

PLANNING COMMISSION

PRELIMINARY MINUTES

November 16, 2021

**6:00 PM
Zoom Meeting**

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

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MEMBERS PRESENT:

Alan Couch, Chairman
Ted Stryhas

Terry Carter
Phoebe Tucker

Ryan Silvestri

MEMBERS ABSENT:

Ryan Silvestri

STAFF PRESENT:

Rose Goings

OTHERS PRESENT:

Eric Alden
Andrea Goldman
Cherry Nicoll

Meredith Milliken
Jason Rasmussen

Rebecca Devereux – Okemo Valley TV

I. CALL TO ORDER – ELECTRONIC MEETING GUIDELINES

1. Alan Couch called the meeting to order at 6:02 p.m.

II. ROLL CALL

1. Alan Couch did a roll call of the board. All members are present, except Ryan Silvestri.

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 October 19, 2021.
2. Terry Carter noted that on page 6, item VI (A), it should read “that there is a program in Vail, Colorado...”
3. **MOTION by Terry Carter and seconded by Phoebe Tucker to approve the minutes from October 19, 2021 as amended. Motion unanimously.**

V. **COMMENTS FROM CITIZENS**

1. Andrea Goldman said that since this is about revitalizing the Village and bringing people to town, she said if Ludlow opts in to the Cannabis vote, it could bring more people to town.
2. Alan Couch said that the vote was held on November 2, and only 341 people voted, less than 20% of the registered voters. They have 30 days to get 5% of the voters to sign the petition for a revote.
3. Andrea Goldman said that they have the signatures and the vote must be held within 60 days from the date the petition is submitted.
4. Alan Couch said people should avail themselves of this process. Even if Ludlow does opt in, the state assigns licenses by geographic areas. He said that a turnout of 341 voters is dismal, apathetic and people need to get out and vote. Voters can order an absentee ballot or vote in person. It is our responsibility to vote, whether for or against. He said that he separates his responses as a private citizen from his position on the board, but sometimes they overlap.

VI. **REVITALIZE THE VILLAGE OF LUDLOW**

1. Jason Rasmussen said that he and Rose Goings have worked on the draft. He said this board has discussed size and internally lit signs. They decided to keep the no internally lit signs in the ordinance. The board has discussed the possibility of small internally lit signs, but trying to regulate the wattage would open a can of worms. He shared his screen on Sign Regulations and said that they discussed using the Manchester regulations as a model.

SIGN REGULATIONS

- A. Purpose
 - 1) Rose Goings said that she wants signs to draw people into Ludlow. She does not want signs that people won't like. She would like to see signs that are creative, artsy, pretty and nice. She wants the signs to have a positive, pleasant impact rather than a negative impression.
 - 2) Terry Carter said that she likes the purpose statement.
 - 3) Ted Stryhas said if the board feels that it is not adequate, what changes we would make. If it is adequate, move on.
 - 4) Jason Rasmussen mentioned natural surroundings, environment, and preservation of scenery and pedestrian streets.

- 5) Rose Goings said that when a new business comes in about a sign, she wants the ordinance to make them able to see what we want. We want people to be attracted to Ludlow.
 - 6) Alan Couch said he agrees with Rose Goings. We don't want people to get sensory overload with signs. We want people to be able to identify a business quickly. He likes the purpose.
 - 7) Jason Rasmussen said it could talk more about attractiveness and a sense of place.
 - 8) Rose Goings said that tonight is the final draft. She said that she and Jason Rasmussen can make some tweaks tomorrow.
 - 9) Jason Rasmussen said yes.
 - 10) Phoebe Tucker said she thinks it's fine.
 - 11) Andrea Goldman asked if there is a current sign ordinance.
 - 12) Jason Rasmussen said yes. He added that the current purpose statement is only 2 lines and we are beefing it up
- B. Internally Lit Signs
- 1) Rose Goings said that she and Jason Rasmussen had tried to work on allowing them and went through with regard to wattage and lumens. We don't want internally lit signs in Ludlow. She said that they also added no indoor, internally lit signs. She said the square footage stayed the same.
 - 2) Jason Rasmussen said that flags, such as national, state or military are exempt. This ordinance will prohibit internally illuminated signs. We had also explored non-glare and low lumen.
 - 3) Andrea Goldman asked about the internally lit "OPEN" sign that DJ's has.
 - 4) Rose Goings said it is not allowed – the ones that exist are grandfathered and there will be no further internally lit signs.
 - 5) Terry Carter said she is okay with it.
 - 6) Jason Rasmussen said a lot of signs are neon, box type or changing LED. They are not allowed.
 - 7) Andrea Goldman asked about functional signs. She said she would hate to see someone not be able to do business in town. She said that they could be reasonable, not advertising.
 - 8) Rose Goings said the Shell station has one. The amount of signs, the intent there. We're talking about internally lit numbers of signs like, Budweiser or Coors. They are existing. We worry about more signs and coverage of the windows. The one at DJ's is not a problem. She said that advertising is not the issue.
 - 9) Alan Couch said Ms. Goldman referred to open, entrance signs. What about small backlit signs.
 - 10) Terry Carter said that most of them put out a flag to say they are open.
 - 11) Rose Goings said we are talking about neon signs.
 - 12) Andrea Goldman asked if this is for the Village only.
 - 13) Alan Couch said we are talking about the Village. He said that the State Route 100 goes through the Village, but between the village limit signs, it is Ludlow's responsibility.
 - 14) Eric Alden said he is confused. The current ordinance prohibits internally lit signs. IF someone has one, it is grandfathered, but future internally lit signs are prohibited. Why grandfather the ones that are there.
 - 15) Rose Goings said we are eliminating neon from inside. We are not asking people to remove the inside, facing out that have been exempt. But, going forward, no more internally lit sign of any type, even inside facing out. Today, anything inside,

facing out is exempt. After this is adopted, no more, but if you had one, it can stay as grandfathered. She said another problem is that people put the signs in the middle of the sidewalk and it could block wheelchairs. If we do have permits, we can tell them to keep the signs off the sidewalk.

- 16) Andrea Goldman said if you have an ordinance, they would have to comply.
- 17) Alan Couch said they cannot impede traffic or block open parking spaces and can only put them out during business hours. He said that A-frames should not be included in Temporary signs.
- 18) Jason Rasmussen said that A-frames may be up to 8 square feet and people would need a permit for any type of temporary sign.
- 19) Terry Carter said she would like to change that.
- 20) Rose Goings said if we don't have permits, we have no way to enforce it.
- 21) Terry Carter suggested limiting them to one A-frame.
- 22) Rose Goings said it would not be enforceable. She said that if signs are illegal, we will pick them up and will issue a 7-day violation and fine. They would have 7 days to fix it. We send that out certified mail. If they don't move the sign, we will remove it from the ROW. There are all kinds of legality involved. She said that sometimes they will put the sign right back up on the sidewalk. Without a permit, it is not enforceable.
- 23) Alan Couch said what about side alleys – if the sign is on private or public land. He said that Johnny's sign is on private property. He asked about internally lit signs on private property.
- 24) Jason Rasmussen said any sign in the public ROW would need to comply with the federal sign laws. He said that permanent signs are on-site and temporary signs are easy to move. He asked the board if they want to exempt A-frames.
- 25) Alan Couch said that in theory, they are temporary. He said he thinks it's asking a lot to have a business have to apply every 30 days for a taking a sign in. It should only be out during business hours.
- 26) Jason Rasmussen said you would be permitting/allowing sandwich signs with blackboard messages. We are not looking at the messages.
- 27) Rose Goings said there are several already in the Village. Our job is to make the sign regulations for the Village of Ludlow. We need to look at liability and keeping the signs off the sidewalk. We need to do what's best for the entire Village.
- 28) Jason Rasmussen suggested making the permit for A-frames a one-year permit.
- 29) Rose Goings said temporary signs are taken out every day and are not permanent. Blue Sky and Johnny's signs are not affixed.
- 30) Alan Couch asked about a banner for a carnival.
- 31) Rose Goings said that would have to go through the Select Board.
- 32) Alan Couch said having a 30-day permit for an A-Frame is a lot of paperwork.
- 33) Rose Goings said Johnny's applied for an A-frame as a permanent sign, although they do take it in every day. They also have a sign off the building and have a flag on private property. She suggested possibly allowing one temporary 8 square foot sign and have people apply for it as a regular sign, but to be taken in every night.
- 34) Alan Couch said he doesn't think that A-frames should be included in the temporary sign section.
- 35) Rose Goings said that people are allowed to have banners such as "opening soon" or as a temporary sign while they are waiting for their permanent sign to come in.

- 36) Jason Rasmussen asked the board if they wanted to make A-frames, X-frames and T-frames as temporary to be allowed by permit one time.
- 37) Rose Goings said then it will be enforceable. She will discuss this with Jason Rasmussen tomorrow.
- 38) Jason Rasmussen suggested a 30-day permit for a banner in a year.
- 39) Rose Goings said they can have a banner if the fill time sign is not ready yet.
- 40) Jason Rasmussen said this would refer to banners in the yard, not over the street.
- 41) Ted Stryhas said a one and done permit.
- 42) Eric Alden referred to Section 540.4 – Prohibited Signs and noted that any sign within 10 feet of the property line or within the ROW are prohibited. That would apply to almost every business in town.
- 43) Rose Goings said that has been changed. She said that more of those signs are within 10 feet of the property line or within the ROW. She said that the ROW is measured off the side of the road. She asked the board if they want to remove that.
- 44) Alan Couch asked if that referred to the side lot lines. We don't want signs next to the neighbor's property.
- 45) Jason Rasmussen asked if this is for stand-alone signs. They could probably hang the sign off the side of the building.
- 46) Rose Goings said that has been in the regulations since about 1996 and it is time to change it. It doesn't make sense anymore.
- 47) Ted Stryhas said that doesn't fit for the village. It needs to be changed – possibly 5 feet. Now is the time to clean that up.
- 48) Rose Goings said that is a good point. Some people could only have flush mounted with it in. She said that all of the buildings are on the property line.
- 49) Alan Couch said they could specify which lot line.
- 50) Jason Rasmussen said this is the Village RC District and it encompasses Main Street and Pond Street and the regulations would apply to both.
- 51) Alan Couch said within 5 feet of the side lot line or the public ROW.
- 52) Terry Carter asked if this is for free standing signs.
- 53) Eric Alden asked why that was put in.
- 54) Jason Rasmussen suggested free standing – pole or monument mounted, not A-frames. This would be pole mounted signs next to the sidewalk. People wanted signs setback from the edge of the sidewalk. He said that some buildings don't have the room.
- 55) Andrea Goldman suggested that clarify if A-T and X-frames are not part of this.
- 56) Jason Rasmussen said it will be clarified. He said that their target completion date is December. Maybe they can review it at their next meeting. He said that the Village has applied for another grant and if funded, we will continue working on the Village regulations. We have made many changes- just on Main Street. He asked if the board wants NOT to adopt this now and wait to be about Pond Street.
- 57) Alan Couch said we can see if there are any issues next month.
- 58) Terry Carter said that she will ride around Main and Pond Streets to see what is there.
- 59) Andrea Goldman asked if this is available on the website.
- 60) Rose Goings said no.
- 61) Alan Couch said there will be a public meeting for discussion then it will go to the Trustees.

- 62) Rose Goings said that it is not available on the website and that Scott Murphy will want to review it before moving it along to the Trustees. They will be able to see the packet not just the sign regulations, but everything done up to this point.

VII. **OTHER BUSINESS**

1. There was none.

VIII. **ADJOURN**

1. **MOTION by Phoebe Tucker and seconded by Terry Carter to adjourn this meeting. Motion passed unanimously.**
2. Meeting adjourned at 7:23 p.m.

Respectfully submitted,

Lisha Klaiber

Alan Couch, Chairman

Ted Stryhas

Terry Carter

Phoebe Tucker

Ryan Silvestri