

**PLANNING COMMISSION  
MINUTES**

**REGULAR MEETING**

November 19, 2013

**MEMBERS PRESENT:**

Alan Couch, Chair	Logan Nicoll,
Terry Carter	Norman Vanasse

**OTHERS PRESENT:**

Marty Fino	Jason Rasmussen	Lisha Klaiber, Recorder
Rose Goings		Michelle Stinson – LPC-TV

**1. CALL TO ORDER**

A. Alan Couch called the meeting to order at 6:01 p.m.

**2. ROLL CALL BY RECORDING SECRETARY**

A. All members Planning Commission members present. He advised that there is still an opening for one more member.

**3. APPROVE MINUTES**

- A. The minutes to be approved are from the meeting of October 15, 2013.
- B. It was noted that the date on the minutes was September 17<sup>th</sup>.
- C. **MOTION by Norman Vanasse and seconded by Terry Carter to approve the minutes from October 15, 2013 as corrected. Motion passed unanimously.**

**4. COMMENTS FROM CITIZENS**

A. There were none.

**5. FLOOD HAZARD REGULATIONS**

- A. Alan Couch noted that Terry Carter and Logan Nicoll had attended the Trustees and Select Board hearings on the Flood Hazard Regulations.
- B. Logan Nicoll said the input from the Trustees and Select Boards was helpful. It appears that no one wants 50 foot setbacks, but may accept a graduated setback.
- C. Terry Carter said that citizens and Richard Harrison were against them.
- D. Rose Goings said this just refers to streams.
- E. Logan Nicoll said that one Select Board Member, Bruce Schmidt said that he has a stream on his property that is on the map.

- F. Alan Couch said that there was also a suggestion about basing it on elevation.
- G. Terry Carter said that there were also suggestions about basing setbacks on lot size.
- H. Logan Nicoll said that some of the lots on streams are already so small that a setback would be difficult for the owners.
- I. Terry Carter said that if the town and village do not do some type of regulations, FEMA may override us.
- J. Jason Rasmussen said that FEMA wants more clarity in our regulations and we have done that. FEMA would like to see us exceed the minimum standards. Stream setbacks would be above and beyond their minimums. He added that there is a possibility that FEMA may not have much to say, but ANR may also have some comments. The Trustees and Select Board did not want setbacks on all streams. He said that the draft map that went with the stream setbacks was not very accurate and included some intermittent streams. He suggested just doing perennial streams. He added that they could also just look at named streams like Branch Brook, Coleman Brook, Whitney Brook, Wheaton Brook, Lovejoy Brook, Jewel Brook, Williams Brook, Grant Brook and Sanders Brook. They would use only the major tributaries.
- K. Alan Couch said that would make a good start.
- L. Terry Carter agreed that it makes sense.
- M. Logan Nicoll agreed also.
- N. Terry Carter said they may not want to regulate the smaller ones.
- O. Rose Goings said that the only one that would affect the Village is the Jewel Brook.
- P. Terry Carter asked about Frank Broza's properties.
- Q. Rose Goings said this does not affect his as his properties are in the Flood Hazard Area.
- R. Jason Rasmussen said he could modify the map. He also showed the board a map with a 50 foot setback on the Jewel Brook indicated and showed how it would impact people with properties there.
- S. Terry Carter noted that the setback would come right up to some peoples' houses.
- T. Marty Fino asked about part of the Black River that goes into Round Pond.
- U. Jason Rasmussen said that is a Flood Hazard Area.
- V. Terry Carter noted that Richard Harrison is concerned about silt coming down from Plymouth.
- W. Rose Goings said the setbacks do not have to be 50 feet.
- X. Alan Couch said that he does not want to be over-restrictive to satisfy FEMA. He would consider smaller setbacks and does not want to put a hardship on people.
- Y. Jason Rasmussen said they could either reduce setbacks or have a sliding scale. He said that many towns have stream buffers and the state guidelines for stream buffers are 50 feet minimum. He said that some towns have 25 foot stream setbacks like Springfield. They could also do a sliding scale for buffers, but that is hard to administer. Buffers are more about water quality. He added that they could also do waivers. He knows that the DRB has not wanted waivers in the past. They could suggest a waiver for small lots that a 50 foot setback would make the lot unusable. Not all people would get waivers and it would be on a case by case basis.
- Z. Norman Vanasse said that he is strong on buffers. He agreed that 50 foot setbacks would make some lots disappear.
- AA. Terry Carter said that no one at the hearings was talking about tanks and other debris floating down the river after storms.
- BB. Logan Nicoll said that Howard Barton felt that most of the damage done during Irene was caused by trees in the rivers. If this board writes regulations that only affect the main streams and have waiver provisions, it may pass.
- CC. Terry Carter said existing structures would be grandfathered.
- DD. Rose Goings asked if they would leave the setback in the village at 50 feet.

- EE. Logan Nicoll said personally, he would, with a waiver provision.
- FF. Alan Couch said 50 feet is too much.
- GG. Terry Carter suggested 25 feet in the Village.
- HH. Jason Rasmussen asked if they want 25 foot setbacks in the Village, 50 feet in the town, named streams only and waiver provisions in place.
- II. Alan Couch said that may upset the fewest number of people.
- JJ. Marty Fino said 25 feet is reasonable. He asked about vegetative buffers.
- KK. Logan Nicoll said the board is not going to consider it at this time.
- LL. Alan Couch said they need to educate people to create buffers without putting regulations in place.
- MM. Marty Fino said there were 3 demo projects with plantings and they were encouraged by the state. He is concerned about the 2 properties that clear cut the land for views. Other people on the lakes don't want to see any more of that. It is not good for the environment and not pretty.
- NN. Jason Rasmussen noted that definitions were added for Erosion Hazard, Fluvial Erosion, Fluvial Erosion Hazard Zone, rivers, streams, top of bank. Most of the definitions came from state law. He said that he would make changes discussed tonight and asked about scheduling another public hearing. Did the board want to schedule another meeting first, to go over the changes or go straight to another public hearing?
- OO. The board decided to go straight to another public hearing.
- PP. Rose Goings said they could schedule the public hearing for December 17<sup>th</sup>.

## 6. ZONING BYLAW AMENDMENTS - RIDGELINE AND HELIPADS/AIRSTRIPS

### A. HELIPADS AND AIRSTRIPS

- i. Jason Rasmussen asked the board if they want to restrict airstrips and helipads.
- ii. Rose Goings said that there are currently 2 airstrips, one on East Hill and one on Soapstone. These would be grandfathered. She suggested preventing new ones, but exempting emergency ones such as Jackson Gore and the HS ball field.
- iii. Jason Rasmussen said that Cavendish has done this with an ordinance. He asked how this board would prefer to do it.
- iv. Rose Goings suggested through zoning.
- v. Jason Rasmussen said he would get language together for this for the next meeting.

### B. RIDGELINES

- i. Alan Couch said that the board had started to discuss this in the past.
- ii. Jason Rasmussen showed the board new software program that shows Viewshed Analysis. It uses a baseline for a starting point.
- iii. Alan Couch asked if Jason Rasmussen have crossed points with elevation.
- iv. Jason Rasmussen said it may have been done. He asked if the board wants to discuss this under Policy in the town plan or make it regulatory.
- v. Jason Rasmussen said that other towns do it, Woodstock for one looks at the prominent topes of hills, but that does not make sense for Ludlow.
- vi. Terry Carter said she would like to see some language for it.
- vii. Alan Couch said he thought they had something for protection from wind towers and cellphone towers in the town plan.
- viii. Jason Rasmussen said they had language in the Scenic Resources section of the town plan, but some wind towers are regulated by the PSB.
- ix. Terry Carter said that she would also like to consider light pollution on huge houses.
- x. Jason Rasmussen suggested a no cut zone.

- xi. Logan Nicoll said he would like to see some language for no cut zones and lighting standards.

7. **OTHER BUSINESS**

- A. Marty Fino asked if the zoning section for the Lakes District had been finalized.
- B. Terry Carter said no, but Rose Goings would email him.
- C. Next regular Planning Commission meeting December 17, 2013 at 6:00 p.m.

8. **ADJOURN**

- A. **MOTION by Norman Vanasse and seconded by Logan Nicoll to adjourn this meeting. Motion passed unanimously.**
- B. Meeting adjourned at 6:54 p.m.

Respectfully submitted,

Lisha Klaiber

---

Alan Couch, Chairman

---

Logan Nicoll

---

Terry Carter

---

---

Norman Vanasse