

**PRELIMINARY MINUTES**

**VILLAGE OF LUDLOW  
BOARD OF TRUSTEES**

**REGULAR MEETING**

**6:00 PM**

**January 3, 2017**

**BOARD MEMBERS PRESENT:**

Bob Gilmore, Chairman                      David Rose

**BOARD MEMBERS ABSENT:**

Richard Harrison

**STAFF:**

Frank Heald                                      Rose Goings

**OTHERS PRESENT:**

Alan Couch                                      Logan Nicoll                                      Ed McEneaney – LPCTV

1. **Call to Order**

A. Chairman, Bob Gilmore, called the meeting to order at 6:00 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 December 6, 2016.

B. **MOTION by David Rose and seconded by Bob Gilmore to accept the minutes from December 6, 2016 as presented. Motion passed unanimously.**

3. **Comments From Citizens**

A. There were none.

4. **FY2018 Budget Workshop - Continued**

A. Frank Heald advised that there have been no changes in this draft from the first draft.

B. Bob Gilmore said that all of his questions had been answered at the last meeting.

C. **MOTION by David Rose and seconded by Bob Gilmore to approve the Village Budget for FY2018 as presented. Motion passed unanimously.**

D. **MOTION by David Rose and seconded by Bob Gilmore to approve the Waste Water Budget for FY2018 as presented. Motion passed unanimously**

5. **Update on Planning Commission “Regulations” and “The Plan” Discussion**

A. Rose Goings advised that at their last meeting, the Trustees tabled the discussion regarding new wording in the town plan. This quote was regarding “businesses that draw away from the downtown. The two trustees at the meeting took opposing views. The Village Regulations are not on the table at this point because they were improperly warned and have not been re-warned. With the split in views on the town plan by the trustees, and the fact that the Select Board has approved the new wording, this may cause us to have 2 plans; one for the town and one for the village.

B. David Rose said that his position has not changed since the last meeting. He said he is very pro-business and the statement is anti-business.

C. Logan Nicoll said the Planning Commission is not anti-business, and supports the businesses on Main Street. They want to give the DRB the ability to make rulings against big box stores outside of the village. Originally, the Planning Commission suggested putting a 5,000 square foot limit on the building sizes, but neither the Select Board nor Trustees liked that. The Planning Commission wants the regulations to try to keep big box stores out of Ludlow and this is the wording we came up with. It doesn't hurt existing businesses and gives the DRB

- the authority to keep big box stores outside of town. The Planning Commission likes the wording.
- D. David Rose said when a business wants to come into Ludlow; they want the rules to be black and white. This leaves too much up to the discretion of the DRB.
- E. Logan Nicoll said we have one town plan and if you reject this, we will have 2 plans.
- F. Alan Couch said Logan Nicoll has summarized the consensus of the Planning Commission. He said that he is pro-business and does not think that the demographics of Ludlow would support a big box store, but we need something that delineates how the town feels and the town plan does not have enough teeth. The Planning Commission looking for grants for a future re-write of the town plan.
- G. Bob Gilmore asked if this wording will help.
- H. Alan Couch said he thinks it will help if there are any legal actions taken.
- I. Logan Nicoll said the Planning Commission voted for this unanimously. It encourages existing downtown businesses and discourages big box stores outside of the downtown. This is not too intrusive, but we want to grow the businesses in the downtown. We want to discourage businesses where we don't want them. East Hill Road is zoned RC and previous zoning regulations would have allowed almost anything there, like Tractor Supply.
- J. Bob Gilmore said he has no problem with the wording and knows what the Planning Commission is trying to do. He added that he does not think that someone is going to buy up all the lots on Main Street to make one larger lot and there are not many other lots in the village. He said he is okay with it.
- K. David Rose said the wording is not needed in the town plan and the Planning Commission can accomplish what it want in the tow zoning regulations.
- L. Logan Nicoll reiterated that if the Trustees do not accept this, then there will have to be 2 plans.
- M. Bob Gilmore said the town is more vulnerable.
- N. Logan Nicoll said the Select Board passed the wording.
- O. Alan Couch asked if they would be amenable to leaving in the town plan, but not in the village regulations.
- P. David Rose said the Trustees have not approved the village regulations.
- Q. Alan Couch said the Planning Commission wants to be pro-active.
- R. David Rose asked if they re-do the town plan every 5 years.
- S. Logan Nicoll said the state is changing that to 8 years, but we have to update the Energy section to comply with new state laws first, and then do the re-write.
- T. Bob Gilmore asked how arduous it would be to have 2 plans.
- U. Rose Goings said not impossible. She asked if they would consider Alan Couch's suggestion and leave it in the town plan, but leave it out of the village regulations.
- V. Logan Nicoll said the Planning Commission would leave it out of the District Standards.
- W. David Rose said it won't get approved.
- X. Rose Goings said the Planning Commission feels that this is important.
- Y. Frank Heald said that once the zoning regulations are warned, they are in effect for 150 days, unless action is taken to change them. The village regulations have not been warned, yet.
- Z. Bob Gilmore said to leave it in.
- AA. David Rose he is concerned about the leaving too much to the DRB in the permitting process. He wants the regulations to be black and white; with this they would be very uncertain.
- BB. Rose Goings said there is no building square foot limit in the regulations, just percent of lot coverage.
- CC. Logan Nicoll said the town plan gives more leverage for the regulations. If this wording is not in the village regulations, it does not affect the village.
- DD. Rose Goings said this wording does not talk about the buildings. She said she does not see the DRB denying an application in the Village if something is not in the village regulations. At this point Bob Gilmore is in favor and David Rose is against it. This also talks about the character of the area and the size is based on lot size. If someone buys up 2 lots and makes another, larger store of the same type as we already have, it might pull business away from our existing businesses.
- EE. David Rose said it's competition. We need to welcome new businesses. He said it seems as if he does vote for this, the Planning Commission won't put it in the village regulations, but if he doesn't, they will warn the village regulations with this in them and they will be in effect for 150 days.
- FF. Logan Nicoll said the Planning Commission members all wanted this and agreed to send it to you.
- GG. David Rose asked if the Planning Commission takes directions from the boards or do the boards take directions from the Planning Commission.
- HH. Rose Goings said they will bring back an alternate version after the Planning Commission's next meeting. The Planning Commission wants something in there and there has to be a compromise. The Planning Commission is anti-big box and David Rose is pro-business.
- II. Bob Gilmore said he still agrees with the wording, but David Rose is still against it. It's a stand-off.

- JJ. David Rose suggested they add “We support all businesses.”
- KK. Logan Nicoll said that does not work to the intent of this at all.
- LL. Bob Gilmore said he is sorry that Richard Harrison is not present.

6. **Consider Abatement Request from Frank Dwyer**

- A. Frank Heald said that the Water Commissioners considered this earlier. Most of the property is in the Flood Plain. The Water Commissioners asked Frank Heald to negotiate a settlement with Mr. Dwyer. This is 90/10 water/sewer.
- B. **MOTION by David Rose and seconded by Bob Gilmore to authorize Frank Heald to negotiate a settlement with Mr. Dwyer in the issue of the sewer abatement. Motion passed unanimously.**

7. **Consider Abatement Request from Joe Rolka**

- A. Frank Heald said that the Water Commissioners also considered this earlier. There are issues about retaining allocations, interest and penalties. The Water Commissioners asked Frank Heald to negotiate a settlement with Mr. Rolka. This is 90/10 water/sewer.
- B. **MOTION by David Rose and seconded by Bob Gilmore to authorize Frank Heald to negotiate a settlement with Mr. Rolka in the issue of the sewer abatement. Motion passed unanimously.**

8. **Other Business**

- A. Stop Light
  - i. David Rose noted that the stop light in town is now in winter mode and working well.

9. **Set Date for Next Meeting**

- A. Meeting set for Tuesday, February 7, 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 Bob Gilmore to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 6:37 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