

Ludlow Planning Commission
Meeting Minutes: Regular Meeting
September 17th, 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, September 17th, 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,
Ted Stryhas,
Judith Pulinen,
Ryan Silvestri

Board Absent:

N/A

Recording Secretary:

Abigail Childs

Public:

Eric Alden,
Noah Schmidt,
Martha Harrison.

III. Opening Statement by Chair

1. N/A

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

1. N/A

V. Comments from Citizens

1. Judy Pullinen informs the board that last Friday, a group was invited to go to Brattleboro for floodplain projects with Phil Carter, Bob Brandt, Noah Schmidt, and a few people from Cavendish and she thinks the more we talk about it, the more informed the town will be while we work toward flood mitigation. Pullinen reads the recap letter regarding floodplain information.
2. The letter includes information about roads, bridges, culverts, farming, local vegetation, planting projects, natural classrooms for landowners and community members, local resources for native trees and shrub stock, and more. Cavendish is looking to have Greven Field become a floodplain and the Ludlow Selectman thinks the Little League ball field and the Timber Inn could become floodplain as well, and the old Mill location on Mill Street could be another site too. The last

takeaway she had was that we need to have better communication between the different committees, select boards, and all the people doing work so that we don't duplicate efforts.

VI. Approval of Minutes

1. August 20th, 2024
 - a. Section 9 - #7: Jason said "in town" should be "mostly in the village".
 - b. Section 11C: State regulations section "Affordable housing can build 40% more and they can add an additional floor if the flood marshal says it OK."
 - c. Section 11E: Add meeting was with Brendan McNamara too with FEMA.
 - d. Section 11E: "in doubt" should be "in debt".
 - e. **Jean Strong motions to approve the minutes of August 20th, 2024 as amended. Seconded by Ted Stryhas. Motion passed.**

VII. Rules of Procedure

1. Terry Carter reads the membership shall be appointed by the select board and shall have 5 voting members at least 4 should be residents of Ludlow as defined by the Department of Taxes and the 5th should be a resident of an abutting village or town. The members of the select board shall be non-voting ex-officio members of the commission.
2. Remove 4.6 - the section about the alternate. We cannot have an alternate, Terry Carter says.
3. **Judy Pullinen motions to approve the Rules of Procedure with the removal of 4.6 - Alternate. Jean Strong seconds. Discussion below. Not passed.**
4. Discussion: Jean Strong asks what people were concerned about, and Terry Carter notes it was the membership part.
5. Discussion: Eric Alden says he thinks Section 2.1 is a direct violation of the State Statute and it keeps getting pushed forward on this board. The Planning Commission does not have the authority to dictate the membership of the board, it is a state statute and chosen by the Select Board. If the committee is concerned, the time to express that is at the Selectboard meeting. The statute is there for a reason and it is clear and fair and it's there because history shows these board positions are hard to fill so they need to be able to have folks that are not full-time residents to be able to sit on the boards. He says you have checks and balances built in already, and the majority number has to be residents so your fear of the board being filled with out-of-staters is not going to happen. He says the board is worried about this issue. He reached out to the Attorney General's office and received a letter from the General Council that she stated the statute, which we all know, and she recommends the town Planning Commission to make sure the board is on the same page. He thinks everyone should be able to participate, and it's the same statute to allow the town manager to participate as a non-resident.
6. Judy Pullinen says the Town Manager is not a voting member on the board, and they only sit on the board as an Advisor.
7. Terry Carter sent this language to free legal advice and they said they didn't need this language.
8. Eric Alden says we haven't seen the public record submitted. Terry Carter says she sent everything to the PC. Alden says there is no reason to have this in here other than some personal agenda and it is unnecessary and shortsighted because seats are hard to fill on this board, and anyone who pays taxes should be able to sit on this board and they should have an opportunity to have representation if there is an opening. The Selectboard meeting is the time to talk about this.
9. Noah Schmidt agrees with Eric Alden and he thinks we want to be careful about limiting our options because if Ted decides to move to Clarendon he is no less than an advisor. He thinks it's great to have the majority of the board as residents, but as we grow there should be more flexibility, and getting people with more specialties is ideal and we shouldn't limit ourselves.

10. Terry Carter says it is not her personal agenda, and if you are making rules for your town, you should live here.
11. Ryan Silvestri would like to remove Section 2.1 seeing that it is handled by the Selectboard and he doesn't see how we can dictate because we don't appoint members, we are appointed rather.
12. Ryan Silvestri would like to see the VLCT to have this noted in writing. Terry Carter says she screenshot and sent it to the PC. Silvestri says 6 months ago when we started this, he doesn't believe this has any place in our rules of procedure and it should be done at the Selectboard level.
13. Judy Pullinen says she disagrees with Silvestri because this is not dictating who is on the board, it just saying how the board will be composed. Silvestri says this is superseding state statutes. Carter says no, it's assumed. Silvestri says the word "statute" and "assumed" shouldn't be in the same sentence. With state statute in law, there are no assumptions to be used that is what laws are for.
- 14. Ryan Silvestri moves that this board considers removing Section 2.1 of the Rules of Procedure. None approved. Not passed.**
15. **Terry Carter calls the question. The motion fails.**
 - a. Judy Pullinen abstains because she would like to see written evidence.
 - b. Terry Carter says she can ask Chris Callahan now.
 - c. Ted Stryhas says he is uncomfortable at this second, and there are great points... now we need to figure this out. Stryhas thinks we need to take this seriously and thinks this is upside down.
 - d. Terry Carter says she will come next time with their old language and have Chris Callahan's opinion.

VIII. Village Trustees Public Hearing on September 3rd.

1. Chris Callahan said we needed another Public Hearing due to our many changes, which was September 3rd.
2. Terry Carter asked Brendan to add to the agenda of approval of the bylaws and the amendments we made to the Village Zoning & Floodhazard Regulations, and he did that, Chris Callahan weighed in and said it was done correctly so it passed the Village Zoning - we accomplished it!
3. The Trustees didn't make any further changes and weren't sure if the board wanted a review.

IX. Neighborhood Development Areas Requirements

1. Jason Rasmussen noted it is a designation we can have for the village where a 1/4 mile circumference is drawn around the village center and anything that falls under that would allow affordable housing to go in without Act250 review and offer grants to people who want to build affordable housing, concentrating on places that have sewer and water. Before we can apply, we have to take a look at our own zoning and the requirements we need to apply for it. Rasmussen sent all of the requirements, and we need 8 out of the 10 items. Carter made up a document with the ones we don't have yet and wants to see if there are 3 out of 5 that we are comfortable with. The Trustees and Selectboard also have to agree to the 3 that we pick off this list. Carter says we already have 5, so we just need 3 more.
2. Martha Harrison pulls up the Neighborhood Development Area (NDA) checklist and says we must meet 8 out of 10 of the building patterns and complete streets.
 - a. We do meet the following:
 - i. The first section of "Building Patterns" has to allow for a mix of housing opportunities, which Ludlow has already.
 - ii. We have to apply with the Home Act, which we do.

- iii. Note: Jason Rasmussen suggests renaming “workforce housing” to “employee housing” in Section 520.16.
 - iv. Building heights must be met, which we do.
 - v. Setback reduction must be met, which we do. Jason says in the Preservation District, we could reduced that more, we have 30ft but most are 20ft. Terry Carter says we have a new Tree Warden and they are trying to get a grant to get a nursery and Rose would like to line the area with trees.
 - vi. Note: Require developments are desired to accommodate safe and convenient pedestrian circulation - Jason Rasmussen thinks the language could be clearer.
 - vii. Have provisions that minimize curb cuts and reduce their frequency, or other access management provisions - Jason Rasmussen recommends adding a more robust section here.
3. We do not meet the following:
 - a. The dimensional requirements have to be met, and Ludlow doesn't.
 - b. Garage door provisions so that the doors are not he dominant element of a facade.
 - c. Include provisions that encourage primary building facades to be oriented to the street such as requiring front doors to face the street.
 4. Judy Pullinen thinks the safety of pedestrian circulation is important. Pullinen thinks if someone is putting in a new development, they need to put in a sidewalk. Pullinen would love to see that one strengthen, Terry Carter agrees. Carter asks the board members which ones they think they want to change or improve on from the list.
 5. Ryan Silvestri asks how do we define a ¼ mile from where - what is the village center. Jason Rasmussen will have a map to show us that. Silvestri thinks that is an important to step so we can see what land we are adding into this and see how feasible it would be to make these additions. Martha says she doesn't have a map, but Rasmussen would probably want to know if we were interested first. Silvestri asks how to find the village center, so it would be a ¼ mile around from the perimeter.
 6. Ryan Silvestri confirms it is from the perimeter of the Village Center, which doesn't necessarily correspond with the whole Village. Martha Harrison says she can send a map. Silvestri says she could pull up the tax maps online now.
 7. Martha Harrison continues with the second list: Complete Streets
 - a. We need to meet 3 or 4 of the 10.
 - b. We meet the following:
 - i. Require that provisions be made for the extension of the street and pedestrian network into existing streets and adject, undeveloped land.
 - ii. Have existing or planning pedestrian facilities.
 - iii. Require street trees, lighting and appropriate landscaping for new developments - we need to change or “may” to “shall”.
 - c. Terry Carter asks if this (generally speaking) is something this Board is comfortable doing. Carter says its free grants you don't have to pay back, and they have a lot of money now because not a lot of towns don't go for it.
 - i. Jean Strong asks how that would work in terms of applying for this grant. Carter asks Martha Harrison if it is through the state and Harrison says she is unsure about the grant. Jean Strong says she would like to think the town would want to be part of the grant for making these changes.
 - ii. Terry Carter says there are already a whole bunch of programs, but there are state resources already for affordable housing. Judy Pullinen thinks if we are trying to promote affordable housing, we should make that neighborhood as attractive as possible for people, if we don't put in regulations, you're going to get

- the minimum without street lights or sidewalks, so she would like to see the language strengthened so she is OK with these changes.
- iii. Ted Stryhas says he thinks he feels OK about it.
 - iv. Ryan Silvestri says there is still the reality of what is possible, and it's not possible to put a bike path on Main Street unless you lose 30 parking spaces for example... it's good to digest this and that this makes you more eligible and have homogeneous communities throughout.
 - v. Ryan Silvestri then asks about prohibiting cul-de-sacs and Martha Harrison says its likely because they want to be able to grow the street beyond that for more development. Silvestri says any lots that are left, the most likely design would be a cul-de-sac or egress... so is that one that we could choose not to do? Martha Harrison notes that we can choose to not do 2 of them from this list.
 - vi. Judy Pullinen says she is not sold on the idea of allowing roads to be as narrow as possible due to snowfall and snowbanks. Terry Carter asks the board if we should remove that one. Jean Strong says whichever are the ones that make the most sense to eliminate, she is good with that. Jean Strong says you don't want narrow streets that would cause problems with parking.
 1. Martha Harrison thinks they are talking about the travel lanes... so if you have a car lane and you have a bike lane, and a sidewalk it takes up some space.
 2. Terry Carter says she was on the board with Aaron and he studied our streets about speeding, parking capacity, and he found out we had very wide streets like Main Street.
 - vii. Terry Carter asks if there are any roads with a cul-de-sac and Ted Stryhas says he does have a subdivision with one. Ryan Silvestri wants to look at the map because he has a feeling we won't be grabbing a lot so that is the big piece for him and thinks we need to digest this and think about the town's parcels and how it would affect it.
 - viii. Noah Schmidt says O'Rion Ave is one, though it is a dead-end confirmed by Silvestri and Stryhas. Schmidt says he gets nervous about amendingsubdivisions guidelines and zoning for the specific class by making that more rigid because it opens up developers space for potential grants and then it limits other development so it can get tricky on what that balancing act is.
 - ix. Silvestri says the pedestrian facilities are easy and the bike rack part seems feasible.
 - x. Terry Carter confirms the ones we aren't comfortable with are the narrow roads and the cul-de-sac one. Silvestri asks how this can require the narrow roads with the Vermont standards. The minimum is 24-foot width and a 7-foot travel lane with zero shoulder width for up to 25 AADT.
 - xi. Judy Pullinen asks what 25 AADT means, Harrison says it is the average daily amount of traffic. The more use it gets, the wider it gets according to state road standards.
 - xii. Ryan Silvestri thinks requiring utilities to be underground is good, it's more beautiful and safer. Martha Harrison has something in our subdivision regs, but it says "may".
 - xiii. We meet the on-street parking.
 - xiv. We meet "minimized any required of any off-street parking".
- d. We don't meet the following:
- i. Require sidewalks or pedestrian facilities for new development

- ii. Have plans or regulations in place that include bike facilities where appropriate
- iii. Require new streets to be as narrow as possible (such as having specifications for travel lanes that are eleven feet wide or narrower)
- e. Ryan Silvestri will get our current zoning map, but would like to see the ¼ mile perimeter to see what parcels we are affecting. Harrison thinks it may already be on the VT state planning website. Anything that can bypass ACT250 in his mind is good.

X. Town Zoning Section 220: Interior Alterations

1. Terry Carter says we made some changes in the Village Zoning and Ryan Silvestri says we need to make it happen in Town Zoning as well.
2. We changed the 1st paragraph and added stuff at the end, says Terry, about interior alterations.
3. Terry Carter suggests we make the same changes we made to the Village Zoning to the Town Zoning.
4. Terry Carter reads off the first paragraph and the change is regarding “existing structure as an addition and the altered or existing use be changed in any way...”.
5. Ryan Silvestri says we would also have to remove #3 in the Town Zoning regarding the permit not being needed for interior alterations. He suggests we make them exactly the same. Jean Strong agrees it is tedious to go back and forth.
6. We will keep #1, per Terry Carter.
7. Ryan Silvestri says #3 and #4 are in the Town Zoning and not in the Village Zoning. He thinks we should replicate Village Zoning 220 and put it in place of Town Zoning Section 220.
8. **Ryan Silvestri motions to replace the Town Zoning Section 220 with the Village Zoning Section 220 as written. Judy Pullinen seconds. Discussion below:**
9. Ryan Silvestri says Trailside and the other condo complex is a lot of lost revenue for the town and community because permits were not taken out, and it changes the assessed value. It doesn't say that you need to get a permit for exterior renovation, but that is something we talk to zoning about at another time.
10. **Terry Carter motions to replace the Town Zoning Section 220 with the Village Zoning Section 220 as written. All approved. Motion passed.**

XI. Recreation Economy for Rural Communities (RERC)

1. Terry Carter says there were 500 people at this webinar, so there are a lot of people that will be going for this “money”. She wants to put in an application about her idea of a bike lane in Ludlow that has river views, ways to get to the river, and connects to the mountain bike trails with a municipal lot that has e-bikes to loan, charging spaces, parking, and handicap spaces (since we have none other than the bank). The steering committee includes one full day of workshops. Every government agency is at their disposal to fund the project like U.S. Forestry. Priority is given to rural communities for creating recreational opportunities on Main Street, so a bike lane with a municipal lot somewhere. Terry Carter asks if there is anyone on the Planning Commission to be on the Steering Committee, and Abby Childs is already on it. Frank Provance, Nike Miele, Mariel, Zoe Trimboli, Logan, Terry Carter are all on it. Noah Schmidt thinks someone from LAST would be a good addition.
2. Eric Alden says there was actually a trail that was approved and funded that was going through Ludlow at one point and then it died. Sharron Bixby has worked on this for years, Terry Carter says. Alden says the bike lane down one side of the road would be difficult.

XII. Next Month's Agenda Planning

1. Neighborhood Development Areas: Village Zoning Changes that need to be looked at too.
2. RERC Recreation Economy for Rural Communities: we already talked about this today.

3. Judy Pullinen asks if we are going to re-discuss the bylaws... Terry Carter says right, she will speak to Chris Callahan in preparation.

XIII. Board Member Comments / Other Business / Citizen Comments

1. N/A

XIV. Adjourn

1. Terry Carter motions to adjourn. Judy Pullinen seconds. All approved. Motion passed.
2. The Planning Commission Regular Meeting was adjourned at **7:09 p.m.** on Tuesday, September 17th, 2024 by Terry Gurdak-Carter.

Minutes submitted by: Abigail Childs

Minutes approved by: