

Ludlow Planning Commission
Meeting Minutes: Regular Meeting
October 15th, 2024
6:00 p.m.

Regular Meeting

I. Call to Order:

The Regular Meeting of the Ludlow Planning Commission was called to order on Tuesday, October 15th, 2024 at 6:00 p.m. at the Ludlow Town Hall in Heald Auditorium by Theresa Gurdak-Carter.

II. Roll Call by Secretary:

Board:

Theresa Gurdak-Carter,
Jean Strong,
Judith Pulinen,
Ryan Silvestri

Board Absent:

Ted Stryhas

Recording Secretary:

Abigail Childs

Public:

Eric Alden,
Jason Rasmussen,
Malia,
Scott Baitz

III. Opening Statement by Chair

1. Terry Gurdak Carter reads the Statement as the Chair of the Board.

IV. Considerations of any Changes, Additions, or Removal to the Agenda

1. N/A

V. Comments from Citizens

1. N/A

VI. Approval of Minutes

1. September 17th, 2024
 - a. Will review next month when the Recording Secretary is available.

VII. Rules of Procedure

1. Waiting to review the Rules of Procedure until next month because Ted Stryhas is not in attendance.

VIII. Neighborhood Development Areas

1. Looking at the ¼ mile radius map and the requirements to submit an application.
2. Jason Rasmussen and Malia are present at the meeting today to help us with this.
3. Terry Carter says that we will decide if we want to go to the Trustees and the Select Board prior to a Public Hearing.
4. Jason Rasmussen says it is a bit complicated and there are some steps to take, but tonight he wants to talk about the maps specifically, and we do not meet all of the requirements right now. There are specific zoning pieces that they are looking for like complete streets or road-related standards, etc. He wants to try to figure out where in town do we think this NDA should be and that will allow us to get a better handle on where the zoning changes will be. He notes Malia has prepared draft maps to review. The map shown on the screen is the designated village center in the pink area. There is a strange outline surrounding which is the ¼ mile buffer. We are in a transitional period where Act 181 was passed last year and it created Act 250 exemptions. The interim exemptions are currently in the circled area. He wants to look at infrastructure that might make that shape change and will ultimately be the NDA area but it will lead into this future land use mapping part.
5. Ryan Silvestri says regarding the Act 250 exemption areas, are those going to be sunset? Rasmussen confirms they will be sunset in 2027 and will be in place for a couple of years until the key metric of the original plans are brought up to speed with the new law and the new designation programs are going to take some time. Rasmussen says we can wait until all that happens, but he thinks we shouldn't wait and do the NDA part to get it down beforehand to benefit property owners.
6. Rasmussen says the green area on the map is the rough area we are referring to that could be a possible NDA area.
7. The application does not want river corridors, which is why there is a weird strip in the middle of the green area. In general, we want to talk about the green areas tonight and whether or not this is the right area we want for this. The primary benefit is the Act 250 exemptions. Tonight, we are allowed to choose where this goes.
8. Terry Carter says there is no grant money, but NDA areas may be prioritized for grants. Rasmussen says he believes there isn't grant money specifically but you get "bonus points" for certain grants... you get priority for municipal grants, there is pilot funding for tax credits that would come with it, but mostly it is the Act 250 exemption stuff. There are financing pieces that a housing developer could take advantage of, but it's not a grant. It would be affordable housing.
9. Terry Carter asks if workforce housing would be considered affordable housing. Rasmussen says he doesn't think it qualifies, but there are Act 250 exemptions where it doesn't matter... like for houses up to 75 units.
10. Ryan Silvestri asks if the exemption would mean a developer would go through the permitting process and have a 2-year start before breaking ground. Rasmussen says he isn't sure. Silvestri says if you need substantial progress before 2 years, it may put a pinch on this opportunity. Silvestri asks if there is any way to shift the bubble on the map... he notes Orion and the neighborhood branch area and if that bubble can include further East down 103. Rasmussen says we can shift by pulling the line in and pushing the line out where those neighborhoods are. He says we need to think about the ability to make new housing with subdividable lots and space.
11. Terry Carter asks who owns the field behind Orion Ave. Rasmussen notes there are two new houses being built there. Silvestri notes it is a three-lot subdivision.

12. Rasmussen says Malia reminded her of other maps. The first map is a draft idea of where the NDA could be but they do have others that show details of steep slopes, zoning, etc. Terry Carter asks if it has to have water and sewer, and Rasmussen says it is not totally limited to where water and sewer are, but that is where they started and they can expand out from there.
13. Judy Pullinen says regarding flood zone, can that be included in the NDA or do we have to work around that? Rasmussen says the short answer is yes, we need to either exclude the flood hazard area and the river corridor or if the town is regulating them, we can do either. Terry Carter says she has finished the flood hazard regulations we are just waiting to bring them to the town. Rasmussen says we can add areas back onto the map, but for draft purposes, we should leave them off. Terry Carter asks the board what they think. Judy Pullinen says she feels it is not smart to put housing in the flood hazard zone because people could lose their homes, but the other side is she isn't sure where to put the houses because there isn't a lot of viable, buildable land in the Village.
14. Ryan Silvestri says he thinks building anything near water that is new, he has lost sympathy for that. When he looks at the tax maps, how can we manipulate the shape or density to areas that are developable? If we pulled down the northwestern quadrant, and move it more toward Depot Street... that could be an option. Silvestri notes there is a landlocked parcel that the town owns with a water tower and it's a parcel area he would like to grab, so we should push it into the town as much as possible because there isn't space in the village to do it. Terry Carter asks if it is hilly there, and Silvestri says it is but once you get to the top it flattens out. On Commonwealth Avenue, there are Country Ridge and Old Village Lane with developments that are all 1-1.5/2 acre lots but a good deal of them are vacant and they have been for sale forever. Silvestri thinks they should try to be included in this area on the map. Malia confirms these lots have sewer, but not water.
15. Rasmussen says these are great ideas and asks if there are other areas that we could capture too. This is a good brainstorming session to think big. He notes there will have to be pedestrian accommodations, but let's not get too hung up on this tonight.
16. Silvestri says the area off of the Okemo Blue Lot near Okemo Acres or Witalech Road could be a good area to move into. Below the base lodge area, there is a bunch of vacant land owned by Burns.
17. Judy Pullinen says that in Lawridge Heights there are only two houses there. Ryan Silvestri says there is a whole lawsuit going on there. Rasmussen says some of these are right next door, so it's not crazy to grab them. Silvestri asks if the line has to encompass the entire parcel. Rasmussen says let's not worry about the details. Silvestri asks if it only captures a corner of the lot, and does it capture the entire lot to fall under the exemption. Rasmussen says probably not under the interim exemption, but let's assume it will be the whole lot.
18. Silvestri says Lawridge Lots does have a lot of vacant parcels and falls into the Okemo Heights issue down at the end. He realizes that both Lawridge and Okemo Heights are included. There are 9 vacant lots on Lawridge Heights.
19. Ryan Silvestri says that the large lot owned by Mike Cerina is also part of a subdivision.
20. Rasmussen notes that purple shows steep slopes, so the entire area doesn't have to be developed.
21. Rasmussen prefers to look at a map with rough areas of expansion and then make changes regarding zoning. He thinks we need to adjust the language for the zoning to a level we are comfortable with what makes sense and how far out from the village does it make sense to include that language. For now, getting a sense for where we want to see housing is a good start.
22. Rasmussen will be back next month with maps and changes.
23. Silvestri says off Plumley Ave you can get there from Town Farm, Bear Ridge, and the Partridge Road does go in there with vacant lots that are already split off but it is very steep and it is not an

area where pedestrian spaces could be... so it doesn't make sense to include it. He thinks going as far East down 103 as possible and including the Blue Lot, and the two parcels around the base lodge is a good start.

24. Judy Pullinen suggests McGinnis Drive. Silvestri thinks it is too far because if you keep going East, you'll see the big industrial space where Jeldwyn is... it's a far cry.
25. Rasmussen says that Pleasant St. Extension area was included but not above the railroad tracks. Silvestri thinks those areas are not developable anyway.
26. Rasmussen asks if the Freedom Hill area should be included, and Terry thinks no. Silvestri thinks to get there you are including all of that floodway like Sam's, Darcy, Subway, etc.
27. Silvestri says Country Ridge off Commonwealth and land off Gill Terrace.
28. Eric Alden says we shouldn't only consider areas where something is already there... like Pot Belly, Happy Trails, Fox Run, etc. Alden asks how attractive is all of this after the exemptions go away. Rasmussen says he doesn't think the exemptions will totally go away, but we will still have a regional growth plan area so this temporary period won't just go away. The shape might change, the details may change, the state rules may change, but it won't go away. He is more interested in where Ludlow folks think there should be more housing. It can be redevelopment of existing houses.
29. Rasmussen says there will be some zoning distress based on what we talked about tonight.
30. Terry Carter says we haven't been able to get the Trustees and Select Board together to do the housing workshop with Rasmussen and invite them to the December meeting.
31. Ryan Silvestri notes Parker Avenue is already in the zone. Jean Strong asks to go more northwest could be a spot to include.
32. Regarding cul-de-sacs, Rasmussen says they prefer having thru-streets but there may be things like walking paths to make it work.
33. Rasmussen says how can we do the things that will make the application go through and then we can work on them.
34. Judy Pullinen says regarding the garages facing the streets, there isn't enough space to make it work or it is harder to do. Silvestri says it's a way to say fewer garages and more living spaces.
35. Rasmussen says garage doors are OK, they just don't want it to be the most prominent piece... so they can be tucked off to the side and not the main focus.
36. Ryan Silvestri says his biggest questions are as a developer, is this just for the permitting process or is this a waste? He also asks about the corner of a parcel being included. Rasmussen says he will get back to us.

IX. Town Zoning

1. Section 221: Applications
 - a. "If land development has not started within one year from the date of the issuance of a zoning permit for a permitted use..." This has changed in Village and we needed to change due to a state requirement. It should add "...and the zoning permit shall expire on the anniversary date of the issuance."
2. Section 221.5: Limitations and Exemptions
 - a. Tabled until the December meeting.
3. Section 224: Expiration of Permit
 - a. The entire 2nd paragraph of town zoning has to be changed to match the village zoning paragraph because of the state-issued change.
 - b. **Terry Carter motions to change the Town Zoning to the Village Zoning for the expiration of permit. Ryan Silvestri seconds. Judy Pullinen asks to confirm what we are striking. Terry Carter confirms. All approved. Motion Passed.**

4. Section 227: Certificates of Occupancy
 - a. The last sentence of the first paragraph is under #1 except for home occupations with no structural changes. Ryan Silvestri re-reads item #1 regarding the Certificate of Occupancy. Terry Carter notes the Town's is much more detailed than the Village. The Town includes #1 and #2 in the Village Zoning.
 - b. Judy Pullinen says #2 in the Village is the same 2nd sentence as the Village's but the difference is in the home occupation piece. She says if there are exceptions we can't lose them.
 - c. Carter says the change to the end of #2 regarding as-built construction drawings for the Village Zoning was added and is not in the Town Zoning.
 - d. Judy Pullinen thinks we should use the Village Zoning except for the single-unit dwellings listed under Section 220.
 - e. Ryan Silvestri thinks we should use the current Village Language #1 and #2 to replace the town but add in exemptions under single-unit dwellings listed under Section 220.
 - f. Terry Carter adopted the language of Section 227 in the Village except for the exemptions of the single-unit dwellings.
 - g. Judy Pullinen reads "Certificates of Occupancy: adopt the language of Section 227 of the Village as the language of the Town's 227 with the addition of "and the exceptions for single-unit dwellings listed under Section 220" in the first sentence."
 - h. Terry Carters says the motion can be to adopt the language of Section 227 Certificate of Occupancy of the Village Zoning to the Town Zoning but add the exceptions for single-unit dwellings listed under Section 220. Terry Carter withdraws her motion.
 - i. Ryan Silvestri says he is going to do this in the form of two motions.
 - j. Ryan Silvestri moves to amend Section 227 of the Village Certificate of Occupancy Section 1 to include "structural changes" and "exemptions for single-unit dwellings under Section 220". Seconded by Judy Pullinen. All approved. Motion passed.**
 - k. Silvestri says we are simply amending the Village and adopting the Village language for the Town's Zoning.
 - l. Ryan Silvestri moves to replace Section 227 of the Town Certificate of Occupancy with Section 227 of the Village's Certificate of Occupancy. Seconded by Jean Strong. All approved. Motion passed.**

X. Next Month's (and December's) Agenda Planning

1. Section 225: Admin Review
2. Section 260: General Standards
3. Section 290: Affordability Requirement
4. Section 221.5: Limitations and Exemptions
5. Affordable Housing Options
6. Terry Carter suggests we invite the Select Board and Trustees to see the Housing Study that Regional did and also bring up the NDA discussion. She thought it included grants, not just the priority so she thinks we may pass on it.

XI. Other Business

1. Board Member Comments
 - a. Terry Carter did submit the proposal to the EPA to put a bike trail through town with a dedicated parking lot, bikes to loan, a river walk, and incorporate our sidewalks to view the river in different places, mainly bridges. The deadline is 10/16/24.

- b. Judy Pullinen says at our last meeting she spoke about going to Brattleboro to see some of the flood mitigation things they did there. She says they are having a meeting on 10/16/24 and will keep us updated on what happens.
2. Citizen Comments - N/A

XII. Adjourn

1. **Terry Carter motions to adjourn. Jean Strong seconds. All approved. Motion passed.**
2. The Planning Commission Regular Meeting was adjourned at **7:13 p.m.** on Tuesday, October 15th, 2024 by Terry Gurdak-Carter.

Minutes submitted by: Abigail Childs

Minutes approved by: