

PLANNING COMMISSION

PRELIMINARY MINUTES

October 19, 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

OTHERS PRESENT:

Logan Nicoll

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.

II. ROLL CALL

1. Alan Couch did a roll call of the board. All members are present.

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 August 17, 2021.
2. **MOTION by Ryan Silvestri and seconded by Phoebe Tucker to approve the minutes from August 17, 2021 as submitted. Motion unanimously.**
- 3.

V. COMMENTS FROM CITIZENS

1. Logan Nicoll said that he had looked over the town and village zoning regulations and noticed restrictions in all units per square footage of lot space. He said that his thought is that to encourage more development and potential for affordable housing. This is a problem area for him and keeps him from doing something with his property. He would like to see the density lowered. His lot is only 5,000 square feet/per unit. He would possibly like to add another unit, but is restricted by his lot size.
2. Alan Couch said this is part of the revitalization. The board is going through the density and maximum lot coverage and trying to create more conforming buildings by changing lot densities. This does create a problem with parking and the board is looking at it. He would hate to see that people can't change the use of their property because of lack of parking.

VI. REVITALIZE THE VILLAGE OF LUDLOW

1. Jason Rasmussen shared his screen on Sign Regulations and said that they discussed using the Manchester regulations as a model.

SIGN REGULATIONS

- A. Section 540.1
 - 1) Jason Rasmussen said at the last meeting, they discussed expanding the scope
 - 2) Alan Couch said the changes made sum up the feelings of the board.
 - 3) Jason Rasmussen said it sets the vision and purpose.
 - 4) Alan Couch said no changes are needed
 - 5) Terry Carter and Phoebe Tucker agreed.
- B. Section 540.2
 - 1) Jason Rasmussen said it was basically unchanged, but he did include a Content Neutrality statement
 - 2) Ryan Silvestri said it makes sense
 - 3) Alan Couch asked that it be moved to #1 under the section
 - 4) Phoebe Tucker asked if it addresses discrimination
 - 5) Rose Goings said that signs usually reflect the business and so far, there have not been any problems.
 - 6) Ryan Silvestri said that all signs have permits
 - 7) Rose Goings said that some things do not belong and we make them take the signs down. She said that there were some problems during the election time
 - 8) Jason Rasmussen said the intent is not to regulate what people can say
- C. Section 540.3 – Exempt Signs
 - 1) Jason Rasmussen said they are generic and not getting into political signs. This is a good change from the present regulations
 - 2) Rose Goings said that indoor window signs can get cluttered and there is a lot of neon facing out. Is there any thought on limiting these?
 - 3) There was consensus that the board does not want the Village Center overpowered with signs
 - 4) Terry Carter asked about internally lit signs
 - 5) Rose Goings said that is up for discussion. There are a lot of indoor signs and they have always been exempt.

- 6) Terry Carter said that she likes the look without those signs, i.e., Budweiser signs
 - 7) Jason Rasmussen said that the Manchester standard is that window signs can't exceed 25% of the surface area.
 - 8) Phoebe Tucker suggested that indoor window signs not be fluorescently lit
 - 9) Terry Carter said internally lit.
 - 10) Rose Goings added neon.
 - 11) Jason Rasmussen asked about previously exempt sign
 - 12) Rose Goings said she would like to limit some state signs, like the 802 Spirit signs. They should not be exempt
 - 13) Jason Rasmussen asked about the signs erected by the Village
 - 14) Rose Goings said they are okay.
 - 15) Terry Carter asked about an exemption for hand-painted murals.
 - 16) Rose Goings said that should be up to the Select Board or Trustees that is beyond the sign limitations – it could be art.
 - 17) Terry Carter asked if there is anything in the regulations that makes it go to the Select Board or Trustees. If it is not specific, it should go to the Select Board or Trustees
 - 18) Jason Rasmussen asked about on-premise direction signs
- D. Section 540.4 Prohibited
- 1) Unless otherwise exempt, not allowed
 - 2) Rose Goings said she sent an email to the board about secondary signs – small, internally lit, low light, attached to the dominant sign. She said that she spoke to Justin Hyjek about these. She said that over the years, they have discussed allowing small internally lit signs. There are different types of illumination
 - 3) Ryan Silvestri said it looks good if low wattage and not colored lights
 - 4) Rose Goings said colored lights would get into neon
 - 5) Ryan Silvestri suggested warmly lit
 - 6) Jason Rasmussen said that flashing or moving lights are not allowed. He added that a definition for this is needed.
 - 7) Alan Couch asked if they would be included in the maximum square footage or on their own
 - 8) Rose Goings said on their own. We can discuss this later
 - 9) Alan Couch asked if it is included in the total square footage and internally lit and 49.9% of the maximum area.
 - 10) Jason Rasmussen said they could include a certain percentage of the primary sign
 - 11) Ryan Silvestri noted that Main & Mountain has a 3-sided sign and asked if all 3 sides count toward the total square footage.
 - 12) Board will get back to this
- E. Section 540.5 Standards
- 1) Jason Rasmussen said that Manchester allows more signs and different square footages and categories. They allow one free-standing, one wall-mounted and one awning/canopy
 - 2) Alan Couch said he likes that approach – you could have one of each
 - 3) Ryan Silvestri said that a restaurant has one “Prime Ribs” sign, the name on the wall and “Cocktails” on the awning. This gives a better description of the business
 - 4) Jason Rasmussen asked about square footages and number of signs note in Manchester
 - a) Free standing – up to 16 square feet
 - b) wall mounted – up to 16 square feet
 - c) awning – up to 10 square feet

- 5) Terry Carter asked if free-standing was like a sandwich board
- 6) Jason Rasmussen said it was more permanent – post or pedestal mounted
- 7) Alan Couch said the square footages look reasonable, also the types of signs
- 8) Jason Rasmussen said this would allow more square footage
- 9) Ryan Silvestri said it looks good
- 10) Jason Rasmussen said he is focusing on the Village RC district, but they could also change the other Village districts that are generally smaller. The Preservation District is also smaller, but bigger than the Residential District. Temporary Signs: Jason Rasmussen said A-frame – only one is allowed and no bigger than 8 square feet. This included yard signs and banners
- 11) Alan Couch asked if the 8 square feet included both sides of the A-frame, with 2' x 2' on each side
- 12) Rose Goings said both sides combined to up to 8 square feet
- 13) Ryan Silvestri asked about banners
- 14) Rose Goings asked what kind of banners
- 15) Ryan Silvestri said he is trying to define that
- 16) Rose Goings said some are temporary, such as those used while the permanent sign is being made., or sale sign that stay up for 6 months
- 17) Alan Couch said we need to define temporary signs and specify length of time.
- 18) Jason Rasmussen said changes can still be made. Free-standing signs are limited to one and the size will can be limited. He said that he added back in language about Group signs on mixed use buildings.
- 19) Alan Couch said he likes it
- 20) Rose Goings said to keep it in, we already have some. She asked Jason Rasmussen to add it to the table.
- 21) Logan Nicoll said that the group language is not mentioned in the Preservation district.
- 22) Jason Rasmussen asked about the size for the Preservation District.
- 23) Rose Goings said it should be the same as everywhere else. There is one now and they are not using the whole thing – 30 square feet
- 24) Ryan Silvestri agreed, asking why differentiate – make it 50 square feet.
- 25) Ted Stryhas agreed to 50 square feet and said it is not worth differentiating
- 26) Rose Goings said to leave it as it is.
- 27) Jason Rasmussen noted the language about a parcel without frontage putting a sign in the ROW
- 28) Alan Couch said yes.
- 29) Terry Carter agreed
- 30) Jason Rasmussen said he did not make any changes to the setbacks or height numbers. He said there was not much change to wall-mounted sign, how to mount was a little bit different. He said projecting signs hang off an arm off the building. He asked about soffit signs
- 31) Terry Carter said they are okay, and offer an option.
- 32) Jason Rasmussen asked about awning, canopy or marquee signs
- 33) Alan Couch said they work
- 34) Rose Goings said they look nice
- 35) Jason Rasmussen said they can look at secondary signs next month. He said there can be waivers from the DRB
- 36) Rose Goings said the Town of Ludlow does not have waivers and they do not go to the DRB. She does not know if we want to start that, it would be getting into

- Design Review. We need to allow them or not. She does not think they should go to the DRB.
- 37) Ryan Silvestri said we could allow them, but be very specific as to the restrictions and how to define them.
 - 38) Jason Rasmussen said to look at Main & Mountain and illumination levels.
 - 39) Alan Couch asked about the language referring to height to the bottom of the sign.
 - 40) Jason Rasmussen said he is not sure why that is there. Normally a secondary sign would be to the side of below the primary sign.
 - 41) Alan Couch said they wouldn't want to obscure the primary sign.
 - 42) Jason Rasmussen deleted the reference
 - 43) Ryan Silvestri asked about 3-sided sign and asked if they should count all three sides.
 - 44) Rose Goings said we have to decide what we want with regard to size and illumination
 - 45) Jason Rasmussen said he and Rose Goings will get together and work on this. He said he had not changed the lighting section.
 - 46) Rose Goings said it will have to be changed, it talks about 150-watt, incandescent lights.
 - 47) Jason Rasmussen said that he and Rose Goings would work on it for the next meeting. They will also work on temporary signs and definitions. He said that Manchester has a temporary sign registration process.
 - 48) Rose Goings said sign permits can be downloaded. She said that we have sign permit and we could add temporary signs to that permit when we finish with these regulations.
 - 49) Jason Rasmussen suggested yard signs up to 30 days, banners up to 60 days and A-frames up to 90 days.
 - 50) Rose Goings said we need to think about this
 - 51) Ryan Silvestri suggested that they be permitted 30 days and allowed to reapply for 30-day increments.
 - 52) Ted Stryhas said there should not be limitations
 - 53) Ryan Silvestri said they can reevaluate after 30 days.
 - 54) Jason Rasmussen asked about flags or tear drop signs
 - 55) Ryan Silvestri said there is already a vast array of types of signs at this point.
 - 56) Terry Carter said they can limit the total number of signs, maybe 4
 - 57) Jason Rasmussen said may limit temporary signs to 1.
 - 58) Ryan Silvestri said he agrees about only 1 temporary sign with 30-day increments.
 - 59) Jason Rasmussen said he will make the changes and the board can review them next month

FINAL DRAFT REVIEW

- A. Jason Rasmussen said he sent the document a few days ago.
 - 1) Section 255 – added administrative review process to make it easier to get permits
 - 2) Section 430 – made changes to the RC District to reduce lot size and density
 - 3) Section 520.3 – we currently have one principle use per lot and we added more to enable mixed use.
 - 4) Section 520.14 – This is a new change of use section
 - 5) Section 530.1 – we reduced parking standards and there is no parking requirement in the RC District

- 6) We changed some definitions
- B. Ryan Silvestri noted that the square footage requirement per unit was removed in the RC District, but it is still 5,000 square feet in the Preservation District
 - C. Jason Rasmussen said there are different standards for residential vs. non-residential. They also got rid of 2-unit and multi-unit density. We have not changed the other 2 Village districts yet.
 - D. Logan Nicoll said that the board had covered exactly what he was considering. He asked the board to consider the same for the other 2 districts.
 - E. Ryan Silvestri said they could add it to this draft.
 - F. Terry Carter said the density should be in the Village, but will it help create more affordable housing or more Air B&B units.
 - G. Rose Goings said that for the mixed-use buildings in the village, with the commercial units down and the residential units upstairs, there are different standards for each. She said that in the RC, the density is 10,000 square feet. If there are stores below, that is a lot of land and some buildings don't have any land.
 - H. Jason Rasmussen said that's one of the reasons we got rid of the parking requirements, to allow for mixed use. As long as they have 5,000 square feet, mixed use is allowed.
 - I. Rose Goings said we need to spell this out very clearly and be very cautious with the definitions.
 - J. Jason Rasmussen said they hope to be done with this by the end of the calendar year. They will review the final draft at their next meeting.
 - K. 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

VII. GRANT APPROVAL FOR FY2022

- 1. Alan Couch said that there is paperwork for him to sign for an application for a grant for By-Law Modernization. He will sign it and asked Rose Goings to get it to the Trustees.
- 2. Rose Goings said we try to apply for every grant we can get and to work with Regional.
- 3. Jason Rasmussen said that grant may allow changes to the other zoning district in the Village. We may also tweak the district boundaries.

VIII. OTHER BUSINESS

- 1. Housing Assistance
 - A. Terry Carter advised that there is a program in the state to assist lower income people to be able to obtain housing in higher priced areas. She said that towns may be able to use money to help people purchase buildings. Possibly, the towns could use some of the Recovery Act funds. She will send a link to the board.
 - B. Alan Couch said we could look into it.
- 2. Cannabis Recreational Sale Dispensary
 - A. Alan Couch advised that there will be a town informational meeting on November 1, 2021, at town hall to discuss a vote to allow a dispensary to open in Ludlow. He said that the town does have an ordinance prohibiting this. The state has created on "opt-

in” process for towns to allow this. The vote will be on Tuesday, November 2, 2021. The vote will be to allow the town to “opt-in.” We should all pay attention to this, be well informed and come out to vote. The town will have to create zoning for this.

IX. ADJOURN

1. **MOTION by Ryan Silvestri and seconded by Terry Carter to adjourn this meeting. Motion passed unanimously.**
2. Meeting adjourned at 7:17 p.m.

Respectfully submitted,

Lisha Klaiber

Alan Couch, Chairman

Ted Stryhas

Terry Carter

Phoebe Tucker

Ryan Silvestri