

**TOWN OF LUDLOW PLANNING BOARD  
MINUTES OF THE MEETING OF  
February 22, 2024**

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**PLANNING BOARD MEMBERS**

Raymond Phoenix – Chairman (Present)  
Christopher Coelho – Vice Chairman (Present)  
Joseph Queiroga (Present)  
Joshua Carpenter (Present)  
Joel Silva (Present)  
Kathleen Houle, Associate Member (Absent)

The meeting began at 7:00 p.m. in the Selectmen's Conference Room.

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**CONTINUED PUBLIC HEARING – Site Plan – Marco Vieira (V & V Properties LLC)  
20-56 East Street (Assessors' Map 13C, Parcel 58) (update site plan for gym and café)**

*The public hearing was held off until later in the meeting because the applicant wasn't present. Mr. Stefancik said that the site plan was never updated and that he didn't receive a request for a continuation.*

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**CONSENT AGENDA:**

*The Board approved the Consent Agenda under unanimous consent.*

- ◆ SIGN Special Permits:
    - Mehmet Siperoglu – 140 Paulding Road (limo/transportation service)
    - David Beauregard – 601 Center Street (Waiver of Frontage)
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Mr. Phoenix asked if Big Y was aware that they need to remove the My Picks spaces on their site plan. Mr. Stefancik said that they are taking them off of the plan and that he is in the process of reviewing a new plan that they recently submitted.

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Mr. Phoenix mentioned that the attorney for the applicant that wanted to go into 21 Harding Avenue for a liquor store went to speak with the Selectmen about putting the liquor license at the gas station on Sewall Street and transferring that existing license to the Mobile Station. He said that the Planning Board never made an official decision on the application for 21 Harding Street because the applicant withdrew.

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Mr. Phoenix asked about the absence of the Building Commissioner and whether there is a Zoning Enforcement Officer at the moment. He said that the town needs an active enforcement officer.

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**CONTINUED PUBLIC HEARING – Site Plan – Marco Vieira (V & V Properties LLC)  
20-56 East Street (Assessors' Map 13C, Parcel 58) (update site plan for gym and café)**

**SEE SEPARATE MINUTES**

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**PUBLIC HEARING – Special Permit/Home Occupation – Steven M. Koziol - 259 Chapin Street  
(Assessors' Map 27A, Parcel 122) (home office for home improvement business)**

**SEE SEPARATE MINUTES**

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**File Mail Item 10 - Legal Notice – Ludlow Conservation Commission – Notice of Intent – Alden Pond**

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**Mail Item 11 - Request to review fees, from Marc Strange, Town Administrator**

Mr. Stefancik will gather fees from neighboring communities to present at the next meeting.

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**PUBLIC HEARING – Zone Change – Linton Holdings, LLC - 0 West Street  
(Assessors' Map 3, Parcels 66G, 66N, 66P) (Residential B to Industrial A)**

**SEE SEPARATE MINUTES**

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**SITE SKETCH – New England Equities, LLC (MAD Wings) - 313-319 East Street  
(Assessors' Map 15A, Parcel 338) (update site plan to add sit down dining for 24 people) ANR –**

*Jeffrey Parent was present for the appointment.*

Mr. Phoenix remarked that his main concern with adding the dining would be the lack of parking because the requirement is twelve and the plan shows eight. Mr. Stefancik said that because it is East Street, the Board can waive up to five parking spaces.

Mr. Parent told the Board that he wants to bring the indoor dining back to what the previous occupant had. He said that he also upgraded the building with new fire suppression and egress doors.

Mr. Parent submitted a waiver request for five parking spaces in the East Street Corridor.

Mr. Coelho: I'll make a **MOTION** to waive the five parking spaces.

**SECOND** Mr. Queiroga.

**5-0 in Favor.**

Mr. Phoenix: If nobody thinks it needs to be a full site plan, I would entertain a MOTION to accept a site sketch instead of a full site plan for the change that's been proposed for the property and further to approve the site sketch in the standard form.

Mr. Coelho: **SO MOVED.**

**SECOND** Mr. Queiroga.

**5-0 in Favor.**

Mr. Phoenix: We need a MOTION to waive the public hearing.

Mr. Carpenter: **SO MOVED.**

**SECOND** Mr. Coelho.

**5-0 in Favor.**

*Documents included: Master application; Waiver request; Site Plan – 313-315-317 East Street Ludlow, MA – owned by New England Equities LLC (December 21, 2022)*

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Mr. Carpenter reminded the community about the 250<sup>th</sup> anniversary events happening in town this week.

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Mr. Carpenter: **MOTION** to adjourn.


**SECOND** Mr. Coelho.

Mr. Phoenix: Always in order and not debatable.

**5-0 in Favor.**

Meeting adjourned at 8:01 p.m.

APPROVED:

  
Joseph Queiroga, Secretary

(All related documents can be viewed at the Planning Board Office during regular business hours.)

**TOWN OF LUDLOW PLANNING BOARD  
CONTINUED PUBLIC HEARING – SITE PLAN  
20-56 East Street (Assessors' Map 13C, Parcel 58)  
Marco Vieira (V & V Properties LLC)  
(update site plan for gym and café)  
February 22, 2024**

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**PLANNING BOARD MEMBERS**

Raymond Phoenix – Chairman (Present)  
Christopher Coelho – Vice Chairman (Present)  
Joseph Queiroga (Present)  
Joshua Carpenter (Present)  
Joel Silva (Present)  
Kathleen Houle, Associate Member (Absent)

The continued public hearing began at 7:14 p.m. in the Selectmen's Conference Room.

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*The applicant was not present for the hearing.*

Mr. Phoenix: Trying to remember, I know when we discussed this, I'm gonna reopen the public hearing, and I will re-mention that if anybody wants to speak on this, they're certainly welcome to at appropriate times and that we do have cameras rolling and microphones doing microphone related things. But when we last talked about this, we were talking about the traffic flow on the site. We were talking about the fact that it didn't meet certain things. Did we actually run through the checklist formally or did we just kind of highlight some of the things that we saw some issues with?

Mr. Stefancik: He had to remove the service window out of the café and then he had to update the new business on the site plan where it was going into the vacant retail. It was gonna be a home improvement center, so he needed to do those two things. I don't think we went through the full checklist. It was just looking at what was missing and what, you know, he was saying that they would be having a drive through and that's what they were not doing.

Mr. Phoenix: Ok. For anyone that didn't catch it when we talked about it at the top of the meeting, we basically don't have the applicant here. We don't have an updated plan. We don't have anything as far as a request to continue until another date and time in case there was, you know, maybe something going on, if somebody was ill or whatnot or just kind of left not knowing what the situation is, and we can't just leave things in limbo when we have a public hearing open. Do we want to just run through the site plan checklist and see where that lands us and then whether we do a motion to act on it tonight or later on, at least that's all will have been discussed in the public hearing and we can close the public hearing tonight and then either vote tonight or vote another night? Does that sound fair to everybody?

Mr. Coelho: Mr. Chairman, I was in communication with the applicant.

Mr. Phoenix: Ok.

Mr. Coelho: He couldn't get a hold of Paul Smith and he didn't know that continuances, he didn't get another letter. He's out of town.

Mr. Phoenix: He was here when we did the continuance, what letter was he expecting?

Mr. Coelho: I understand. I don't know, another notification letter. That's just what I was told.

Mr. Phoenix: And my understanding is Doug, you had tried reaching out to Paul?

Mr. Stefancik: I reached out to Paul Smith and Paul Smith tried to reach out to him this week and he never heard back from him.

Mr. Phoenix: So, we're hearing from Doug that Paul Smith tried to reach out to the applicant, and we're hearing from you that the applicant tried to reach out to Paul and somehow that didn't connect one way or the other. So, Chris, if you've had that communication from him, do you have a different path that you would want to take on this or you want to think we should run the checklist and close 'cause we have nobody from the community here, we have no applicant here, we have nothing.

Mr. Coelho: I think we should continue the public hearing and give everybody another opportunity and.

Mr. Queiroga: Mean to give him one more final chance?

Mr. Carpenter: I was just gonna say, how many continuances can we offer out? I have no problem continuing, I just don't want to have this happen again.

Mr. Phoenix: On the bright side, we don't have people that came in to talk about it --- so at least we're not inconveniencing anybody else, it's just us.

Mr. Coelho: He is a new developer, I'm not trying to make 'scuses, not 'scuses, excuses. And he is new to the process, and I mean, that is, you know, kind of a landmark area in town. So, I think we'd have better control over it by continuing the hearing and at least getting something done in a positive direction.

Mr. Phoenix: I think that's fair. I think doing one continuance for now and hoping that things will be turned in by then is not unreasonable. If he still hasn't to our knowledge been able to get a hold of Paul, should we be looking at like a month out? Does that sound fair to everybody?

Mr. Queiroga: Yeah.

Mr. Coelho: Yeah.

Mr. Carpenter: What's the date in a month?

Mr. Phoenix: March 28<sup>th</sup>.

Mr. Carpenter: Mr. Chairman, I'll make a **MOTION** to continue the public hearing.

Mr. Phoenix: One second. Sue, do we have anything on that meeting yet?

Ms. Urban: 7:00.

Mr. Phoenix: 7:00 is open?

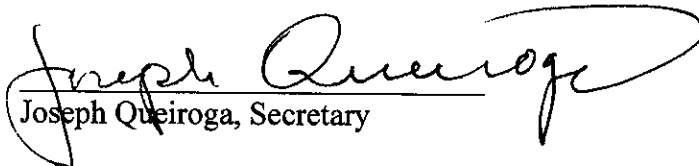
Ms. Urban: Yup.

Mr. Phoenix: Ok.

Mr. Carpenter: I **MOVE** to continue the public hearing to March 28<sup>th</sup> at 7:00 p.m.  
**SECOND** Mr. Queiroga.  
**5-0 in Favor.**

*The public hearing was continued until March 28, 2024, at 7:00 p.m.*

APPROVED:

  
Joseph Queiroga, Secretary

su

Documents: Master application

*(Documents pertaining to this hearing are available for viewing in the Planning Board Office during regular business hours).*

**TOWN OF LUDLOW PLANNING BOARD**  
**PUBLIC HEARING – SPECIAL PERMIT/HOME OCCUPATION**  
**259 Chapin Street (Assessors' Map 27A, Parcel 122)**  
**Steven M. Koziol**  
**(home office for home improvement business)**  
**February 22, 2024**

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**PLANNING BOARD MEMBERS**

Raymond Phoenix – Chairman (Present)  
Christopher Coelho – Vice Chairman (Present)  
Joseph Queiroga (Present)  
Joshua Carpenter (Present)  
Joel Silva (Present)  
Kathleen Houle, Associate Member (Absent)

The public hearing began at 7:20 p.m. in the Selectmen's Conference Room.

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*In attendance: Steven Koziol, attendee*

Mr. Phoenix read the legal notice, advised the public that the hearing is being recorded, and gave the applicant a copy of the Turley Publications invoice. The legal notice included the description of: home office for home improvement business.

Mr. Phoenix: So, what I have on file, like I read in the legal notice, is that you're looking to have a home office for a home improvement business. And on our handy dandy sheet we've got that the home is 2,758 square feet. You're looking to use 100, no nonresident employees, and no to any planned signage, customers at the house, deliveries unlike a normal residence, changes to the site that would make it look less residential, one commercial vehicle which is a 2015 Chevy Van 2500, and it says the GVW is 6,800. Is that correct?

Mr. Koziol: Yes.

Mr. Phoenix: And I do have a signed request of a waiver from the full site plan down to a sketch and photos as prepared by the applicant. So, that's what I have, could you explain for us a little bit more about what you're looking to do?

Mr. Koziol: I just basically need an address to be able to provide home improvement services for other people. I'd be travelling to their place to ---.

Mr. Phoenix: And from what I was saying on there, you're not getting deliveries of any materials or anything at your house that would be delivered on site?

Mr. Koziol: It wouldn't be anything large.

Mr. Coelho: No dumpsters, no...

Mr. Koziol: So, I do a lot of projects where I might get a dumpster from here time to time, also to clean up my stuff. I have four boys, so they go through clothes and, you know, toys.

Mr. Coelho: You're not gonna be moving a lot of dumpsters in conjunction with the business?

Mr. Koziol: No, I might have a dumpster once every year or two.

Mr. Coelho: I do the same.

Mr. Phoenix: So, with that, does anybody from the board have any other questions, comments, concerns?

Mr. Carpenter: Mr. Chairman, you said no, there's no nonresident employees, just you doing the job?

Mr. Koziol: Correct.

Mr. Carpenter: Where was the business located before?

Mr. Koziol: It was on 87 Barna Street in Ludlow, across town.

Mr. Carpenter: Nothing else Mr. Chairman.

Mr. Phoenix: Anything else from the board? Hearing nothing, I'm pretty sure given who the one person is in the audience, I know the answer to this but I'm gonna ask anyway, does anybody have anything that they would like to add or ask at this time? Hearing nothing, the first thing I'd like to do is ask for a finding as to whether the board believes this is a suitable home occupation under the bylaw.

Mr. Carpenter: Mr. Chairman, I find that the office for the home and business, home improvement business as described by Mr. Koziol is a suitable one under the bylaw.

**SECOND** Mr. Queiroga.

**5-0 in Favor.**

Mr. Phoenix: As far as the waiver request to have some photos and a sketch prepared by the applicant instead of a full site plan, is there any motion on that?

Mr. Carpenter: Mr. Chairman, I **MOVE** to waive the full site plan in the standard form.

**SECOND** Mr. Queiroga.

**5-0 in Favor.**

Mr. Phoenix: On the matter itself, is there a motion on the special permit?

Mr. Carpenter: Mr. Chairman, I make a **MOTION** to approve the Special Permit in the standard form and close the public hearing.

**SECOND** Mr. Queiroga.

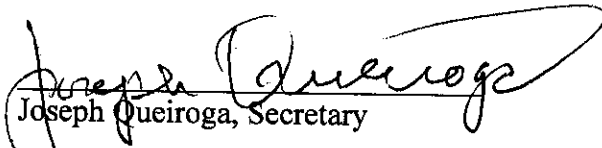
**5-0 in Favor**

**Roll call vote: Mr. Silva – yes; Mr. Carpenter – yes; Mr. Coelho – yes; Mr. Queiroga – yes; Mr. Phoenix – yes.**



*The public hearing was closed at 7:24 p.m.*

APPROVED:

  
Joseph Queiroga, Secretary  
su

Documents: Master application

*(Documents pertaining to this hearing are available for viewing in the Planning Board Office during regular business hours).*

**TOWN OF LUDLOW PLANNING BOARD  
PUBLIC HEARING – ZONE CHANGE  
0 West Street (Assessors' Map 3, Parcels 66G, 66N, 66P)  
Linton Holdings, LLC  
(Residential B to Industrial A)  
February 22, 2024**

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**PLANNING BOARD MEMBERS**

Raymond Phoenix – Chairman (Present)  
Christopher Coelho – Vice Chairman (Present)  
Joseph Queiroga (Present)  
Joshua Carpenter (Present)  
Joel Silva (Present)  
Kathleen Houle, Associate Member (Absent)

The public hearing began at 7:35 p.m. in the Selectmen's Conference Room.

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*In attendance: Barry Linton*

Mr. Phoenix read the legal notice, advised the public that the hearing is being recorded, and gave the applicant a copy of the Turley Publications invoice. The legal notice included the description of: zone change from Residential B to Industrial A.

Mr. Phoenix: We've got big maps. We've got screen maps. We've got maps, maps, maps. From the office of the Board of Selectmen (*Mr. Phoenix read the receipt of petition for zone change letter from the Board of Selectmen – see file*). We have the information sheet with some check marks on it as far as the things being turned in. And I have the application which all sounds astonishingly like what I've already read off. I'm digging through here in case there's additional commentary. Did we get anything back from anybody?

Mr. Stefancik: No.

Mr. Phoenix: So, that is what I have. Do you want to tell us what's going on?

Mr. Linton: Well, push it over to the map there. Doug's got it circled in red there. My other property is next door to it, and I had originally, it was all zoned industrial originally when I bought it back in like '81, '82 and then I had sold a piece of property toward the third lot down, down toward the bottom of the screen to Mr. --- who had a concrete business. Then he had talked to me and wanted to put a duplex there. He had gone out of business and wanted to get a zone change to Residence B and I had the other two, that other piece left. I said if you're gonna change yours I'm gonna change mine to Residence B for a duplex. He since tried to sell the lot and couldn't sell it, so I bought it back last year, and I, after building the garages and the equipment we have down there, I really don't want kids. You know, I really don't want, you can walk right into my property now and I think we'd be better off to put it back to industrial and you can see, I build, I have four or five buildings down there now that I rent out. They're small businesses. I have, since the Gillespie incident, I have tried to steer myself clear of automotive. But, like I say, I look for clean businesses, electrician. I have a cross fit gym. I have a landscaper.

I have the environmental drilling. He has drill trucks and he just leaves the property. He moved into my new building last year and then his bay was taken over by a guy that does electric gates for fencing, you know, like commercial. He's there, stores his stuff. I don't even see him, and he's gone to work. So those are the types of businesses, and I think there's a need for that in this town. These are all roughly between 1,500 square foot bays to 3,600 is the biggest one on the crane company one. So, that's basically why I want to get the zone change back for garage type use.

Mr. Phoenix: Ok, so obviously, you know, when we're looking at a zone change, it's useful to, I have an idea of what the applicant's looking to do. We're ultimately deciding on the zoning more so than what your exact proposal is because your plan could change or you could sell the property in a year or ten years, something else goes in there, so we're looking at what industrial can have versus what the residential can have. But I think, you know, it seems like you've had a fair amount of success with getting and keeping some businesses over there. We'll occasionally see somebody coming in new, but.

Mr. Linton: Yeah, and you've seen every zone, every change of occupancy. I fill out the form and that's the first thing that I hand them when they become a new tenant is that we gotta go through you guys. So, I mean, like I say, it's funny when I restored my, got rid of that other named guy before that cost me a lot of money to restore my original garage, I must have had ten automotive, and not interested. And I held out until I got an electrician in there, as clean as you can be. He stores his stuff, and he goes to work, you know? Those are the type of businesses I'm looking for.

Mr. Phoenix: Ok. Certainly, in this case it's not, by any stretch of the imagination, spot zoning since you can see all the industrial right around it.

Mr. Linton: Right, all the purple.

Mr. Phoenix: It's kind of already the outlier in the neighborhood. This kind of brings it more in line with everything else there.

Mr. Linton: And I only did it to go for the last zone change of consideration because I sold him the land and since then, you know, we had perc tests back then, but since then I have run sewer into that property so it's not like the old septic anymore. The sewer goes behind the crane company and there's a manhole into those three lots. And I will be back probably to combine all three of those lots once I get the zone change. I didn't want to change it and then not get the zone change, so.

Mr. Phoenix: Ok. Does anybody from the board have any additional questions or comments on the proposal?

Mr. Queiroga: That crane company is from outside, right Barry?

Mr. Linton: Central Mass Crane.

Mr. Queiroga: Central Mass Crane?

Mr. Linton: They keep two million dollars' worth of cranes inside. You never see nothing outside.

Mr. Queiroga: You never see the door open.

Mr. Linton: I couldn't get that building done fast enough. They wanted to move in 'cause Springfield Crane had gone out and they wanted to set up operation there. Their main office is out toward Worcester some place. They keep two cranes here. They have like ten or twelve total. And then the last building I built last year. One of my tenants moved over to it and then, you know, and that was done three months before I finished. It was a little slower building than one with our last building inspector.

Mr. Phoenix: Anything else from the board?

Mr. Silva: I have no questions.

Mr. Phoenix: Hearing nothing from us, I will open it up formally to the public. If anybody has anything that they would like to add or ask, I would ask that you state your name and address and ask anything through myself as chairman. Does anybody have anything? Hearing a resounding nothing, I'm going to ask for a motion on what we will recommend to town meeting on this zone change.

Mr. Coelho: Mr. Chairman.

Mr. Phoenix: Mr. Coelho.

Mr. Coelho: I **MOVE** to recommend approval to town meeting of the zone change at 0 West Street for Linton Holdings LLC from Residential B to Industrial A because it is in the best interest of the town and is consistent with the master plan of the town and it is not spot zoning.

**SECOND** Mr. Carpenter.

**5-0 in Favor.**

Mr. Phoenix: Is there a MOTION to close the public hearing?

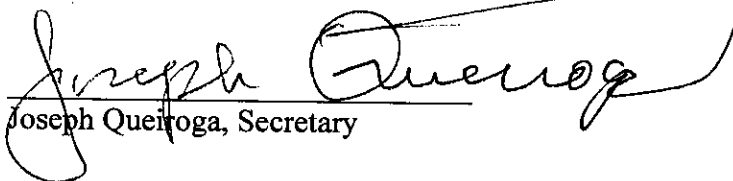
Mr. Carpenter: **SO MOVED.**

**SECOND** Mr. Coelho.

**5-0 in Favor.**

*The public hearing was closed at 7:45 p.m.*

APPROVED:

  
Joseph Queiroga, Secretary

su

Documents: Master application: Assessors' Map 3; Letter from Board of Selectmen/Marc Strange re: receipt of zone change

*(Documents pertaining to this hearing are available for viewing in the Planning Board Office during regular business hours).*