

PLANNING COMMISSION

MINUTES

REGULAR MEETING

June 17, 2014

MEMBERS PRESENT:

Alan Couch, Chair
Terry Carter

Alan Isaacson
Logan Nicoll

Norm Vanasse

STAFF PRESENT:

Rose Goings

OTHERS PRESENT:

Jason Rasmussen

Lisha Klaiber, Recorder
Michelle Stinson– LPC-TV

1. CALL TO ORDER

A. Alan Couch called the meeting to order at 6:02 p.m.

2. ROLL CALL BY RECORDING SECRETARY

A. All members Planning Commission members present.

3. APPROVE MINUTES

A. The minutes to be approved are from the meeting of May 20, 2014.

B. **MOTION by Logan Nicoll and seconded by Alan Isaacson to approve the minutes from April 15, 2014 as amended in revised document. Motion passed unanimously.**

4. COMMENTS FROM CITIZENS

A. There were none.

NOTE: Jason Rasmussen maintains the master files on his computer and notates suggestions and possible changes as they are discussed.

5. ZONING BY LAW REGULATIONS

A. LAKES DISTRICT

- i. Jason Rasmussen said that he had prepared a comparison matrix of the Ludlow draft regulations and the new state Shoreline law. He noted that there is quite of lot of differences. In order for Ludlow to retain local control, its regulations must be as strict as or stricter than the state law.
- ii. Alan Isaacson said that he read through the law and while he understands the town's desire to have local control, he also is not sure how it would be administered unless the town hires a new person well acquainted with the law
- iii. Rose Goings said that she understands that the state would be hiring people just to administer the law. She added that Ludlow would still need to have its own regulations for setbacks and building size.
- iv. Logan Nicoll said that he would prefer local control. He said that Ludlow would have to modify its maps because West Hill Dam as by its size, it will now fall under that law.
- v. Alan Couch asked if Ludlow creates its own regulations, would we be reinventing the wheel since the state law has been passed.
- vi. Logan Nicoll said that he has been apprising the Select Board about the work the Planning Commission is doing and the status of the law. He sensed that the Select Board would still favor local control and would support the Planning Commission.
- vii. Terry Carter said that in some places, the Ludlow regulations are stricter than the state law, such as maximum lot coverage.
- viii. Jason Rasmussen suggested that board members look at the law. It is very complex and requires a lot of work for both landowners and the town.
- ix. Logan Nicoll asked about other towns.
- x. Jason Rasmussen said that he has not heard of anything, yet. He advised that the state is going around to the state, holding meetings in various towns to discuss the law. He said that the next meeting is in Fairlee next week.
- xi. Rose Goings asked about the July 1 deadline.
- xii. Logan Nicoll said that the law becomes effective on July 1st and towns have until January 1, 2015 to enact their own regulations in order to retain local control.
- xiii. Jason Rasmussen said that the ANR must adopt its rules by January 1st and after that date, ANR permits would be required.
- xiv. Alan Isaacson said that the law is not enforceable until 1/1/15.
- xv. Jason Rasmussen said it is a pretty big and complex regulation.
- xvi. Terry Carter said that the Excel spreadsheet done by Jason Rasmussen is good to use for comparison of the Ludlow regulations and the state law.
- xvii. Alan Isaacson asked if there are areas included in the state law that Ludlow has not addressed.
- xviii. Jason Rasmussen said yes, for example slopes and vegetation. He said there are also more exemptions and the state
- xix. Norm Vanasse said we want to protect of lakes and barriers are important. He said bushes and low trees are important. He said someone should drive around the lakes and check for barriers.
- xx. Jason Rasmussen said one big difference is the buffers.
- xxi. Terry Carter said that we have no choice about the state laws, but we should look at ours and see what we want to keep.
- xxii. Jason Rasmussen said they should look at buffers.
- xxiii. Rose Goings said that our regulations allow for variances, but the state law may not allow them. There will be no more expansion of non-conforming lots. She said that she will go to the meeting in Fairlee.
- xxiv. Alan Isaacson said that it would be hard to police the new law. How do you keep people from clearing trees? You would have to take pictures of the properties now so you would have a record of existing conditions.
- xxv. Rose Goings asked how the state would monitor it.

- xxvi. Jason Rasmussen said that when NH passed a similar law, people went around cutting trees and putting in pilings before the law took effect. He said that the Fairlee meeting is June 24 at 6:30 p.m.
- xxvii. Alan Couch said we should look at our regulations and see what we can beef up. He asked if it is worth the additional work for the town.
- xxviii. Logan Nicoll noted that the law is now called Act 172.

B. SIGN REGULATIONS

- i. Jason Rasmussen said that he had sent out a draft for sign regulations based, somewhat on Manchester. He added that off premise signs are not allowed in Vermont by state statutes and violations are subject to fines. He stated that they will need to add a definition of “poster” to the Ludlow regulations. He went through the draft with the board and noted that 2 directional signs are allowed and additional ones would require a permit.
- ii. Rose Goings said that some businesses may require more than 2 directional signs.
- iii. Terry Carter said that 2 may not be enough.
- iv. Alan Couch said that he likes the idea that additional signs would need a permit.
- v. Jason Rasmussen said they also need definitions for residential signs and indoor window signs.
- vi. Rose Goings said that she seems to recall that there was a court case and indoor window signs are exempt.
- vii. Jason Rasmussen said he would check on it.
- viii. Alan Isaacson said that they are not very well defined in the regulations.
- ix. Rose Goings said that signs on trucks were removed from the ordinance.
- x. Logan Nicoll said that is a problem the board does not need to solve. He said that he also does not want to get involved with indoor window signs.
- xi. Alan Couch said that they don’t need to regulate them.
- xii. Terry Carter recalled the large indoor signs that IGA had and she had not liked them.
- xiii. Alan Isaacson said he is concerned about lighted signs at night impacting drivers’ vision.
- xiv. Rose Goings said they need to consider window signs, except neon and internally it signs. Does the board want to give a little?
- xv. Norm Vanasse asked how it would be monitored.
- xvi. Rose Goings said that she does drive around and also that people do report violations to her.
- xvii. Alan Couch said we may want to flag this for future discussions.
- xviii. Jason Rasmussen asked about fluorescent lights.
- xix. Alan Couch asked why prohibit them.
- xx. Logan Nicoll said that fluorescent lights may be an alternative to internally lit signs.
- xxi. Alan Couch said that highway signs are reflective and that people may want reflective signs.
- xxii. Board decided to delete section about reflective signs.
- xxiii. Jason Rasmussen asked if they wanted to consider sandwich board signs as long as they were not in the ROW or on sidewalks.
- xxiv. Rose Goings said they are not illegal if you do not already have a sign that is at the maximum square footage allowable.
- xxv. Terry Carter said as long as they are not permanent and put away at night, she is okay with them.
- xxvi. Norm Vanasse mentioned the Downtown Grocers’ sign.
- xxvii. Rose Goings said that is in the ROW and not allowed. We do need some suggestions about signage for side street businesses. Should we allow them in the ROW or on sidewalks even if they already have other signs?
- xxviii. Alan Isaacson said we could limit size and have business owners remove them at night.
- xxix. Terry Carter said the size should be limited.

- xxx. Alan Couch said that they should be included in the sign allowance and not left out all of the time.
- xxxi. Jason Rasmussen asked about group signs like at the plaza, where there is more than one business. He also asked if they wanted to include the Preservation District in the sign ordinance.
- xxxii. Logan Nicoll said they should add group signs in the Preservation District.
- xxxiii. Rose Goings said businesses in the Preservation District could apply to the DRB for a variance.
- xxxiv. Alan Isaacson suggested adding group signs up to 15 square feet in the Preservation District.
- xxxv. The board agreed.
- xxxvi. Jason Rasmussen referred to sandwich signs and asked if they could be included in the up to 2 signs total allowance.
- xxxvii. Alan Isaacson said we need a provision for temporary signs and to create a definition for temporary signs and short term signs must be taken in every night.
- xxxviii. Logan Nicoll asked about "Open" signs.
- xxxix. Rose Goings said that Tina has one.
 - xl. Alan Isaacson said that he thinks temporary signs should be in addition to the sign allowance.
 - xli. Terry Carter said that Tina has no place for a regular sign and sandwich signs would help her.
 - xlii. Jason Rasmussen asked if that would be included in the sign allowance or extra.
 - xliii. Alan Isaacson said that they may need a separate section for temporary signs and a definition of temporary sign. They should be allowed during business hours and we may want to include the length of time they may be used. We should also state allowable sizes.
 - xliv. Jason Rasmussen said he can add a provision for free standing signs.
 - xl. Alan Couch said that the draft makes sense, but that the dimensions listed are not good for Ludlow. He also asked if any business needs 2 free standing signs.
 - xlvi. Logan Nicoll said no to that.
 - xlvii. Alan Couch said that he does not think a business needs 2 free standing signs.
 - xlviii. Jason Rasmussen read a definition of a back to back sign that would be 2 parallel sides no more than 6 inches apart.
 - xlix. Rose Goings said that the businesses on Depot Street can't put signs in the park because they would be off premises and that is not allowed in Vermont.
 - l. Jason Rasmussen said he would do some more work on sandwich signs.
 - li. Rose Goings said that the board should also think about roof mounted signs for new businesses coming in to existing spaces where the old business does have a roof mounted sign.
 - lii. Jason Rasmussen said that they may also want to consider lighting standards for signs.
 - liii. Rose Goings said that in that section there is a "may" that should be changed to "shall." She said that as a business changes, they need to change the signs. They may modernize the existing, but not change it. She added that gas stations signs are all non-conforming, but there have not been any complaints.
 - liv. Alan Isaacson asked if she would like to change them.
 - lv. Rose Goings said that if they change a sign, it must conform to today's standards.
 - lvi. Alan Isaacson said the board would be opening a can of worms if they start regulating specific types of businesses.
 - lvii. Jason Rasmussen suggested that they look at this again at the next meeting.

6. OTHER BUSINESS

- A. Next meeting is on July 16, 2014.

- B. Alan Isaacson said that at the last meeting, they discussed getting a definition for professional business, for the Preservation District.
- C. Rose Goings said it was not done yet.
- D. Rose Goings said the board needs to get the process going on the Lakes District. She advised that at the Trustees meeting at 6:00 p.m. on Tuesday, July 1, 2014, they would be discussing the Flood Hazard Regulations, although it had not been warned as a public hearing. She said that on Monday, July 7th, there is a public hearing at the Select Board meeting at 7:00 p.m. for the Flood Hazard Regulations. She asked board members to please come and support the regulations.
- E. Alan Isaacson asked if they had or would extend the grant for Jason Rasmussen.
- F. Rose Goings said they are working on other grants.
- G. Jason Rasmussen said this grant was closed, but there is another grant for flood issues and only limited time available.
- H. Rose Goings said that the board should have a reorganizational meeting at the next meeting.

7. **ADJOURN**

- A. **MOTION by Alan Isaacson and seconded by Logan Nicoll to adjourn this meeting. Motion passed unanimously.**
- B. Meeting adjourned at 7:29 p.m.

Respectfully submitted,

Lisha Klaiber

Alan Couch, Chairman

Logan Nicoll

Terry Carter

Norman Vanasse

Alan Isaacson