

**VILLAGE OF LUDLOW
BOARD OF TRUSTEES**

THE PUBLIC HEARING

TUESDAY, September 3, 2024

5:30 P.M.

HEALD AUDITORIUM

Village Trustees Meeting – Zoom Link

**Meeting ID: 984 2249 8745
Passcode: 045593**

One tap mobile

**+13126266799, 98422498745#,,,,*045593# US (Chicago)
+16469313860, 98422498745#,,,,*045593# US**

Dial by your location

<https://zoom.us/j/98422498745>

TRUSTEES PRESENT:

Bob Brandt, Chairman Julie Nicoll

STAFF:

Brendan McNamara

PLANNING COMMISSION MEMBERS PRESENT:

Terry Carter Jean Strong

OTHERS PRESENT:

Eric Alden	Lorraine Hughes	Melissa Rockhill
Scott Baitz	Logan Nicoll	Kelly Stetner
Kathy Grant		

I. Call To Order

- A. Bob Brandt, in accordance with 24 VSA 4441 and 24 VSA 4444, called the Public Hearing to order at 5:30 p.m. (Entire Warning is included at the end of tonight’s minutes.) He led the Pledge of Allegiance
- B. Terry Carter said this is the 2nd public hearing about changes to the zoning regulations. She read a summary of the proposed changes to the regulations and advised that they have been vetted by Attorney Chris Callahan
 - 1) Section 220-Zoning Permit
 - a. “A permit shall be required for any of the following interior alterations.
 - b. 1. Increase in habitable living space (including, but not limited to, attic, bedroom,
 - c. basement, garage and winterizing or otherwise enclosing a porch).

- d. 2. Installation of an additional kitchen.
 - e. 3. Change in use
 - f. 4. Home Occupation
 - g. 5. Increase or decrease in the number of bedrooms or units
 - h. 6. Any interior construction costing, or valued at, \$10,000 or more.
- 2) Section 410-Preservation District
 - a. Changed density from 10,000 square feet to 8,712 square feet. (state reg.)
 - b. ~~Changed the amount of area to develop from 12% to 65%.~~ The Trustees changed this percentage to 45%.
 - 3) Section 420-Village Residential
 - a. Density is at 8,712 square feet. ~~Lot coverage was changed to 75%, from~~
 - b. 30%(non-residential) and 50%(residential)The Trustees changed the percentages to 50%
 - 4) Section 425-Village R-2
 - a. We created a new district with lower density (8,712 sq. feet) that permitted and
 - b. conditional uses are all about housing because several neighbors came to us
 - c. wanting a change. The change would make all of Andover Street residential
 - d. from Bridge Street headed south. ~~The lot coverage we changed to 75%.~~The Trustees changed these percentages to 50% .
 - 5) Section 430-Village Res/Com
 - a. We moved several conditional uses to permitted to streamline the permitting
 - b. process. State regs required us to add multi-unit dwelling(4 or fewer),
 - c. accessory dwelling unit and structures to permitted uses.
 - d. Density is at **8,712** square feet for residential and 5,000 for commercial
 - e. We kept in the Covid outdoor dining regs.
 - f. The lot coverage was changed to 75% from 50% residential and 30% nonresidential by the Trustees.
 - 6) Melissa Rockwell voiced her concern about the capacity in the Zoning office to handle the increase in number of permits. She is also concerned about storm water with the increase in lot coverage.
 - 7) Bob Brandt said that this includes impervious areas – driveways and garages. If the lot coverage were small, the only house you could build would be a tiny house.
 - 8) Melissa Rockwell said you could have larger lots with apartment buildings.

II. Adjourn

- A. **MOTION by Julie Nicoll and seconded by Bob Brandt to adjourn. Motion passed unanimously.**
- B. **Public Hearing closed at 5:46 p.m.**

Village Trustees 2024

Tuesday – September 3, 2024 at 5:30 p.m.

Public Hearing Notice

Hybrid Meeting - Heald Auditorium/Zoom

Village of Ludlow Zoning & Flood Hazard Regulation amendments

Pursuant to 24 V.S.A. §4441 and §4444, notice is hereby given of a public hearing by Ludlow’s Village Trustees to hear comments regarding proposed amendments to the Ludlow Zoning & Flood Hazard Regulations, including the zoning map. The public hearing will take place on Tuesday, September 3, 2024, beginning at 5:30 pm.

You may attend the Public Hearing in-person at the following address:

Ludlow Town Hall
37 Depot Street
Ludlow, Vermont 05149

Or via Zoom Link:

Trustees Public Hearing to Adopt New Zoning Regulations - September 3, 2024
Meeting ID: 984 2249 8745
Passcode: 045593

Comments regarding the proposed amendments to the Ludlow Zoning & Flood Hazard Regulations and the zoning map may be submitted verbally at the Public Hearing. Written comments may also be submitted via email to Brendan McNamara, Ludlow’s Town Manager at tmanager@tds.net or Terry Carter, Ludlow’s Planning Commission Chair at tmgcarter@gmail.com.

Statement of purpose:

The purpose of the proposed amendments to the Village of Ludlow Zoning & Flood Hazard Regulations, including the zoning map is to:

- implement both the 2019 Municipal Plan and Act 47 (the HOME Act);
- further village revitalization by facilitating commerce in the Residential-Commercial district;
- make it easier to permit additional housing of various types, including affordable housing and senior housing, throughout the village;
- comply with the provisions of 24 VSA §4412, 4413 and 4414.

Please see the Planning Commission’s report on the amendments for more detailed information on the town website.

Geographic areas affected:

Portions of these amendments apply to all areas of the Village.

List of section headings affected:

The following new sections were added to the Ludlow Zoning & Flood Hazard Regulations:

- Section 255, Administrative Review
- Section 290, Affordability Requirements
- Section 425, Village Residential-2 (new zoning district)

In addition, amendments are proposed which modify the following sections of the Ludlow Zoning & Flood Hazard Regulations:

- In Article 1, Section 140
- In Article 2, Sections 220, 221, 221.5, 224, 226, 227, 260, 260.3, 270.5, 280, and 290.
- In Article 4, Section 410, 420, new section 425 and 430 (including supplemental standards for outside dining and curbside pick-up).
- In Article 5, Section 510.1, 510.3, 520.2 (eliminated), 520.3, 520.8, 530.1, 530.3, and 540, 540.3, 540.4, 540.5, 540.6, 550, 550.1 and new section 550.9
- In Article 6, Section 660.
- In Article 7, a number of new definitions were added, definitions that aren't used in the document were eliminated, and many existing definitions were revised.
- Minor clarifications and corrections were made throughout the document.

The full text of the amendments to the Village of Ludlow Zoning and Flood Hazard Regulations, including the revised zoning map and the Planning Commission's report, are available online at <https://www.ludlow.vt.us> The proposed amendments and report can also be reviewed in hard copy format in the Town Clerk's Office in the Ludlow Town Hall located at 37 Depot Street, Ludlow, 05149

Summary of Changes to the Village Zoning and Flood Hazard Regulations.

Section 220-Zoning Permit

Chris Callahan's Proposed Language:

“A permit shall be required for any of the following interior alterations.

1. Increase in habitable living space (including, but not limited to, attic, bedroom, basement, garage and winterizing or otherwise enclosing a porch).
2. Installation of an additional kitchen.
3. Change in use
4. Home Occupation
5. Increase or decrease in the number of bedrooms or units
6. Any interior construction costing, or valued at, \$10,000 or more.

Section 224-Expiration of Permit (State reg. change)

Land development associated with a site plan or conditional use approval shall commence within one year of the date the permit was issued. Unless land development associated with a site plan or conditional use approval has been substantially completed within two years of the date of approval, the zoning permit shall become null and void.

Section 255-Admin Review

Applicability: The Zoning Administrator is authorized to review and approve a change from an existing retail use to a different retail use within the Village R-C District.
(Changed this to streamline the permitting process, a goal of our grant)

Section 260.3 General Standards

In accordance with 24 VSA §4414(3)(D), a multi-unit dwelling project consisting of four or fewer units located in a district allowing multi-unit dwellings shall not be denied solely due to an undue adverse effect on the character of the area affected. (State reg. change)

Section 290-Affordability Requirement

We replaced this section with new language from the state that included new state regs,

A minimum of 15% of all units developed (rounded) as part of a housing project MUST be affordable.

All areas served by both municipal sewer and water infrastructure, affordable housing development, including mixed-use development, may exceed density limitations for residential developments by an additional 40 percent, and may exceed height limitations by one floor, provided that the structure complies with the Vermont Fire and Building Safety Code.

Section 410-Preservation District

Changed density from 10,000 square feet to 8,712 square feet. (state reg.)

~~Changed the amount of area to develop from 12% to 65%. The Trustees changed this percentage to 45%.~~

Had to move 2 unit dwellings, multi-unit dwellings and accessory dwelling units to permitted uses to align with state regs.

We chose to add Farmer's Market to permitted uses.

Added: Different materials may be used that keep in the character of the Preservation District and solar panels are allowed.

Section 420-Village Residential

State regs required us to add multi-unit dwelling(4 or fewer), accessory dwelling unit and structures to permitted uses.

Density is at 8,712 square feet .~~Lot coverage was changed to 75%~~, from 30%(non-residential) and 50%(residential)**The Trustees changed the percentages to 50%**

Section 425-Village R-2

We created a new district with lower density (8,712 sq. feet) that permitted and conditional uses are all about housing because several neighbors came to us wanting a change. The change would make all of Andover Street residential from Bridge Street headed south. ~~The lot coverage we changed to 75%.~~**The Trustees changed these percentages to 50% .**

Section 430-Village Res/Com

We moved several conditional uses to permitted to streamline the permitting process. State regs required us to add multi-unit dwelling(4 or fewer), accessory dwelling unit and structures to permitted uses.

Density is at 8,712 square feet for residential and 5,000 for commercial

We kept in the Covid outdoor dining regs.

The lot coverage was changed to 75% from 50% residential and 30% nonresidential by the Trustees.

Section 520-Misc. Requirements

. There may be more than one principal use on a lot within the Village R-C District.

Section 530-Parking and Loading Requirements

New state regs. Required us to change:

Residential uses: . . **one parking space per dwelling unit, except in areas that are located more than one-quarter mile from public parking, in which case 1.5 parking spaces per dwelling unit are required (rounded up to the nearest whole number).**2.

Professional office/residence: one residential parking space, plus one additional parking space for every four hundred (400) square feet of office space.

Hotel, Inn, Motel, Tourist Home, B&B: one space per bedroom

Boarding/rooming House: one space per bedroom.

We added: Workforce Housing,: As required by the DRB in required districts. In the Commercial District 1.parking spot required per bedroom.

Section 540: Signs

This section is completely reworked and changed. It was worked on by the previous PC intensively. This board tweaked a few things, added clarifying language in places. We added to the prohibited section: Repetitive flags or pennants and Signs with profanity.

Section 550.1: Noise

We added on our zoning lawyer's suggestion:

550.9- Individuals share a private right for recourse by filing a nuisance complaint with the police or the district court.

Article 6: Flood Plain Management Ordinance

We only changed that fuel tanks would no longer have a height requirement but would still have to be securely anchored because Rose pointed out that fuel companies are refusing to fill tanks up that high. We are currently working on this entire section, updating it because it is 10 years old.

Article 7-Definitions

Many were updated with state definitions, some were eliminated because they appear nowhere in the document, missing ones were added