

PRELIMINARY MINUTES

**VILLAGE OF LUDLOW
BOARD OF TRUSTEES**

REGULAR MEETING

6:00 PM

Tuesday December 4, 2018

BOARD MEMBERS PRESENT:

Bob Gilmore, Chairman Earl Washburn

BOARD MEMBERS ABSENT:

David Rose, Vice Chair

STAFF:

Scott Murphy

OTHERS PRESENT:

Alan Couch Alan Isaacson
Chuck Craig Logan Nicoll
Cindy Ingersoll Vincent Guerrero – Okemo Valley TV

1. **Call to Order**

A. Bob Gilmore called the meeting to order at 6:05 p.m., all members present, except David Rose.

2. **Consideration of any Changes, Additions or Removals to the Agenda**

A. Scott Murphy said no changes are needed.

3. **Approve Minutes from Previous Meetings**

A. Bob Gilmore advised that minutes to be reviewed are from November 5, 2018 – Special Joint Meeting, November 6, 2018 – Regular Meeting and November 14, 2018 – Special Joint Meeting

B. **MOTION by Earl Washburn and seconded by Bob Gilmore to approve minutes from the meetings listed above as submitted. Motion passed unanimously.**

4. **Comments From Citizens**

A. Alan Couch said that he had attended the Dine Down Depot event and said it was a great event, attended by 31 people and recommended that the Trustees approve similar events in the future. He heard that the organizers may be planning one in the spring.

B. **Sidewalks**

i. Logan Nicoll voiced concerns about the sidewalk on Pond Street Court. He said it had been damaged by a sidewalk plow.

- ii. Scott Murphy said there is a priority list and he will put Pond Street on the list.
- iii. Bob Gilmore asked Scott Murphy if a request had been made to the Select Board for assistance.
- iv. Scott Murphy said yes, and it was successful.
- v. Logan Nicoll said he is in favor of helping the village with the sidewalks.

5. **Adoption of Local Hazard Mitigation Plan (LHMP)**

- A. Scott Murphy advised that the Cindy Ingersoll from the Regional Planning Commission has been assisting the town with the LHMP and was at the Select Board Meeting last night. The previous plan had expired and we needed to submit a new plan to FEMA. Our new plan was approved by FEMA, pending approval by the town Select Board and Village Trustees. Once a certificate of adoption is signed, the plan will be sent back to FEMA and then FEMA will send a letter of approval.
- B. **MOTION by Earl Washburn and seconded by Bob Gilmore to sign the certificate of approval. Motion passed unanimously.**
- C. Cindy Ingersoll said that she will scan the certificate and get it back to FEMA. In the interim, the town and village are covered.

6. **Village Trustees to Receive Proposed Amended Zoning & Flood Regulations and Possibly Set Date for Public Hearing**

- A. Scott Murphy advised that the Select Board had asked the Planning C
- B. Alan Isaacson advised that, in their packets, the board members have copies of the regulations with revisions highlighted. The Planning Commission came before the Select Board and the Village Trustees about 5 to 6 months ago with Interim Zoning that totally excluded drive-in/drive-through windows. The Select Board asked them to come back within 6 months with final changes. The packet also includes an Executive Summary describing the changes. Alan Isaacson read the executive summary:
 - Add “Drive-In” to “Drive-Up/Drive Through” use definition
 - Remove “but not limited to” from all references & definitions to eliminate confusion
 - Exclude “Drive-In/Drive-Up/Drive Through” from all Restaurant/Bar uses in Zoning Districts
 - Change “Family” to “Unit” in all dwelling types to be consistent with current norms
 - Add and/or modify definitions to exactly match wording in Permitted and Conditional Uses in Zoning Districts
 - Remove “Retail Store” from Conditional Uses where “Retail Use/Retail Service” is already included as store is included in the use/service definition
 - In Village R-C Only remove “Senior Housing” as it is already included as part of “Health Care Facility” and “Specialty Craft Shop” as retail store is part of “Retail Use/Retail Service”
 - Add Affordability requirement for Housing Developments
 - For new developments, 15% rounded up for 10 units or more and for modifications or amendments to existing permits, additional units have to meet 15% requirement of additional units. Units to stay affordable in perpetuity.
 - A developer may choose to provide up to 35% (total) of the original unit count as affordable. If there are additional (above the 15% required) affordable units added

under this provision, the developer may add one additional full market rate unit for every one affordable unit added to the project.

- C. Bob Gilmore asked if there is an affordable housing requirement in the current zoning.
- D. Logan Nicoll said it has been discussed, at length over the years.
- E. Alan Isaacson said the Planning Commission is requesting that the Trustees to schedule a public hearing for the changes.
- F. **MOTION by Earl Washburn and seconded by Bob Gilmore to accept the changes and to schedule a public hearing on January 8, 2019 for changes to the Village Zoning and Flood Hazard Regulations. Motion passed unanimously.**

7. **Review & Possibly Amend Village Vendor Ordinance**

- A. Scott Murphy advised that the existing Vendor Ordinance was passed in 2008. He said there was a recent application from a local business for a 1-day permit to try a food cart. It was successful and the applicant came back to the rest of the 150 days season. She paid \$250 plus the bond fees. It is now expired and she had met all of the required conditions.
- B. Bob Gilmore said that he would like the Trustees to have more input on vendor permits. They should be part of the approval process.
- C. Scott Murphy said he can put together some new language for their next meeting or they can approve it tonight pending changes.
- D. Bob Gilmore said that David Rose is not here tonight and he would prefer to wait for the next meeting.
- E. Scott Murphy asked the board to send him any suggestions for the new language.

8. **Review & Possibly Amend Village's Road Cut Permit**

- A. Scott Murphy said there was an issue this past summer where the cut was open all summer and the Select Board wanted the language changed to prevent this from recurring. The Select Board made some recommendations and he incorporated them into the language. They adopted the new permit last night. Listed below are changes:
 - i. Repaving shall be completed within seven (7) days of opening the pavement cut and must be inspected and approved by the Highway Foreman or other authorized Town/Village representative.
 - ii. The Highway Foreman may require that a member of the Highway Department or other authorized Town/Village representative be present during the work...
 - iii. A follow-up inspection is required and all work shall be done to the satisfaction of the Highway Foreman or other authorized Town/Village representative.
 - iv. BOND: Each application for a permit will also be accompanied by a performance bond/deposit in the amount of \$2,500...
 - v. Please make your check in the amount of \$2,550 payable to... (This includes a \$50.00 non-returnable fee.
- B. **MOTION by Earl Washburn and seconded by Bob Gilmore to accept the changes to the Road Cut Permit as presented. Motion passed unanimously.**

9. **Possibly Approve Municipal Manager's Review & Salary Adjustment**

- A. Bob Gilmore advised that changes to the Municipal Manager's salary were approved at the Special meetings in November.
- B. **MOTION by Earl Washburn and seconded by Bob Gilmore to approve the adjustment to the Municipal Manager's salary as agreed upon at the Special Joint Board meetings. Motion passed unanimously.**

10. **FY2020 Budget Workshop**

- A. Scott Murphy advised that this would not be needed until the January meeting.
- B. Bob Gilmore tabled this until January 8, 2019.

11. **Municipal Manager Updates**

- A. **Blattner Energy**
 - i. Scott Murphy advised that the lease that Blattner Energy had for Stearns' Pit had expired and they are using the municipal lot for parking. There are about 5 trucks parked overnight and 15 during the day. There have not been any issues. They anticipate the project being online by December 20th.
- B. **Andover Street House**
 - i. Scott Murphy advised that owner and their insurance company have reached a settlement and the owner has received a check. They plan to rebuild and have started to board up the building and get the heating on. They are also planning to sell it.
 - ii. Bob Gilmore asked if Scott Murphy had seen any building plans. He recommended that they should be required to put up some kind of barrier because that is such a risky location.
 - iii. Earl Washburn suggested re-enforced concrete.
 - iv. Bob Gilmore said he will speak to Rose Goings about it.
- C. **Commonwealth Stone House**
 - i. Scott Murphy advised that on Thursday, he will be visiting the house with a structural engineer, Todd Hindinger, to assess the extent of the damage. They did go into the house and Mr. Hindinger was shocked at the depth of the explosion. He wants to inspect the basement.
- D. **Financial Status**
 - i. Scott Murphy advised that expenses are at about 40%. We are in good shape.

12. **Other Business**

- A. **Walk-Bridge by La Mere Square**
 - i. Bob Gilmore said the bridge needs maintenance and asked who is responsible for it.
 - ii. Scott Murphy said he walked it twice and it does have issues. He said that no one seems to know who is responsible and he will check into it and let the board know.
 - iii. Bob Gilmore suggested that he contact Rick Trainer.
 - iv. Scott Murphy said he will.
- B. **Stop Sign at Pleasant and Andover Streets**
 - i. Bob Gilmore asked about repairs to the stop sign.
 - ii. Scott Murphy advised that there is a temporary sign there. He said he will talk to Ron Tarbell.
- C. **Conflict of Interest Policy**

- i. Bob Gilmore advised that this has to be done by June.
- ii. Scott Murphy said he will put it on the agenda for the next meeting.

13. **Set Date for Next Meeting**

- A. Meeting set for Tuesday, January 8, 2019 at 6:00 p.m.

14. **Possible Agenda Items for Next Meeting**

- A. Review & Clarify Sewer Allocation Fees

15. **Sign Warrant Orders**

- A. Warrant orders were signed.

16. **Possible Executive Session/Personnel/Contracts**

- A. Scott Murphy said that an Executive Session is not needed.

17. **Adjourn**

- A. **MOTION to adjourn by Earl Washburn and seconded by Bob Gilmore. Motion passed unanimously.**
- B. Meeting adjourned at 6:33 p.m.

Respectfully submitted,

Lisha Klaiber

Robert Gilmore, Chairman

David Rose

Earl Washburn