

**DRAFT**

These minutes have not been reviewed  
or approved by the convening board or commission.

**PLANNING COMMISSION**

**REGULAR MEETING**

**May 19, 2009**

**MEMBERS PRESENT:**

Phil Dunwoody, Vice Chairman	Alan Couch	Steve Stengel
Terry Carter	Christine Fuller	Norman Vanasse

**MEMBERS ABSENT:**

Fred Glover

**OTHERS PRESENT:**

April Harkness	Britta Galimi	Bernard Pelletier
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**1. Call to Order**

- A. Phil Dunwoody called the meeting to order at 6:027 p.m. Roll call by Recording Secretary – all members present except Fred Glover
- B. Minutes of Previous Meetings
  - i. **MOTION by Christine Fuller and seconded by Norman Vanasse to approve the minutes from the meetings of February 17, 2009, March 9, 2009, March 17, 2009, March 23, 2009, March 30, 2009 April 14, 2009 and April 28, 2009. Motion passed unanimously.**

**NOTE: Phil Dunwoody suggested that since Britta Galimi and Bernard Pelletier are present, that the board addresses their concerns before beginning work on the town plan. The board agreed. Minutes are in agenda order.**

**2. Town Plan Workshop**

- A. April Harkness said that she is the “MAP” person for the Regional Planning Commission. The town needs to know what resources it has, where those resources are located and what is the importance of those resources to the town. Different towns determine how they will address wildlife habitat and corridors. Agricultural soils are protected by Act 250. Towns need to know where the flood areas and wetlands are located. There are new FEMA regulations regarding flood areas and towns need to make sure to consider them in the town plans. The town plan is a vision and lays the foundation for the town. It must be in agreement with the town zoning regulations. Act 250 looks to both. What is in the current Ludlow Town Plan in the Natural Resources section is a little dated and brief. Regional Planning Commission just updated its own plan and that will be a good starting place for Ludlow.
- B. Terry Carter advised that Ludlow has a critical bear habitat.

- C. April Harkness said that Ludlow also has a high elevation and they are fragile. She suggested that board members look at the regional plan draft that is online. There is a lot of information there for Natural Resources. She will try to help with strategic areas.
- D. Steve Stengel asked what the Regional Planning Commission would say about a service station in the Lakes area.
- E. April Harkness said that she would need to know the exact location and whether there are any wetlands there. She has a series of 10 maps for the board and suggested that they use them in the town plan. The one in the current plan are dated. She said that if they want, they could do layovers of maps.
- F. Phil Dunwoody said more maps with less on each is simpler.
- G. April Harkness suggested that they use color maps and explained that Regional Planning Commission uses GIS.
- H. Christine Fuller started reading from the Natural Resources section in the town plan.
- I. April Harkness said that the first section gives some historical background. She noted the percentage indicated in the current town plan is probably low. She advised that the percentage for the region is 75-80% She will try to get a better number for Ludlow.
- J. Terry Carter suggested adding verbiage regarding the new state Farm Bill. It will be added under goals.
- K. April Harkness said that the section regarding the goals is similar to regional's except that regional includes agriculture.
- L. Terry Carter asked where information regarding ridgelines should go.
- M. April Harkness said that the town plan should have an implementation section for Natural Resources.
- N. Christine Fuller asked if the Ludlow town plan should combine Forests and Agriculture.
- O. April Harkness said it is fine to keep them separate. She said the implementation section would be similar to the "Policies" section in the regional plan.
- P. Phil Dunwoody said that board members could read the regional plan online.
- Q. April Harkness said they could go through the regional plan and pick out what works best for Ludlow. The Natural Resource section starts on page 87.
- R. Terry Carter said that she would download the regional plan.
- S. April Harkness suggested that the board may want to rename the "Implementation" section to "Policies."
- T. Alan Couch said that they really need to make sure that the town plan and zoning regulations agree with each other.
- U. There was a general decision to change Implementation to Policies.
- V. April Harkness read from the regional plan and said that she would send the board a paragraph for protection of agricultural soils. They will need to add an Agricultural Resource policy section.
- W. Christine Fuller started reading from the Earth Mineral Resources section.
- X. April Harkness said that she will email goals regarding water bodies, mineral extraction and reclamation.
- Y. Christine Fuller continued reading from Surface and Groundwater.
- Z. They will need to change the bullet pertaining to septics to reflect new state regulations.
- AA. April Harkness will send policies.
- BB. Christine Fuller read from the Wildlife Resources section.
- CC. The board decided to move the item regarding mitigation to the Wildlife Resources policies section.
- DD. April Harkness suggested that the Natural Resources Policies Section should be divided into the individual sections. There should be overall goals.

- EE. Terry Carter suggested they wait until they receive all of the information from April Harkness.
- FF. April Harkness said that the 1<sup>st</sup> bullet in the existing plan would cover them. All of the bullets are good and should remain, but be put under appropriate sections. It is also good idea to have an inventory of Natural Resources. It needs to be updated, but the town would have to have funding to hire a specialist to come in and delineate the resources. She gave the board members copies of maps and suggested they be put in the new town plan.
- GG. Norman Vanasse distributed copies of town sewer lines map and drinking water access map. He got the information from Loran Greenslet.
- HH. The board thanked April Harkness for her assistance.

**3. Other Business – Letter from Britta Galimi and Bernard Pelletier**

- A. Lisha Klaiber read the letter into the record (copy attached.)
- B. Britta Galimi wanted to know why a mechanical repair shop is not included as a conditional use in the RCD.
- C. Phil Dunwoody said that when the zoning regulations were drafted, there was a lot of input from people in the Lakes district.
- D. Christine Fuller asked what the DRB said.
- E. Britta Galimi said that they had a hearing with the DRB in March and at that time Rose Goings indicated that she thought there would not be a problem with their application. In 2005, they applied to the DRB to rebuild a barn they had torn down. She said that the DRB knew what their intentions (opening a repair shop) were at that time. They were not informed at that time that they would have to return to the DRB. She went to see Rose Goings about 2 weeks after this latest DRB meeting and was told that the paperwork was not complete. She heard from Rose Goings this past week and was told that there was a problem with their application. Britta Galimi feels that they were led astray. Also, there is the expense of the hearings.
- F. Steve Stengel said that he looked at the Zoning Regulations and things have changed in 5 years. He asked if they had made their intent to open a repair shop clear.
- G. Britta Galimi said they had at the site visit.
- H. Steve Stengel said that the Planning Commission makes suggestions to the town for zoning changes. People can also look at the town plan for information. There is nothing in the current zoning regulations that would help them.
- I. Terry Carter asked where the property is.
- J. Britta Galimi said on Route 100N at the base of Farm Ridge Road.
- K. Phil Dunwoody said that he would like to discuss this in Executive Session. If it is added as a Conditional Use, the DRB would put conditions on it. The process would be for the Planning Commission to warn and hold a public hearing for the zoning change. Based on input from that hearing, along with the town plan, they would make their recommendation to the Select Board. If they recommend the change, the Select Board would then also have to warn and hold a public hearing. The Select Board would then make their decision based on the recommendations of the Planning Commission and the input from the public hearing the Select Board holds.
- L. Christine Fuller said this is not a quick process, but this board would move as quickly as possible.
- M. The board said they would discuss this in Executive Session.

**4. Executive Session**

- A. The board entered into Executive Session at 8:13 p.m.
- B. No action was taken and board exited Executive Session at 8:38 p.m.

5. **Reopen Regular Meeting**

- A. Regular meeting reopened at 8:39 p.m.
- B. Email Letter from Ted Reeves of Okemo Mountain
  - i. In response to an email communication from Ted Reeves of Okemo, the board decided that they cannot change the minutes (Item 2M) from the April 28, 2009 meeting. The minutes accurately described the discussion and what the board had intended to include in the town plan update.
  - ii. **MOTION by Christine Fuller and seconded by Norman Vanasse to strike the verbiage included in Item 2M of the April 28, 2009 minutes from the town plan update. Motion passed with one opposed.**
- C. Galimi/Pelletier Letter
  - i. The board decided to take time to investigate and discuss the request from Britta Galimi and Bernard Pelletier for a change in the zoning regulations to allow small engine/automobile repair shop in the Residential Commercial District on Route 100N. They will get back to this at a later meeting.

6. **Adjourn**

- A. **MOTION by Christine Fuller and seconded by Alan Couch to adjourn the meeting. Motion passed unanimously.**
- B. Meeting adjourned at 8:43 p.m.
- C. Next regular meeting will be June 16, 2009 at 6:00 p.m.

Respectfully submitted,

Lisha Klaiber

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Fred Glover, Chairman

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Christine Fuller

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Terry Carter

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Steve Stengel

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Alan Couch

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Norman Vanasse

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Phil Dunwoody

Britta Galimi  
Bernard Pelletier  
B & B Mechanical Repair Inc  
1087 Route 100 North  
Ludlow, VT 05149  
802-228-7753

Received

MAY 14 2009

PLANNING & ZONING DEPT.  
LUDLOW, VERMONT

Planning Commission  
Attn: Fred Glover,  
Chairman

May 14, 2009

Dear Chairman Glover,

I am writing you today because of a problem with our potential business which is a mechanical repair shop including cars and auto inspections. We started this project in August of 2005. We torn down the old barn on our property and asked that we be allowed to put up a new one with the intent of eventually using it as a garage (auto repair). The Board Okayed the plan and we kept the appearance of a barn to make sure it would blend with our farm house.

We applied for a commercial permit to open our auto repair shop. We had to make sure everything was in order for the Fire Marshalls inspection and we had to finish sheet rocking and taping the inside, put up a railing for the stairs in order for the State of Vermont Labor and Industries approval. We also got in touch with the State Department of Transportation because we are located on route 100 north and they approved an access permit with an apron driveway.

We have invested in tools, a car lift, getting incorporated, and paying the permit fees. We also made the barn the size it is in expectation of using it as a repair shop (32x40x25). The reason it took us until now to apply is because everything we did we paid cash we didn't want to start a business in debt. Rosemary Goings contacted us and explained that after the DRB meeting it was noticed that service station repairs were not allowed as a Conditional Use in the Residential Commercial District along Route 100. You can imagine how shock and disappointed we were to learn that after all the time and money we spent on permits, building construction, investing in the proper tools, and getting incorporated, we are not able to open our business.

Bernie and I are looking to you, the Planning Commission to reexamine the Zoning Bylaws. I can't understand why an auto service would not be allowed in a Residential Commercial District and appears be an unknown reason why it was excluded. If it is due to appearances, the shop looks like a barn and we wouldn't jeopardize our property value or our neighbors by turning it into a car graveyard or a junk yard. If it is for environmental reasons, we will have our state inspection approvals. The oil would be recycled and the metals from brakes, rotors, etc. will go to the town dump where the town would get the money from the steel.

Bernie is in the construction field and as you know that is not happening this year. We thought having this shop would give us a little more financial security. We were planning to offer a service that is not done, like having a pick up and drop off service. People can't afford to lose time at work and with our pick up service we would pick up the vehicle and depending on the repairs, drop it back off before the work day ended. We also wanted to help by offering a senior discount. In today's economy we all have to help each other out. People are not buying. We also know that competition keeps people honest.

So I am asking you at this time to help with this issue. With the economy the way it is we all have to do what we can to make a living. And if the country can readjust I believe the town of Ludlow can to. If we can't make a living in Ludlow how are we going to be able to live in Ludlow?

Thank you for your time if you would like to speak with me you can reach me at 228-7753.

Sincerely,

Britta Galimi & Bernie Pelletier