

DEVELOPMENT REVIEW BOARD

MEETING AGENDA

Monday, September 25, 2023

5:00 p.m. - Hybrid (Physical & Remote) Meeting

Town Hall Auditorium, 37 Depot Street, Ludlow,VT 05149

Information on how to access the meeting remotely:

Join Zoom Meeting

<https://zoom.us/j/96035517223?pwd=aW1JUDRSTWNCMD1Gd1Q4M1ZxS1JHdz09>

Meeting ID: 960 3551 7223

Passcode: 153190

One tap mobile:

+19292056099,, 96035517223#,,,,*153190# US (New York)

+13017158592,, 96035517223#,,,,*153190# US (Washington DC)

MEMBERS PRESENT:

George Tucker, Chairman
John Boehrer

Alan Couch

Doug Sheehan

MEMBERS ABSENT:

Julie Nicoll

STAFF PRESENT:

Rose Goings
Ulla Cook

Jarrod Jowdy
Brendan McNamara

Lisha Klaiber, Recorder

OTHERS PRESENT:

Eric Alden
Jake Barow
Troy Caruso
Kathy Couch
Alex DelTufo
David DelTufo
Lisa DelTufo
Kathy Grant
Glenn Heitsmith
Lorraine Hughes

Chris Kelley
Lisa Kelley
Richard Kowalski
Willam Langlands
Jay Lushinks
Judy Lushinks
Sal Marottoli
Steve Meyers
John Neal

Cara Philbin
Ted Reeves
Melissa Rockhill
Andrea Sanford
Robert Sanford
Bruce Schmidt
Larry Slason
Jean Strong
Wendy Wachtel
Serenity Wolf

I. CALL TO ORDER - Roll Call

1. George Tucker, Chair, opened the meeting at 5:14 p.m., all members present, except Julie Nicoll.

II. **OPEN THE PUBLIC HEARING FOR OKEMO LIMITED LIABILITY COMPANY - 21 Prospect Street**

1. George Tucker advised that this is an application to consider a Motion to Reconsider conditions set forth in Notice of Decision 495-25-CU, dated July 26, 2023. Property is located at 21 Prospect Street in the Village Residential Commercial District. This decision was issued by the Development Review Board.
2. Rose Goings advised that this is Application No. 495-23-CUP Amendment #3. Posted in the Town Hall bulletin boards and the Post Office Bulletin Board and on the website September 1, 2023, advertised in THE RUTLAND HERALD on September 9, 2023 and abutting property owners were notified on September 1, 2023.
3. George Tucker, Jr. administered the oath to John Neal, Glenn Heitsmith and William Langlands
4. John Neal said that Condition #1 correctly states that the occupancy will not be more than 42 people at a time. However, it also says, - 2 people per bedroom. There are 14 bedrooms and that would limit occupancy to 28 people. The Fire Marshall has approved 42 people.
5. Rose Goings said there was a typo in the decision and it should be 42 people.
6. George Tucker, Jr. said the decision will be changed to reflect 42 people at a time.
7. John Neal said that Condition #3 requires Okemo to empty the trash dumpsters a minimum of twice a week. The house is not occupied many months of the year. Requiring Okemo to empty the dumpster twice a week when the house is at reduced or no occupancy is a waste of resources and will add unnecessary truck traffic on Prospect Street. He said that Okemo inspects the property on a regular basis.
8. George Tucker, Jr. said is trash overflowing. He said it is Okemo's choice to have short operation at the location. He is concerned about the language "when the dumpster is full" due to animals. He suggested changing the language to "check twice per week."
9. John Neal agreed.
10. John Neal said that Condition #4 includes limiting turning movements of employee transport vehicles from turning movements where headlights from the vehicles might shine onto neighbors' windows. He said that the Ludlow Zoning Regulations do not have language related to vehicle headlights. He said we can't predict if an employee drives his own vehicle and back out and unintentionally his headlights go onto a neighbor's property.
11. George Tucker, Jr. said that this condition was put in mostly for buses. They will back in and drive back out. Early morning transit or late night is the concern, unless there is a snow storm. Or, the bus can pull up alongside. We will change the condition to refer only to buses.
12. John Neal said Okemo requests that the condition be changed to allow Okemo to schedule **MOTION by John Bohrer and seconded by Doug Sheehan to close this hearing.**
Motion passed unanimously.

III. **OPEN THE PUBLIC HEARING FOR SHAW'S SUPERAMRKET**

1. George Tucker advised that this is an application to rebuild the interior of the Shaw's Supermarket, and the existing plaza, after receiving major flood damages on July 10, 2023. Property is located at 213 Main Street in the Village Residential Commercial District.
2. Jarrod Jawdy advised that this is Application No. 23-110-FHR
3. George Tucker, Jr. advised that the board had received a letter from the applicant requesting recess until the October meeting.
4. **MOTION by Doug Sheehan and seconded by Alan Couch to recess this hearing until the October meeting. Motion passed unanimously.**

IV. OPEN THE PUBLIC HEARING FOR DARKSIDE SNOWBOARDS OKEMO

1. George Tucker advised that this is an application to expand Darkside Snowboards Okemo into the gym, creating a larger retail space. Property is located at 57 Pond Street in the Residential Commercial District of the Village.
2. Rose Goings advised that this is Application No. 85-15-CU, Amendment # 18. .Posted in the Town Hall bulletin boards and the Post Office Bulletin Board and on the website September 6, 2023, advertised in THE VERMONT JOURNAL on September 6, 2023 and abutting property owners were notified on September 6, 2023. She said that this is a Change of Use as well as Flood Hazard Review.
3. George Tucker administered the oath to William Langlands.
4. William Langlands said the space is down to 4 walls. They want to put in new insulation, new sheetrock, and all new electrical. The remediator took down the wall between the 2 stores.
5. George Tucker, Jr. said that the board's biggest concern is that the applicant does not have a letter from John Broker-Campbell from the ANR for the flood review side. He said that in order to get that letter, the following items are required:
 - a) Professional Engineering report including Site Plan showing
 - i. Base Flood Elevation
 - ii. First Floor Elevation
 - iii. Electrical and Mechanical (Location and Elevation
 - b) Receipts
 - i. Damage Cost
 - ii. Materials Estimate Receipts
 - iii. Improvement Cost Receipts
 - iv. Labor Cost Receipts
6. Jarod Jawdy said that this application is two-fold. The property owner will be here in the future to deal with the Flood Hazard Review. This hearing is just for the Change of Use.
7. William Langlands said that they wish to change the door, heating insulation, sheetrock and pictures.
8. George Tucker, Jr. advised that they will have to use FEMA acceptable materials.
9. William Langlands said that they will use FEMA acceptable materials.
10. **MOTION by John Bohrer and seconded by Doug Sheehan to close this hearing. Motion passed unanimously.**

V. OPEN THE PUBLIC HEARINGS FOR DEL TUFO REAL ESTATE, LLP (EIGHT OH BREW)

1. George Tucker advised that this is an application for reconstruction of the interior units caused by extensive flood damage. The project is located at 145 Main Street, The Mill, Units 106 and 107 in the Village Residential Commercial District.
2. Rose Goings advised that this is Application 464-18-FHR, Amendment #1. Posted in the Town Hall bulletin boards and the Post Office Bulletin Board and on the website September 6, 2023, advertised in THE VERMONT JOURNAL on September 6, 2023 and abutting property owners were notified on September 6, 2023.
3. George Tucker administered the oath to Lisa DelTufo, David DelTufo, Rich Kowalski, Wendy Wachtel, Eric Alden.
4. David DelTufo said they want to put the space back together. There will be no interior changes. They will frame, do electrical and heating work, put in new insulation and sheetrock.
5. George Tucker, Jr. said the application lists units 106 and 107.
6. David DelTufo said just 106.
7. George Tucker, Jr. said there was substantial damage at 100% and damages over 50% have different rules. He said that a letter from John Broker-Campbell is required. He said that in order to get that letter, the following items are required:
 - a) Professional Engineering report including Site Plan showing
 - i. Base Flood Elevation
 - ii. First Floor Elevation
 - iii. Electrical and Mechanical (Location and Elevation
 - b) Receipts
 - i. Damage Cost
 - ii. Materials Estimate Receipts
 - iii. Improvement Cost Receipts
 - iv. Labor Cost Receipts
8. David DelTufo asked how they get the letter
9. George Tucker, Jr. said they have to provide the information and it will be sent to John Broker-Campbell. He said that the Planning Office can help them – the information was made available. He said that this board can't control that – it's at the state level.
10. Jarrod Jowdy said the sooner you submit the information to us will help. He added that they will need to use approved FEMA materials for the work they have done. He said they have to follow Article 6 of the Ludlow Village Zoning Regulations. He added that since it is a historical structure, they can't elevate it.
11. David DelTufo asked if they can start the work.
12. Jarrod Jowdy said yes, as long as you act in good faith and use proper materials. He said he will give them John Broker-Campbell's phone number.
13. George Tucker, Jr. said that the state passed a rule that allows people to start work as long as they can show proof they have used proper materials. Also, there has been evidence submitted about noise and possible steps to mitigate.
14. David DelTufo said they have been working on a solution through the last year and a group went after their liquor license. He said that the ceiling was not affected by the flood. He said that the building is underinsured and they do want to work out a solution for the noise.
15. George Tucker, Jr. asked if they were familiar with the RSG report.
16. David DelTufo said yes.
17. George Tucker, Jr. asked – of the options – is there one more acceptable to them.

18. David DelTufo said that opt #2 uses a combination of mass loaded vinyl and acoustical panels. This is where we left off. . He said that Option #3 is not acceptable to them and they would consider a combination of Options #2 and #3. They could use #3 in places where it would not affect the aesthetics of the bar. This has been discussed. He said a test on the sound would combine 2 and 3.
19. Doug Sheehan asked what is on the ceiling.
20. David DelTufo said 2” boards.
21. Rich Kowalski said he is not opposed to the bar. He is asking the board to require sound proofing. He said that he sent a video showing the sound. He said that the engineer made a recommendation. He said there is no insulation between the bar and the base floor. He said the engineer recommended options 3 or 4. He is asking the board to consider sound proofing to mitigate to a level that can’t be heard and for them to take the suggestion of option 3.1 or 3.4.
22. Wendy Wachtel said this is the best time for mitigation for sound. If there is 100% loss, this is a great time. She said that she rents out her unit and we have had to give refunds because of the noise. It affects our business. They should be required to have a mitigation program agreed upon by all.
23. Eric Alden said that the noise issue is serious, but an internal issue and is not relevant to the issue in front of the board. Sound mitigation is not part of this. They are asking to rebuild. Don’t be blind-sided by this internal issue. A solution will come to the DRB as a separate matter.
24. David DelTufo said we are at 100% loss and working on the internal matter with the Mill. He said they don’t know if they will have the money for the repairs.
25. George Tucker, Jr. asked them to negotiate outside the DRB.
26. **MOTION by Doug Sheehan and seconded by Alan Couch to recess this hearing to the October meeting. Motion passed unanimously.**
27. John Boehrer asked how much water they had.
28. David DelTufo said 99 inches – they had 100 with Irene.
29. John Boehrer said he feels for them and hopefully they will work this out.

VI. OPEN THE PUBLIC HEARINGS FOR ERIC ALDEN

1. George Tucker advised that this is an application for reconstruction of the interior office units and lobby caused by extensive flood damage. Property is located at 145 Main Street, The Mill, Units 102, 103 and 104 in the Village Residential Commercial District.
2. Rose Goings advised that this is Application 80-50-CU, Amendment # 2/FHR. Posted in the Town Hall bulletin boards and the Post Office Bulletin Board and on the website September 6, 2023, advertised in THE VERMONT JOURNAL on September 6, 2023 and abutting property owners were notified on September 6, 2023.
3. George Tucker administered the oath George Tucker administered the oath to Eric Alden, Glenn Heitsmith.
4. Eric Alden said that they will start by replacing the door, wall, floor and framing. Under a separate permit, they will replace the mechanical, HVAC and electrical system. This is just prep-work.
5. George Tucker, Jr. said the board cannot close this hearing until they have a letter from John Broker-Campbell. He said that in order to get that letter, the following items are required:
 - a) Professional Engineering report including Site Plan showing

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- i. Base Flood Elevation
 - ii. First Floor Elevation
 - iii. Electrical and Mechanical (Location and Elevation
 - b) Receipts
 - i. Damage Cost
 - ii. Materials Estimate Receipts
 - iii. Improvement Cost Receipts
 - iv. Labor Cost Receipts
 6. Eric Alden said that the work done does not trigger 50% assessment. It is not substantial damage.
 7. Jarrod Jowdy said even without substantial damage, it is in the floodway and zoning triggers the requirement of the letter from John Broker-Campbell.
 8. George Tucker, Jr. said that the letter is required. He said that we can look, but John Broker-Campbell may add other requirements. His letter is required.
 9. Eric Alden said that there is no substantial damage.
 10. George Tucker, Jr. said the letter from John Broker-Campbell is required. He said that he read the list of requirements. He said that 50% damage sets up separate regulations. Once you submit all of the information, we will send it to John Broker-Campbell.
 11. Jarrod Jowdy asked Eric Alden to also include any improvements they want to make, along with John Broker-Campbell's requirements.
 12. **MOTION by John Boehrer and seconded by Doug Sheehan to recess this hearing to the October meeting. Motion passed unanimously.**

VII. OPEN THE PUBLIC HEARINGS FOR KATHERINE AND ALAN COUCH

1. George Tucker advised that this is an application to rebuild and elevate a single-family residence above the base flood elevation, in accordance with the Flood Hazard Regulations, Article 6. The property is located at 21 Meadow Street in the Village Residential Commercial District.
2. Alan Couch recused himself from this hearing.
3. Rose Goings advised that this is Application 039-92-FHR. Posted in the Town Hall bulletin boards and the Post Office Bulletin Board and on the website September 6, 2023, advertised in THE VERMONT JOURNAL on September 6, 2023 and abutting property owners were notified on September 6, 2023.
4. George Tucker administered the oath to Alan Couch, Kathy Couch and Glenn Heitsmith.
5. Alan Couch said water filled his basement and was 10 inches into the 1st floor. We need to mitigate, raise and understand the state requirements. We are looking into FEMA grants, but FEMA flood insurance give nothing for mitigation. In order to apply for grants, we need permits. WE have signed a contract with the elevation company. We need a permit from the town in order to elevate the house. WE need receipts, but are still getting estimates. We need an engineer's report, but before we get it, we want to make sure we have permission from the town to do the work. All based on the numbers and mortgage and SBA. When the time comes, we will provide whatever is necessary to the town.
6. George Tucker, Jr. said that in order to get that letter, the following items are required:
 - a) Professional Engineering report including Site Plan showing
 - i. Base Flood Elevation
 - ii. First Floor Elevation

- iii. Electrical and Mechanical (Location and Elevation
- b) Receipts
 - i. Damage Cost
 - ii. Materials Estimate Receipts
 - iii. Improvement Cost Receipts
 - iv. Labor Cost Receipts
- 7. George Tucker, Jr. said that Alan Couch can work with the Planning office.
- 8. Alan Couch said that he has reached out to John Broker-Campbell and he is “swamped”. He said that he will get needed permits, but needs a permit from this board.
- 9. George Tucker, Jr. said our hands are tied.
- 10. Jarrod Jowdy said the estimates will do along the way, but we will need to show proof later on.
- 11. Alan Couch noted NFIP.
- 12. George Tucker, Jr. said that is correct. The town will not issue a permit until John Broker-Campbell’s letter has been received.
- 13. Alan Couch said that his concern is that we spend all of this money to do things and John Broker-Campbell can say no.
- 14. **MOTION by John Boehrer and seconded by Doug Sheehan to recess this hearing until the October meeting. Motion passed unanimously.**
- 15.

VIII. **OPEN THE PUBLIC HEARING 31 ROUTE 103, LLC. (AKA MR. DARCY’S)**

- 1. George Tucker advised that this is an application to construct a two-storied porch for outside dining and a 100 square foot platform for a freezer, in accordance with the Flood Hazard Regulations for floodways in Article 6. The project is located at 31 Route 103 South in the Town Residential Commercial District.
- 2. Rose Goings advised that this is Application 89-226-CU, Amendment #4 and 360-12-FHR, Amendment #2. Posted in the Town Hall bulletin boards and the Post Office Bulletin Board and on the website September 6, 2023, advertised in THE VERMONT JOURNAL on September 6, 2023 and abutting property owners were notified on September 6, 2023.. She said that letters have been received from police, fire and ambulance. She said there is also a letter from Tim McNamara
- 3. George Tucker administered the oath George Tucker administered the oath to Troy Caruso and Glenn Heitsmith
- 4. Troy Caruso said they want to put in a 2nd floor, enclosed deck for more seating. He said that Sam’s is gone.
- 5. George Tucker, Jr. said that there is concern that they are at 93% damage as indicate by the contractor for the town.
- 6. Troy Caruso said that he had not seen that report and it was totally inaccurate.
- 7. George Tucker, Jr. said they can fight that through the proper channels. There are new state regulations
- 8. Troy Caruso asked why he was not provided a copy of that report.
- 9. Jarrod Jowdy said Ted Reeves reviewed the property and may not have been aware .
- 10. Troy Caruso said that the Fire Marshall reversed his decision and will provide that report to the board.
- 11. Ted Reeves said that he visited the property, photographed and reported the data. He can give Troy Caruso a copy of that report.

12. George Tucker, Jr. said that another concern is an email they received from Tim McNamara from the Environmental Enforcement Office.
13. Troy Caruso said that he also had not received a copy of that report.
14. George Tucker, Jr. said that is concerned fill and a wetlands permit. He added that there is only one entrance or egress.
15. Troy Caruso said there are 2, one inside and one outside.
16. George Tucker, Jr. said they need a letter from John Broker-Campbell and that in order to get that letter, the following items are required:
 - a) Professional Engineering report including Site Plan showing
 - i. Base Flood Elevation
 - ii. First Floor Elevation
 - iii. Electrical and Mechanical (Location and Elevation
 - b) Receipts
 - i. Damage Cost
 - ii. Materials Estimate Receipts
 - iii. Improvement Cost Receipts
 - iv. Labor Cost Receipts
17. Jarrod Jowdy said they need to show 3 sources if there are no receipts.
18. Chris Kelly said they had purchased the abutting property and had it surveyed in November and the markers are not there. They have been dumping on his property and that is illegal. They were not informed of the expansion. He said they park on his property without permission – about 13 to 15 spaces. He said he does not know where they will park if they expand. They trim our trees, park on our property and dump on our property. He said that he and his co-owners oppose this permit.
19. Troy Caruso that Frank Provance has spoken to David DeTufos's brother. He said that Marc Williams did use their property when he was there. He added that they snow plow and trim the trees.
20. Doug Sheehan asked about the stairs.
21. Troy Caruso said there is one by the bar and the other on the other side.
22. George Tucker, Jr. asked about increased parking .
23. Troy Caruso said that they are increasing the seating, but they haven't used the parking to the full capacity. They will add parking. There is dirt in the back and they will remove the fill.
24. Troy Caruso said they have needed letters. He said the patio will become parking again.
25. John Boehrer said the board needs a new parking plan.
26. **MOTION by John Boehrer and seconded by Alan Couch to recess this hearing until the October meeting. Motion passed unanimously.**

BOARD MEMBER BREAK – 10 MINUTES – NOT TAKEN

IX. OPEN THE PUBLIC HEARINGS FOR JEWELL BROOK, LLC.

1. George Tucker advised that this is an application for twenty-two (22) residential units, with two (2) bedrooms each. This will be in four separate buildings and include 44 parking spaces. Also, the board will be considering Final Subdivision Approval for this parcel. The project is located at 1 Parker Avenue in the Village Residential Commercial District.
2. Rose Goings advised that this is Application 300-07-CU, AMD # 7, 458-17-ACT250, Amendment #3 and SUB23-07, Amendment #1. Posted in the Town Hall bulletin boards and

- the Post Office Bulletin Board and on the website September 6, 2023, advertised in THE VERMONT JOURNAL on September 6, 2023 and abutting property owners were notified on September 6, 2023.
3. George Tucker administered the oath Larry Slason, Serenity Wolf, Sal Marottoli, Andrea Sanford, Steve Meyers, and Jarrod Jowdy. Larry Slason said that they had submitted a site plan and project summary as evidence. He said that Internal Exhibit #6 lists everything. He said that the preliminary subdivision was submitted in January. This is a 1.98 acres plot and will be subdivided into 4 lots. The Village of Ludlow Zoning Regulations allows multi-unit building as a conditional use. We are looking for site plan approval, final subdivision approval and all of the criteria for Local Act 250 are addressed. There will be 4 buildings. Lots 1, 2 and 3 will have 6 units and lot 4 will have 4 units. The Woodstock units will have 1,060 square feet and the Weston units will have 1,590 square feet. There will be 2 main access points to 2 parking areas. There will be an emergency access off Route 100 with pavers. Chief Kolenda met with Sal Marottoli and the project engineer and reviewed this. He was pleased with the design and said it was an improved use of the property over past proposals. Mr. Marottoli purchased the property and cleared the buildings and contaminants. Previous proposals were for 38 units and then a 72 room hotel (which has ACT250 approval.) The town denied the permit because of access from the hotel to the town. The DRB wanted a different pedestrian way. This proposal is scaled down and residential. There will be landscaping along Route 100 and a courtyard between buildings 1, 2 and 3. Per Section 530.1, we have designed 2 parking spaces per unit. He added that the state legislature where if the development is in the downtown, and on town water/sewer. They may not be required to have more than one parking space per unit. This project will have more parking by state law. He added that if the DRB wants more green space, they can do it with lesser parking. He advised that they did a traffic study and the project will not generate anywhere near 75 trips. Exhibit #9 shows weekday traffic. They are in excess of traffic engineering standards and used conservative numbers for a single family home and used the largest traffic generator. Regarding aesthetics, he said that lighting will be downward and bollard. There will be poles in the parking areas. The buildings will have clapboard shingles with a Bavarian appearance. They will have dark gray roofs and colors of the buildings will be shades of blue, grays, creams. He said that Ability to serve letters were sent out on May 23, but he does not know who has responded. Letters for the subdivision went out in January and were satisfactory. He will reach out to Brendan McNamara regarding the water and sewer allocations. He said that they had already been approved for the 72 room hotel. He doesn't think there will be additional requirements and we may end up giving back some of the allocation. He said that the lots conform to the Ludlow zoning district density standards. The buildings will be covering less than 50% of the lot. They will not be requesting any waivers or variances. The building heights will be 32.9 feet (less than the 35 foot max.) There are building elevations drawings in the handouts. Other than construction, there will not be other noise. There lights will all be night sky lights. There will be subsurface propane tanks for heating and also mini-splits. He said that page 8 is the response for Local Act 250. There will be no burden on educational services. This will be a recreational residential planned community and probably not full time residents. The unit owners will have a COA that will be responsible for parking lots, plowing, sanding and snow removal. This project will generate tax dollars for the town. The project conforms to the Municipal Plan and the Village Zoning regulations fox mixed use. The footprint of the buildings is shown on the site plan. The subdivision is consistent with the surrounding area and conforms to the Town Plan and Village Zoning Regulations. There will be no subsequential development, there are no

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- natural resources on site, the project is away from the flood plain, there is no farming there, there are no slopes over 25%, there will be no burden on town services, there will be adequate access, the project will be on town water and sewer. Exhibit #8 shows the building profiles and they are “tastefully residential.”
4. Andrea Sanford said that she is an abutter and they did hit the major problems, except for the abutters. This will change the landscape and change our lives. The units will probably end up being Air B&Bs and cars will exceed what they are saying. This creates a different way of life for us. Will there be a buffer on the road so people don’t look into her dining and living rooms. They have to have thoughts for the residents. She is concerned about Air B&B, traffic and parking.
 5. Larry Slason said that the project has been designed with adjoining owners in mind. The buildings were moved to the interior of the property, there will be downward lighting. He said that before Mr. Marottoli purchased the property, it was a blighted mill with contamination. It was approved for a 72 room hotel. This design is consistent with the downtown and conforms in all respects. He said if there is anything specific to her property, she can talk to Mr. Marottoli.
 6. Andrea Sanford said it is not the downtown.
 7. Larry Slason said that the state looks at the property as downtown village, with water and sewer and densely populated. He said that he cannot address the Air B&B concern. He said the highest traffic count numbers were used and it will still be well below all traffic standards.
 8. Sal Marottoli said the project has changed from 30 units, to a 72 room hotel and now is 22, two story units. There will be adequate buffers on all 3 sides. We are keeping it as a residential neighborhood, less dense and less cars.
 9. George Tucker, Jr. asked if there was a document with the responsibilities of the association.
 10. Larry Slason said it has not been drafted yet. He will provide a copy when it is done.
 11. George Tucker, Jr. referred to the ability to serve letter from Chief Kolenda:
 - a) A permit is required from the Vermont Division of Fire Safety
 - b) The emergency vehicle access off Route 100 will be wide enough to allow fire apparatus to turn into the patio area with one swing
 - c) No permanent furniture or structures will be allowed in the patio area
 - d) The patio to be constructed to support up to a 68,000 pound fire truck
 - e) Snow removal is required for the patio and emergency access entrance
 - f) A NFPA sprinkler system is required for all buildings
 - g) Provide a fire alarm system and carbon monoxide detectors as required by the Vermont Division of Fire Safety
 - h) The permit submission drawing dated June 14, 2023 show a hydrant setting detail on page C-7. The utilities plan, page C-5, do not show any hydrant locations. Hydrant locations must be discussed and approved by this department.
 - i) A 35 cent per square foot fee is required for the Town of Ludlow Fire Equipment Fund
 12. Serenity Wolf said the structure on the patio is a pergola, for shade a plants.
 13. Jarrod Jowdy said they may also need a state sewer permit allocation.
 14. Larry Slason said he was not aware of that. He said that the Trustees control sewer capacity.
 15. Jarrod Jowdy said he will check and advise Larry Slason.
 16. George Tucker, Jr. said that the previous sewer allocation letter said that the fee of \$43,600 was due at the time of issuance of that letter – dated 12/20/2006. He said that since that fee had not been paid, they don’t have a sewer allocation.
 17. Sal Marottoli said that when ACT250 was done, they never built the hotel and never paid the

- fees.
18. George Tucker, Jr. said that this board does not have any current information from the Village that this allocation is okay. We need a letter with a new allocation that matches this project.
 19. Sal Marottoli said they will apply for a 44 bedroom allocation.
 20. John Boehrer suggested that plants not block site view. He asked if there would be charging stations for electric vehicles.
 21. Serenity Wolf said yes.
 22. John Boehrer asked about bike parking.
 23. Serenity Wolf said they are working with the architect for internal storage.
 24. John Boehrer asked if that would be included in future drawings.
 25. Serenity Wolf said yes.
 26. George Tucker, Jr. said that the new drawings would need to include fire hydrant locations, approved by Chief Kolenda and bike storage locations. He asked about lot coverage density.
 27. Larry Slason said 2,500 square feet per unit and the lot has more than needed. He said the footprint is 20,500 square feet.
 28. George Tucker, Jr. asked about impervious material.
 29. Serenity Wolf said the parking areas will be pervious pavers. The only impervious areas will be where the buildings are, the dumpster pads and stairs.
 30. Larry Slason said that the Storm Water Management plan is Exhibit #13.
 31. John Boehrer asked if parking spots would be assigned.
 32. Larry Slason said no.
 33. Andrea Sanford asked the locations of the dumpsters.
 34. Serenity Wolf indicated the locations on the drawing.
 35. Larry Slason said there will not be sidewalks added along Route 100. They will put plantings there.
 36. George Tucker, Jr. asked Larry Slason to make sure the sidewalks are removed on the final draft.
 37. Larry Slason said they will send it with the fire hydrant locations also. They have not submitted to Act 250. He said that construction will commence 2 years from the date of approval and they will submit to Act 250 in the fall.
 38. Steve Meyers said they can't reopen the water sewer allocation. He added that the numbers on the drawings don't always add up. Parking spaces are shown as 22' x 9' and aren't to scale. He said the building plans don't add up to 38.5. The board needs to check the numbers on a site visit. He said the last subdivision should have had the final mylars submitted within 6 months.
 39. Larry Slason said it was not submitted and they came in tonight to supplement it. They are not relying on the preliminary. We knew we were coming back in with everything the board asked for.
 40. Steve Meyers said that makes this null and void – the approval was based on the plans from 6 months ago.
 41. George Tucker, Jr. noted that the Land Use Permit has expired and asked if they have reapplied.
 42. Larry Slason said they didn't submit to Act 250 with this application. The prior permits were for the 72 room hotel.
 43. Steve Meyers said that Stephanie Giles says they have to reapply for Act 250. He asked if

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- there would be cooking.
44. Larry Slason said yes, they are homes. He said that he stands by the representations given.
45. Steve Meyers said it is a hotel.
46. George Tucker, Jr. read from the letter from Chief Billings:
- a) This project will produce additional traffic: This project will add vehicles onto Parker Avenue and Rt. 100S.
 - b) This project will require additional traffic control measures: There would need to be signs placed both north and south of the entrance of Parker Avenue warning of vehicles entering and exiting the roadway.
 - c) Parking plans seem to address the project. Parking lots will need to remain clear of snow while entering onto Parker Avenue from the site.
 - d) A camera system to be installed on outside of the buildings.
 - e) This project in and of itself will not place an adverse impact on the Ludlow Police Department. However, with all of the other building in Ludlow, the ability of the Department to provide services will diminish
- George Tucker, Jr. asked if they had any objections.
47. Larry Slason said no.
48. George Tucker, Jr. asked that the new site plan be drawn to scale.
49. Larry Slason said that drawings C1 through C8 are drawn to scale and the scales are on the bottom of the plans.
50. George Tucker, Jr. asked about trees along the road.
51. Larry Slason said they will remove the trees from the Emergency Access and the revised site plans will take into account the comments from tonight.
52. George Tucker, Jr. asked them to show the locations of the liquid propane tanks.
53. Serenity Wolf indicated the locations on the drawings.
54. Larry Slason said there is one tank per lot. He said the tanks for the 3 lots that are together are in the parking lot. He said the tank for the final lot will be adjacent to the courtyard.
55. George Tucker, Jr. said when turning onto Route 100; make sure you can use the courtyard.
56. John Boehrer asked about lighting.
57. Serenity Wolf referred to drawing C5 and noted the bollard locations and said there will be pole mounted lighting in the parking lot. She said all lighting will be downcast and fully compliant. She said she doesn't know the height of the poles, but they are usually 16 feet. We can consider less.
58. George Tucker, Jr. said considering the proximity to the abutters, the lights should not be overtly shining into someone's windows. He asked about storm water run-off catch basins.
59. Serenity Wolf referred to Exhibit 13, the Storm Water Management Plan – it shows parking, pervious designs, catch basins.
60. George Tucker, Jr. asked if they would all be connected to the existing systems.
61. Serenity Wolf said yes, also some small area drains.
62. George Tucker, Jr. asked about the Fire Marshall.
63. Larry Slason said not yet.
64. Rose Goings said the size of the parking space is 9 x 22 and asked about handicapped spaces.
65. Serenity Wolf said the space would be 9 x 22, with access islands of 5' and 8' adjacent.
66. Rose Goings asked about the pavers and if they would be laid over the pavement.
67. Serenity Wolf said no, that would not be consistent with Vermont standards. They will be

- laid over crushed stone.
68. Rose Goings asked about the Vermont Village Conceptual Sketch.
 69. Serenity Wolf said it is a conceptual sketch and not consistent with the plan.
 70. Larry Slason said it is Sal Marottoli's inspiration for the design in a Bavarian style.
 71. Rose Goings asked if they had brought with them the final Mylar for the subdivision and 2 copies.
 72. Larry Slason said he does not have them. They wanted to get comments from the board tonight and will return with the final Mylar. He said they were not encouraged at the last meetings. He will come back with all of the building details; the site plan will be consistent with the sheets. He will have a registered land survey with all monuments.
 73. Rose Goings said she can't get these drawings to scale. She said she also asked a contractor to try and he couldn't get them to scale. We need to have them to scale and suggested larger copies.
 74. Larry Slason said he thought that he had sent full size copies to the Planning Office.
 75. Jarrod Jowdy said there are full-sized copies in the office, but he can't make copies that are full sized.
 76. Larry Slason said he will provide an extra set.
 77. Rose Goings said we can look at them and the board members can look at them. We can scale them to make sure the project will fit on the property.
 78. Larry Slason said he will come back with the survey and final plats.
 79. Steve Meyers said they had 6 months to submit or the subdivision would be null and void. They should be required to have another DRB hearing for the subdivision.
 80. Andrea Sanford voiced her concerns about peak weekends and periods and the extra traffic.
 81. Larry Slason said that the traffic study was based on full occupancy and he has no doubt that the complex may be full at peak times. He asked if someone would send him a list of all of the items they need to return with.
 82. **MOTION by Doug Sheehan and seconded by John Boehrer to recess this hearing until the October meeting. Motion passed unanimously.**

X. MINUTES

1. Minutes from the Meeting of June 12, 2023.
 - a) John Boehrer noted on page 2, item #22 should read "John Boehrer said they added..."
 - b) John Boehrer said that on page 4 item #12 should read, "...said he can provide a document explaining when to exercise and when to purge the system."
2. **MOTION by John Boehrer and seconded by Doug Sheehan to approve the minutes from the June 12, 2023 regular meeting as corrected.. Motion passed unanimously.**

XI. OTHER BUSINESS

1. George Tucker, Jr. suggested that there may not be need to have 2 meetings in October,
2. Meeting scheduled for October 23, 2023 at 5:00 p.m.
3. George Tucker, Jr. said in addition to the recessed meetings from tonight, there may be an

- additional 6 to 8 more hearings.
4. Scott Baitz noted that no one seemed to know about John Broker-Campbell.
 5. George Tucker, Jr. said they have been provided with the needed documents but haven't submitted it to the Planning Office
 6. Rose Goings said the John Broker-Campbell is like a ghost.
 7. George Tucker, Jr. said that no one seems to have received their letter from John Broker-Campbell..

XII. ADJOURN

1. **MOTION by Doug Sheehan and seconded by Alan Couch to adjourn. Motion passed unanimously.**
2. Meeting adjourned at 7:41 p.m.

Respectfully submitted,

Lisha Klaiber

George Tucker, Jr., Chairman

Julie Nicoll

John Boehrer

Doug Sheehan

Alan Couch