

PRELIMINARY MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

February 6, 2017

BOARD MEMBERS PRESENT:

Howard Barton, Jr., Chairman Logan Nicoll
Brett Sanderson Bruce Schmidt

BOARD MEMBERS ABSENT:

John Neal

STAFF PRESENT:

Frank Heald Pam Cruickshank

OTHERS PRESENT:

Joy Donnelly	Elizabeth Kulas	Victor Veve
Linda Hill	Ron Parry	Will Veve
Alan Isaacson	Julia Purdy	Ed McEneaney (LPC-TV)
Tom Kennedy	Natalie Steen	

PUBLIC HEARING

The Town of Ludlow received a VCDP Grant for the Housing Trust of Rutland County to make water and wastewater improvements at the Tuckerville Mobile Home Park on Tuckerville Parkway.

1. Chairman Howard Barton called the Public Hearing to order at 7:00 p.m.
2. Elizabeth Kulas advised that she is the Executive Director of the Housing Trust of Rutland County and they had previously taken over the Tuckerville Mobile Home Park and made substantial improvements to the park. The Town of Ludlow received a \$750,000 grant to make improvements to the water/wastewater systems at the park. They put in a new pump house, replaced septic, did electrical upgrades, removed uninhabitable homes and other improvements. They purchased a new 2016 Energy Star mobile home and sited it on Lot #2. Additionally, they purchased a new Vermont Home that is Zero Energy efficient. It has heat pumps and solar panels. They are looking for buyers of these 2 new homes. There are also 3 available lots. There are 18 households with 30 people living there. The grant is the maximum short term grant that was available. She advised that the project is complete and this final hearing is the last step.
3. Frank Heald said it is a breath of fresh air up there and the park is well laid out. He added that the Vermont home is very nice.
4. Bruce Schmidt asked if the board should consider other places in town and other opportunities for more affordable housing. He said that most of the houses being built in town are not affordable for first time buyers. He said this park is an example of something that works.
5. Elizabeth Kulas said they could think about it. She said that her area is usually Rutland, and that Windham/Windsor Trust covers this area. They also can do similar projects including rentals, upgrades, alterations and renovations. She said that Tom Kennedy can also help. She said that she will defer to the Windham/Windsor Trust and pass this information on to its new director.

6. Bruce Schmidt said that affordable housing is a significant issue in Ludlow and young people can't afford to live here. Housing needs to be subsidized.
7. Elizabeth Kulas said that there are vacant lots in Tuckerville and they are trying to rent or sell the 2 new homes. She said they can help with the financing.
8. **MOTION by Brett Sanderson and seconded by Logan Nicoll to close this hearing. Motion passed unanimously.**
9. Public hearing closed at 7:15 p.m.

REGULAR MEETING OF THE SELECT BOARD

1. **Call to Order**

- A. Howard Barton called the regular meeting to order at 7:16 p.m.

2. **Approve Minutes of Previous Meetings**

- A. Howard Barton advised that the minutes to be reviewed are from the meetings on January 2, 2017, January 16, 2017 and January 27, 2017.
- B. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to approve the minutes from January 2, January 16 and January 27, 2017 as presented. Motion passed unanimously.**

3. **Comments from Citizens**

- A. There were none

4. **Ludlow Driver Solar, LLC Presentation**

- A. Howard Barton advised that this is a continuing process regarding the proposed Solar site to be located at 65 Route 100 North at the intersection with Route 103. It is to be a 500 KW site.
- B. Will Veve said the project will consist of about 2,200 panels on 3 acres with 15 rows running East West. The panels will be ground mounted in the old sand pit that is no longer being used. The electricity will go into the Ludlow grid, the net meter credits will go to the Town of Ludlow and also the renewable energy credits. The project will not be visible even without plantings and buffering, but they will put in plantings and buffering. He showed the Site Plan, indicating the perimeter fencing, a Class 3 wetland and buffer with thorough landscaping.
- C. Howard Barton said that at the Planning Commission meeting, they noted that there is a 35 foot rise from grade and that with the height of the panels at 12 feet, they would be visible.
- D. Alan Isaacson said that the top of the panels would be 47 feet above base elevation and that should come into play in considering plantings.
- E. Natalie Steen said that their simulation is based on topography..
- F. Ron Parry asked if the house is staying.
- G. Will Veve said the current plan is to rent the house out.
- H. Howard Barton asked if that would be included in the deed.
- I. Will Veve said he can't speak to the deed, but the plan now is for the house to stay.

- J. Bruce Schmidt asked if you would see anything when traveling west on Route 103.
- K. Natalie Steen indicated a site line on the drawing and showed where the primary focus will be and said that the existing trees will filter the view.
- L. Howard Barton said that most of the vegetation was lost as a result of Irene.
- M. Will Veve said that he would like to invite the Select Board for a site visit. He added that the Aesthetic Report was done this past December and they used the Quechee Analysis. He said the project will not result in undue adverse impact to the beauty of the area. It will be built in a sand pit. The visibility will be limited due to the short stretch of highway, there are no identified scenic views or notable scenic view sheds. There are no clearly written community standards that this project will violate and there will be a landscape plan. There will be a Memorandum of Understanding (MOU) in place with the Regional Planning Commission that will guarantee the plantings for the life of the project. He said that they will offer to the Select Board and Planning Commission to be part of the MOU or to have a separate one for the town.
- N. Natalie Steen referred to the landscape drawing and showed the proposed plantings and said they will be similar to existing vegetation. There will also be shorter plantings. She said that the existing house hides the project from Harry's.
- O. Howard Barton asked how tall the plantings will be.
- P. Natalie Steen said they can grow to 25 feet.
- Q. Howard Barton said the deer will destroy some of them.
- R. Will Veve said that the landscape plan is not set in stone and invited local input.
- S. Alan Isaacson asked how the evergreens would be affected by salt.
- T. Natalie Steen said the ridge of the road to the ROW is 27 feet and she does not expect that the salt spray will be an issue. She said there is enough distance. She added that younger trees transplant better and will grow faster.
- U. Linda Hill said that visibility is an issue and she would like to know the installed heights of the trees.
- V. Natalie Steen said that it takes 5 to 10 years for them to reach height.
- W. Howard Barton said that there is a 10 foot difference from where the road and plantings are.
- X. Alan Isaacson said that the elevation changes from the lowest to the highest panel and 10 foot trees will not hide them.
- Y. Natalie Steen said you won't be able to see through the trees when you are traveling down the road.
- Z. Alan Isaacson said you can see right through into the sand pit now.
- AA. Joy Donnelly asked about seeing the reflection of the panels.
- BB. Will Veve said they are coated with anti-reflective coating that will absorb the light. The coating is guaranteed for 20 years. He said the supports are of silicon based construction coated with chemicals. He added that over the years, panels have been perfected and he does not expect any significant issues with the panels. The mountings also have reflective coating.
- CC. Natalie Steen referred back to the landscape simulation.
- DD. Howard Barton said that is not what it will look like at first.
- EE. Natalie Steen said in 5 to 10 years.
- FF. Alan Isaacson said that deciduous trees lose their leaves and you will be able to see right through them in the winter.
- GG. Natalie Steen said they are using white birches because that will soften the view.
- HH. Linda Hill said if the panels last for 20 years and it takes 10 to 15 years for the trees to grow, you will see the project for most of the time. She would rather see bigger trees sooner.
- II. Natalie Steen said they start with younger trees because they are more guaranteed to survive.
- JJ. Linda Hill said if the trees that are planted are half the height, you will see the panels.
- KK. Natalie Steen said only from 400 feet traveling.

- LL. Will Veve said they want to plant something that will last. They will pick the best, healthiest species and try to get taller ones.
- MM. Natalie Steen suggested that they might be able to get one or two taller ones to put in with the younger ones. There are different options.
- NN. Bruce Schmidt asked if they could put fill in to raise the plantings up.
- OO. Will Veve said they are working with a flood plain and he does not have an answer to that now. He will propose it to the civil engineer.
- PP. Bruce Schmidt said he would like something in the MOU for the first 5 years and what can be done to help us with bigger trees to make sure the trees are maintained. It is an important piece of the project.
- QQ. Will Veve said they can work with the town on that. You can suggest a local arborist and the MOU can include more details.
- RR. Tom Kennedy said that if the town is more interested just in screening, they could end up with things that look planted and not fit in. They are trying to make it look natural and the work can be defined in the MOU. You can also add a maintenance program. He added that this project is going to happen and the plantings will be small at first.
- SS. Natalie Steen said the plantings will be here after the project is gone.
- TT. Howard Barton said he wants screening and does not want to see the project. It will lower our property values. It will also push more water. He said he saw what Irene did.
- UU. Will Veve said this project will not push more water. He said his civil engineers have done soil erosion studies as well as storm water studies. This project meets the requirements and there are no storm water issues with the project.
- VV. Natalie Steen said they can also add some trees in the field.
- WW. Will Veve said there is an agreement with the permit to perfect a landscaping plan.
- XX. Linda Hill said the residents want immediate screening.
- YY. Will Veve said they will meet with the residents at the site and work with the community. They want to do this project right.
- ZZ. Linda Hill said the state is beautiful without billboards and now these things. This is the Scenic Route 100 and she wants it covered sooner.
- AAA. Will Veve said they will meet with the residents then come back to the Select Board.
- BBB. Alan Isaacson said he would also like to have that the house will not be removed as part of the contract.
- CCC. Bruce Schmidt said he is not comfortable telling people what they can or cannot do with their property. He does not think we should say they can't remove the house. He suggested they add that if the house is removed, more screening be added to the project.
- DDD. Ron Parry asked what happens at the end of 20 years.
- EEE. Will Veve said the panels and supports are guaranteed for 20 years, after 20 years, we don't know if there will still be a net metering program or new rules.
- FFF. Ron Parry asked if the panels will be there forever.
- GGG. Will Veve said no. The project will be decommissioned and the plan is governed by the Regional Planning Commission. The panels and all equipment will be removed and we will restore the land to what it was before the project. Decommissioning takes about 2 weeks and is a condition of permit and Certificate of Public Good.
- HHH. Natalie Steen said the site will be reclaimed after the project.
- III. Alan Isaacson asked about construction noise.
- JJJ. Will Veve said the structures will be installed with a pile driver, so the first 2 weeks will be louder. After that there will be less noise. They will not work on Sundays or holidays. Will Veve explained that all the benefits of the net metering will go to the town and village of Ludlow and they will also be the primary beneficiaries of the net metering credit. Over 25 years, he

- estimates that there Ludlow will have a savings of \$387,500. The savings for the first 10 years will be \$20,000 per year and for the next 15 years, \$12,500 per year.
- KKK. Howard Barton said these are just rough numbers. There are parts of Ludlow outside the service territory.
- LLL. Will Veve said the state locks in the residential rate and these are rough numbers.
- MMM. Alan Isaacson said it will also raise the electric rates for anyone with Ludlow Electric.
- NNN. Will Veve said that is correct. He added that there will also be an educational component to the project. They will talk at the schools and have class tours. They will also donate to the town and the schools for further the students' ongoing education and recreation. They partner with Green Lantern and have 40 operating solar projects. He said he would email a list of projects and references.
- OOO. Bruce Schmidt asked if there was any discussion about including electricity for the schools.
- PPP. Will Veve said they would have to do an energy survey to see how much would be available.
- QQQ. Bruce Schmidt asked if they would consider \$20,000 for the life of the project.
- RRR. Will Veve said they can talk about it.
- SSS. Victor Veve said they need to do an energy study.
- TTT. Alan Isaacson asked how this would move forward.
- UUU. Will Veve said they would meet with the neighbors, continue working on the Regional Planning Commission MOU, meet with the Select Board about a local MOU, they will do the energy study, and they will start tomorrow. They will use Frank Heald as contact.
- VVV. Tom Kennedy said that the Regional Planning Commission will start to develop their MOU and will share it with Frank Heald. He noted that the town will be more sensitive to screening.

5. **SWCRPC Presentation on ACT 148 Changes (Solid Waste/Organics)**

- A. Tom Kennedy said that the Regional Planning Commission will assist in management of the Solid Waste District. He complimented Frank Heald and Patti Potter and staff. He said that they are still working on organics and that Ludlow may send them to Rutland, Brattleboro and that Hartland is building a new plant. The said point is that this will mean additional monitoring for staff. He advised that residential meat can just be thrown away and textiles can also be thrown away. On May 20, 2017, from 9:00 a.m. to 1:00 p.m., Ludlow will accept Household Hazardous Waste at the transfer station.
- B. Howard Barton asked if they would post what people can bring.
- C. Tom Kennedy said it will be on the website. He added that paints can now be taken to La Valleys or Bibens.
- D. Howard Barton said that is a good program.
- E. Tom Kennedy asked Bruce Schmidt to reach out to condo owners on the Mountain.

6. **Award Design/Build Bid for the Rehabilitation of the Pleasant Street Extension Bridge over the Black River**

- A. Frank Heald advised that they sent out RFPs to 5 contractors, and only received one bid, from Cold River. The bid is for \$303,865.00. The budget is \$355,000 and of that \$175,000 is a state structures grant. The balance will come from and Infrastructure Bond from 3 years ago. He recommends that they award the bid to Cold River and execute the contract.
- B. **MOTION by Brett Sanderson and seconded by Logan Nicoll to award the bid to Cold River for \$303,865.00 and to execute the contract.**
- C. Bruce Schmidt expressed concern about the change in the design from finger joints to compression joints.

- D. Frank Heald said that it is per the specs we gave in concert with the engineering done by Hoyle Tanner.
- E. Howard Barton said the time line is good.
- F. Frank Heald said we requested it after we met with LaValleys and Jeld-Wen. The best time for them is April 3 through May 5, 2017.
- G. **Motion passed unanimously.**

7. **Liquor Control Board**

- A. Frank Heald said all of the liquor license renewals listed below are current on water and taxes and none are for Okemo businesses.

<u>Applicant</u>	<u>Business Name</u>
Aminah & Rayhan LLC	Ludlow Shell
American Legion Ballard Hobard Post #36	American Legion
Brewfest Beverage Company	Same
Goodman's American Pie	Same
Goodfellas Petroleum	Goodfellas Petroleum, Inc. (Sunoco)
Harry's Cafe	Same
Homestyle Hostel LLC	Homestyle Hostel
KMS Inc.	The Hatchery
LVP Inc.	Ludlow Village Pizza
Rose Douglas and Ann	Rose Douglas and Ann
Twelve Thirty Four LLC	MOJO Cafe
Mark J Williams Corp	Mr. Darcy's Bar and Grill
Williams Prime Corporation	Chop House

- B. **MOTION by Bruce Schmidt and seconded by Logan Nicoll to approve the liquor license renewals as presented. Motion passed unanimously.**

8. **Review Plan from New England Clean Power Project RE: Proposed Geotechnical Sampling Program**

- A. Frank Heald advised that included in their packets is a letter from TDI New England advising that the project is moving along. It will run down Route 100 to East Lake to Pettner and Nelson Road. There will be 14 borings in and around the roads with a 6 inch diameter and depths of 6 to 100 feet. They concern is mud season so they may do it in Marc.

9. **Execute Certificate of Highway Mileage**

- A. Frank Heald advised that this is the annual report. This year there are changes in the Class 2 and Class 3 roads. Pleasant Street Extension, Commonwealth Avenue and Barker Road are being changed from Class 3 to Class 2 and they tweaked a portion of Buttermilk Falls Road due to realignment and re-measurement.
- B. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to accept the Certificate of Highway Mileage as defined. Motion passed unanimously.**

10. **Designate VLCT Special Business Meeting Delegate**

- A. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to designate Frank Heald as delegate to the Special Business meeting of the VLCT. Motion passed unanimously.**

11. **Discuss Town Hall Elevator RE: Capital Replacement**

- A. Frank Heald advised that Bay State Elevator has recommended rehabilitation of the elevator within the next couple of years. He said that he is reaching out for second opinions.

12. **Consider Entertainment Permit Request – Pot Belly Pub**

- A. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to approve the Entertainment Permit Application from the Pot Belly Pub. Motion passed unanimously.**

13. **Summer Construction Update**

- A. Frank Heald distributed copies of the Summer Construction Schedule. (Copy attached at end of minutes.) He said that it will be posted on the website and in newspapers. There will also be copies of an 11 x 15 bright green poster posted throughout the town. If the schedule changes, the color of the posters will change. He gave an overview.
- i. Red Bridge will begin soon. We will be replacing the gate house on the dam. Daniels had some equipment problems.
 - ii. Pleasant Street Extension Bridge – replacing the deck. The project will be done by Cold River and run from April 3 to May 5, 2017
 - iii. Branch Brook – deck replacement. Project start on May 15th and take 10 days. This will be a state project and they will handle detours. Local traffic detours will be on Buttermilk Falls Road and Rod & Gun Club Road.
 - iv. Walker Bridge – this will be a complete bridge replacement beginning on June 9 and taking no more than 35 days. Cold River is doing the project and the state will handle inside and outside detour routes. Local traffic detours will be on High Street, Depot Street and Pleasant Street.
 - v. July or up to the Fall – Replace the culvert at the bottom of Hemingway Hill
- B. Frank Heald said they are also resubmitting to the State and FEMA the Commonwealth Avenue Impact and now including utilities. This will not be this summer.
- C. Howard Barton asked about the state paving of Route 103 from Rockingham to Clarendon.
- D. Frank Heald said it has been delayed.
- E. Howard Barton asked why the state will not do the town part as it has done in the past with other towns such as Chester. It is federal money and Ludlow is treated differently.
- F. Bruce Schmidt noted that the state is also not salting.

14. **Department Heads Reports**

- A. Howard Barton advised that all reports are in.

15. **Other Business**

- A. VLCT Memo

i. Howard Barton said there was a memo from VLCT about Conflict of Interest.

B. Ambulance

i. Frank Heald advised that he had met with the Chester Ambulance last week and things are still under discussion. If we go to night coverage, we will need a place for people to sleep.

16. Set Date for Next Meeting

- A. Town Meeting will be on March 6, 2017
- B. Next regular meeting will be April 4, 2017

17. Sign Warrant Orders

- A. Warrant orders have been signed.

18. Possible Executive Session/Personnel/Contracts

- A. Frank Heald advised that one is not necessary.

19. Adjourn

- A. **MOTION by Brett Sanderson and seconded by Bruce Schmidt to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:55 p.m.

Respectfully submitted,

Lisha Klaiber

Howard Barton, Jr., Chairman

Brett Sanderson

John Neal

Bruce Schmidt

Logan Nicoll

**Spring & Summer
2017 Town & Village of Ludlow**

**Construction Timeline For
Town of Ludlow Projects & State of Vermont Projects**

**February, 2017 – Repairs to Gate House on Dam
Red Bridge Dam – Red Bridge Road - Town of Ludlow Project**

- ✓ Repairs to Gate House on the dam
- ✓ Alternate route using East Lake Road

**April, 2017 – Deck Replacement from Tropical Storm Irene Damage
Pleasant Street Extension Bridge (closed for 30-days) - Town of Ludlow Project**

- ✓ Bridge will be closed from April 3rd to May 5th
- ✓ Alternate route using Pleasant Street

**May, 2017 – Deck Replacement
Branch Brook Bridge - Jct of Rte 100/103 North (closed for 10 days starting May 15th) -
State of VT Project**

- ✓ Bridge will be closed starting May 15th
- ✓ Alternating one-way traffic (on the front & back end of construction)
- ✓ Alternate routes using Buttermilk Falls Road to Rod & Gun Club Road

**June, 2017 – Complete Bridge Replacement
Walker Bridge – Main Street (closed for 35 days) - State of VT Project**

- ✓ Bridge will be closed starting June 9th. Anticipated to re-open in July
- ✓ Alternate routes using Depot Street, High Street & Pleasant St
- ✓ Truck routes using Route 11, Route 100 & Route 155 to Route 103

**July, 2017 – Replacement of Old Deteriorated Culvert
Andover Street Culvert Replacement - Town of Ludlow Project**

- ✓ Intersection of Hemingway Hill
- ✓ Andover Street will be one-way traffic during construction

If you would like more information on any of the construction projects, feel free to contact the Ludlow Municipal Office at 802-228-2841 or drop by the office. Updates will be posted on the Town & Village website at www.ludlow.vt.us.