

Ludlow Planning Commission
Meeting Minutes
August 15, 2023
6:00 PM

Regular Meeting
Hybrid

1. Call to order:

The regular meeting was called to order of the Ludlow Planning Commission on Tuesday, August 15, 2023 at 6:00 in the Frank Heald Auditorium by Terry Carter.

2. Role Call by Chair:

All members present in person or by Zoom.

3. Public: In-person: Bruce Schmidt, Jean Strong, Eric Alden, Scott Baitz, Jarrod Jowdy, By Zoom: Martha Harrison, Allison Hopkins,, Rose Goings, Nick Bernadino, Rebecca Fontaine
Absent: Abby Childs, Recording Secretary

4. Opening Statement by Chair:

Omitted because all present had heard it before.

5. Approval of Minutes:

Tabled because Abby wasn't there.

6. Comments from citizens:

- Eric Alden would like the warnings to be in more places. Ryan suggested social media. Jarrod explained they are required to be posted in two places and they are posted in those two places: the website and the town hall. Judy suggested the library as another place. Terry said she would speak to Diane about it.
- Jean Strong stated that the next Public Hearing of the Village Trustees is very important and the word needs to get out.

7. Municipal Planning Grant: Streamlining the Permitting Process

Definitions approved:

- ACCESSORY DWELLING UNIT: In accordance with 24 VSA §4412(E), a distinct unit that is located within or appurtenant to a single-unit dwelling, is clearly subordinate to the single-unit dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation, provided there is compliance with all the following:
 - The property has sufficient wastewater capacity.

- The unit does not exceed 30 percent of the total habitable floor area of the single-unit dwelling, or 900 square feet, whichever is greater.
- ADULT DAY CARE CENTER – A state-certified community-based non-residential center where adults with physical and/or cognitive impairments can come during the day and receive a range of professional health, social and therapeutic services, as well as a nutritious meal and valuable social interaction. Adult day care centers may also provide educational programs for family members and caregivers.
- CHILD CARE HOME: A home-based facility with an owner or operator who is licensed or registered by the State to provide care for:
 - six or fewer children; or
 - no more than six full-time children and four part-time children, as defined in 33 V.S.A. §3511(7).
- TOURIST HOME: An establishment in a private dwelling that supplies short-term accommodations to transient guests for a fee. Note: “Private Ski Club” was removed from the “Tourist Home” definition. Private Ski Clubs fall under “Private Clubs.”
- PRIVATE CLUB: A club restricted to members and their guests.
- PUBLIC RECREATION: Any outdoor recreation use provided on public land for public use and not for profit, including outdoor recreation facilities that are open to the general public, such as bicycle paths, hiking trails, and ball fields.
- PUBLIC RECREATION AREA: A Town or Village Recreation Area that may be financed by Town, Village, State or Federal Funds, but not operated as a private enterprise. (formerly “Government Recreation Area”)
- ANIMAL HOSPITAL Any facility which provides medical care to animals which may include facilities for keeping animals overnight as part of veterinary care.
- VETERINARY CLINIC/OFFICE: A facility which provides medical care to animals but does not include an outdoor kennel, or facilities for keeping animals overnight.
- PERSONAL SERVICES: Includes barber, hairdresser, beauty parlor, massage, spa, and yoga studio. Note: The “Personal Services” definition needs additional revision so it’s not just a list of uses.
- MOTEL: A short-term commercial lodging facility for transients containing up to 25 units, with optional independent living quarters for the owner of the property or the operator of the facility. Each unit shall have a private outside entrance and a parking space and shall include at least a bedroom and a bathroom. Note: The concept was approved but the PC still needs to approve the specific language regarding owner occupancy.

- HOTEL: A commercial lodging facility in which living or sleeping accommodations are used primarily for short-term transient occupancy; one or more common entrances serve all such living or sleeping accommodations; and front desk service is provided. Additional services may include housekeeping, bellhop, laundry, or dry-cleaning service. Allowable accessory uses are restaurants or other public dining facilities, bars or lounges, public banquet halls, ballrooms, meeting rooms, swimming pools, spas and fitness centers. By definition, the term “hotel” excludes inns, motels, and other types of commercial lodging. Note: This was discussed and approved in concept but see last sentence and related comment.
- SENIOR HOUSING: As specified in the Fair Housing Act’s “Housing for Older Persons”; Senior Housing means a housing facility or community that is intended and operated for occupancy by persons 55 years of age or older and is not required to rent dwellings to families with minor children provided that: At least 80 percent of the units must have at least one occupant who is 55 years of age or older; and
The facility or community must publish and adhere to policies and procedures that demonstrate the intent to operate as “55 or older” housing; and the facility or community must comply with HUD’s regulatory requirements for age verification of residents.
- The definition for “Transitional Housing” was also discussed but no decision was made. Martha will check for a statutory definition.

Additional revisions & changes:

- Section 221.5 of the Zoning Regulations (Limitations & Exemptions) was reviewed, noting the addition of “Emergency Shelters” per Act 47. The PC agreed that the uses in this section should be listed as permitted uses in each district (rather than conditional uses) with an asterisk referencing Section 221.5(A).
- Minor changes to Section 255 (Administrative Review) were also reviewed and approved.
- The “District Standards” chart in Section 410 was also discussed.

8. State Housing Bill S.100

- ☑ The “lot depth” was reduced from 125 feet to 124 feet to be consistent with a minimum lot size of 8,712 (1/5 of an acre), which is the largest minimum lot size allowed under Act 47 in residential districts served by public water & sewer. Front yard setbacks were discussed. It was noted that 12% of 8,712 is only 1,045 square feet. Martha noted that there are discrepancies in the use of the word “coverage” in the document, which sometimes refers to “building coverage” and sometimes refers to “lot coverage.” Need to clearly define and use these terms.
- The board decided in the Preservation District, to comply with new state regs, the frontage required from the sidewalk edge to the

building(s) would NOT be changed but the depth requirements will be tweaked to cover the reqs. in Article 4. It currently is 87.50 and needs to be 87.12.

- The decision on maximum lot size was tabled. Rose offered to measure the existing setbacks of existing structures in the Preservation District.
- Ryan wants a re-do of the preservation district by a professional company. Terry and Rose would like to see trees planted along the street. Rose said she is pursuing grants for this work.

9. Short Term Rentals:

We agreed on the following:

- Permit/Registration will be required for short and long term rentals, but the long-term rentals will have no fees but will have fire and safety reqs.
- Permits will be req. for rentals 1 day a year or greater.
- Phone and email will be req. from the owner, designated professional and/ or rental agency. Owner address, email and phone will be required for the registry.
- Occupancy: 2 per bedroom+2, max. of 8 (3BRX2+2), >8 special requirements.
- Yearly Cost: The board will decide on a proposed cost later, but did decide on a tiered per bedroom cost, an owner occupied lower rate and an annual fee.
- Knox Box: Judy will confer with the fire department. Tabled.
- Zoning: Allowed in all zoning districts
- Parking Reqs.: on site only
- Insurance Reqs.: Tabled. Ryan and Andi will get more information.
- Fire Safety Certificate will be required
- Noise/Party Restrictions: Public Decency in volume and behavior 9PM-7AM Weekdays, 11PM to 8AM Weekends
- Fines: \$100 a day for infractions and non-registration, \$150 violation #1, \$350 violation 2nd, \$600 violation 3rd.
- The board is also proposing that a company be chosen to enact and enforce these requirements as our town office staff is too small and work too hard to take on these tasks.

10. Next Month's Agenda:

- Municipal Planning Grant
- Preservations District- deciding on lot coverage
- Short Term Rentals: requiring insurance or not, setting a proposed price per bedroom and Know Box req. or not. Next Steps?
- Survey Results

11. Other Business

Board Member Comments:

- Missing paperwork we needed ahead of time on Municipal Planning Grant work. We all saw it for the first time this evening and need it ahead of time.
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Citizen Comments:

- Eric Alden: The Board should never base their decisions on the cost over doing what is best for the town. Set time limits on agenda items and table them after they expire. Don't set a time limit on the length of the meeting.

Meeting Adjourned at 8:30PM