

**PLANNING COMMISSION  
MINUTES**

**REGULAR MEETING**

December 19, 2012

MEMBERS PRESENT:

Alan Couch, Vice Chair  
Terry Carter

Logan Nicoll

Norman Vanasse

MEMBERS ABSENT:

Ethan Gilmour

Steve Stengel

OTHERS PRESENT:

Rose Goings  
Jason Rasmussen

Lisha Klaiber, Recorder  
KP Whaley – LPC-TV

1. **CALL TO ORDER**

- A. Alan Couch called the meeting to order at 6:30 p.m.

2. **ROLL CALL BY RECORDING SECRETARY**

- A. All members present, except Ethan Gilmour and Steve Stengel.  
B. Rose Goings advised that a letter of resignation had been received from Lucas Ladden. She also advised that the process to lower the total number of Planning Commission from 7 to 5 has been started.

3. **APPROVE MINUTES**

- A. The minutes to be approved are from the meeting of November 20, 2012.  
B. **MOTION by Terry Carter and seconded by Logan Nicoll to approve the minutes from November 20, 2012 as presented. Motion passed unanimously.**

4. **COMMENTS FROM CITIZENS**

- A. Terry Carter wished everyone a Merry Christmas, Happy New Year, Happy Hanukkah, and Happy Kwanza.

***NOTE: Jason Rasmussen maintains a master file for the Zoning Regulations and records changes as the board makes them.***

5. **WORK SESSION – ZONING REGULATIONS**

- A. Jason Rasmussen noted that he and Rose Goings decided to leave off on the Sign Ordinance until later on. He noted that at last meeting, the board had discussed making the Flood Hazard Regulations clearer and that he has emailed the state's Model #5 to board members. He said that it is easier to get state approval if they go with a state model and they are close to the flood regulations in the Ludlow zoning regulations. After review, if the board chooses to do so, they can just remove the existing Flood Hazard Regulations from the zoning regulations and replace them with these. The most substantive changes are in the statement of purpose and in section 2B adding "avoid and minimize loss of life and property..."
- B. Terry Carter asked why Jason Rasmussen chose Model #5.
- C. Jason Rasmussen said that:
- i. Model 1 is not on the web
  - ii. Model 2 is for stand-alone Flood Hazard Regulations (not part of town zoning regulations.)
  - iii. Model 3 includes erosion regulations and is not – at this time – required by the state. He suggests that they wait to include them.
  - iv. Model 4 has higher standards
  - v. Model 5 is beyond the minimum, and is the typical Flood Hazard Regulations for most towns.
- D. Jason Rasmussen continued, referring to a table in the model that delineates development review, showing what is permitted, what is conditional and what is prohibited in both the Special Flood Hazard Area and the Floodway.
- E. Rose Goings said that the chart would be helpful and asked if it could be changed to better fit Ludlow.
- F. Logan Nicoll said that he likes the way the chart spells things out.
- G. Jason Rasmussen said the chart could be changed, but they would still have to meet the minimum standards.
- H. Rose Goings said that she had met with FEMA several times over damages caused by Irene and they want Ludlow to be more restrictive in Flood Hazard areas. She asked the board if they want to allow building of new structures in the Flood Plain or keep it as it is in the chart.
- I. Alan Couch said he would like a happy medium. Parts of the table are too restrictive. He does not want to make peoples' properties useless.
- J. Jason Rasmussen said that if allowed now, it must be 1 foot above flood level.
- K. Terry Carter said it seems irresponsible to allow new building in the flood plain.
- L. Rose Goings said that part of finishing this document is to review the maps. She is also concerned about taking away peoples' property rights. She said that it is pretty hard to prove that something will not cause rises in the water levels.
- M. Terry Carter said she would still like to see new building in the floodway prohibited.
- N. Logan Nicoll said if there is building, there must be conditions, like bolting things down.
- O. Terry Carter said the board needs to be responsible.
- P. Rose Goings said that if land is rendered useless, there would have to be tax abatement.
- Q. The board continued to discuss the chart.
- R. Jason Rasmussen noted that the Ludlow Flood Hazard Regulations have requirement that the lowest floor of a building in the Floodway must be 1 foot above base flood elevation. The model says 2 feet for commercial buildings. There would be a greater probability to stay dry.
- S. Rose Goings added that they also have to consider the cost of replacement.
- T. There was board consensus to change it to 2 feet for commercial buildings.

- U. Jason Rasmussen said that another difference is that there would be no fully enclosed areas below grade. Water has to be able to come in and go out.
- V. Rose Goings referred to the dimensions listed for accessory buildings. She would like to revisit that at the next meeting.
- W. The board discussed sediment transfer, culverts and channel management.
- X. Rose Goings said this would be considered under conditional uses and needs to be added to the Ludlow Flood Hazard Regulations.
- Y. Logan Nicoll said it would be an additional thing to critique in the application process.
- Z. Jason Rasmussen said that Enforcement and Penalties are pretty much the same language and what is currently in the Ludlow Flood Hazard Regulations.
- AA. There was general consensus among board members that the like Model 5 with changes to fit Ludlow.
- BB. Jason Rasmussen said he would make the changes discussed tonight and it could be reviewed at the next meeting. He said that the state would also have to review the document.
- CC. Terry Carter said it would first have to go to the Select Board for review.
- DD. Jason Rasmussen suggested that they might also want to look at maps at the next meeting.

6. **OTHER BUSINESS**

- A. Next meeting January 15, 2013 at 6:00 p.m.

7. **ADJOURN**

- A. **MOTION by Terry Carter and seconded by Alan Couch to adjourn this meeting. Motion passed unanimously.**
- B. Meeting adjourned at 7:31 p.m.

Respectfully submitted,

Lisha Klaiber

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Alan Couch, Vice Chairman

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Logan Nicoll

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Terry Carter

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Steve Stengel

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Ethan Gilmour

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Norman Vanasse