

**TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
March 13, 2025**

RECEIVED
TOWN CLERK'S OFFICE

2025 MAY 23 A 11:25

TOWN OF LUDLOW

PLANNING BOARD MEMBERS

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

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

**CONTINUED PUBLIC HEARING – Revocation of Site Plan – 4-8 White Street
(Assessors' Map 15B, Parcel 39)**

SEE SEPARATE MINUTES

CONSENT AGENDA:

The Board approved the Consent Agenda under unanimous consent.

- ◆ FILE Mail Item 12. - Legal Notices from surrounding communities
 - ◆ SIGN Special Permits:
 - Marie Tefts – 53 Wilson Street (graphic design/art business)
 - Faith Rains – 242 James Street (online Doula consultations)
-

**File Mail Item 15 – Approval of Articles - Ludlow Special Town Meeting of October 7, 2024 - from
Office of the Attorney General**

Mr. Carpenter: **MOTION** to file.
SECOND Mr. Coelho.
3-0 in Favor.

Tandem Bagel Sign Inquiry

Mr. Phoenix said that anything small like a sign installation should go to the Administrative Review Committee.

Mr. Phoenix: I'll just entertain a MOTION to find that the request to put up a sign at Tandem Bagel would be suitably handled by the Administrative Review Committee.

Carpenter: **SO MOVED.**
SECOND Mr. Coelho.
3-0 in Favor.

Request for continuance/extension of plan submittal for Site Plan – 592 Holyoke Street

A letter was received requesting an extension of the submittal of the revised plans.

Mr. Carpenter: I'll make a **MOTION** to continue the public hearing to April 10th. Do you have a time?

Mr. Phoenix: Just to be clear, we can't really make the actual motion to continue-continue because we're not there.

Mr. Carpenter: Oh, that's right.

Mr. Phoenix: So, it's a matter of intention, so to find that our intention is, based on.

Mr. Carpenter: Oh, I'd like to have the meeting on the 10th if they can have their stuff in by the 27th.

Mr. Phoenix: So, just for the sake of clarity, the Motion is that, to find that our intention based on the information provided, is to continue to April 10th, at what time Sue?

Ms. Urban: 7:00.

Mr. Phoenix: At 7:00 provided that information's been provided by the applicant no later than the 27th of March. Is that correct?

Mr. Carpenter: Yes.

Mr. Coelho: **SECOND** for discussion.

Mr. Phoenix: Yes.

Mr. Coelho: Can we add that that's their last bite at the apple? You know what I mean? Can we make it certain?

Mr. Carpenter: As amended.

Mr. Phoenix: You good?

Mr. Coelho: Well, I don't know that we need to put last bite of the apple in the motion, but.

Mr. Carpenter: Minus the last bite of apple.

Mr. Coelho: Yeah, this is it, you know? How do we say that fancy wise?

Mr. Phoenix: That there's no intention to continue again unless there's a substantial reason to and new information provided in the meantime.

Mr. Coelho: As amended.

Mr. Phoenix: Everybody aware of what we're voting on?

Mr. Carpenter: Yes.

3-0 in Favor.

Documents: Letter requesting continuance from Nina Fazio, R Levesque Associates (March 12, 2025)

Ludlow Fish & Game Club noise complaint

A resident called stating that the excessive noise at the Fish & Game Club is disturbing the residents in many areas of Ludlow.

Mr. Phoenix: I would entertain a MOTION to forward this correspondence on to the Building Inspector as the Zoning Enforcement Officer and the Board of Selectmen for any relevant enforcement action that may or may not need to take place.

Mr. Coelho: **SO MOVED.**

SECOND Mr. Carpenter.

Minutes of March 13, 2025

3-0 in Favor.

**PUBLIC HEARING – Zone Change – S & C Investors, LLC – 0 West Street
(Assessors' Map 9, Parcel 5) (Agricultural to Industrial C)**

SEE SEPARATE MINUTES

**ANR – James A. Nawrocki – 0 Lyon Street (Assessors' Map 20, Parcel 4C)
(3 parcels to be conveyed to abutters, 1 new estate lot)**

Mike Page and Chris Bloom were in attendance for the appointment.

Mr. Carpenter: I'll **MOVE** to endorse the ANR for James Nawrocki at 0 Lyon Street.

SECOND Mr. Coelho.

3-0 in Favor.

*Documents: Master application; "Subdivision Approval not Required" Plan of Land in Granby and Ludlow, Massachusetts
Prepared for JLN Properties, LLC (February 18, 2025)*

**PUBLIC HEARING – Special Permit/Estate Lot – James A. Nawrocki – 0 Lyon Street
(Assessors' Map 20, Parcel 4C) (estate lot)**

SEE SEPARATE MINUTES

**SITE SKETCH – Molly Bragiel – 459 East Street (Assessors' Map 15D, Parcel 236)
(opening hair & beauty salon)**

Molly Bragiel and her father were in attendance for the appointment.

Mr. Phoenix read the comments from the Fire Department, DPW, Building Department, and Board of Health.

Ms. Bragiel explained that she wants to open a hair salon and spa at the property.

Mr. Carpenter: I'll **MOVE** that we waive the full site plan in favor of a sketch and waive the public hearing.

Mr. Phoenix: Is there a rationale for that?

Mr. Carpenter: There is. The sketch, since there's an existing approved site plan on file that is less than 25 years old and that has not been modified more than twice and in doing so is consistent ---.

Mr. Phoenix: Is the existing site plan within that? Ok, sorry, didn't mean to question you but I needed to question you.

Mr. Carpenter: And I questioned myself after.

Mr. Phoenix: 2016, ok.

Mr. Carpenter: Oh, it's not even ten years old.

Mr. Phoenix: So, we have a motion to approve, was that both, that was the hearing and the?

Mr. Carpenter: Waive the plan and the hearing, yes.

SECOND Mr. Coelho.

3-0 in Favor.

Mr. Phoenix: So, I would entertain a MOTION, number one, to waive on parking space out of the required seven down to six as is --- by the Building Office, Zoning Enforcement Officer would be required, based on the location in the East Street Corridor and further to approve the site plan addendum as presented with the condition that the parking be updated on the table to show seven required total.

Mr. Carpenter: **SO MOVED.**

SECOND Mr. Coelho.

3-0 in Favor.

Documents: Master application; Site Plan – Caviar Salon & Spa 459 East St Ludlow MA (3/11/2025); Comments from Town Departments/Boards

Ken Comia, Pioneer Valley Planning Commission – Community Planning Grant / Zoning Bylaw Update and Planning Board Assistance / Town Planner Position Description

The Board reviewed the Planning Board Assistance Agreement.

Mr. Phoenix: I would entertain a MOTION to approve the scope of work and for the Board to sign off on any contract as necessary to move that forward.

Mr. Carpenter: **SO MOVED.**

SECOND Mr. Coelho.

3-0 in Favor.

Mr. Comia and the Board Members discussed the Town Planner job description and its responsibilities.

Mr. Comia will bring a draft of the revised job description to the next meeting for discussion.

Mr. Comia touched on the ADU Model Bylaw, and said that there are upcoming changes to the large battery storage and solar permitting process.

Documents: Email from Ken Comia to Raymond Phoenix re: Planning Board Services Contract Scope and Job Descriptions (March 3, 2025); Attachment A – Town of Ludlow Professional Town Planning Services Scope of Work; Contract for Zoning Bylaw and Map Update

Mr. Carpenter: **MOTION** to adjourn at 9:03.

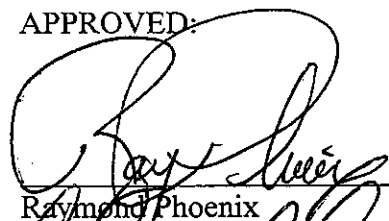
SECOND Mr. Coelho.

Mr. Phoenix: You know, those motions are always in order and not debatable.

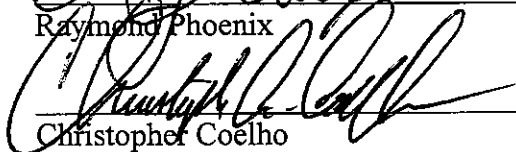
3-0 in Favor.

Meeting adjourned at 9:03 p.m.

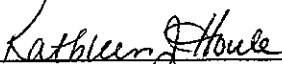
APPROVED:



Raymond Phoenix



Christopher Coelho



Kathleen Houle, Associate Member

su

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

**TOWN OF LUDLOW PLANNING BOARD
CONTINUED PUBLIC HEARING – REVOCATION OF SITE PLAN
4-8 White Street (Assessors' Map 15B, Parcel 39)
Ali Bulut
March 13, 2025**

PLANNING BOARD MEMBERS

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

The public hearing began at 7:01 p.m. in the Selectmen's Conference Room.

In attendance: Ali Bulut, Attorney Neil Phillips, attendees

Mr. Phoenix: At the top of the meeting, 7:00 continued public hearing revocation of site plan, 4-8 White Street. As this is a continued public hearing, I don't need to read the legal notice, but I will inform people that yes, we do have cameras rolling. We do have mics rolling. They are doing the things that cameras and microphones are known to do. So, I know we've been looking at this site for a while. We've had issues with car carriers, I think was one of the more recent things, some other random stuff. What is, what's the current state of everything from like the Building Department's perspective and, and whatnot? Do you have any word on that, Sue?

Ms. Urban: I talked to Kelly, and she didn't say that there were any problems with them right now.

Mr. Phoenix: Okay. Yes. From driving by. I haven't really seen any significant issue. You know, couple odd things here and there, but nothing significant. Do any of the Board Members have any outstanding concerns on this one at this time? Again, since it is a public hearing, I will open this up for public comments, questions, concerns. At this time, does anybody have any, anything that they would like to add or ask? If you do, I would just ask you that you state your name and address for the record and address everything through myself as Chair and I'll do my best to get you the information you need. Yes, ma'am.

Ms. ---: I speak English little, there's a five-minute interpreter coming.

Mr. Bulut: I, someone, somebody come, somebody come for her for speaking.

Mr. Phoenix: So, I mean, we've got other hearings, so if they come and we're still in session for this one, you're certainly welcome to have them help out. Unless there's somebody else that can help out that, that's here currently.

Atty. Phillips: Could you do it?

Mr. Bulut: I can try, yeah.

Mr. Phoenix: Cool. Was there something that you wanted to, to say or?

Mr. Bulut: (translating)

Ms. ---: No.

Mr. Phoenix: Okay. I think the biggest issue is just, you know, wanting to make sure that kind of what's going on there now continues to be what's going on there, if any changes are going to be made that they're indicated properly on the site plan. So just, you know, be aware of that stuff. You know, as far as, you know, like I said nothing that I've seen recently has been outrageous. I've seen some cars parked on the side of the building when there's a perfectly good parking lot to be in. Not sure why, but I think that was only one day in the past couple months. So, it's nothing, nothing outrageous. It's just odd, which, you know, any, I don't know too many pieces of property in town that don't have something odd happen every now and then.

Atty. Phillips: Well, he'll talk to the meat market manager again about that parking. Absolutely.

Mr. Phoenix: But overall, I haven't seen a whole lot. So, if nobody else on the board has anything, I think we can probably close this without taking action since we haven't had a motion to actually revoke. We just had the hearing to see if we were going to. Is there anyone that has anything that they'd like to say or any motion that they would like to make at this time?

Mr. Coelho: Would the motion be to dismiss without prejudice at this point?

Mr. Phoenix: Just to close the public hearing.

Mr. Coelho: Well, yeah, I'll make a **MOTION** to close the public hearing, but.

Mr. Phoenix: Do you wanna make a finding with it? Is that what you're looking for, Chris?

Mr. Coelho: Well, no, we already made the finding by, by kind of not taking action, so there's nothing really to find, but just keep in mind that this property is always being driven by and under scrutiny, so you need to stick with what's on, on the plan.

Mr. Phoenix: So, the motion, I think, was made to close the public hearing. Is there a second?
SECOND Mr. Carpenter.

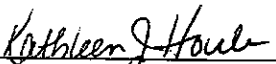
3-0 in Favor.

The public hearing closed at 7:05 p.m.

APPROVED:

Raymond Phoenix

Christopher Coelho


Kathleen Houle, Associate Member

su

(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 9, Parcel 5)
S & C Investors, LLC
March 13, 2025**

PLANNING BOARD MEMBERS

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

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

In attendance: Carlos Goncalves, Abel Goncalves, attendees

Mr. Phoenix advised the public that the hearing is being recorded, gave the applicant a copy of the Turley Publications invoice, and read the legal notice which included the description of: Zone Change (Agricultural to Industrial C).

Mr. Phoenix: Let me just see if I do have anything in here for comments from other boards. I don't believe I do on this one. Maybe I do. It's the detailed description is the zone change. Request that so land is more in line with surrounding land. Were there comments in here Sue?

Ms. Urban: No comments.

Mr. Phoenix: Okay, so I was right. I saw the information sheet with handwriting on it and thought there was a comment coming back from somebody. So, I've read in the legal notice. Can you explain for us what you guys are, are looking to do? What, what's going on with the idea for the having a zone change there?

Mr. Carlos Goncalves: Oh well, we just, you know, we want to get it in line with the rest of it. You know, we don't have any real plans for it yet. But you know, it abuts all industrial land on Randall Road so it's not outside of, you know, it's not spot zoning and that's pretty much it.

Mr. Phoenix: Okay. I know right now we don't really have the stuff up on the board as it were for anybody that does have curiosity. If you wanted to come up, I'm gonna put this off to the side. This is a copy of the zoning map. The purple is industrial. The part that's outlined in red is the parcel that we're talking about this evening.

Mr. Coelho: If they don't want to see it. I'd love to see it.

Ms. Houle: You got a packet Chris.

Mr. Coelho: Here. Oh, I got it in my, alright.

Mr. Carpenter: Yeah, there.

Mr. Phoenix: The one outlined in red.

Mr. Carpenter: Just one huge parcel of C.

(side conversation between Ms. Houle and attendee regarding map)

Mr. Carpenter: You said this was off Randall Road?

Mr. Carlos Goncalves: It's the corner of Randall and West.

Mr. Coelho: That's better.

Mr. Phoenix: You, you got it placed now Chris?

Mr. Coelho: Well, I'm, Google Earth is gonna do it for me so I can actually see it.

Mr. Phoenix: Okay.

Mr. Carpenter: I saw, I saw you peeking over there, so I had to see.

Mr. Phoenix: While he's looking that up. Does anybody from the Board have any comments, questions, or concerns at this time? Okay, so I'm just going, to kinda set the stage here before I open it up for public comments. Zone changes are a little bit different than many of the other things that we handle. When it comes to a zone change, what we end up doing is we make a recommendation to town meeting as far as whether we think that the zone change should go through or not, town meeting then can do whatever they choose to. They can agree with us, they can disagree with us. They've been known to go either way. So, if you're not happy with the decision that we make here tonight, you certainly have another bite at the apple to go back to our last thing we were talking about to be able to make your case to town meeting as far as why you disagree with the recommendation that we're, that we make. Additionally, I would say that when we're looking at zone changes, it's a very long-range planning idea. We're not necessarily looking at what specific use are they looking to do at the property now. Because if they have a beautiful idea of something that everybody loves that fits under the new zoning and then two years, five years, 10 years later, somebody else takes over that property, they could have a completely different vision and as long as it's something that fits under that zoning, it would be an allowable use. So, what we're looking at isn't so much any specific proposal that somebody might have. We're really looking at what are all of the uses that could be done in, on that property now as it sits under the current existing zoning. And what are the uses that would be allowable under the proposed zoning. So, that's really what we're looking at tonight is uses versus uses. What that potential is and whether it's suitable. One of the biggest hurdles that we tend to look at is, is it kind of in conformance with other stuff around it. Which is why, as you heard already, it was pointed out that it is immediately adjacent to other industrial property. So that's kinda giving you the background before we start asking for any public comments, questions, anything that you have so that hopefully, you know, at least you know what we're looking at and we can get your stuff in order and make sure we hear your concerns appropriately. Does anybody have anything that they would like to add or ask at this time? If you do, I would just ask you that you state your

name and address for the record and address anything that you have through myself as Chairman. I'll do my best to get you anything that you need. Yes.

Ms. Hodgman: Elaine Hodgman. What else did you want? Address?

Mr. Phoenix: Address.

Ms. Hodgman: Sorry. 1475 Center Street Ludlow. It's adjacent to other industrial but it's also adjacent to agricultural, right?

Mr. Phoenix: Yes.

Ms. Hodgman: That's what I'm saying. So, I'm not sure what industrial zoning will offer anyone differently than the agricultural since when I looked up the zoning regulations, they were very, very similar. Maybe I'm missing something, but maybe you could, somebody can explain that to me.

Mr. Phoenix: Agricultural generally has larger lot size requirements. It also has larger setback requirements, has some different uses that are allowed versus not. You know, some of it is, is kind of write name on the tin kind of stuff where we'd allow industrial buildings, we'd allow auto service stations, things like that in industrial where that wouldn't be allowable in a agricultural property. So there, there are differences as far as both the, the dimensional requirements and what the uses would be.

Ms. Hodgman: What I read was about similar but I could, could be wrong.

Mr. Phoenix: Because like industrial, a lot of the, the setbacks start dropping down a lot smaller. Some of 'em two or near zero as opposed to like for a residential lot. You're looking at that in agricultural you're not really looking at single family residential in industrial, you're looking at, you know, 140 feet of frontage, 40,000 square foot lot versus a much smaller lot to be able to build something. But it's, so you can have a higher density of more intense uses in the industrial properties than you would be able to in the agricultural.

Ms. Hodgman: I mean that's only about a 10-acre parcel right now. Just under 10 acres I should say. And I'm just curious, going to industrial, would you be somehow tapping into water and sewer there 'cause it'd have to be septic otherwise, right?

Mr. Phoenix: That would make sense. I, again, I can't.

Ms. Hodgman: Sure. Thank you.

Mr. Phoenix: Does anybody else have anything? I see a hand, name and address please for the record?

Ms. Wikar: Carolyn Wikar, 607 West Street.

Mr. Phoenix: Thank you.

Ms. Wikar: My property is directly adjacent to this parcel.

Mr. Phoenix: Okay.

Ms. Wikar: Now it's been agricultural for the last 30 years that I've been there. People have, it's been for sale many, many times but never sold. People have perked it, it never perked. Now does that rule apply to industrial property too?

Mr. Carlos Goncalves: We have a passing perk. It has perked.

Mr. Phoenix: The applicants are saying that they have a passing perk.

Ms. Wikar: They, they passed, it? Now how is this going to enhance my property for it to be industrial versus agricultural?

Mr. Phoenix: I think that's extremely subjective. So, I don't know that I can get you an answer to that question as it's worded. I think that depends on what you find to be beneficial to your property and what other people do as well.

Ms. Wikar: So right now they have no idea what they're gonna put on it. Is this what?

Mr. Phoenix: They may have an idea but it doesn't really, that doesn't really factor into what our decision can be or should be. It's about all of the potential uses versus all of the other potential uses.

Ms. Wikar: So, they could be coming in from West Street or they could be coming in from Randall Road to this property?

Mr. Phoenix: I don't know that they have access from both at the moment.

Ms. Wikar: Yes, they do.

Mr. Phoenix: Do they? Okay.

Mr. Carlos Goncalves: Yeah, we do.

Ms. Wikar: So, they can do whatever they want once it's industrial?

Mr. Coelho: Well, once they change the zone to industrial, then any use that they're gonna want that's an industrial use is gonna have to come through us for a site plan approval. Right now, as agricultural, there's a lot of things they could do agriculturally that we don't have any control over at all.

Ms. Wikar: So.

Mr. Coelho: So, that's one benefit to the change.

Ms. Wikar: I mean that's a large parcel. They could come in and build a 5,000 square foot building and have a hundred employees in that building with a hundred cars on the road in a very busy intersection because we have Nash Hill, we have Randall Road, and we have West Street.

Mr. Coelho: They're only allowed to use 50% of the 40,000 minimum. Right? Is that, did I read that right?

Mr. Phoenix: Where are you coming from Chris?

Mr. Coelho: I don't know, I just saw it.

Ms. Hodgman: Because they have frontage on two streets technically, correct? Yeah.

Ms. Wikar: Yes. Randall Road and West Street.

Mr. Phoenix: So as far as just kind of going over some of the differences here. Under kind of agricultural style uses, they lose the ability to have things like a smokehouse, they lose the ability to have livestock and agriculture, that sort of thing between the two. Lumber mill is easier to put in 'cause it doesn't require a special permit in Industrial A versus in Agricultural. Single family homes would not be allowed. House conversions would not be allowed. Room rentals would not be allowed. Boarding houses would not be allowed. Accessory apartments would not be allowed. Amusement park would no longer require, because it's AMD there, right? Or are they just straight ag? Straight ag, okay. So, amusement park would go from no to site plan approval. ATMs would be allowed by site plan approval, vending kiosks by site plan approval. Body shops become allowable by site plan, auto sales by site plan, auto service by site plan, banks, all of those types of things. Bowling alley, brewery would become allowable with site plan and special permit from the Planning Board. Drive-throughs would be allowable with site plan and special permit. Halls would no longer require a special permit. Just the site plan. Motels would be allowable with a site plan. Office buildings would be allowable with a site plan. Open air parking would be allowable with a site plan. Parking garages, same thing. Retail, roller rinks, services, warehousing, wholesale other than agriculture. They lose the ability to have a winery, micro winery, or nano winery. Light manufacturing becomes allowable. There's a few other changes as well, but that's, that's the bulk of what I'm seeing running through the table right now.

Ms. Wikar: Okay. Now that whole area is, there's no gas, there's no water and there's septic.

Mr. Phoenix: And anything that they would wanna put in, they would either need to provide those utilities somehow or find an alternative to how they're gonna handle those types of things. Anything that they do that would affect storm water, if it's creating a large enough disturbance that would need to come under storm water control and get approval through the public works department. But no, your point is well taken. Anybody else?

Mr. Belanger: Dave Belanger, 613 West Street. You said you want to get in line with the surrounding land. Bulk of the surrounding land that is agricultural. There's a small section of Industrial C on Randall Road which isn't buildable. The nearest building on that industrial land is the jail, which is over a mile down the road. So, all that land there that is zoned industrial is not build, built on, nothing, so it matches the land across the street. You know, so all adjacent properties are also, bulk of 'em are, you know, basically agricultural. Now the next question too is not knowing what they're gonna put in there, there is gonna be a traffic problem, that's a high speed road. It's 45 miles an hour. Cars averagely go between 55 and 60 down that road. Okay. You already have problems. You've had major, you have fatalities, you've had any accident on the road is usually a serious accident. You're increasing the traffic flows there. Should there be a traffic study provided before any properties allowed to be put in here 'cause now you are adding more traffic to that roadway? And if you're bringing in heavy trucks and things like that, 'cause

we don't know what they're gonna put in there. It could be, you know, basically nothing. Or maybe your construction company, we don't know. You know, the next thing, anything you put in that property, you come off West Street. It's right in your face. Okay. If you put something that's, you know, I'd say there's, there's a construction company over on Miller Street that you can see and it's kind of a mess. If you put a construction company there, it's right in your face. There's no way to hide it. It's right on that hill coming up the street. So, it's, it's gonna look, depending on how they deal with the property, they're gonna put nice, you know, something nice in there. If it's a mess, it's a mess. Everybody in town's gonna see it. And depending on what's put in there, we have wells, we have septic. Okay, if something's done on that property, how do we know it's not gonna affect our wells and our septic 'cause you know, there's no one there watching 24/7? What happens, you know, if it's an industrial building, things get spilled, things get, you know, things get, you know, into the ground. And it's a concern for us for our health and our wellbeing. You know, just a couple of things I just wanted to bring up.

Mr. Phoenix: No, and I think those were all well taken. I would say just as a couple clarifying points, it's not that we are saying that we want to make it more in conformance with anything around it. I'm just saying that it does abut that usage. So that's one of the arguments that the applicant would make is that it's, it does abut the use that they're looking to change it to whether we take that as.

Mr. Belanger: Doesn't matter what it is, it's just, if it's wetlands, whatever, you can't build on it. You can't build on an Industrial C. You can't build on Agricultural.

Mr. Phoenix: It currently abuts land that's zoned the way that they want it to, to go. So, we can take that as an argument whether we agree with that or not, that's yet to be determined as we discuss and vote. As far as traffic studies, one of the requirements that we do have as part of the site plan process does involve requesting a traffic study. Traffic studies are somewhat limited generally in what they do. They'll generally look at what the existing traffic count is, and they'll look at what the projected number of trips are for the intended use and what that might do to the level of service at the nearest intersection, that sort of thing. There are different kinds of things that can be done, especially looking at site distances and things like that and trying to incorporate some of that. But that's not generally part of our typical traffic study that we would normally get. But certainly again, like you said, that area is well trafficked and not at slow rates of speed. So just making sure that I'm letting you know what we do and don't typically see come in when projects come in down the line. Anything else from the public at this time? Yes.

Ms. Hodgman: Name again?

Mr. Phoenix: Sure.

Ms. Hodgman: Elaine Hodgman, 1475 Center Street. So right now, the land is abutting 50% Agricultural and 50% Industrial C? Is that?

Mr. Phoenix: I don't know that it's 50/50. I think it's one side that's abutting the industrial, the rest is abutting the agricultural.

Ms. Hodgman: So, it's.

Mr. Belanger: It's right there. It's probably about 20, 20, 15, 20%.

Ms. Hodgman: So, so, which is.

Mr. Carpenter: It's the one that's outlined in red.

Ms. Hodgman: Yeah, I know the, I know the property. It's just, see, so more of it is, according to this I'm looking at it's more abutting agricultural?

Mr. Phoenix: Yes.

Ms. Hodgman: Hmm. I can't imagine in my, in my opinion, I can't imagine they don't have a plan for what they wanna do with it since they're already trying to get it changed.

Mr. Phoenix: Well, they, they almost certainly do. But again, if they. Well if they give us a plan and then somebody offers them a million dollars for the property and has a different plan for it, that plan's gonna change. That's, that's just the reality of it. So, we're looking at what can go there, not what they expect to put there as of right now. Because we're not approving a specific plan. We're making a recommendation on the zoning. So that's.

Ms. Hodgman: So, when is the town meeting be approved or not approved?

Mr. Phoenix: It would be April, May. They moved it. It used to be the annual was in April and then they moved it to May.

Ms. Hodgman: Okay. So, in May. Thank you.

Mr. Phoenix: Yes ma'am.

Ms. Richards: Martha Richards 616 West Street. I'm just curious, there is a church there also and I'm wondering is there any limitations because the church is in that area that things couldn't be allowed?

Mr. Phoenix: Not really.

Ms. Richards: Okay.

Mr. Phoenix: I think there's.

Ms. Richards: I know there's, you know, like if it was a certain kind of business, it couldn't be close to the church and that kind of thing.

Mr. Phoenix: I mean there, there are certain things that can come into play. Like for instance, churches and other places where people congregate aren't really supposed to exist within the aircraft overlay, things like that. But those are fairly minor and, and rare things for us to have to contemplate.

Mr. Carpenter: Mr. Chairman, speaking of the overlay, does this fall in that overlay or no?

Mr. Phoenix: I would imagine it does. It almost has to.

Ms. Hodgman: What does that mean to us?

Mr. Phoenix: It's the aircraft overlay is generally the, where the flight path is.

Ms. Hodgman: Thank you.

Mr. Phoenix: So, if a, theoretically, if a plane were to come down, the idea is we don't want to have places where there's gonna be large groups of people where a plane might theoretically come down. You know, you want 'em all stay in the sky all the time anyway. But in the event of tragedy, you know, you want people not to be all together. Anything else? Sure sir.

Mr. Wikar: Mike Wikar. 136 Pinecone Lane. The question I have with, is looking at the map here with what seems to be about, give or take a square mile of industrial land already zoned industrial. I'm curious why we would need more industrial zoning at the beginning of a, you know, residential neighborhood at the very beginning of it.

Mr. Phoenix: I think that's a good question. I think what it, the answer really comes down to is that the people who own the land think that that's a better use for it that matches the kinds of things that they'd like to do. Whether the town agrees and thinks that it's the right decision or not is to be determined in May. But we, we get to at least kinda give it a preliminary thumbs up or thumbs down tonight.

Mr. Wikar: Right.

Ms. Hodgman: And would we know tonight what your thumbs up or is doing?

Mr. Phoenix: Generally, we do make the, the finding the night of the hearing.

Ms. Hodgman: Thank you.

Mr. Carpenter: Then we have to go through town meeting and the state. The state --- as well.

Mr. Phoenix: Yeah, I mean the state, I can't remember the last time that they kicked out a zone change. It doesn't mean it never happens, but I can't remember the last time I've seen that. Anything else from the board at this time?

Mr. Carpenter: Mr. Chairman?

Mr. Phoenix: Mr. Carpenter.

Mr. Carpenter: I **MOVE** to recommend approval to town meeting the zone change at 0 West Street from Agricultural to Industrial C because it is in the best interest of the town and is consistent with any master plan --- and is not considered spot zoning.

SECOND Mr. Coelho.

4-1 in Favor. (Mr. Phoenix)

Mr. Phoenix: So, now we have a procedural question that we don't typically come up with. When we have three members present, is two to one a successful vote or do we need a majority of the board as a whole?

Mr. Carpenter: Your handy dandy cheat sheet Mr. Chairman does not specify.

Mr. Phoenix: Well typically we have more than three people here Josh.

Ms. Hodgman: What would be your, your quorum would be? It would be two if you only have three members. Right?

Mr. Phoenix: Our quorum would be, depends on how the statutes are written. Sometimes you need a majority of the entire board. Sometimes you need a majority of the members that are present.

Ms. Hodgman: Gotcha.

Mr. Phoenix: So, that's my open question at the moment.

Mr. Coelho: This is something that, and I hate to say it should be forwarded to legal?

Mr. Phoenix: Well before we do that, hey Ken.

Mr. Carpenter: He thought he could hide in the back.

Mr. Comia: I'm currently reviewing Chapter 40A, Section 5, which talks about change of zoning bylaws and the procedure. No zoning ordinance or bylaw or amendment thereto shall be adopted until after the Planning Board has held a public hearing. Said public hearing shall be held within 65 days.

Mr. Phoenix: I apologize for the delay folks, but unfortunately, although Kathy's here, she's not a full board member at the moment. She can only act on special permits until after, I would assume she's not, since she has no official competition, that she'll be a full board member the next time we meet. But we're not quite there yet. And we have a member that wasn't able to make it.

Mr. Carpenter: And this needs to get on town meeting agenda by?

Ms. Urban: It's already on.

Mr. Carpenter: Oh, it's already on the agenda.

Mr. Phoenix: Well, it's on but then it's a question of what our recommendation is. So, I'm going to.

Mr. Comia: It's not clear about the vote for a planning board recommendation because as you are aware, zoning bylaws need to be adopted with a super majority at the town meeting. Whether or not that applies to the planning board vote, that's not very clear in the, in the Chapter 40A.

Mr. Phoenix: Yeah, and what I'm, what I'm kind of seeing at a quick skim of Robert's Rules of Order is what my gut tells me. I just wanted to make sure that I didn't make the wrong call here, that it's a matter of half of the attendees unless otherwise specified and I haven't seen anything that specifies otherwise. So, while I am the one on the other side of it, I'm going to call the, the vote as two one in favor and that it passes and I will ask for a motion on the status of the public hearing.

Mr. Carpenter: **MOTION** to close the public hearing.
SECOND Mr. Coelho.
3-0 in Favor.

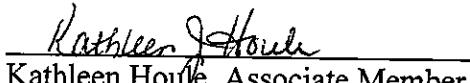
The public hearing closed at 7:49 p.m.

APPROVED:



Raymond Phoenix

Christopher Coelho



Kathleen Houle, Associate Member

su

Documents: Master application; GIS Map 9, Parcel 5; Petition for Zone Change letter from Board of Selectmen/Marc Strange (February 19, 2025)

(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 / ESTATE LOT
0 Lyon Street (Assessors' Map 20, Parcel 4C)
James A. Nawrocki
March 13, 2025**

PLANNING BOARD MEMBERS

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

The public hearing began at 7:50 p.m. in the Selectmen's Conference Room.

In attendance: Mike Page, Chris Bloom, attendees

Mr. Phoenix advised the public that the hearing is being recorded, gave the applicant a copy of the Turley Publications invoice, and read the legal notice which included the description of: estate lot.

Mr. Phoenix: As far as comments from other boards I have from the Fire Department: *To whom it may concern, the set of plans attached to the special permit request for the creation of an estate lot located at 0 Lyon Street has been reviewed for compliance. The following will be required, address numbers to be marked conspicuously and visible from Lyon Street. Please note any omissions or missed items during this plan review does not relieve the owner/contractor from meeting all applicable codes, laws, regulations and standards as they apply to the construction, maintenance or use of this building. Please feel free to contact this office if you have any questions or concerns regarding this matter.* From Public Works we have no comments. From ConsCom, Conservation Commission would like to see a filing. From Board of Health, will need to apply for septic and well permits. And Building Department has no comment as well. So that's what I have on this side of the table. I know you started talking a little bit about what you're looking to do during the last thing, but we need to have that as part of this hearing. Could you just explain what you're looking to do on the property?

Mr. Page: Sure. Looking to build a single-family home and a horse facility, a horse barn for a hobby and that's about it.

Mr. Phoenix: Okay, anybody on the Board have any questions, comments or concerns about this one?

Mr. Coelho: How big is that?

Mr. Page: It's thirteen acres.

Mr. Coelho: Thirteen. That's gonna be a nice, nice spread.

Mr. Phoenix: And they said, I think, it was 51 was the narrowest point in the access strip.

Mr. Page: Correct.

Mr. Coelho: They had the Yellowstone Ranch, maybe we'll have the Facing Stone Ranch.

Mr. Page: We can all go horseback riding.

Mr. Coelho: Me and horses. Yeah, I'll take a donkey.

Mr. Page: Alright, sold.

Mr. Phoenix: Anything else from the Board? Since this is a public hearing, I will open up for public comments, questions, concerns at this time. If you do have anything, please state your name and address for the record and address anything that you have through myself as Chairman. I'll do my best to get you anything that you need for information. Does anybody have anything at this time? Hearing nothing. So, this is a special permit, so Kathy is able to act on this one. Does anyone care to make a motion?

Mr. Carpenter: No. Okay. Mr. Chairman, I **MOVE** to approve the special permit for Mr. Nawrocki at 0 Lyon Street under 7.0.4 a-m with the condition that the permit run with the property and not with the applicant.

SECOND Mr. Coelho.

4-0 in Favor.

Roll call vote: Ms. Houle – yes; Mr. Coelho – yes; Mr. Carpenter – yes; Mr. Phoenix – yes.

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

Mr. Carpenter: **SO MOVED.**

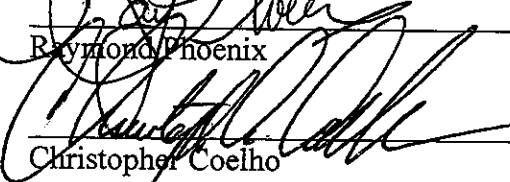
SECOND Mr. Coelho.

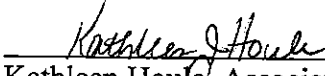
4-0 in Favor.

The public hearing closed at 8:00 p.m.

APPROVED:


Raymond Phoenix


Christopher Coelho


Kathleen Houle, Associate Member

su

Documents: Master application; Comments from town departments/boards; "Subdivision Approval not Required" Plan of Land in Granby and Ludlow, Massachusetts Prepared for JLN Properties, LLC (February 18, 2025)

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