Warrant Orders**

- A. Warrant orders were signed.

11. **Possible Executive Session/Personnel/Contracts**

- A. Frank Heald advised that an Executive Session is not needed.

12. **Adjourn**

- A. **MOTION to adjourn by David Rose and seconded by Richard Harrison to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 6:58 p.m.

Respectfully submitted,

Lisha Klaiber

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Robert Gilmore, Chairman

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David Rose

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Richard Harrison