

Ludlow Planning Commission
Meeting Minutes: Public Hearing & Special Meeting
February 22nd, 2024
6:00 p.m.

Public Hearing

I. Call to Order:

The Public Hearing of the Ludlow Planning Commission was called to order on Thursday, February 22nd, 2024 at 6:03 p.m. at the Ludlow Town Hall in Heald Auditorium by Theresa Gurdak-Carter.

II. Roll Call by Secretary:

Board:

Theresa Gurdak-Carter,
Ryan Silvestri,
Ted Stryhas,

Recording Secretary:

Abigail Childs

Public:

Eric Alden,
Jarrod Jowdy,
George Tucker Jr.,
Jason Rasmussen,
Steve Meyers,
Rosemary Goings,
Chris Callahan

Board Absent:

Judy Pullinen

III. Public input welcome on the modernization of Ludlow's Village Zoning and Flood Hazard Regulations:

1. New Sections - No public comments
 - a. Section 255, Administrative Review
 - b. Section 290, Affordability Requirements
 - c. Section 425, Village Residential-2 (new zoning district)
2. Modified Sections - No public comments
 - a. In Article 1, Section 140
 - b. In Article 2, Sections 220,222.1, 221.5, 224, 226, 227, 260, 260.3, 270.5, 280, 290
 - c. In Article 4, Sections 410, 420, new sections 425 and 430 (including supplemental standard for outside dining and curbside pick-up)

- d. In Article 5, Section 510.1, 510.3, 520.2 (eliminated), 520.3, 520.8, 530.1, 530.3, and 540, 540.3, 540.4, 540.5, 550, and new section 550.9
- e. In Article 7, a new number of new definitions were added, d definitions that weren't used in the document were eliminated, and many existing definitions were revised.
- f. Minor clarifications and corrections were made throughout the document.

IV. Bylaw Changes

1. Sign Regulations/Prohibited Signs:

- a. Rosemary Goings comments about sign regulations. She thinks we need to amend and add them to the packet regarding statutes of sign regulations. The indoor sign regulations may need to be tweaked a little. Rose talked with Ryan Silvestri about it. Some of the regulations do talk about exterior LED signs, but she has been noticing the inside windows have neon and LED lights flashing and oscillating and completely obnoxious. She feels that we may need to make a change to that also in our sign ordinance because she thinks it has gotten out of control. When she was driving through town, she said she looked up and saw that there were lights out of control and it looked like Vegas. She asks if the statutes are grandfathered to be inside the windows instead of being covered by our sign ordinances. She wants to be able to say they can't be there now.
- b. Terry Carter asked if it was already a state statute, and Rose Goings confirmed they were already there. It's not just our regulations, it is also the state statute regulations and why she wants the white LED lights removed.
- c. Terry Carter asks if she wants to open Village Zoning and adjust it. Rose Goings says it needs to be updated to include indoor instead of just outdoor.
- d. Rose Goings says the state statute covers all of them, but we need to add something about the window lights facing out, specifically the LED scrolling, and flashing lights.
- e. Terry Carter asks if section "D" covers it. Rose says we still need to add it.
- f. Ryan Silvestri suggests adding "All these prohibited signs are also applicable to lighting on the interior of the building".
- g. Chris Callahan suggests including "inside the window which may attract attention" and put it after the first sentence under Section 540.3: Prohibited Signs.
- h. Ryan Silvestri suggests adding "...no sign may be installed on the interior or exterior of the building..."
- i. Ryan Silvestri asks Chris Callahan if it is too vague, and Terry Carter thinks it is all-encompassing. Chris doesn't think it is vague if it is interpreted that way by the Zoning Administrator.
- j. Terry Carter asks Rose Goings if there are any other changes before bringing this to the Trustees.
- k. Jason Jowdy notes the section above about "exempt signs that are indoor and not internally lit" (Letter G). He is wondering if under 540.4, since we are adding interior and exterior at the beginning, are all of the items about signs?
- l. Ryan Silvestri says we aren't just talking about signs, we are talking about holiday lights.
- m. Rose Goings says the LED Christmas lights are the worst and the ones that are oscillating and scrolling and moving... those are the ones that are out of control.
- n. Rose Goings says lighting is under the sign regulations and there is no lighting section.
- o. Letter E is the problem, says Rose Goings.
- p. Jason Jowdy notes signs with profanity, stable signs, fixed to the ground, etc. means the addition makes it applicable for all signs. Is that what we want?
- q. Chris Callahan suggests adding to G: "...Indoor window signs that are not internally lit that are not otherwise prohibited."

2. Accessory Dwellings:
 - a. We need to put in the “A” and “B” parts, says Terry Carter.
 - b. An accessory dwelling is a distinct unit that is clearly subordinate to a single-family dwelling
 - c. We need to include A: the property has sufficient wastewater capacity.
 - d. Jason says the difference is that state statute has changed. At the beginning, “pertinent to” can be struck.
 - e. Terry Carter added, “unit that is clearly subordinate to a single-unit dwelling” and removed “clearly subordinate to”.
3. Flood Section:
 - a. Terry Carter says we haven’t made any changes but we do need to take a look at the section and redo it eventually. Rose Goings wanted to make sure we added some of the information that came out about fuel tanks and above-ground fuel storage.
 - b. Rose Goings says it is so far off that we should update it.
 - c. Rose Goings said our regulations are so far off that none of the gas companies will follow what our regulations say. We can’t help people with what to do with gas tanks in the flood zone and they will just do what they want to do. She pulled the FEMA regulations and the state regulations and Jarrod Jowdy pulled others that are all in the packet. Rose Goings says we are not sure which ones to follow and we have a couple of floodplain managers helping us out.
 - d. Jason Rasmussen says the issue is that the requirement now is that the tank is raised a foot above and the gas people will not fill the gas tanks because they are way too high, around 5ft high. Jason says we whether strike out the part about being a foot above base elevation and say it needs to be anchored instead.
 - e. Rose Goings thinks anchoring them is the best-case scenario until we can change it.
 - f. Terry Carter deletes the first clause above “...being one foot above base flood elevation and..”
 - g. Rose Goings agrees.
4. Steve Meyers asks what the point of limiting the ADU to 900 sq. ft. and he says it is not a whole lot of land. He says why would you limit that if it was able to fit on the lot with setbacks, and wastewater, why limit it and not get more housing out of it?
 - a. Ryan Silvestri asks Jason Rasmussen if that is a state statute, and Jason says it is and the village could go bigger but we can’t go smaller. 900 sq. ft. is the minimum and we can’t go under it.
 - b. Terry Carter says we are already changing zoning regulations to increase space. Terry says we don’t need houses that are \$500/night in Ludlow and Ryan Silvestri says that is not necessarily the use of the building. Trustees didn’t want to go ½ acre in the village. Terry is not in favor of changing it and thinks it will ruin the village. Ryan says most of them are already there and most of them will be converted and it will just be a change of use anyway.
 - c. Ryan Silvestri says all you have to do is connect the auxiliary unit to the primary and it's not an ADU.
 - d. Jarrod Jowdy says that it is his understanding - is it 30% or 900 sq. ft and whichever is greater? In other words, we are allowing smaller units to have larger ADUs to a point.
 - e. Ryan Silvestri asks can you flip the primary structure? Rose Goings says you cannot flip the primary, you always have to have a primary structure. Jarrod Jowdy says you would end up with something that is greater than 30% of the main dwelling. It wouldn’t be conforming and against regulations. Ryan asks if the ADU can now be the primary at

1,000 sq. ft. and the barn is 3,000 sq. ft. and if they can be flipped. Jarrod says it would be under review for septic, etc.

- f. Jason Rasmussen says whatever comes first, the primary or the accessory. The question is, can you buy a small little house and then build a bigger house right next to it? He isn't sure of the answer.
- g. Chris Callahan thinks you can do that as long as it is on the same lot. The initial purpose was an inlaw apartment, and it snow expanded as another dwelling unit due to the housing crisis so they expanded the definition of the ADU.
- h. Rose Goings says the ADU if it is smaller, is not a primary. Chris says you can just swap which is which and people used to do it all the time and then rent out the smaller one.
- i. Ryan Silvestri says there is a huge housing crisis. Terry says it isn't a housing crisis it is an affordability crisis.
- j. George Tucker says the case that happens in today's world is a rare occurrence regarding the swap. You would have to build a much bigger unit, so in theory, it can work and he doesn't see a way in which that wouldn't be possible, but he doesn't think you would see someone build at 2,500 sq. ft. and build a 7,500 sq ft.
- k. Ryan Silvestri brings up the tiny house issue.
- l. George Tucker Jr. asks if you then name the tiny homes as units. The new zoning is five units, per Terry Carter.
- m. Ryan Silvestri is fine is 30% and the 900 sq. ft. and a number of avenues with that. But he thinks the board should encourage more housing.
- n. George Tucker Jr. says he doesn't know what the answer is, but thinks the state putting out a blanket statement is a far thought. He says the consensus is you could have someone buy an entire street, and build up 5 new complexes with 5 parking spots.

V. Adjourn the Public Hearing

- 1. Ryan Silvestri motions to adjourn the meeting. Ted Stryhas seconded the motion. The public hearing was adjourned at 6:41 p.m. by Theresa Gurdak-Carter.
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Special Meeting

I. Call to Order:

The Special Meeting of the Ludlow Planning Commission was called to order on Thursday, February 22nd, 2024 at 6:41 p.m. at the Ludlow Town Hall in Heald Auditorium by Theresa Gurdak-Carter.

II. Roll Call by Secretary:

Board:

Theresa Gurdak-Carter,
Ryan Silvestri,
Ted Stryhas,
Judy Pullinen

Recording Secretary:

Abigail Childs

Public:

Eric Alden,
Jarrod Jowdy,
Steve Meyers,
Rosemary Goings

Board Absent:

Judy Pullinen

III. Opening Statement by Chair

1. The public is encouraged to join in.

IV. Considerations of any changes, additions, or removals to the agenda

1. None

V. Approval of Minutes

1. January 23, 2024
 - a. Terry Carter notes Section 5 - Letter J: change to "Riparian Buffers"
 - b. Terry Carter notes the next meeting is February 22nd not 20th
 - c. Jarrod Jowdy suggests the use of last names in the minutes.
 - d. Terry Carter motions to accept the minutes as amended from January 23rd. Ryan Silvestri seconds. All in favor.

VI. Comments from Citizens (5 minutes)

1. None

VII. Planning

1. Meeting Norms
 - a. Judy Pullinen suggests to start on time and end on time and adjusting the ending time to 7:30
 - i. Ryan Silvestri thinks that a meeting ends when it ends and not to call it early because we need to get business done.
 - ii. The board agrees to agree to start on time.
 - b. Judy Pullinen suggests showing respect to each other, the public, and citizens
 - i. Terry Carter thinks we already do that
 - c. Judy Pullinen suggests that everyone reviews materials before the meeting.
 - i. Ryan Silvestri thinks there needs to be more cohesion between the planning office and this board on preparing documents because he gets many different copies. He thinks the meetings are disjointed and we could meet on time.
 - d. Ryan Silvestri notes that going through the grant there were times to meet with the lawyer and Martha outside of the meeting, but he felt that the board was not getting the full context of the meetings outside of here, especially Chris Callahan. He thinks that the meeting should have been with the whole board and not a one-on-one.

- i. Terry Carter says that next time we will get stuff like that done ahead of time and avoid as much as possible to not having one-on-ones outside of the board because we are not getting the information firsthand.
 - e. Ryan Silvestri says we need more guidance from the select board, trustees, and zoning and we should know what their issues are, what holds them up, etc.
 - i. Terry Carter says we did invite all the Trustees and Selectboard to our meeting.
 - f. Judy Pullinen adds once a decision is made by the board, we support it.
 - i. Terry Carter says sometimes we backtrack and need to look at it again.
 - g. Judy Pullinen adds to try to attend in person as much as possible.
 - h. Ryan Silvestri asks if these are going into our rules of procedures and Terry Carter says no. Ryan Silvestri says he thinks he has disagreed and then comes along and says this is the direction of the board and if we are not disagreeing, what are we doing? Terry Carter agrees.
 - i. Our new meeting norms include:
 - i. Limit outside meetings with contractors or consultants.
 - ii. Try to attend in person whenever possible.
 - iii. Start our meetings on time.
- 2. Survey Results
 - a. This is something Andi wanted us to do, and we should come to some general conclusions to guide us.
 - b. Ryan Silvestri thinks after March, we should share these survey results with the new boards again and give them a sense of pulse on the community regarding those questions. Terry Carter agrees and she has done that.
 - c. Terry suggests we come up with a statement about what we learned from our survey.
 - d. 50% of the responses were out-of-state but they are moving here and retiring here and come here more and more.
 - i. Parking in Ludlow:
 - 1. Rose Goings says Jason did a survey and we have 152 parking spaces in the village for the public and includes the leased parking spaces.
 - 2. Ted Stryhas says some of them are private and we use those spots as well. These don't count in the overall 152 spaces.
 - 3. Rose Goings says Pot Belly owns so much parking there and she wonders if people sneak back there to park.
 - 4. Ryan Silvestri asks what structures are able to be built in the flood hazard, an example is Brookhaven, and how high on piers can you go? Rose Goings says in a floodplain you can build up, and in a floodway, you can't build at all. Ryan says we need more conversation on elevated structures to put parking underneath and if they make sense or alleviate. He says that putting barricades around Shaws is one thing, but putting Shaws on stilts could be better.
 - 5. Terry Carter says we need to share this information more.
 - 6. The #1 is a new municipal lot, parking garage was #4.
 - ii. Public Transportation
 - 1. People voted against being shuttled.
 - iii. Housing options for the village:
 - 1. 77% of people said there isn't enough.
 - 2. Two to three-bedroom apartments had the vote.
 - iv. Zoning regulations advise for:
 - 1. Allow for bike structures

- v. Steve Meyers says the survey for the people vote on things they essentially don't know about. They are great ideas on paper but we don't necessarily have the place for these ideas. It's great to have the public's opinion, but it doesn't weigh the same to him as people who can't get to the meetings. Terry Carter says it was part of our grant to see people's opinions. Ryan Silvestri says a survey can validate an idea and if the survey doesn't validate it.. well then it becomes a tool. They are opinion-based and fact-based. If new ideas come up and are feasible, and a survey backs it up, he thinks it's great.
 - vi. Expanding housing units:
 - 1. 70% was incentives for building affordable housing, which the state has offered us.
 - vii. Short-term rental registry
 - 1. 60% voted yes.
 - 2. Over 80% think there should be an annual fee and spent on housing.
 - 3. Ryan Silvestri asks how this would work, and the town would be a landlord. Terry Carter says she attended a meeting and there is a job for towns to establish a website and get incentives for affordable housing. Ryan says we take that money to support developers. Terry says it would direct funds to the kind of housing on Rubilee Lane.
 - viii. Long-term rental registry
 - 1. 40% voted no.
 - ix. Pedestrian Infrastructure improvements:
 - 1. 28% want sidewalk improvements and where they would like to have them. Ryan Silvestri notes about Pleasant St. Extension.
 - x. Disability Parking
 - 1. 60% voted yes.
 - xi. Bike racks:
 - 1. 60% voted yes.
 - xii. Terry Carter likes Ryan's idea about sharing at other meetings.
3. Settings Goals for the Year
 - a. Article 6: Flood Regulations
 - b. The Municipal Planning Grant can be scratched because that is not what we are working on right now.
 4. Rules of Procedure: they said we can't have an alternate on the board. Steve Meyers says that the ship has sailed. He said that they also said they couldn't have even numbers on a board. The Selectboard said you have to have an alternate. In April there will be a reorganization.

VIII. Other Business

1. Business Member Comments
 - a. None
2. Citizen Comments
 - a. None

IX. Adjourn the Public Hearing

1. Terry Carter motions to adjourn the meeting. Ryan Silvestri seconded the motion. The meeting was adjourned at 7:12 p.m. by Theresa Gurdak-Carter.

Minutes submitted by: Abigail Childs

Minutes approved by: