

*MINUTES*

**VILLAGE OF LUDLOW  
BOARD OF TRUSTEES**

**REGULAR MEETING**

**6:00 PM**

Tuesday February 3, 2015

**BOARD MEMBERS PRESENT:**

David Rose

Richard Harrison

**BOARD MEMBERS ABSENT:**

Bob Gilmore

**STAFF PRESENT:**

Frank Heald

Rose Goings

**OTHERS PRESENT:**

Alan Isaacson

Mary Jane O'Hara

Luke Chrisinger – LPC TV

1. **Call to Order**

- A. David Rose called the meeting to order at 6:00 p.m. All members present, except Bob Gilmore.

2. **Approve Minutes from Previous Meeting**

- A. David Rose advised the minutes to be approved are from the regular meeting of January 6, 2015.  
B. **MOTION by David Rose and seconded by Richard Harrison to approve minutes from the regular meeting of January 6, 2015. Motion passed unanimously.**

3. **Comments From Citizens**

- A. There were none

4. **Request from Mary Jane O'Hara for Clarification on Wastewater Charges**

- A. Mary Jane O'Hara advised that she has been being charged for 5 units when there are only 4. She said that she does not know when the additional unit was arbitrarily added. The property address is 194-196 Main Street. She said this goes back 10 or 20 years.  
B. David Rose said that the Water Commissioners trued up the building at their meeting tonight. He asked her if she wants this board to list the building as 4 units like the Water Commissioners did.  
C. Richard Harrison said that he does not have a problem with that.  
D. David Rose said that at the Water Commissioners meeting, it was noted that the additional unit was added in 2012 and she was given a refund back to that date.

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- E. Mary Jane O’Hara said that Loran Greenslet looked at the building a while ago and said it was not acceptable. She asked why the charges are uneven.
  - F. David Rose said the sewer allocation is not the same as the water.
  - G. Mary Jane O’Hara said that she cannot find her evidence of when the building started being considered 5 units.
  - H. David Rose said that he is in favor of changing the listing on the building to 4 units.
  - I. Mary Jane O’Hara said that is acceptable, but would she be reimbursed.
  - J. David Rose said that he is not comfortable with reimbursing back that far.
  - K. Richard Harrison suggested that Mary Jane O’Hara go back through her files and see if she can locate any evidence.
  - L. MOTION by David Rose and seconded by Richard Harrison to drop the sewer allocation from 5 to 4 units. Motion passed unanimously.
  - M. David Rose said this would become effective on the next bill in June.
  - N. Mary Jane O’Hara said they discussed removing one unit at the October meeting, but it was tabled.
  - O. Frank Heald said the minutes would be reviewed.
5. **Report from Planning Commission: Final Draft of Village Flood Hazard Area Regulations and Warn Public Hearing**
- A. Rose Goings advised that the Planning Commission had forwarded the Village Flood Hazard Regulations draft and now a public hearing needs to be set. She suggested they wait until after Bob Gilmore returns from his trip and the other Planning Commission members can attend. She said that she and Alan Isaacson are here to review changes to the Village Regulations.
    - i. Article II – Administration/Enforcement – she said the changes to this section were made to bring it into compliance with 24 VSA §117.
    - ii. The exemption for small accessory building was amended to limit the height to 15 feet. There has been a recent problem with an accessory building built to 3 stories high.
  - B. Frank Heald asked about Section 221.5 and “state or community owned property.” He asked if community refers to municipally owned and if so, could that be made more clear.
  - C. Rose Goings said that would be clarified.
    - i. Zoning Exemptions and Limits were consolidated into one section with larger explanations
    - ii. the Zoning Administrator has been authorized to approve minor amendments to permits
    - iii. Local Act 250 Review was added because it was required in order to get Downtown Center designation. Benson Chevrolet is in Act 250 now
    - iv. Every district now has a purpose statement that has been enhanced.
    - v. Professional vs. Personal Services has been clarified in the Preservation District.
    - vi. Schools were added to the Preservation District to cover OMS.
    - vii. For the Preservation District, Appendix A was in the back of the book. It has now been incorporated into the Preservation District and removed from the appendix.
    - viii. There was an issue with Group Homes as the state says that permits are not required for these. They must be state licensed and permitted and serve people with disabilities.
    - ix. Transitional Living Homes were added to the Village RC District, and a definition was added in the definitions section.
    - x. Demolition of Historical Buildings was changed to require DRB hearing if the building is on the registry book in the town clerk’s office.
  - D. David Rose asked why “upgrade had been dropped from uses.
  - E. Rose Goings said it isn’t actually considered a use. Examples would be replacing windows, roofs or siding.
  - F. Frank Heald questioned that the state does not require a permit for group homes.

- G. Rose Goings said that is correct.
- H. Alan Isaacson said that Group Homes are for 8 or less people with disabilities and require state permits.
- I. Rose Goings said the Planning Commission wanted to require local permits for them because abutters are not notified by the state, but , it is state statute.
  - i. Rose Goings said they added clarification that only one primary use is allowed on a lot unless the lot had been grandfathered or is a PUD.
  - ii. fence provisions were amended. Fences are not allowed in the Flood area and cannot block views or obstruct others and may not be over 6.5 feet high
  - iii. there are numerous changes to the sign regulations, they are more detailed, there are exemptions, sandwich signs are allowed, off premise signs are discussed
- J. Alan Isaacson said that all types of signs now have definitions.
- K. Rose Goings continued, saying that aircraft landing facility was added.
- L. Alan Isaacson said it was to comply with state regulations
- M. Rose Goings said that numerous other definitions were added, and existing ones were clarified
- N. Alan Isaacson said that the definitions in the Village Regulations were made to be consistent with the definitions in the town regulations.
- O. Rose Goings commented that the trustees had already approved the Flood Hazard Regulations/
- P. Mary Jane O'Hara asked if hedges were removed.
- Q. Alan Isaacson said yes.
- R. Rose Goings said people can have hedges without permits.
- S. Mary Jane O'Hara said that hedges have to be maintained from the hedge owners' property.
- T. Rose Goings said she would look that up.
- U. David Rose said they would have the public hearing in April.
- V. Frank Heald advised that this draft is law until the trustees have their public hearing.
- W. Rose Goings advised that a fence may be erected in a boundary line if it can be maintained by the property owner where it was erected. People can still have hedges.
- X. Mary Jane O'Hara said that nothing in the regulations talks about maintaining the hedges.
- Y. Richard Harrison asked if there were provisions for liquid propane tank anchoring.
- Z. Rose Goings said that the DRB and Flood Control hearings will ask for tanks to be anchored. If a project does not go to the DRB or if it is not in the flood area, we don't ask.
- AA. Richard Harrison said that problems always happen after the floods and we should think about it before a flood happens.

6. **Execute Certificate of Highway Mileage**

- A. Frank Heald advised that this is an annual thing and there have been no changes in highways since last year.
- B. David Rose noted a reference to 2014.
- C. Frank Heald said the certificates are correct, 2015. He said we need to sign it to get state aid for roadways.
- D. Board members signed the documents.

7. **Other Business**

- A. **Trash Removal**

- i. Frank Heald noted that at their last meeting, they had decided to bring up continuation of trash pickup in the village at village meeting and to have an Australian ballot.
- ii. David Rose said he did not think they had been clear on that, but that he would like to do an Australian ballot.
- iii. Frank Heald said that he had drafted a notice, regarding this, to be included in the warning for village meeting. He said it would include a public hearing on March 23, 2015.
- iv. Board members approved the warning and notice.

8. **Set Date for Next Meeting**

- A. Next regular meeting set for Tuesday March 3, 2015 at 6:00 p.m.

9. **Sign Warrant Orders**

- A. Frank Heald said one was not needed.

10. **Possible Executive Session/Personnel/Contracts/Legal**

- B. Frank Heald said one was not needed.

11. **Adjourn**

- A. **MOTION to adjourn by Richard Harrison and seconded by David Rose. Motion passed unanimously.**
- B. Meeting adjourned at 6:36 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