

**TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
February 5, 2026**

PLANNING BOARD MEMBERS

Raymond Phoenix – Chairman (Present)
Christopher Coelho – Vice Chairman (Present)
Joel Silva (Present)
Kathleen Houle (Present)
William Ellison (Present)
Haley Rivers, Associate Member (Absent)

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

Attorney Steve Chaplin was present at the meeting.

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Discussion – Request of waiver of fees for potential project at 155 West Street

Mr. Carpenter explained that the applicant is requesting a waiver of site plan filing fees related to a proposed large-scale ground-mounted solar photovoltaic facility at 155 West Street. He said that they are proposing to utilize approximately 16.4 acres of a larger parcel estimated at 70–75 acres in total. Under the Planning Board’s current fee schedule, site plan review fees are calculated at \$250 per acre of the lot area used, plus \$0.25 per square foot of new footprint.

The applicant requested that the Board waive the square-footage portion of the fee and calculate the filing fee solely on acreage used, resulting in a proposed fee of \$4,100. The applicant cited anticipated personal property taxation of the solar facility and the possibility of entering into a Payment in Lieu of Taxes (PILOT) agreement with the Town as justification for the waiver.

The Board discussed prior solar and large-scale site plan applications and noted that past fee calculations were not consistently documented and did not clearly follow a uniform formula. Board members expressed concern that PILOT agreements generally benefit private, for-profit entities and do not necessarily provide a compelling fiscal benefit to the Town. It was noted that fee waivers are typically granted only when there is a clear benefit to the Town or neighborhood.

The Board further discussed prior practice for similar developments, including cell towers and solar facilities, where fees have been calculated based on the portion of the parcel actually developed, rather than the entire landholding, while still applying both acreage and square-footage components of the fee schedule.

Input from the Town Assessor was reviewed, recommending adherence to the established fee schedule and advising against fee waivers given the Town’s financial position.

The Board agreed that granting the waiver as requested would not be consistent with established practice or in the Town’s best interest. However, the Board acknowledged that it is reasonable to calculate acreage-based fees only on the portion of the parcel being developed.

Mr. Phoenix: I'd entertain a motion to instead of granting the waiver as requested to waive the fee for the submission for 155 West Street for the potential solar project down to a calculation of the number of acres that are actually being used times \$250 plus 25 cents per square foot of new development to stay in line with what we've done for other similar projects including solar and cell towers and other things to the best of our recollection.

Mr. Coelho: **SO MOVED. SECOND Mr. Silva. 5-0 in Favor.**

The Chairman noted that the applicant must submit a complete site plan and the calculated filing fee before a hearing can be scheduled. The Board indicated it may consider further adjustments only upon review of complete and accurate project information.

Documents: Waiver request from Thomas R. Reidy, Esq. (February 2, 2026); Email from Joe Alves – Site plan for solar fees (2/5/2026)

Mr. Coelho: The Chair having declared that holding an open session would be detrimental to the litigating position of the Board, I **MOVE** that the Board enter into Executive Session to discuss the strategy with respect to litigation pursuant to G.L. c.30A, section 21(a)(3) in matter of Linda M. Gamache et al. v. Town of Ludlow Planning Board, Land Court Docket No. 25MISC000617 (590 Center Street), and further I move that the Board adjourn from its Executive Session, and not reconvene in Open Session.

SECOND Ms. Houle.

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

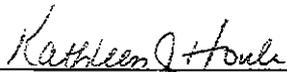
5-0 in Favor.

EXECUTIVE SESSION pursuant to G.L. c.30A, section 21(a)(3) to discuss litigation strategy regarding the matter of Linda M. Gamache et al. v. Town of Ludlow Planning Board, et al., Land Court Docket No. 25MISC000617 (590 Center Street) where discussion in open session may have a detrimental effect on the litigating position of the Planning Board and the Chair so declares.

SEE SEPARATE MINUTES

The regular meeting adjourned at 7:19 p.m.

APPROVED:



Kathleen Houle, Secretary

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