

PLANNING COMMISSION

PRELIMINARY MINUTES

August 17, 2021

**6:00 PM
Zoom Meeting**

PHYSICAL LOCATION: HOWARD BARTON JR, CONFERENCE ROOM
37 Depot Street, Ludlow, VT

Join Zoom Meeting

<https://us02web.zoom.us/j/87458218464?pwd=djJDQIBGbFRqWINIRtdyRzLzWXR5UT09>

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MEMBERS PRESENT:

Alan Couch, Chairman

Ryan Silvestri

Phoebe Tucker

MEMBERS ABSENT:

Terry Carter

Ted Stryhas

OTHERS PRESENT:

Eric Alden

Jason Rasmussen

Eric Chattergee – Okemo Valley TV

I. CALL TO ORDER – ELECTRONIC MEETING GUIDELINES

1. Alan Couch called the meeting to order at 6:02 p.m. He advised that the Electronic Meeting Guidelines have been rescinded by Governor Scott. He said that as per the Open Meeting Laws requirement that there be a physical location for the meeting, he is at the Town Hall. He asked everyone to stay muted unless they have been recognized to speak.

II. ROLL CALL

1. Alan Couch did a roll call of the board. All members are present, except Ted Stryhas and Terry Carter. He noted that there is a quorum.

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

1. None were needed.

IV. **APPROVE MINUTES**

1. Alan Couch advised that the minutes to be approved are from the meeting of July 20, 2021.
 - a. **MOTION by Ryan Silvestri and seconded by Phoebe Tucker to approve the minutes from July 20, 2021 as corrected. Motion unanimously.**

V. **COMMENTS FROM CITIZENS**

1. Phoebe Tucker asked if anything is being done with the NAPA building.
2. Rose Goings said that the DRB took the application off the hearing because the applicants come back after the recess period had passed. There are no plans at this time to change it.

VI. **REVITALIZE THE VILLAGE OF LUDLOW**

1. Alan Couch said the board will continue working on the grant for the revitalization of the Village, Supplemental Standards.
2. Jason Rasmussen shared his screen on Supplemental Standards (copy below) and said that there were some questions from the last meeting.

SUPPLEMENTAL STANDARDS

A. Lot Size Minimums

- 1) Jason Rasmussen said at the last meeting, they discussed lowering the lot size minimum from 5,000 square feet to 3,000.
- 2) Rose Goings said that she has not spoken to the Fire Marshall about it.
- 3) Alan Couch said they could revisit it.
- 4) Jason Rasmussen said that they currently have maximum lot size coverage at 50% and said that on Main Street it may be low. He suggested increasing it to 75%. He added that some of the lots are at 90%, and most are at 75%.
- 5) Alan Couch said that it would allow people to develop more of their property, (within other rules) and allow for changes.
- 6) Rose Goings said that from bridge to bridge most of the lots are covered. She added that is why Main Street parking is what it is.
- 7) Ryan Silvestri said there are only a couple of places that do have parking: TPW, Brewfest and NAPA. We should reserve space for more parking.
- 8) Rose Goings said that the Pub has parking in the back. She said that Brewfest parking is in the flood area.
- 9) Jason Rasmussen noted that the R/C district is more than just Main Street. Does the board want to bump it to 75% or leave it at 50%?
- 10) Rose Goings said 75%.
- 11) Ryan Silvestri said that also includes 100N.
- 12) Rose Goings said Pond Street – by the Marketplace. They are all in the floodway.
- 13) Jason Rasmussen said there is not a lot of room to expand. He said that he doesn't want lot coverage to be an impediment to expansion.

- 14) Ryan Silvestri said 75%.
- B. Food Trucks.
- 1) Jason Rasmussen asked if they have considered food trucks. He asked if the Village has a Vendor ordinance.
 - 2) Rose Goings said it does. She said that she has talked with Scott Murphy and the ordinance is working. She asked if they want to incorporate the ordinance into the zoning regulations. She said that people like the food trucks. She said that she and Jason Rasmussen have discussed shutting down Depot Street and should it be part of the district standards
 - 3) Scott Murphy said the ordinance is working and the trustees have confidence in it. There are not many applications for permits.
 - 4) Alan Couch said to leave it as it is
 - 5) Rose Goings agreed.
- C. Seating.
- 1) Jason Rasmussen asked about the number of seats – in or outside and if the total number of combined seating should not exceed the total number of allocated seats. He doesn't want it to be an impediment to business.
 - 2) Rose Goings said that all restaurants have seating allocations through the trustees. If they want to increase that allocation, they have to go to the trustees and ask for an increase. If they don't go to the trustees, they have to take seats from inside to be used outside. She said that Du Jour VT and Main and Mountain requested more seating.
 - 3) Alan Couch said is the number based on square footage of dining per person.
 - 4) Rose Goings said it is based on square footage and usually the restaurants ask for it. They were cut in half during COVID and are back to normal now.
 - 5) Alan Couch said it is good for business if the kitchen can handle the increase. He is not sure that we need to make any too specific.
 - 6) Ryan Silvestri asked if there is a separate process for special events such as weddings.
 - 7) Alan Couch said a one-tie event permit.
 - 8) Scott Murphy said there is and the health department will issue a permit with a not to exceed number of seats. He said that when a restaurant wants to add seating to the sidewalk, the number must still remain below the not to exceed number. For special events, the town will issue a permit and notify the Select Board if there is to be Alan Couch.
 - 9) Jason Rasmussen asked if they should omit item D from the proposed new standards.
 - 10) Phoebe Tucker asked if outside seating has to be wheelchair accessible.
 - 11) Jason Rasmussen said we try to make sure there is adequate space on the sidewalk for passage.
 - 12) Ryan Silvestri said that most restaurants have to be ADA compliant.
 - 13) Alan Couch said we should leave it up to the restaurant to take care of their customers. If a wheelchair can get into the restaurant, it should be able to be outside. Let's not legislate it.
 - 14) Jason Rasmussen said that restaurants need a lot of permits and we are trying to loosen things. Is "D" necessary?
- D. Pick-Up Windows
- 1) Jason Rasmussen asked about awnings and setbacks.
 - 2) Rose Goings said that there have been no new awnings and the ones already in place- if there is a sign on it, may be a problem. The others are not a problem.

- 3) Ryan Silvestri said if we allow take-out windows with awnings to cover in rain and it has no sign on it, it's ok.
 - 4) Alan Couch said that he likes the E-Z tent that the Hatchery uses when it is serving and takes in when they are closed. If it is temporary, it is okay.
 - 5) Jason Rasmussen said as long as it meets other standards?
 - 6) Alan Couch said they just need to follow the standards.
 - 7) Jason Rasmussen said he would leave it for now.
- E. Demolition of Historic Buildings
- 1) Rose Goings advised that if the building is not on the National Historic Register, the State Historic department said that it is up to the Town. We have books of these buildings in the vault.
 - 2) Jason Rasmussen asked if they wanted that section deleted.
 - 3) Ryan Silvestri asked how many buildings this would affect
 - 4) Rose Goings said hundreds, adding that some listed in the books may not exist today. She said there may be some worthy of saving in the Village and asked if that should be up to the board or the property owner. She said that some people don't want to save the building.
 - 5) Eric Alden said the town has to respect and preserve some of its history. There should be a process to delay demolition and review the building before the town loses its history and charm. There should be an avenue to preserve the buildings.
 - 6) Alan Couch said he agrees, but also believes in the owners' rights. He said that some of the buildings are falling down and are not up to codes, structurally, electrically and also heating. It is not up to us to tell the people to keep the building. He said that sometimes, it would be financially prohibitive to fix them. Hopefully, people would build similar buildings. There should be a waiting period to possibly come up with other solutions.
 - 7) Ryan Silvestri said then, people might demolish part of the structure and leave part to satisfy that stipulation, and build new for the demolished part. This is getting toward design standards if we say they have to keep the building. He said that he is in favor of getting rid of the complication.
 - 8) Phoebe Tucker said she is in favor of getting rid of this section.
- F. Signs
- 1) Jason Rasmussen said that he sent out a copy of Manchester's sign regulations.
 - 2) Rose Goings said this is to get the feel of what the board wants for the Village Center to spruce it up. We need to get some control as our sign regulations are weak. She would like to get rid of neon lighting from the inside facing out, bridge to bridge to make it look nicer. She said the Manchester regulations looked good to her.
 - 3) Ryan Silvestri said he hadn't gone through them. He said they looked at wooden or wooden-like carved with all exterior, down-lit lights. He said to keep the standards simple.
 - 4) Rose Goings said that all of the Manchester regulations are not necessary. She said that internally lit signs are a problem. She said that Justin Hyjek had hung in internally lit sign, attached to the wood sign, with very low internal lighting. She said that she has been researching illumination that is not as harsh as internally lit LEDs. She asked how the board feels about internally lit signs.
 - 5) Alan Couch said the sign at Main and Mountain was nicely done, but violated our current regulations. He asked if we would be opening a can of worms by allowing internally lit signs.

- 6) Ryan Silvestri said the sign at Main and Mountain was nice and if we can control the bulbs with lower illumination, maybe it would be okay. We need to control the bulbs if we allow it.
 - 7) Alan Couch said that would be for secondary and not primary signs.
 - 8) Ryan Silvestri said if the entire sign was internally lit within the regulations and excluding bright neon LEDs.
 - 9) Rose Goings said her goal is to not allow it, but if it is allowed, it should be smaller. That way we would be giving something. She wants to get rid of existing neon.
 - 10) Ryan Silvestri asked how easy that would be?
 - 11) Rose Goings said when a sign is replaced, the owner would have to follow the new rules.
 - 12) Alan Couch said we should look into the language and give them some leeway.
 - 13) Jason Rasmussen asked about number of signs and square footage.
 - 14) Rose Goings said if we allow outside tables and tents, are we going to allow stand-alone sandwich signs. They may make the sidewalk too cluttered. She thinks they are allowed in the current sign regulations.
 - 15) Jason Rasmussen said the regulations limit the sandwich signs to 2' x 4', may not block travel area and must be taken down after normal business hours.
 - 16) Rose Goings said it is too much for the sidewalks
 - 17) Jason Rasmussen agreed that too much stuff may block the sidewalks.
 - 18) Phoebe Tucker agreed that it may block the sidewalks.
 - 19) Jason Rasmussen said the Manchester sign regulations are good and the content is neutral. He asked board members to look them over before the next meeting
 - 20) Rose Goings said they could also look at other towns and see what works best for Ludlow.
 - 21) Phoebe Tucker asked if this includes the gas station signs.
 - 22) Rose Goings said yes.
 - 23) Jason Rasmussen said he will work with Rose Goings on this.
 - 24) Phoebe Tucker asked if the town has considered signs in secondary languages.
 - 25) Rose Goings said the Trustees nixed that idea. It would be too much on the signs and they want one language. When this board goes back to them, we can bring it up again.
- G. Parking
- 1) Jason Rasmussen said that he only made a few small changes – we are trying not to have parking requirements in the Village RC District. There could be more flexibility on Main Street, instead of no requirements. He suggested one spot on the street for every 2 off-street parking spaces or possibly some agreement to share a driveway with a neighbor.
 - 2) Alan Couch suggested letting people figure it out and not to complicate it.
 - 3) Phoebe Tucker said to keep it simple
 - 4) Ryan Silvestri noted that the upper floors with apartments should have no requirements and let the owners work it out in the busy season. He said that he does like the idea of shared parking.
 - 5) Jason Rasmussen said some properties have no space for parking and may be able to make arrangements for parking within a certain number of feet from the units. He said parking makes people nervous.
 - 6) Ryan Silvestri said he likes the idea of no requirements, but we need to think about alternate parking if there is a ban on parking for weather. We could think about the Okemo lots or the municipal lot.

- 7) Rose Goings said when Mary Jane O'Hara had the apartments in town, the people parked in the municipal lot and then the employees did not have a place to park. The Valente building has no parking and will always be a restaurant because we are rendering it useless for other purposes (can't change the use) because of our parking requirements. If we lifted the requirements, they could change the use. She added that in the winter, parking is always a problem. She said that when she and Jason Rasmussen went to the meeting in Montpelier, it was suggested that we let the businesses find their own parking. We need to consider that 152 parking spaces in Ludlow are not enough.
 - 8) Jason Rasmussen said there is no land to make new parking. We are trying to make it easier to do business in Ludlow. He said that the people in Montpelier had hired a consultant – Center for New Urbanism and they had recommended that Ludlow make the permit process easier for houses and our parking regulations. We still need to consider where tenants will park. Let's leave this for now and revisit it next month.
 - 9) Ryan Silvestri said the Town needs a substantial municipal parking lot – close to town. He said that the storage places and Subway are in the floodway.
 - 10) Jason Rasmussen suggested thinking about a shuttle after hours, but he is not sure if it's feasible.
 - 11) Rose Goings said people have large buildings, but can't use it because there's no parking. There is parking on Pond Street at Biancanelli's, by the pharmacy, but that lot is never used.
 - 12) Ryan Silvestri said it is private.
 - 13) Rose Goings suggested a lease.
 - 14) Alan Couch suggested that the town invest in sidewalks from there to town.
 - 15) Ryan Silvestri said there are sidewalks on the other side of the street.
 - 16) Alan Couch said that by not requiring parking, we are opening buildings up to be renovated and more efficiently used. He said to leave in the first sentence.
 - 17) Jason Rasmussen said that make sense. He asked about other parts of the town and possibly changing the requirement to one space for every 400 square feet (Item #5).
 - 18) Alan Couch said it makes sense to make it less restrictive. He suggested changing Item #6 from 2 to 3.
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3. Ryan Silvestri asked if public outreach at the Farmers' Market is a requirement of the grant.
 4. Jason Rasmussen that funders love that process, but it is not required. We did a survey. He asked if the board wants to do more outreach.
 5. Ryan Silvestri said he just wants to make sure that we are not missing any of the requirements.
 6. Rose Goings said we are not having in-person meetings. We talked about the Farmers' Market. She asked if traffic is part of the grant.
 7. Jason Rasmussen said it is unanticipated and outside of the grant.
 8. Rose Goings said we can do another small survey.
 9. Jason Rasmussen suggested outreach to the businesses to show that we are crafting changes for their benefit. We can reach out to them later on in the process.
 10. Rose Goings said that she has spoken to some people about the benches, signs and other changes. This will make it a better village for tourists. She asked Jason Rasmussen if he know anything about a grant that Montpelier received to bury their power lines.
 11. Jason Rasmussen said he hadn't heard about it, but will check into it.

VII. **OTHER BUSINESS**

1. Divided Sky Decision Appealed
 - a. Rose Goings advised that the opponents have appealed the Divided Sky decision. She is working to get the documents to the Court. This will be an on-the-record appeal and the court will only look at the DRB documents and decision. The DRB has already judged the case. The court will look at the opponents' brief and will look to see if the DRB made any errors. The judge will review everything and make a decision.
2. Next meeting September 21, 2021 at 6:00 p.m. Alan Couch will be at town hall.

VIII. **ADJOURN**

1. **MOTION by Ryan Silvestri and seconded by Phoebe Tucker to adjourn this meeting. Motion passed unanimously.**
2. Meeting adjourned at 7:07 p.m.

Respectfully submitted,

Lisha Klaiber

Alan Couch, Chairman

Ted Stryhas

Terry Carter

Phoebe Tucker

Ryan Silvestri