

**PLANNING COMMISSION
PRELIMINARY MINUTES**

REGULAR MEETING

May 17, 2011

MEMBERS PRESENT:

Fred Glover, Chairman
Terry Carter

Alan Couch
Ethan Gilmour

Steve Stengel
Norman Vanasse

MEMBERS ABSENT:

Christine Fuller

OTHERS PRESENT:

Rose Goings
Jason Rasmussen

Duncan Love – LPC-TV
Lisha Klaiber, Recorder

1. **CALL TO ORDER**

A. Fred Glover called the meeting to order at 5:35 p.m.

2. **ROLL CALL BY RECORDING SECRETARY**

A. All members present, except Christine Fuller.

3. **APPROVE MINUTES**

A. The minutes to be approved are from the meeting of April 19, 2011.

B. **MOTION by Norman Vanasse and seconded by Terry Carter to approve the minutes from April 19, 2011 as presented. Motion passed unanimously.**

4. **COMMENTS FROM CITIZENS**

A. There were none.

5. **DISCUSS POSSIBLE CHANGES TO THE PRESERVATION DISTRICT IN THE VILLAGE OF LUDLOW**

A. Rose Goings advised that the project on Main Street has been canceled. The applicant no longer wishes to change the zoning. She suggested reviewing definitions in the zoning regulations.

B. Fred Glover suggested tabling this until a future meeting.

6. TOWN PLAN UPDATING – LAND USE AND MAPS

- A. Jason Rasmussen said that the maps provided are updates of those previously provided by April Hensel. A number of required items are included in the maps. The only map not done is the Future Land Use map. He suggested they review the maps individually.
- B. Base Map
- i. Jason Rasmussen advised that this map shows transportation, most utilities, town boundaries, roads, schools, telecommunication facilities and transmission lines.
 - ii. Rose Goings noted that some of the things on the map (the Winchester, JJ's Snack Bar, Brickyard Farm, and Fox Run Golf Course) no longer exist.
 - iii. Jason Rasmussen said they can be removed.
 - iv. Rose Goings asked about Telecommunication facilities.
 - v. Jason Rasmussen said he thinks these include more than towers and he will check on it.
 - vi. Steve Stengel said the schools are not clear. He also suggested they include the Black River Academy Museum.
 - vii. Jason Rasmussen said that could be added. He said that the towers also include wireless telecommunication towers. He added that the map show AOT Class I, II and III roads. If the data is wrong, this is a good chance to clean it up. He added that the map also shows some Class IV roads. The intent is to show public recreational facilities, not private B&B's.
 - viii. Alan Couch noted that Mountain Road goes further toward Ranta Road.
 - ix. Rose Goings said that it is called Okemo Ridge Road on the other side.
 - x. Jason Rasmussen said that he will check the current road's map.
 - xi. Rose Goings asked about West Hill Dam.
 - xii. Jason Rasmussen said it should be labeled.
 - xiii. Fred Glover asked if the small area of water in the upper left corner is Tiny Pond and if it has public access.
 - xiv. Jason Rasmussen said yes to both.
- C. Natural Features Map
- i. Jason Rasmussen advised that this map shows a variety of things – falls, cascades, gorges, endangered species (both plant and animal), state agricultural soils, deer wintering areas.
 - ii. Terry Carter asked why bear areas are not shown.
 - iii. Jason Rasmussen said they are primarily in Mount Holly. He said the one by Jackson Gore could be added. He said there are also some issues with the deer wintering areas. He said that on the Wildlife map, the darker green indicates areas where there is no development that support broader biodiversity and are better areas for habitats. He asked if the board wanted the deer and bear habitats on the Wildlife map or Natural Resources. They can be shown on both.
 - iv. Ethan Gilmour said Wildlife.
 - v. Terry Carter said she would like the bear habitats on the wildlife map.
 - vi. Fred Glover noted that the legend on the wildlife map shows less suitable crossings.
 - vii. Jason Rasmussen said that is where the roads are. The more suitable would be in the darker areas. He added that water features includes Flood Hazard Areas, dams, ponds, rivers, lakes, well head protection areas and fluvial erosion areas.
 - viii. Rose Goings asked if the town has to adopt Fluvial erosion areas to show it on the map. Does it have to go to the Select Board?
 - ix. Jason Rasmussen said the map just shows the locations. The Town Plan may refer to it and the Select Board would adopt the plan.

- x. Rose Goings said there are a whole different set of regulations for the fluvial erosion areas.
- xi. Jason Rasmussen said the town does not have to regulate the erosion hazard zone.
- xii. Rose Goings asked who pays for the study.
- xiii. Jason Rasmussen said that Regional ad a grant and worked with ANR. He added that they do not have to show this on the maps.
- xiv. Fred Glover asked what the blue area with stripes on the map is.
- xv. Jason Rasmussen said the ground water source protection area. If a well serves more than a certain amount of people, they have to go to ANR for the area that surrounds the well.
- xvi. Rose Goings said that she is concerned that if the fluvial erosion area is shown on the map, will it create hardships for the homeowners in that area.
- xvii. Jason Rasmussen said it could just be informational or you could have a policy discouraging new development in that area. He said that he does not think that just having it on the map means that much.
- xviii. Rose Goings said that people who want to put up even a new fence might not be able to do it.
- xix. Jason Rasmussen said it is not a statutory requirement now, but ANR is moving in that direction. It is totally voluntary now. It would be a chance to mention it in the town plan. Without discussing it in the zoning regulations, it should not add to hardships.
- xx. Rose Goings asked if it is possible to pick and choose the areas that you show.
- xxi. Jason Rasmussen said yes, it can be refined and could just be informational, or it could be regulated.
- xxii. Fred Glover asked if the areas are identified and only some are listed, it may cause a problem. He said it would be better to disclose all areas than to pick and choose.
- xxiii. Norman Vanasse asked if the state oversees rivers.
- xxiv. Jason Rasmussen said not regulatory erosion at this time. It is becoming an issue on some projects, like the Springfield Bike path.
- xxv. Steve Stengel said he likes it because there is science behind it.
- xxvi. Rose Goings said she doesn't want to cause additional hardships to people who live in those areas.
- xxvii. Terry Carter said she would just like to show it on the map and not regulate it.
- xxviii. Rose Goings asked if it is shown on the maps, what Act 250 will say about it. If they look at the town plan, will that be an issue under the JAM Golf case. The town plan cannot be vague. She would like to see everything spelled out.
- xxix. Alan Couch asked about markings on the Village inset area map.
- xxx. Jason Rasmussen said that is the 200 year flood line. They may want to remove it. Referring back to the fluvial erosion area, he said that it is mentioned in the town plan under the Natural Resource Recommendations.
- xxxi. Rose Goings said we need to make sure that it will not create a hardship to people. If we don't have to regulate it according to state statutes, why do it.
- xxxii. Fred Glover said that JAM Golf says that the town plan needs to have clear standards and policies, but we can have informational items in the town plan. If we want to regulate it, it must be in the town plan. We must identify it and tell how we want to regulate it. But, if it is on the map, someone may question this. After the town plan, the Planning Commission can take a look at the regulations and make the town plan a regulatory document in Ludlow.
- xxxiii. Rose Goings said that during the PUD and Commercial permit hearings and Local Act 250 Review, the DRB looks at the town plan. This board guides the DRB with the way we write the town plan. This could have a note to say it is for future use or information.

- xxxiv. Fred Glover said that zoning regulations should implement and be consistent with the town plan. He said that he thinks we can have Information Only section in the town plan. But, someone at Act 250 could still refer to the maps.
 - xxxv. Rose Goings suggested saying that it is not regulated and for information only.
 - xxxvi. Jason Rasmussen asked what the board wants to do.
 - xxxvii. Terry Carter said put it on the map with a disclaimer.
 - xxxviii. Fred Glover asked about other towns.
 - xxxix. Jason Rasmussen said that some have it in their ordinances. In this area, the conversations have only just started and none of the towns in our region have done anything. You need to decide what it means to Ludlow and be clear in the town plan.
 - xl. Terry Carter said that the truth is that it is erosion.
 - xli. Jason Rasmussen said they can change the words in the town plan to non-regulatory measures.
 - xl.ii. Terry Carter said she would like to somehow grandfather existing property owners.
 - xl.iii. Jason Rasmussen said that would happen on the zoning regulations.
 - xl.iv. Fred Glover said possibly get rid of the regulatory language and discuss potential impact.
 - xl.v. Rose Goings said she would like to discuss this at the next meeting and do some research on it. She would also like to know what the issues were with the Springfield bike path.
 - xl.vi. Jason Rasmussen said that is a good idea. He suggested that board members also may want to review the entire section for comments.
 - xl.vii. Rose Goings asked if Springfield had had this in their town plan, would ANR have said anything.
 - xl.viii. Jason Rasmussen said probably. They also look at the State regulations.
- D. Topography
- i. Jason Rasmussen said they went over Natural Resources, Soils and Agriculture Resources and asked everyone to reread the draft for the next meeting.
- E. Current Land Use
- i. Jason Rasmussen said the map is an aerial view from 2009.
 - ii. Rose Goings said they should add Buttermilk Falls and the West Hill Dam recreation site.
 - iii. Jason Rasmussen said these lands are legally conserved.
 - iv. Rose Goings asked if they can add things, added that some of these areas are well heads
 - v. Jason Rasmussen said he would check.
 - vi. Alan Couch asked if they could include boundaries of neighboring towns.
- F. Future Land Use
- i. Jason Rasmussen said that he would like to start looking at Future Land Use and suggested they try to keep it somewhat simple. He added that state statutes require that certain things be addressed.
 - ii. Fred Glover said we should look at current zoning information.
 - iii. Terry Carter suggested plastic overlays.
 - iv. Fred Glover said that the board should start with what they already have.
 - v. Rose Goings said that we need to check on tower sites and said that a Village Center District is going to be added. She said we may want to include “no build zones” in the flood area from the fire station to Route 100.
 - vi. Jason Rasmussen said that the state says that you have to include flood hazard information.
 - vii. Rose Goings suggested well sources for the town.
 - viii. Fred Glover suggested ridgeline issues and wild life areas.
 - ix. Alan Couch said asked if the current zoning districts indicate what we want to use the land for in the future.
 - x. Jason Rasmussen said they may want to look at zoning with regard to Natural Resources.

- xi. Alan Couch said he is concerned that if we change the zoning districts, it would affect the people who currently live there.
- xii. Jason Rasmussen said the board should start here, in the town plan, they refine the zoning. The zoning regulations need to conform to the town plan.
- xiii. Fred Glover said this board should find out if there are things in the current zoning regulations that don't work.
- xiv. Jason Rasmussen showed the board a map of potential development on the Route 103 corridor. The corridor was ¼ mile on each side of Route 103.
- xv. Fred Glover said it shows downtown goals.
- xvi. Jason Rasmussen said that in the Town Residential Commercial District, there are currently 148 dwelling units. This map shows the potential for an additional 204 units. He said if the minimum lot size were increased to 3 acres that 204 units would drop to 74. This is a tool for looking at zoning districts.
- xvii. Fred Glover asked if Jason Rasmussen could bring board members copies of that map for the next meeting.
- xviii. Jason Rasmussen said he would. He said they could use Mylar overlays to sketch changes to maps.

7. **OTHER BUSINESS**

A. Next Meeting

- i. Next meeting will be on June 21, 2011 at 5:30p.m.

8. **ADJOURN**

A. **MOTION by Terry Carter and seconded by Norman Vanasse to adjourn the meeting. Motion passed unanimously.**

- B. Meeting adjourned at 7:32 p.m.

Respectfully submitted,

Lisha Klaiber

Fred Glover, Chairman

Ethan Gilmour

Terry Carter

Steve Stengel

Alan Couch

Norman Vanasse

Christine Fuller