

PLANNING COMMISSION

PRELIMINARY MINUTES

September 20, 2022

**6:00 PM
Zoom Meeting**

Ludlow Planning Commission
September 20, 2022 06:00 PM

Join Zoom Meeting

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MEMBERS PRESENT:

Terry Carter

Andrea Goldman

Judy Pullinen

Ryan Silvestri

Ted Stryhas

STAFF PRESENT:

Rose Goings

OTHERS PRESENT:

Eric Alden

Julie Nicoll

Meredith Milliken

Lisha Klaiber, Recorder

Okemo Valley TV

I. CALL TO ORDER – ELECTRONIC MEETING GUIDELINES

1. Terry Carter called the meeting to order at 6:01 p.m. She advised that the Electronic Meeting Guidelines are still in effect. She asked if everyone had received the Zoning Regulation updates that were sent out by Allie Hopkins from Regional.

II. ROLL CALL

1. All members are present.

III. CONSIDERATION OF ANY CHANGES, ADDITIONS OR REMOVALS TO THE AGENDA

1. No changes are needed.
2. Terry Carter said that she has a couple of things but she will talk about them under Other Business.

3. Rose Goings said that if it's anything that you want to vote on, it will have to be added to the next month's agenda.

IV. APPROVE MINUTES

1. Terry Carter advised that the minutes to be approved are from the meetings of February 15, 2022 and the regular meeting of August 16, 2022.
 2. **MOTION by Ryan Silvestri and seconded by Terry Carter to approve the minutes from February 15, 2022 as presented. Motion passed unanimously.**
 3. **MOTION by Ryan Silvestri and seconded by Terry Carter to approve the minutes from the regular meeting of August 16, 2022 as presented. Motion passed unanimously.**
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V. COMMENTS FROM CITIZENS

1. There were none.

NOTE: Terry Carter made changes discussed at this meeting onto the draft sent by Regional.

VI. JASON RASMUSSEN, DIRECTOR OF MARC

- **Village Zoning Map, Under Bylaw Modernization Grant 2022**
 1. Jason Rasmussen said that last year, under Phase I, we made changes to the Village zoning regulations, from bridge to bridge. The changes from last year have not been approved. The changes made to Main Street are good. But the changes to Pond Street aren't as good. He said that the map shows what would be a core district, from bridge to bridge. He suggested calling it the Business District.
 2. Andrea Goldman said she didn't understand.
 3. Jason Rasmussen indicated the orange areas map saying that is the existing Village RC district. Based on the suggested changes last year, he indicated the red area on the map, focusing on the core area from the bridge by Elm Street to the Vail Bridge. This area has diminished standards, conditional uses and review process. The changes make sense because the lots are smaller and the buildings are closer to the sidewalk.
 4. Andrea Goldman asked what the advantages to these changes are.
 5. Jason Rasmussen said the changes we drafted make better sense in the "Business District. The setbacks are smaller. There is nothing to lose. We now have a difficult development process.
 6. Andrea Goldman said that Manchester has 3 types of business districts.
 7. Jason Rasmussen said we are working under a grant to make sure the standards make sense. We are also reviewing the preview process.
 8. Terry Carter said that the changes made last year to the VRC would become the "Business District." He said that the standards for the VRC would stay as they are for the VRC.
 9. Jason Rasmussen said they should also look at those standards.
 10. Rose Goings said that part of the VRC goes out a little further. She asked if Jason Rasmussen had included LaMere Square.
 11. Jason Rasmussen said yes and they should definitely revisit them.

12. Rose Goings said that we want to cover the “Business District and include “mixed uses” with homes in the upper-level floors.
 13. Ryan Silvestri said that he agrees that that part of the Village is different from the rest of the Village RC. There should be more emphasis on the upper level (floors) usage. That area is different from the rest of the RC and should have distinct bylaws from the rest of the RC.
 14. Eric Alden asked if this would be an overlay district on the VRC.
 15. Jason Rasmussen said he was not going there with this suggestion. He said he was thinking it should be its own new district.
 16. Rose Goings said that the Village Center designation is from the state and makes tax credits available for owners. She said that people from out of state are familiar with the term, Business District, and know that you can live and eat there.
 17. Eric Alden said it is called Mixed Use where he lives.
 18. Rose Goings said we can add descriptions of Business District.
 19. Jason Rasmussen said they will have to include a purpose statement for the district. What is the intent?
 20. Judy Pullinen asked if the rules would change substantially from the rest of the RC?
 21. Jason Rasmussen said they need to talk more about it. The board had started with these changes last year, including shrinking the setbacks, minimum lot sizes, different permitted uses and review process. We were looking at this part of the town. He said they also looked at the RC and Pond Street and the district standards don’t make sense out there.
 22. Rose Goings said the suggested changes were sent out to board members.
 23. Terry Carter said that she sent them.
 24. Jason Rasmussen said that right now, it is listed as RC. If the board okays it, we can change it and explore more uses.
 25. Terry Carter asked if Jason Rasmussen could change Andover Street on the map.
 26. Rose Goings said they can’t make changes without having a public hearing. She will talk to Jason Rasmussen about the changes, making a new district.
 27. Jason Rasmussen said if we think there will be other map changes, we can indicate them on the map for discussion. and mark them as “proposed.” Does the board agree that this area is different from the rest? If so, he will work on it. He indicated another little stretch on the map, on the other side of the road.
 28. Rose Goings said that is Smith Street and should be Village Residential.
 29. Terry Carter asked about lower Pleasant Street Ext. and asked why it is split on the other side of the street.
 30. Ted Stryhas said that Pleasant Street has businesses in that area and this was put in to provide an opportunity to expand from the main street, possibly to put parking in back of the building.
 31. Jason Rasmussen asked about the big, old homes on Pleasant Street and said they could lend themselves toward more homes with apartments, maybe on both sides of the RC.
 32. Terry Carter said she is okay with the map to make changes.
 33. Jason Rasmussen said
 34. Andrea Goldman said she would like to understand what we are doing with the Business District. She thought Jason Rasmussen was going to make a comparison chart.
 35. Terry Carter said that was referring to the Downtown District Designation.
 36. Andrea Goldman asked what if the Downtown District doesn’t imply to her as just businesses.
 37. Terry Carter said we will continue this discussion next month.
- **MPG23 Application for a housing assessment – Requires Chairperson’s Signature**

38. Jason Rasmussen said that he and Rose Goings had spoken about this and there is an opportunity for a grant and the application is due December 1, 2022. We are looking into a housing needs assessment. He suggested that if they call it a Housing Action Plan, they may do better. This could include analysis and statistics. They may need to buy data. Also, what the town and village can do about housing and how to translate that into action steps. He said that he sent a resolution form with the packets and this board will need to authorize the chair to sign it. This will be an expensive effort and at the higher end of the funding level. It may be that the Select Board has to match funds.
39. Ryan Silvestri said it would be great to collect data and find out the depth of the housing issue.
40. Jason Rasmussen said that Terry Carter would have to sign and also the Select Board.
41. **MOTION by Judy Pullinen and seconded by Ryan Silvestri to approve and authorize the chair to sign the resolution for the MPG23 grant application. Motion passed unanimously.**

VII. PRESERVATION DISTRICT CHANGES – SECTION 410 VILLAGE ZONING REGULATIONS

1. Terry Carter said that at their last meeting, they had started to go over the standards for the Preservation district. She referred to page 33. She said they had only gone over sections A & B. She said they added solar panels. There were no changes to the district standards. They did change the reference for DRB review to changes to footprint or increased living space. She said that section B is the exemptions for items listed in section A.
2. Rose Goings said that people are not happy with the Preservation District and she hears a lot of complaints. The standards are overwhelming to people, there are too many regulations. She suggested that they take the entire Preservation District and start fresh and remake it. They need to modernize it because it is so convoluted. She said that people can't afford to fix their houses. There is also the question of vinyl siding and now there are new types of vinyl siding that look good and can look old style. She would also like to remove "inn" from the standards. The definition doesn't say what it is. They should also remove "tourist home", but keep Ski Club. She suggested adding Art Gallery and studio and Open Farmers' Market.
3. Andrea Goldman said that the definitions overlap and they need to simplify them for all districts. We need more hotel rooms and asked why Rose Goings is against inns or hotels in this area, if it fits with the character of the area.
4. Rose Goings said that the Best Western is there now. She added that this board wanted to remove Andover Street from the RC district because of the hotel. That building also falls under the definition of inn. We need to look at the definitions.
5. Ryan Silvestri said there are a number of suitable lots in the Preservation District – maybe 5 or 6. There is an inn already and maybe it wouldn't be that bad.
6. Rose Goings said there are also ski houses and the brick mansion.
7. Andrea Goldman said the purpose doesn't preclude a beautiful inn that would fit in the character of the district.
8. Rose Goings said that the Green Mountain Lodge (that was proposed for Andover & Parker Sts.) could be considered an inn. It falls under the definition.
9. Andrea Goldman asked if board members would be against allowing hotels if they fit on the area.
10. Ryan Silvestri said Sports Odyssey is there.
11. Terry Carter said that predated the Preservation District.

12. Ryan Silvestri said there could be design standards, allowing an inn, but it must meet design standards and look a certain way.
13. Terry Carter said she is not keen on an art store. They would have sandwich boards and flags.
14. Rose Goings said that when Will Nye had the art gallery, he did not have anything like that.
15. Judy Pullinen asked if this board can define the materials if something were built there.
16. Terry Carter said they should add open farmers' market. She polled the board and all agreed.
17. Judy Pullinen said that she thinks an art gallery would look nice.
18. Ryan Silvestri asked about mixed use.
19. Terry Carter asked about two-unit dwellings.
20. Andrea Goldman asked why no stores if they keep in the character of the area. The more businesses we have can benefit the town.
21. Terry Carter said that open signs and sandwich boards are not permitted.
22. Andrea Goldman said we could allow different uses, but not allow flags.
23. Jason Rasmussen said that it doesn't make sense for a two-unit dwelling to be a conditional use; it should be a permitted use. It would make things easier to build.
24. Terry Carter said an art gallery would be okay, but not a store.
25. Judy Pullinen said a gallery or studio would be okay if they were small. But, not an art store like Michaels.
26. Andrea Goldman asked, what if a Joann's looked like the brick mansion.
27. Judy Pullinen asked where we define what we want it to look like. The farmers' market, is it seasonal or a wood, indoor store and that could look like a grocery store.
28. Terry Carter asked if it should be permitted or conditional.
29. Rose Goings said it does have conditions for hours of operation and parking.
30. Ted Stryhas is good with the art store/gallery/studio.
31. Terry Carter said she and Judy Pullinen agree with studio/gallery, but not a store, she polled the board and they decided on conditional use.
32. Jason Rasmussen said that some towns have small enterprise in their definitions, this board can consider that and further define it.
33. Andrea Goldman said isn't an art store retail. Why is an art store different from any other retail.
34. Judy Pullinen said we already have an art gallery in that district.
35. Andrea Goldman asked if a business is grandfathered, and non-conforming, it can stay unless they change the use.
36. Terry Carter said that is correct. Terry Carter asked about a real estate office.
37. Judy Pullinen said there I already one there.
38. Terry Carter said professional services is there.
39. Eric said that some historic districts throughout the United States have businesses, but put conditions on them. There is a McDonalds in Kennebunkport and it has no arches or neon signs.
40. Andrea Goldman said she agrees. She wants to show the board a picture of a McDonalds in Banff. She said you would never know what it is
41. Rose Goings said, so you want to allow drive-ups now?
42. Andrea Goldman said she doesn't think it's not black and white. You can put conditions on any retail business. She said that part of why she wanted to be on this commission is because they did a lot of research before, they proposed the dispensary and we heard from many people, both in and outside of Ludlow that unfortunately, Ludlow is very difficult to do business in and that there are a lot of restrictions and rules that's hurting the town and something like this if we could be a little more flexible, but still have the power. She said she thinks it would benefit everyone

43. Rose Goings suggested that board members look over the draft document and take notes and bring their questions back to the next meeting.
44. Terry Carter said she would send a copy to everyone, as well as Jason Rasmussen. She said she will send any changes made after a meeting.
45. Rose Goings said they need streetscapes south on Route 103 as you are coming into the village by the high school. She said it doesn't look good. We can look into grants or do fund raising to plant trees to make it look more attractive. She said that Troy Caruso has cleaned up the Best Western and it looks nice.
46. Terry Carter said that she heard of a program, at the Regional Planning Commission meeting, that covers that type of work. She will look into it and send it to Rose Goings, Bruce Schmidt and Scott Murphy.
47. Andrea Goldman said that the definitions overlap. Why is an inn allowed on Pleasant Street and not a B&B. She said there is no definition of hotel. The state's definitions are different from ours.
48. Rose Goings said that she finds definitions everywhere, VT court cases. If Andrea Goldman wants to put together a document with definitions, she can send it to Terry Carter and me and we'll put them in the packet for the next meeting.
49. Terry Carter said we can change the definitions: inn, tourist home.
50. Andrea Goldman added B&B, hotel and motel
51. Terry Carter said she would like to define them by size.
52. Andrea Goldman said she will put something together.
53. Ryan Silvestri said the Governor's Inn is in the Preservation District and illustrates what we are talking about.
54. Jason Rasmussen said he can put together a spreadsheet that lists the uses, districts and compare them.
55. There was agreement among board members that is a great idea.

II. **OTHER BUSINESS**

1. Andover Street
 - a. Terry Carter said that she wants to push forward on the changes and would like to have the informational meeting at our meeting next month.
 - b. Andrea Goldman asked if they could also add multiple dwelling.
 - c. Terry Carter said it is allowed in our current definitions. She asked if they could also remove "inn." She said she would entertain a motion to have the informational meeting at our next meeting.
 - d. Andrea Goldman asked couldn't there be multiple dwelling where the offending inn is. Is that allowed in the district, what with our housing shortage.
 - e. Terry Carter said we have a time line and we need to move on this.
 - f. Rose Goings asked if they want to go forward even though it's set up that way.
 - g. Terry Carter asked if there is any way we can have the informational meeting on two things and the changes for Andover Road.
 - h. Rose Goings said the motion made at the last meeting only y included changing the area from bridge to bridge from VRC to Residential. That's all you can do. She asked if Terry Carter is referring to a public hearing.
 - i. Terry Carter said yes. She asked if they can have the public hearing next month.
 - j. Rose Goings said she will have to check the calendar. That is fixed by state statute. She has to notify residents and abutting towns.
 - k. Judy Pullinen asked if it is the same, no less than 30 days and no more than 40.

- l. Rose Goings said 45.
 - m. Terry Carter said she wants to move forward and start the process.
 - n. Judy Pullinen said it may have to be the November meeting.
 - o. Terry Carter said this board has to have a public hearing and then the Trustees have to have a public hearing. She added that once warned by the Trustees, the changes take effect temporarily until a decision is made.
 - p. Andrea Goldman asked why they can't also take out inn for the residential district at the same meeting. She said it's not in the resolution, but can we make a resolution now.
 - q. Terry Carter said that's a good point. Can we make a motion to take out the word inn from the VR District.
 - r. Lisha Klaiber said no.
 - s. Terry Carter said we have to redo the Andover thing because we did it before.
 - t. Rose Goings said go ahead and make the motion.
 - u. Andrea Goldman said "I so move to remove the word inn from the Village Residential District.
 - v. Lisha Klaiber said to wait. You can't make a motion under Other Business.
 - w. Rose Goings said that's right. She asked, don't you remember that I told you that earlier. She said she forgot that they are under Other Business. So, you have to stick with what you have.
 - x. Terry Carter said she wants to hold the public hearing for Andover Road at the meeting on October 18th and get the process started for the word inn.
 - y. Rose Goings said it may have to be November. She said that the October meeting is not 30 days from now. It will have to be warned for November.
 - z. Judy Pullinen said we need to change the definition for inn. She said that the Governors Inn is a good use for old homes.
 - aa. Terry Carter asked if they have to warn a public hearing to change definitions.
 - bb. Rose Goings said yes, it is changing the zoning regulations.
 - cc. Terry Carter said they came to us in good faith and we have to make sure it happens.
 - dd. Ted Stryhas said he does not feel comfortable making a decision. He doesn't understand the definition of inn. He agrees with Judy Pullinen that he wants to be clear and is not sure that it is.
 - ee. Andrea Goldman said as it is defined now, there is no limit to size. She said she will put some ideas together. She said now, it could be the size of the Governors Inn or as big as the Grand Hyatt over Grand Central.
 - ff. Judy Pullinen suggested forming a sub-committee that can put ideas together.
 - gg. Terry Carter said that is a good idea and asked Judy Pullinen if she would like to work on that with Andrea Goldman. She said she would also like Rose Goings to be part of that committee.
 - hh. Rose Goings said she will do it and send it out to everyone. She is doing it all the time as educational and also to find definitions that work. She said no quorum is needed because, technically, she is not part of the board. She said that she does it all the time when writing decisions. She added that it is better for her to do it and send it to everyone to review rather than for some of them to get together and collaborate. That can always be taken the wrong way. She said there are several to go through, such as kitchen, bedroom, lock-out and inn.
2. Next Meeting
- a. Terry Carter took a poll of the board and all, but Andrea Goldman (who will be travelling) can make the meeting on October 18, 2022.

- b. Discuss definitions.

III. **ADJOURN**

1. **MOTION by Judy Pullinen and seconded by Andrea Goldman to adjourn this meeting. Motion passed unanimously.**
2. Meeting adjourned at 7:26 p.m.

Respectfully submitted,

Lisha Klaiber

Terry Carter, Chairman

Ryan Silvestri

Andi Goldman

Ted Stryhas

Judy Pullinen