

PLANNING COMMISSION

PRELIMINARY MINUTES

REGULAR MEETING

May 21, 2019

MEMBERS PRESENT:

Alan Couch, Chairman
Terry Carter (by phone)

Aaron Galley
Alan Isaacson

George Tucker, Jr.

STAFF PRESENT:

Rose Goings

OTHERS PRESENT:

Bob Brandt

Lisha Klaiber, Recorder

Ed McEneaney-Okemo Valley TV

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, Terry Carter by phone.

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

- A. There were none.

4. APPROVE MINUTES

- A. The minutes to be approved are from the meeting of April 16, 2019.
B. **MOTION by Alan Isaacson and seconded by George Tucker to approve the minutes April 16, 2019 as presented. Motion passed unanimously.**

5. COMMENTS FROM CITIZENS

- A. There were none.

6. RULES ON MEMBERS (RULES OF PROCEDURE)

- A. Membership (2.1)
i. Alan Isaacson said that he objects to non-residents being able to be on the Planning Commission. He said that he is ineligible to be a Village Trustee because, even though a resident of the town, he is not a village resident.
ii. Alan Couch said that he agrees. He said that years ago, when there were 7 members on the board, it was hard to fill the positions.

- iii. Rose Goings said that the Town is chartered by the State and State Statute says that one member of the Planning Commission may be a non-resident. If there were only one applicant for a vacancy and that person was not a resident of Ludlow, the Select Board would have to appoint that person. She has confirmed this with our town attorney.
 - iv. Alan Couch said this board will have to do its due diligence in finding new members for this board should there be vacancy.
 - v. Alan Isaacson said that if a person is a non-resident, but a property owner, he would not object to that.
- B. Order of Business (5.3)
- i. Alan Couch said that they need to make changes to the Order of Business
 - ii. Rose Goings said they need to insert “Consideration of Any Changes, Additions or Removals to the Agenda” as Item #3 and renumber the rest of the items.
 - iii. Names in the Signature Area need to be changed.
- C. **MOTION by George Tucker and seconded by Aaron Galley to approve the changes to the Rules of Procedure as amended. Motion passed, one negative, Alan Isaacson.**

NOTE: ALAN ISAACSON MADE THE CHANGES FOR THE MUNICIPAL PLAN DISCUSSED AND WILL SEND THEM TO JASON RASMUSSEN

7. MUNICIPAL PLAN

- A. Shall/should/must & encourage/discourage
- i. Alan Isaacson said that he went through the document and made comments. He said that he will add any comments the board makes tonight and send them to Jason Rasmussen.
 - ii. George Tucker said that at their last meeting, they discussed how ACT 250 looks at the town plans and we need strong language. He went through the plan and there are:
 - a) 24 - shall
 - b) 34 - should
 - c) 37 – encourage
 - d) 13 - must
 - e) 7 - discourage
 - iii. Alan Isaacson said the 2 Policy sections are where that really matters. He thinks that all of the “shall” references should be changed to “must.” He said that the encourage/discourage references are gray areas. He asked if the board wants to go through each reference to shall, should, must, encourage and discourage separately. He noted that Items 4.8.4.1 and 4.8.4.2 were discussed at the last meeting and should be combined.
 - iv. Aaron Galley agreed.
 - v. George Tucker asked if they can ask Jason Rasmussen to make all of the changes.
 - vi. Alan Isaacson said yes. He explained that this board will have 2 more reviews of this document: our next meeting and the following meeting which will be a public hearing.
 - vii. Alan Couch asked what the ramifications are if we make a “must” and a person does not adhere to it.
 - viii. Rose Goings said some of it is state law. A lot of what is in the town plan is for ACT250 permitting. We have pamphlets in the office that give applicants the information on who needs to be contacted for a permit and how to contact them.
 - ix. Alan Couch asked about the Fire Marshal.
 - x. Rose Goings said they do enforce their permits and if she sees a violation, she will notify the Fire Marshal.

- xi. Alan Isaacson asked if the Fire Marshal inspects the properties.
- xii. Rose Goings said yes and that the Fire Marshal must issue CO and she will not issue her CO until the one from the Fire Marshal is issued. She added that ACT250 also needs the permit from the Fire Marshal.
- xiii. Alan Isaacson said the Fire Marshal doesn't deal with the wetlands.
- xiv. Rose Goings said that ACT250 follows up on everything. She said that every detail in the criteria is discussed.
- xv. George Tucker said that he doesn't think you would always want to be too harsh.
- xvi. Alan Isaacson said that he and Jason Rasmussen were recently at an ACT250 meeting and he asked about the Town and Village's Local ACT250. He said that the person from ACT250 did not know about our Local ACT250.
- xvii. Rose Goings said that Ludlow created our ACT250 because we wanted to get our Village Center Designation. Local ACT250 addresses compliance to Town Plan, Municipal Services and impact on the schools. Local ACT250 is nothing like ACT250 and only applies when a project is going to ACT250. She said that applicants for Local ACT250 pick out pieces of the town plan that apply to their projects; they get letters from the municipal services and school.
- xviii. George Tucker said he would change all of the "shalls" to "musts." He asked if the sections are checked through the statutes.
- xix. Rose Goings said the DRB does that.
- xx. Terry Carter said that for the encourage/discourage items, they should review them individually.
- xxi. Aaron Galley suggested that each board member look at all of these, on their own and send their comments to Alan Isaacson.
- xxii. Alan Isaacson asked board members to get their comments to him by the end of business next Monday and he will send them to Jason Rasmussen. He said that most of the comments would pertain to the 2 big policy sections.
- xxiii. Alan Couch asked the board members to get their comments to Alan Isaacson.

B. Implementation Matrix

- i. Alan Isaacson said that he is OK with the matrix. He said the real issue is prioritization. He said that he went through the matrix and prioritized it.
- ii. The board went through the matrix and assigned priorities, based on the matrix numbers in the draft from Jason Rasmussen.
 - a) Matrix Item #1 – High
 - b) Matrix Item #2 – Low
 - c) Matrix Item #3 – Medium
 - d) Matrix Item #4 – Medium
 - e) Matrix Item #5 – Medium
 - f) Matrix Item #6 – High
 - g) Matrix Item #7 – Medium
 - h) Matrix Item #8 – Low
 - i) Matrix Item #9 – Medium
 - j) Matrix Item #10 – Medium
 - k) Matrix Item #11 – Medium
 - l) Matrix Item #12 – Medium
 - m) Matrix Item #13 – Medium
 - n) Matrix Item #14 – Low
 - o) Matrix Item #15 – Low
 - p) Matrix Item #16 – Low
 - q) Matrix Item #17 – Low

- r) Matrix Item #18 – High
- s) Matrix Item #19 – to be removed
- iii. Terry Carter requested that they add one for renewable energy.
- iv. George Tucker said that Ludlow Electric gets most it's energy from Hydro-Quebec.
- v. Terry Carter said they should put in formation of an Energy Committee
- vi. Alan Isaacson said that Ludlow Electric does not supply energy to the majority of structures in Ludlow.
- vii. Alan Couch said this would not be under our purview. This board can write a letter to the Select Board to form an energy committee.
- viii. Alan Isaacson suggested putting in, Evaluate alternate energy for power, transportation and heating.
- ix. The board agreed and decided on a Medium priority.
- x. Rose Goings said that location of car chargers is a problem. Suggested locations had been La Mere Square and the municipal parking lot (town does not own.) There was also talk of the lot by the Chamber of Commerce, but that didn't happen.
- xi. Aaron Galley said the town needs to reach out to property owners and possibly offer tax breaks.

C. Overall

- i. Alan Isaacson said that we still have time for more comments and formatting, but he thinks this draft is better than the document was.
- ii. George Tucker said when the musts and should are addressed, this should be a quick review.
- iii. Alan Isaacson said Jason Rasmussen updated the appendices and glossary. He said that the grant for work by Jason is out this month, but he did miss a couple of meetings.
- iv. Rose Goings said that they did have the grant and Frank Heald had also approved some money in the budget. We have paid for some of Jason's time and will make the final payment as we go forward. We have another grant for Jason's time for the town signage.
- v. Alan Isaacson said, if needed, he can finish up.

8. **HOTEL ACT250 RESULTS**

- A. Rose Goings said that the ACT250 Site inspection for the Jewel Brook hotel was held on April 24th. She said that no decision has been reached to date. The applicant has scheduled a DRB hearing for June 10th for changes to the site plan. There is a rumor that ACT250 may require sidewalks.
- B. Alan Isaacson said that the existing portions of sidewalk are on the other side of the road.
- C. Rose Goings said that is a dangerous part of the road.

9. **OTHER BUSINESS**

- A. There was none.

10. **ADJOURN**

- A. **MOTION by Alan Isaacson and seconded by Aaron Galley to adjourn this meeting. Motion passed unanimously.**
- B. Meeting adjourned at 7:40 p.m.

Respectfully submitted,
Lisha Klaiber

Alan Couch, Chairman

Alan Isaacson

Terry Carter

George Tucker

Aaron Galley