

PLANNING COMMISSION

PRELIMINARY MINUTES

REGULAR MEETING

October 16, 2018

MEMBERS PRESENT:

Alan Couch, Chairman
Terry Carter

Alan Isaacson

Logan Nicoll

MEMBERS ABSENT:

Norm Vanasse

STAFF PRESENT:

Rose Goings

OTHERS PRESENT:

Aaron Galley
Patricia O'Connell

Jason Rasmussen

Ed Mc Eneaney-Okemo Valley 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, except Norm Vanasse.
B. Rose Goings advised that Norm Vanasse had submitted his letter of resignation, but that it has not yet been accepted by the Select Board.

3. CONSIDERATION OF ANY CHANGES, ADDITIONS OR REMOVALS TO THE AGENDA

- A. Terry Carter asked that they include an agenda item to discuss change of meeting days.
B. Alan Isaacson suggested that they make it item 5.1.

4. APPROVE MINUTES

- A. The minutes to be approved are from the meeting of September 18, 2018.
B. **MOTION by Alan Isaacson and seconded by Logan Nicoll to approve the minutes September 18, 2018 as presented. Motion passed unanimously.**

5. COMMENTS FROM CITIZENS

- A. New House on High Street

- i. Patricia O'Connell explained that she lives on High Street and voiced her concerns that a new house is being built on High Street and that it has 2 garages and is not desirable to look at. It is not like the other houses on the street. She added that the two worst houses on the street have shaped up nicely. She thinks the new house may look quite nice when landscaped. She said the owner will apply to build a second house. She said most garages are used for storage and she doesn't want it to look like Benson's with so many cars parked out front. She understands that Rose Goings said that the house was approved.
- ii. Alan Couch said that he understands her frustration, but the property and house have met the zoning regulations. He said that he understands her desire that the developer build to fit the neighborhood, but Ludlow does not have Design Build regulations. A person with different tastes may build in the neighborhood. He said that he hopes the developer will finish this off to something that you and the other neighbors like. He appreciates her concerns, but the building does conform to zoning regulations.
- iii. Patricia O'Connell said the parcel should only be one lot.
- iv. Alan Couch said that he is sure that Rose Goings has verified the setbacks and lot sizes.
- v. Logan Nicoll said there is not much this board can do as long as they build within the zoning regulations. The only recourse is to ask for the town to implement Design Build and that is not the inclination of the town.
- vi. Terry Carter asked if there is any chance to extend the Preservation District.
- vii. Jason Rasmussen said it would have to be looked at.
- viii. Alan Isaacson said it could be proposed, but even if passed, it would be too late for this case.

B. Dine Down Depot

- i. Alan Couch said that as a citizen, he has heard that Stem Winders and Downtown Grocery are planning to sponsor a combined dinner on Sunday, November 25th and want to close Depot Street from Main to Pleasant Streets. They are in the process of getting necessary permits. It would be a 5 course dinner with wine pairings. He said he thinks it's a great idea. This may be a trial to add other restaurants next year. It is a good way to raise money for charity.
- ii. Logan Nicoll said they said that the proceeds would go to a local, needy family through Black River Good Neighbors.
- iii. There was general support from all board members.
- iv. **MOTION by Terry Carter and seconded by Logan Nicoll for Alan Couch to draft a letter of support, and, pending email approval from board members, to forward it to the Trustees.**

5.1 CHANGE IN MEETING DAYS

- A. Terry Carter advised that she will be retiring from teaching, effective December 31st and will be watching her grandchildren during the week, from January through May. She asked if the board would move their meetings to Monday during that time. She said she would also call in.
- B. Lisha Klaiber said that she is unavailable on additional Monday nights.
- C. Terry Carter said she could call in.
- D. Rose Goings said she will set it up, and call Terry Carter for the Tuesday night meeting.

6. STATUS OF PLANNING GRANTS

- A. Rose Goings said that they submitted the application for the 2019 grant. It is based on suggestions from Scott Murphy and Jason Rasmussen worked on the grant application with him. The grant is to work on the downtown.
- B. Jason Rasmussen said that he is currently working on the 2018 grant and is about ½ way through the available money and a little less than ½ way through the work. The work must be complete by May, 2019. He said the new grant application is to address some of the comments at the March public meeting, such as parking maps, village revitalization and way-finding signs.
- C. Alan Isaacson asked who would develop the parking maps.
- D. Jason Rasmussen said the idea is to use the Regional Planning Commission and hire a consultant. Signs would be for key destinations.
- E. Terry Carter asked if it would address parking on only one side of the street in the village.
- F. Jason Rasmussen said they could look at it.
- G. Terry Carter asked if the grant would pay for all of the work.
- H. Jason Rasmussen said that the Regional Planning Commission would do the plan, maps and designs, but the construction of the signs would be paid for separately.
- I. Alan Isaacson said there are also grants available for that.
- J. Jason Rasmussen said if funded, we will need to know what you want.
- K. Logan Nicoll said that grants for design proposals are harder to get than for construction.
- L. Patricia O'Connell said that the sign for the Police Department is surrounded by sunflowers, which look nice, but cover the sign.
- M. Alan Isaacson said signs being obscured by trees or plants is a statewide problem.
- N. Alan Couch said he would check into the sign by the Police Department.

7. NOTIFY SELECT BOARD TO SUBMIT MUNICIPAL PLAN TO SWCRPC FOR ENERGY CERTIFICATION

- A. Alan Isaacson said that Jason Rasmussen sent a document that outlined what this board needs to do. He said that his thought is to use the plan approved years ago and he thinks most of the things they need to do have been covered, except items 4 and 5.
- B. Jason Rasmussen said that the Regional Planning Commission's energy plan was adopted in June and has been sent to the PSB. The PSB issued an Energy Compliant Certification. Towns with the same Energy Plan as Regional may be certified through Regional and may apply to Regional for Certification. He said the town plan review committee is trying to figure out how they will handle this. They may ask for a letter from the Municipal Manager or from the Select Board Chair. The towns must complete the check list. We need some level of separation because we helped you write your energy plan. He said he would probably not be on the review committee. He said that his board will meet next Monday and he will see what is decided. They may want the letter or minutes from the meeting when the Select Board approved the plan. Regional Planning Commission has 90 days to review and have a public hearing.
- C. Alan Isaacson asked if it would also have to go to the PSB.
- D. Jason Rasmussen said he did not think so.
- E. Alan Isaacson suggested tabling this until the November meeting and we can find out what Regional is doing.
- F. Jason Rasmussen said that the next meeting would be good.
- G. Alan Isaacson said it would take 3 to 4 months after May, if we wait to have the new plan.
- H. Terry Carter said this should be on the agenda for the next meeting.
- I. Alan Isaacson asked Jason Rasmussen about #5.
- J. Jason Rasmussen said #4 is covered and he thinks #5 is covered, but he will check.
- K. Alan Isaacson said they are not covered with the number specific targets.
- L. Alan Couch asked if "thermal" refers to household heating.

- M. Jason Rasmussen said yes.
- N. Alan Isaacson said most of the rest is covered.
- O. Jason Rasmussen said hopefully we did not miss anything, but if this board thinks anything was missed, to let him know. We can fill in the gaps.

8. FINISH DEFINITIONS FOR TOWN AND VILLAGE ZONING

- A. Alan Isaacson said that he sent out a copy of the changes he made to the town and village regulations and coordinated them with comments from Jason Rasmussen. He said he still has some questions about Retail Use/Service and said the definition includes retail stores. He thinks they have included Retail Store in the definition and should delete Retail Store as a conditional use..
- B. Rose Goings asked about Adult Book Store/Adult Entertainment.
- C. Alan Isaacson said it is in the definitions. He will add “excluding Adult Book Store/Adult Entertainment to Retail Use/Retail Service. He will go back through and make the changes as needed under Conditional Uses to the Village and Town RC districts. He also had questions about Child Care.
- D. Jason Rasmussen said that the state has 3 levels: home based with 6 or less children for level #1; 6 full time and 4 Part time as level 2 and over for level 3. He suggested that we combine levels 1 and 2 for our definition. He made the changes.
- E. Alan Isaacson also noted that in the village zoning, Senior Housing and Special Craft store are redundant. These will be deleted.
- F. Terry Carter asked about Air B&B.
- G. Rose Goings said we do not regulate it.
- H. Jason Rasmussen said some towns have short term rental ordinances and we can look at examples. Woodstock is one.
- I. Aaron Galley said it should be discussed.
- J. Rose Goings said people have rented out their houses for years and she doesn’t know how it could be regulated.
- K. Aaron Galley said we want landlords to rent out yearly or seasonally. We should craft incentives for these landlords.
- L. Alan Isaacson asked how it would be administered.
- M. Rose Goings said a Rooms & Meals tax was suggested, but did not pass.
- N. Alan Couch said that Air B&B is supposed to be charging these taxes and paying it to the state. He said the Fire Marshal has been going around inspecting units for smoke and fire detectors and egress. They may be looking on line for seasonal rentals and are checking as many as possible.
- O. Rose Goings said it would be impossible for us to regulate Air B&B.
- P. Aaron Galley said we need to make it less appealing for landlords rent out by Air B&B. If there is a provision to keep units for year-round or 6-month leases, offer a percentage off their tax rate. We need to get more units available for year-round or seasonal rentals.
- Q. Logan Nicoll asked what if the lessee sublets.
- R. Aaron Galley said they should talk to the Windham-Windsor Housing Trust.
- S. Logan Nicoll said they could add something to the town plan to encourage the Select Board and Trustees to offer incentives.
- T. Terry Carter asked if the definitions and town and village regulations are ready to go to the Select Board.
- U. Alan Isaacson said they could be.

9. **DISCUSS AFFORDABLE HOUSING PROVISION IN THE PUD**

- A. Logan Nicoll said he brought this up at the Select Board meeting. The Select Board is not ready to sign on to specifics at this time.
- B. Alan Isaacson said that he suggests for a PUD with 10 or more units, 15% of the units should be affordable housing units. He would like to put this into the PUD zoning section.
- C. There was general board consensus.
- D. Rose Goings asked about a developer amending a PUD.
- E. Alan Isaacson asked if it would be grandfathered.
- F. Rose Goings said when you amend a PUD it reopens the PUD.
- G. Alan Isaacson asked what if they are adding fewer than 10 units.
- H. Rose Goings said there is one developer with 202 units – what if they only want to add 5. She added that situations like this are possible.
- I. Terry Carter said they need to fix this loophole.
- J. Jason Rasmussen said they could say for new developments of 10 or more units or existing developments 15% of the additional units.
- K. Logan Nicoll said that may help the town get more affordable housing.
- L. Aaron Galley said they should stipulate that the Affordable Housing units must be occupied.
- M. Alan Isaacson said the changes apply only to additional new units.
- N. Alan Isaacson said they should have this administered by Regional Housing Trust.
- O. Aaron Galley noted that the current wording says units only have to stay as affordable for 15 years.
- P. Alan Isaacson said he would also change that.
- Q. Aaron Galley suggested imposing a tax on real estate transfer to help offset tax breaks.
- R. Alan Isaacson said that would be up to the Select Board or Trustees.
- S. Logan Nicoll said he would look into it.
- T. Alan Isaacson said he would make the changes to the PUD section of the zoning regulations.

10. **SCHEDULE PUBLIC MEETING FOR THE TOWN AND VILLAGE ZONING**

- A. **MOTION by Terry Carter and seconded by Logan Nicoll to warn two public hearings on Tuesday, November 20, 2018 at 6:00 p.m., one for the Town and the other for the Village to discuss changes to the town and village zoning regulations with regard to Drive In/Drive Up/Drive Through, Definitions and Affordable Housing.**
- B. Jason Rasmussen said they need 15 days for the warning for zoning regulations.
- C. **Motion passed unanimously.**
- D. Alan Isaacson said he would get the changes out to board members by the beginning of the week and would try to put together an executive summary for the Select Board and Trustees.

11. **CONTINUE MUNICIPAL PLAN**

- A. Jason Rasmussen said that he tried to finish the Community Section, streamlining it and making it better organized. He lumped the goals and policies at the end and hasn't changed them yet. He would like comments from this board on what he has sent them.
- B. Rose Goings said that he had left the Energy section separate.
- C. Alan Isaacson said he is happy with it, except for the goals and recommendations. He said that at one time, they thought they needed more and is not sure if it all made sense.

- D. Jason Rasmussen said they need to include state requirements and he tried to include some of the comments from the public hearing. He said it still needs work and they could lump some things together.
- E. Alan Isaacson asked if they need goals/policies and recommendations.
- F. Jason Rasmussen said they need implementation with action steps for the town to take. He will try to reduce the list.
- G. Alan Isaacson suggested maybe one goal per chapter, and the goals should have time frames. He likes the implementation matrix – maybe for the next 10 years, with who is responsible. They will need to revise the plan in 8 years and at that time, tell the status of each goal.
- H. Jason Rasmussen said he would try to work on it for the next meeting. He will look at statutory requirements and where Ludlow wants to be.
- I. Terry Carter said she likes the charts. They were enlightening and clearly showed trends.
- J. Jason Rasmussen said he would focus on consolidating goals for the next meeting. He would then look at the Landscape section.

12. **OTHER BUSINESS**

- A. Norm Vanasse
 - i. Rose Goings said that Norm Vanasse’s resignation has not been accepted, but that the position will be open on the Planning Commission.
 - ii. Terry Carter said KUDOS to Norm Vanasse for his many years of service to this board.

13. **ADJOURN**

- A. **MOTION by Terry Carter and seconded by Logan Nicoll to adjourn this meeting. Motion passed unanimously.**
- B. Meeting adjourned at 7:28 p.m.

Respectfully submitted,

Lisha Klaiber

Alan Couch, Chairman

Logan Nicoll

Terry Carter

Norman Vanasse

Alan Isaacson