

PLANNING COMMISSION

PRELIMINARY MINUTES

REGULAR MEETING

April 16, 2019

MEMBERS PRESENT:

Alan Couch, Chairman
Terry Carter (by phone)

Aaron Galley
Alan Isaacson

George Tucker, Jr.

STAFF PRESENT:

Rose Goings

OTHERS PRESENT:

Jason Rasmussen

Lisha Klaiber, Recorder

Ed McEneaney-Okemo Valley TV

1. CALL TO ORDER

- A. Alan Couch called the meeting to order at 6:13 p.m.

2. ROLL CALL BY RECORDING SECRETARY

- A. All Planning Commission members present, Terry Carter by phone.

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

- A. Aaron Galley said he would like to address the speed limit on Main Street.
B. Alan Isaacson suggested making it agenda item 7.1

4. APPROVE MINUTES

- A. The minutes to be approved are from the meeting of March 19, 2019.
B. Aaron Galley noted that on page 2, item 6Av should read, "He added that there are not many contractors who are able to build a passive house but a "pretty good house may be more achievable."
C. **MOTION by Alan Isaacson and seconded by Aaron Galley to approve the minutes March 19, 2019 as amended. Motion passed unanimously.**

5. COMMENTS FROM CITIZENS

- A. Alan Couch welcomed George Tucker to the board.

6. ENERGY SECTION

- A. Alan Isaacson said that some language may be put into this section as a result of the comments from the visitors at the last meeting. A possible addition would be "To support green building

- techniques.” He was not sure whether to put it in this section or in the policies portion of the main document.
- B. Jason Rasmussen said that it could be in the Land Use - he referred to page 83 of the document where it currently reads, “...encourage sustainable building practices...” He said it could be added to item 6.2.11.
- C. Aaron Galley said he would prefer, “environmentally responsible building practices.”
- D. Jason Rasmussen asked if they would also want to put it in the Energy Section. The Energy Section refers back to the Land Use section.
- E. Alan Isaacson said he doesn’t see anything in the Energy Section about building practices.
- F. Jason Rasmussen said that other towns are starting to put in language about new development to be solar-ready with south facing roofs.
- G. Rose Goings said that solar-ready is right on target.
- H. Terry Carter said they would have to add a definition for solar-ready.
- I. Jason Rasmussen suggested, “...encourage all new development to be able to accommodate renewable energy.”
- J. Alan Isaacson suggested something more general, “encourage new construction to be able to accommodate renewable energy.”
- K. Aaron Galley said they also have to consider energy consumption.
- L. Terry Carter suggested putting “To support green building techniques.” In as 6.2.12.
- M. Rose Goings said that the visitors also talked about not wood burning.
- N. Alan Isaacson said that is not in our purview.
- O. George Tucker said the statute refers to sustainable wood burning.
- P. Rose Goings suggested scrapping the topic – people burn wood and we should not reference it.
- Q. Aaron Galley said wood burning emits particulate matter.
- R. Alan Isaacson said that the Municipal Plan is not regulatory – it is about where we would like to see things going in the future. Nothing in the document is enforceable.
- S. Alan Couch said we could encourage moving away from wood burning for home heating.
- T. Jason Rasmussen asked about the wood burning plant that had been proposed in Ludlow. He asked should it be allowed.
- U. Alan Isaacson said he doesn’t recall anything about that plant in the town plan. He said it was rejected because of the truck traffic it would have created bringing wood into town.
- V. Rose Goings said she thought it was rejected because it was to have been in the flood area and there was the issue of the bridge.
- W. George Tucker said it would be hard to get people to stop burning wood.
- X. Aaron Galley said that at this time, it is hard to quantify the impact of solar panels on the environment.
- Y. George Tucker said they should also have to consider the impact of clear cutting trees to put in the panels.
- Z. Terry Carter mentioned cutting trees on her property.
- AA. Rose Goings explained that the property is in Land Use and they are required to cut some trees to allow others to grow.
- BB. George Tucker said it is selective cutting. He said that most people buy wood from managed areas.
- CC. Alan Isaacson said that there are not enough forests to supply wood as a major source of home heating.
- DD. Alan Couch said that the condos use wood fires for ambiance.
- EE. Rose Goings said that the fire chief does not allow wood burning fireplaces in new condos. She added that many people are selling the wood pellet stoves.
- FF. Jason Rasmussen said the plan refers to replacement of older wood burning stoves with more energy efficient ones.

- GG. Rose Goings said that when people are coming in for permits for new construction or additions over 500 square feet, she always informs them about Efficiency Vermont.
- HH. Alan Isaacson said the plan does not say much about wood.
- II. Jason Rasmussen asked what change they want to make.
- JJ. Rose Goings said it sounds like they would like to encourage people to moving away from wood burning for home heating.
- KK. George Tucker said to encourage other sources.
- LL. Aaron Galley said the wording about encouraging people to change out older stoves for more energy efficient ones is good.

7. MUNICIPAL PLAN

- A. Jason Rasmussen said he sent out the new draft for Sections 6 and 7 and a little of Section 3 on Friday.
- B. Alan Isaacson said he has some comments.
 - i. Section 3.2 –
 - a) He asked if we need to put in that much space about other towns.
 - b) Jason Rasmussen said the state requires that we evaluate our plan to see if it is compatible with other towns. He said it needs to show that our plan does not conflict with other towns’ plan and make it so that their plans won’t work
 - c) Rose Goings said she is going to the Regional Planning Commission meeting next week and she will check on it. She said that we have to notify other towns of proposed changes to ours.
 - d) Jason Rasmussen said he will work on it.
 - ii. Section 4.8 – Landscape Section
 - a) Alan Isaacson said that they need to look language such as, should or must, encourage or discourage.
 - b) Jason Rasmussen said “should” doesn’t have any impact.
 - c) Alan Isaacson said the board needs to look over the entire document and see where they want to say “must.”
 - d) Terry Carter said in Land Policies, it should say “must.”
 - e) Jason Rasmussen asked the board members to go over the document for these for the next meeting.
 - f) Alan Couch said they also have to consider what we can or can’t legislate regarding peoples’ properties.
 - g) Rose Goings said the town plan is a guide. If you change should to must, that is no longer guidance.
 - h) Alan Couch said the plan is about what we want. The zoning regulations can say must.
 - i) Jason Rasmussen said that ACT 250 says that the plan is the vision and should say must. The zoning makes it happen. He said that ACT 250 does not look at zoning.
 - j) Rose Goings said that ACT 250 will look at the DRB decisions and the town plan, not the zoning regulations. This town’s DRB is “on the record.” The DRB decisions will hold up in court. ACT 250 is about 10 criteria and will look at the DRB decisions. They may even impose stricter conditions.
 - k) Jason Rasmussen said that ACT 250 flood regulations are stricter and if you want ACT 250 to agree, you will make the town plan stricter.
 - l) Rose Goings said that some people will downsize their development plans to help avoid ACT 250 review. She added that the DRB also looks at our town plan.
 - m) Alan Isaacson noted that the numbering in Section 4.8 needs to be corrected.
 - iii. Section 4.4.1

- a) Alan Isaacson said that we talked about this at the February meeting. We need to remove “, but only.”
- iv. Sections 4.5 and 4.8
 - a) Alan Isaacson said there is a lot of redundancy in these two sections and they should be consolidated.
- v. Rod & Gun Club Road Bridge
 - a) Alan Isaacson asked the status of the bridge – have the repairs been completed.
- C. Action Plan
 - i. Jason Rasmussen asked if the board prefers the action plan as a list or the implementation matrix.
 - ii. Alan Isaacson said he likes the bulleted list.
 - iii. Aaron Galley said the list is easier to read. He asked if the matrix could be added to the appendix.
 - iv. Alan Isaacson said the list is more user-friendly.
 - v. Aaron Galley said that he has some comments about the prioritization on the list.
 - vi. Jason Rasmussen asked board members to look at the prioritization and send him comments to discuss at the next meeting.
 - vii. Terry Carter said she also has comments about the priorities.
 - viii. Aaron Galley suggested that all board members look at the list, make their own priorities and they can discuss it at the next meeting.
- D. Maps
 - i. Jason Rasmussen said that most of the maps are essentially unchanged. On the Future Land use, he made the changes discussed. He noted the overlay for the Village Center (which wasn’t done, but he will have it fixed,) the Aquifer Protection District Overlay and the Forest Resource area (which includes all state owned lands and the conservation land.)

7.1 MAIN STREET SPEED LIMIT

- A. Aaron Galley said that he went to the last Select Board meeting to discuss lowering the speed limit on Main Street to 25 MPH.
- B. Alan Isaacson said that he has brought that up to Frank Heald years ago. Frank Heald had said it was a state road.
- C. Aaron Galley said that the state highway ends at Subway. He said that he has asked Scott Murphy about it. Aaron Galley said that he has researched this and legally, we can set the speed limit to 25 MPH. He cited 23 VSA§1007. He said that he thinks it is based on an engineering and traffic investigation. He said that if we have a Downtown Development District, we can set it lower than 25. Our town plan, on page 27, talks about the Village Center as a Desired Economic Development Section.
- D. Alan Isaacson said he wonders about the traffic study.
- E. Aaron Galley said that the town has done studies before. We have ordinances.
- F. Jason Rasmussen said that Vermont Local Roads can be a reference.
- G. Aaron Galley suggested setting the speed limit from Walker Bridge to Benson’s at 25 MPH.
- H. Rose Goings said this has to go through the Select Board.
- I. Alan Couch said that based on the results of a study, the speed limit could be raised to 35 MPH. He said we need to pursue this.
- J. Alan Isaacson said that Route 100 South is 25 and trucks are coming down that hill. It is a residential area. It changes from 40 to 25 around the Mount Laurel Ski Club house. He added that there are more pedestrians on Main Street than 100S.

- K. Terry Carter said that when the Planning Commission had the public meeting, the feeling was that people wanted the lower speed limit on Main Street.
- L. Alan Isaacson said that he has brought this up many times before.
- M. Rose Goings said they need to write a letter to the Select Board Chairman requesting this be put on the agenda.
- N. Alan Isaacson said they could start a petition.
- O. George Tucker said that in the winter, people just jump out into the road.
- P. Aaron Galley said that at this time, there are no crosswalks. He said we should do something about the speed limit on Main Street and make a big stink about it.
- Q. Alan Couch said we need to get a letter to the Select Board for this to be an agenda item. We can also talk to the business owners.
- R. Rose Goings suggested that they approach the Select Board lightly with as much information from Aaron Galley as possible.
- S. Aaron Galley said he sent the information he had to Scott Murphy but hasn't heard anything back.
- T. Rose Goings said they need to approach the Select Board with the information Aaron Galley got from his research in a letter before their meeting. The letter should tell them what you are requesting and why.
- U. Aaron Galley said he will work on it.
- V. Rose Goings suggested that he get the information to them by April 24th.
- W. Alan Isaacson said Aaron Galley should cite the statute and the response from the public meeting.

8. **OTHER BUSINESS**

- A. Rose Goings said that the ACT 250 Site inspection for the Jewel Brook hotel will be held on April 24th at 10:00 AM. Planning Commission members are invited.
- B. Jason Rasmussen said that he has copies of MAPPING VERMONT'S NATURAL HERITAGE available and gave copies to board members.

9. **ADJOURN**

- A. **MOTION by Alan Isaacson and seconded by George Tucker to adjourn this meeting. Motion passed unanimously.**
- B. Meeting adjourned at 7:43 p.m.

Respectfully submitted,
Lisha Klaiber

Alan Couch, Chairman

Alan Isaacson

Terry Carter

Logan Nicoll

Aaron Galley