

PLANNING COMMISSION
PRELIMINARY MINUTES
REGULAR MEETING

April 19, 2016

MEMBERS PRESENT:

Alan Couch, Chair
Terry Carter

Alan Isaacson
Logan Nicoll

Norm Vanasse

STAFF PRESENT:

Rose Goings

OTHERS PRESENT:

Jason Rasmussen

Ed McEaney - LPC-TV

Lisha Klaiber, Recorder

1. CALL TO ORDER

A. Alan Couch called the meeting to order at 6:00 p.m.

2. ROLL CALL BY RECORDING SECRETARY

A. All Planning Commission members present.

3. APPROVE MINUTES

A. The minutes to be approved are from the meeting of March 15, 2016, revision 2.

B. **MOTION by Terry Carter and seconded by Logan Nicoll to approve the minutes March 15, 2016 Rev. 2, as presented. Motion passed unanimously.**

4. COMMENTS FROM CITIZENS

A. There were none.

5. DESIGN REVIEW/ DEVELOPMENT MANAGEMENT

A. Alan Couch said that the board is trying to decide how to keep big box stores out of Ludlow, but are at loggerheads with each other. A possible way would be to incorporate Design Review into the permit process. He advised that Jason Rasmussen had sent some options for the board to review.

B. Rose Goings handed out copies of Regulatory Options and a copy of Design Review guidelines.

- C. Alan Isaacson said that bringing in Design Review would mean rewriting all of the zoning regulations.
- D. Jason Rasmussen said yes, there is a lot of work to do. He referred to his handout noting that there are statutory basics that could be addressed, such as placement of buildings on property, spacing, size, compatibility with area with respect to form, design and character. One option is Design Review. He noted that Windsor has design review (along with Manchester, Bennington and probably Woodstock.) In Design review, they look at the standards, the zoning regulations and a separate Design Guidelines. The negatives to this are the time and costs to start. You would probably have to get outside design expertise. It generally would be set up as an overlay district.
- E. Rose Goings passed around a copy of Manchester's Design Guidelines book. She said that John Watanabe (Winterplace) is on the Manchester DRB.
- F. Terry Carter asked if this is typically just for the village.
- G. Jason Rasmussen said it is typically an overlay for an historic district, usually downtown. He added that Bennington also has rural design standards.
- H. Terry Carter said this would not prevent urban sprawl.
- I. Jason Rasmussen said you could have an overlay district for rural areas. He said that it would protect existing architecture and historic character.
- J. Norman Vanasse asked how this board would get started.
- K. Jason Rasmussen said they would have to send a report explaining why they need and want design review. You would probably have to hire outside experts to develop the guidelines. He added that Chester does not have design review. He said that most towns with design review have a Design Review commission, separate from the DRB. Applicants would have to go to that commission first. The Design Review Commission would make recommendations to the DRB. It is another step in the permit process and would provide more information about projects from applicants.
- L. Rose Goings noted that it would also cost the applicants more money.
- M. Alan Isaacson said you would also need people willing to serve on that commission.
- N. Jason Rasmussen said you may also want to have people who are knowledgeable of design concepts. The other option is Form Based Codes. They too are expensive. The town would have regular zoning then have Form Based Codes that would be concerned with the buildings; how they look and where they would be situated on the lot. It is less concerned with usage and can be used in all or just parts of town. It is very detailed and much prescribed. It would say the building must look like this.
- O. Alan Couch asked Jason Rasmussen where the document came from.
- P. Jason Rasmussen said Jericho, VT. He added that Newport uses it and that Burlington and South Burlington are considering it. He said if the standards are written properly, the application process is easy. He said that there are district standards and for the zoning district the Purpose statement must be very clear. There would also be a Character statement. You could have minimum and maximum height standards and setbacks, as well as scale and massing.
- Q. Terry Carter asked if there would be a way to tweak our zoning for this.
- R. Jason Rasmussen said that Windsor has some of this and St. George also does. There may be ways to break up larger buildings to look more palatable. Also, you can use square footage. Bennington requires a Community Impact study for buildings over 50,000 square feet. He said that both Design Review and Form Based Codes are very expensive to set up, probably ranging from \$75,000 to \$100,000 in bigger towns.
- S. Terry Carter said that she likes the idea of tweaking the local zoning. She added that she heard the opinions of the Select Board members. This board could narrow the standards to certain districts.

- T. Alan Couch said that Jason Rasmussen has given this board food for thought.
- U. Terry Carter asked if existing businesses would be grandfathered.
- V. Rose Goings said they are.
- W. Jason Rasmussen said yes, but with Design Review, if an existing business wants to expand or do any exterior work, they would need a permit to do it and have to go through the process.
- X. Rose Goings said that if Rite Aid, for example, wanted to expand, they would have to go through the process.
- Y. Alan Couch said he likes the idea of a Community Impact Study. It would give us flexibility in the future.
- Z. Terry Carter said that Bennington's 50,000 square feet or more is way too big for Ludlow.
- AA. Alan Couch said it is not prudent to be changing the zoning regulations every 5 years or whenever there is a change in opinions.
- BB. Logan Nicoll said this board should look at specific areas, especially the RC2. He thinks those areas have the most potential lots for big stores. We need to review those districts and combine guidelines from Windsor and Bennington district standards. That would be the easiest way to not have an adverse effect on existing businesses.
- CC. Rose Goings suggested that if you limit building square footage, it may be sent back to you.
- DD. Logan Nicoll said if we put limits in, with interpretation (wiggle room) for the DRB, it may not be sent back.
- EE. Alan Couch said that even the Bill of Rights has wiggle room. He noted that this board just created the RC2 district and now they are talking about changing it.
- FF. Logan Nicoll said there are things that this board can do that would help stop structures that he would like to stop from happening. We could have maximum square footage with interpretation by the DRB.
- GG. Alan Couch said he would also like to prevent big box stores and nuclear power plants from coming to Ludlow, but do we really need to do that.
- HH. Terry Carter said she doesn't want to leave it to chance.
- II. Logan Nicoll said he also does not want to see it self-regulated by an invisible hand.
- JJ. Rose Goings said the DRB interprets the by-laws and does not make suggestions. She is not thrilled with the Bennington language. This says the DRB would have to find the project in denial. You want the DRB to say the project is okay in size.
- KK. Terry Carter said it is very unclear, with too much gray area.
- LL. Jason Rasmussen said this is more to it that is not included in the handout. Retail projects over 50,000 square feet have to go through the process and they have to determine if there is undue impact to the community.
- MM. Alan Isaacson said the district standards make sense without adding the square footage numbers to it. We have figure standards for current districts.
- NN. Terry Carter volunteered to come up with standards.
- OO. Alan Couch said areas north and south of the village are the most vulnerable. There has to be a happy medium for standards.
- PP. Jason Rasmussen asked what this board's end goal is.
- QQ. Terry Carter said to keep Ludlow from becoming "Anywhere, USA," to prevent dollar stores and to promote small businesses with livable wages.
- RR. Alan Couch said there are chain stores that do fit in, like Shaw's and Rite Aid.
- SS. Jason Rasmussen said it's about the type of use, where parking would be, nicer looking buildings, how to prevent certain things and easier to look at building design, like Manchester.
- TT. Alan Couch said it would be nice if new businesses would work with the town, but that doesn't always happen. He asked Terry Carter to have the standards for the next meeting.

- UU. Rose Goings asked Jason Rasmussen when the next grant period would begin.
- VV. Jason Rasmussen said probably with a deadline in September, but he hasn't heard anything.
- WW. Alan Couch asked where they would look it up.
- XX. Jason Rasmussen said to Google Vermont Municipal Planning Grants. He added that there are also Strong Communities – Better Connectors grants that are very competitive, but have to have a transportation connection, like a highway overlay district.

6. FLOOD RESILIENCY

- A. Alan Couch said that we were trying to work with ANR to change our river corridors to better represent where the river actually goes in Ludlow.
- B. Alan Isaacson said we were waiting for a response from Gretchen Alexander.
- C. Jason Rasmussen recalled that he, along with Rose Goings and Alan Isaacson had met with Gretchen Alexander and John Broker Campbell and there were certain changes that could not be made. He recalled that they were waiting for the Stream Geomorphic assessment and trying to bring that into the river corridor map. He also has not heard anything.
- D. Terry Carter suggested asking Gretchen Alexander to come to a meeting
- E. Rose Goings said that she would most likely not come, but that John Broker Campbell might.
- F. Alan Isaacson asked if they could get a written statement from Gretchen Alexander.
- G. Rose Goings advised that they were also waiting to hear back from Marie Caduto regarding reclassification of the Grant Brook and other brooks.
- H. Jason Rasmussen recalled that data was not available on some of the brooks.
- I. Alan Isaacson said that was correct, but that we had asked her to then just reclassify Grant Brook and to review the others when more data was available. He asked if someone would call her.
- J. Jason Rasmussen said he would check his emails to see if Gretchen Alexander ever got back to him.
- K. Rose Goings said she would call Marie Caduto.
- L. Jason Rasmussen said that if he had not heard from Gretchen Alexander, he would call her.

7. OTHER BUSINESS

- A. Next Meeting
 - i. Alan Isaacson said he would not be available for the meeting on May 17, 2016.
 - ii. **MOTION by Alan Isaacson and seconded by Terry Carter to move the meeting from May 17, 2016 to May 24, 2016. Motion passed unanimously.**
 - iii. Next meeting – May 24, 2016.
- B. Regional Planning Commission Survey
 - i. Norman Vanasse advised that they have been asked for their input on the possible purchase of TransCanada facilities on the Connecticut River.
 - ii. Terry Carter said we (Vermont) should purchase them.
 - iii. Norman Vanasse read the survey questions and the board responded.

8. ADJOURN

- A. **MOTION by Alan Isaacson and seconded by Logan Nicoll to adjourn this meeting.
Motion passed unanimously.**
- B. Meeting adjourned at 7:05 p.m.

Respectfully submitted,

Lisha Klaiber

Alan Couch, Chairman

Logan Nicoll

Terry Carter

Norman Vanasse

Alan Isaacson