

**TOWN OF LUDLOW PLANNING BOARD  
MINUTES OF THE MEETING OF  
May 14, 2026**

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**PLANNING BOARD MEMBERS**

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

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

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TOWN OF LUDLOW

**PVPC Bylaw Update**

In attendance: Ken Comia, Evan Mastroianni

PVPC staff presented additional draft zoning bylaw revisions, focusing primarily on formatting, organization, and consistency rather than substantive regulatory changes. The proposed revisions continue the effort to create a more user-friendly bylaw by standardizing formatting, improving section organization, and consolidating definitions into a single section.

PVPC discussed upcoming assistance opportunities available through state funding, including:

- Revisions to the Town's 40R Smart Growth Overlay District through the DLTA program.
- Potential review and updates to the Town's solar and battery energy storage system (BESS) bylaws to align with recently issued state guidance and draft model bylaws.

Board members clarified that any future solar bylaw review would focus on large-scale ground-mounted solar facilities and standalone battery storage systems, not residential rooftop solar installations.

Discussion followed regarding formatting and accessibility. PVPC explained that the use of the Calibri font was intended to improve readability and provide consistency with current accessibility practices and standard document formats.

PVPC identified several areas where bylaw sections could be organized more consistently, including:

- Adding purpose statements to sections that currently lack them.
- Standardizing the structure of overlay district regulations.
- Reviewing use regulation sections to determine whether special permit and site plan review uses should be referenced more clearly alongside permitted and prohibited uses.

Board members discussed the advantages of including references to special permit and site plan review requirements while noting concerns about maintaining consistency between narrative sections and the Table of Uses if future amendments are adopted.

PVPC also presented a draft consolidated definitions section and explained that definitions currently appear in multiple locations throughout the bylaw and that the proposed revision would place all definitions in a single section. During the review, several duplicate or inconsistent definitions were identified, including definitions related to signs.

The Board discussed the sign regulations and noted longstanding concerns regarding off-premises signs and other sign-related provisions. PVPC advised that sign bylaws continue to evolve due to court decisions involving free speech and content-based sign regulations and agreed to further review the Town's sign definitions and regulations for consistency with current legal standards and best practices.

Board members described longstanding challenges with enforcement of sign regulations, particularly regarding off-premises signs, temporary advertising signs, and signs placed on utility poles, public property, or private property without authorization. Members noted that enforcement practices have varied over time depending on staffing and available resources, resulting in inconsistent outcomes.

PVPC staff observed that sign regulation is a complex area of zoning law due to evolving court decisions regarding free speech and content-based regulation. Staff noted that the current project is intended primarily as a reorganization and clarification effort rather than a comprehensive rewrite of the sign bylaw.

The Board expressed support for:

- Eliminating duplicate or conflicting sign definitions.
- Consolidating sign definitions into a single, consistent format.
- Reviewing whether existing definitions should be replaced with more standardized language where appropriate.
- Clarifying ambiguous provisions to improve enforceability and public understanding.

Board members emphasized that clearer language would assist both residents and zoning enforcement officials by providing more consistent guidance regarding permitted and prohibited signage.

PVPC staff reviewed several additional definitions identified during the consolidation process. They noted that some definitions contain regulatory standards or permitting requirements rather than actual definitions, making them more appropriate for placement within the applicable bylaw sections rather than the definitions chapter.

Examples discussed included:

- Duplicate sign definitions appearing in multiple sections of the bylaw.
- The definition of "animated sign," which currently includes the word "prohibited" as part of the definition. Staff suggested removing regulatory language from the definition itself if prohibition is addressed elsewhere in the bylaw.
- Definitions for overlay districts, which may be better referenced within the applicable district regulations rather than repeated in the definitions section.
- Definitions related to house additions and house conversions that contain approval standards rather than definitional language.
- The definition of "horses and/or ponies," which appears to function as a use regulation rather than a true definition.

The Board generally supported moving regulatory and permitting language out of the definitions section and replacing it with references to the applicable bylaw provisions where appropriate.

Discussion also focused on kennel-related definitions. PVPC staff noted that while the Table of Uses references "commercial kennel," no corresponding definition could be readily identified. Board members recalled that previous regulations may have been intended to address concerns regarding noise and neighborhood impacts associated with kennel operations. Staff agreed to review the existing language and provide recommendations for a clearer and more consistent approach that aligns definitions with the Table of Uses.

The Board indicated support for correcting typographical errors, removing unnecessary restrictions from definitions, and bringing forward recommendations where clarification or modernization of terminology may be warranted. Staff will continue reviewing the definitions section and present additional recommendations as the reorganization project progresses.

The Board continued its review of the draft definitions section and identified additional opportunities to consolidate duplicate definitions and improve consistency throughout the zoning bylaw.

Discussion focused on the definitions of "mixed-use development" and "mixed-use development project." PVPC staff noted that the two definitions appear substantially similar, with one tied specifically to the Smart Growth Overlay District. Board members expressed support for combining the definitions where appropriate, standardizing terminology, and ensuring consistent formatting and hyphenation throughout the bylaw.

Additional duplicate definitions were identified, including multiple versions of "wall sign" and "temporary sign." PVPC and Board members concluded that these duplications likely resulted from previous sign bylaw amendments in which definitions were adopted separately from broader sign regulation revisions. The Board supported consolidating duplicate definitions and, where practical, utilizing industry-standard language that is consistent with current planning practices.

PVPC staff explained that the next phase of the zoning bylaw project will involve reviewing duplicate definitions, evaluating current standards, and presenting recommendations for selecting a single definition where multiple versions currently exist.

The discussion then shifted to future zoning and planning initiatives.

## **Solar and Battery Energy Storage Systems**

PVPC staff provided additional information regarding forthcoming state guidance on solar energy facilities and battery energy storage systems (BESS). They explained that most anticipated changes involve updated definitions, permitting classifications, and consistency with state model bylaws rather than significant changes to local authority.

Board members discussed community concerns regarding large-scale ground-mounted solar facilities, including:

- Clearing of forested land and loss of open space.

- Long-term maintenance and decommissioning responsibilities.
- Emergency access and public safety considerations.
- Potential environmental impacts associated with battery storage systems.

Members expressed general support for renewable energy but noted a preference for solar installations on existing developed sites, such as rooftops, parking structures, and commercial developments, rather than extensive clearing of undeveloped land.

PVPC staff noted that similar concerns have been raised by many communities throughout the region and emphasized that the purpose of the upcoming technical assistance effort is to identify options and considerations rather than require specific bylaw changes. Any future recommendations would be presented to the Board for discussion and consideration.

The Board indicated that any potential solar or battery bylaw amendments would likely be considered separately from the current zoning bylaw reorganization project and would require additional review before being presented to Town Meeting.

### **40R Smart Growth District**

PVPC staff provided an update on the ongoing DLTA-funded review of the Town's 40R Smart Growth District. The project will focus primarily on administrative and housekeeping updates, including:

- Correcting inconsistencies between local and state mapping.
- Reviewing district boundaries and references.
- Ensuring compliance with current 40R program requirements.
- Clarifying district language and terminology.

The discussion also included the possibility of revisiting prior planning efforts related to East Street and Center Street. PVPC indicated that future discussions regarding these areas may be incorporated into the broader 40R review process.

### **Master Plan Discussion**

The Board and PVPC discussed the possibility of pursuing a future Master Plan update.

Board members noted that the Town's previous Master Plan effort involved significant public participation but ultimately produced limited implementation due to the difficulty of reaching consensus among a large committee and the absence of a unified vision for the community.

PVPC staff suggested that, rather than immediately pursuing a full Master Plan update, the Town could consider smaller-scale visioning and public engagement exercises to gauge community priorities and identify areas of consensus. Such efforts could potentially be funded through future DLTA grants and would help determine whether a broader Master Plan process would be beneficial.

The Board generally agreed that a phased approach focused on community visioning and targeted discussions may be more productive than immediately undertaking a comprehensive Master Plan

update. PVPC noted that these discussions could help establish priorities for future planning initiatives and improve the effectiveness of any future Master Plan effort.

### **Zoning Bylaw Cleanup**

PVPC continued its review of the zoning bylaw definitions and identified several areas where definitions appear to be duplicated or inconsistent. Discussion focused on:

- Consolidating the definitions of "mixed-use development" and "mixed-use development project," which appear to overlap.
- Standardizing terminology and hyphenation throughout the bylaw.
- Reviewing duplicate sign-related definitions, including "wall sign" and "temporary sign," which likely resulted from previous sign bylaw amendments that were only partially adopted.
- Using industry-standard language where possible when selecting among multiple definitions.
- Identifying obsolete zoning classifications and outdated references for removal during the cleanup process.

Board members noted that many of the duplicate definitions may have originated from previous bylaw amendment efforts where definitions were adopted separately from the corresponding bylaw changes.

### **Table of Uses Review**

Mr. Phoenix identified discrepancies between zoning district classifications and the Table of Uses, including references to zoning districts that no longer appear elsewhere in the bylaw.

Discussion included:

- Removing obsolete district classifications where appropriate.
- Reviewing uses that are currently permitted only in districts that may no longer exist.
- Identifying potentially ambiguous uses, such as "trailer camps" and "overnight camps," that may require updated definitions.
- Creating a list of items requiring further review as part of the bylaw modernization effort.

### **Solar and Battery Storage Regulations**

PVPC provided an update on ongoing state-level changes affecting solar energy and battery storage facility permitting.

Key discussion points included:

- Recent state model bylaws and permitting guidance.
- The distinction between small-, medium-, and large-scale solar facilities.
- Concerns regarding ground-mounted solar installations, including:
  - Forest clearing and loss of open space.
  - Environmental impacts.
  - Emergency access and fire protection concerns.
  - Long-term maintenance and decommissioning responsibilities.

- Battery energy storage system safety concerns, particularly related to fire risks and emergency response.
- The need to balance state requirements with local priorities and environmental protections.

Board members expressed support for renewable energy while emphasizing concerns about large-scale ground-mounted solar development and the preservation of forested land. Members also discussed the importance of ensuring adequate financial guarantees and decommissioning protections should solar developers cease operations.

PVPC indicated that future technical assistance sessions and guidance from the Massachusetts Department of Energy Resources (DOER) will help communities evaluate potential bylaw updates and compliance requirements before state permitting changes take effect.

#### **40R Smart Growth District Project**

Ongoing work related to the Town's 40R Smart Growth District was reviewed.

The project will focus on:

- Updating district maps and documentation.
- Resolving inconsistencies between local and state records.
- Reviewing district provisions for compliance with current 40R requirements.
- Continuing discussions regarding potential future overlay districts, including Center Street.

The Board noted that much of the work involves administrative updates and housekeeping changes to ensure consistency and eligibility for state incentives.

#### **Master Plan Discussion (continued)**

PVPC raised the possibility of pursuing a future Master Plan update and discussed the benefits of long-range planning efforts.

Topics included:

- Using a master plan to establish a clear community vision.
- Improving competitiveness for state grant programs.
- Providing policy support for future zoning amendments and development initiatives.
- Conducting preliminary visioning exercises and public outreach before pursuing a full master plan update.

Board members acknowledged the value of community planning but noted challenges experienced during previous master plan efforts, including difficulties achieving consensus among large committees. Members expressed interest in exploring smaller-scale visioning and public engagement efforts before committing to a comprehensive master plan process.

Discussion also emphasized the importance of reaching residents who may not typically participate in public meetings by utilizing community events, schools, local organizations, and other outreach methods.

### **Next Steps**

- PVPC will continue preparing revisions and recommendations for the zoning bylaw update.
- Additional review of solar and battery storage regulations will occur as state guidance evolves.
- Work on the 40R district updates will continue throughout the year.
- Future discussions may include community visioning efforts and potential groundwork for a future master plan update.

The Board thanked PVPC staff for their continued assistance and looked forward to ongoing collaboration on zoning and planning initiatives.

*Documents: Draft Bylaw*

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### **Consent Agenda:**

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

- ◆ FILE Mail Item 27. - Legal Notices from surrounding communities
  - ◆ APPROVE/SIGN Minutes of March 26, 2026
  - ◆ APPROVE Change of Occupancy:  
Michael Epstein (Southern Glazer's Beverage Company) 485 Holyoke St  
(from beverage company to beverage company)
  - ◆ SIGN Special Permits:
    - Hemlock Ridge, LLC c/o Armand Deslauriers – Lot 4 Tanglewood Drive (estate lot)
    - Hemlock Ridge, LLC c/o Armand Deslauriers – Lot 6 Tanglewood Drive (estate lot)
    - Hemlock Ridge, LLC c/o Armand Deslauriers – Lot 25 Moonlit Drive (estate lot)
    - Hemlock Ridge, LLC c/o Armand Deslauriers – Lot 27 Moonlit Drive (estate lot)
  - ◆ SIGN Subdivision Plans for 1252 East Street & 0 Ventura Street (Tanglewood Estates)
  - ◆ SIGN Covenant for 1252 East Street & 0 Ventura Street (Tanglewood Estates)
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### **Town Meeting**

Mr. Phoenix provided a recap of the recent Town Meeting, noting that the Planning Board's request for \$10,000 in funding to continue work on the Housing Production Plan (HPP) was approved without controversy. The funding will allow the Town to continue working with its consultant and pursue additional planning efforts, grant opportunities, and progress toward affordable housing goals and the Chapter 40B threshold.

Mr. Phoenix noted that several warrant articles were postponed because free cash had not yet been certified. He also referenced broader discussions that occurred during Town Meeting regarding Minutes of May 14, 2026

municipal operations and staffing matters but indicated those topics were outside the Planning Board's purview.

Of particular relevance to the Board was the approval of funding for a Recreation Director position as part of the Town budget. Discussion followed regarding the likely location of the position and its relationship to existing recreation programs.

The Chair also discussed the passage of an article restructuring the Recreation Commission. The article includes changes that would convert Recreation Commission positions from elected to appointed positions. Concerns were raised regarding the process leading to the article's placement on the warrant, specifically that individuals, boards, and departments potentially affected by the proposed changes were not consulted prior to Town Meeting consideration.

Board members noted the historical connection between recreation activities and the Planning and Conservation Office and expressed concern that broader stakeholder input was not sought before advancing the proposal. Discussion emphasized the importance of planning, collaboration, and gathering multiple perspectives when considering organizational changes that may affect municipal boards, committees, and staff.

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### **Open Meeting Law / Town Hall Access**

Mr. Phoenix raised concerns regarding public access to Town Hall during evening meetings and the potential implications for compliance with the Massachusetts Open Meeting Law.

Discussion focused on the current practice of automatically locking and alarming Town Hall doors during evening hours. Mr. Phoenix noted that previous situations had occurred where members of the public reported difficulty accessing the building while a public meeting was still in session. Concerns were expressed that restricted access during an active public meeting could create Open Meeting Law issues.

Board members discussed the lack of clear procedures regarding building access, door locking schedules, alarm controls, and responsibility for maintaining public access during evening meetings. Concerns were also raised regarding circumstances in which staff may not be present during a meeting or may need to leave unexpectedly, potentially leaving no designated individual available to ensure continued public access to the building.

The Board emphasized that maintaining public access to public meetings is a municipal responsibility and that policies governing building security and public access should be clearly communicated and coordinated among affected boards, committees, and departments.

Members discussed the need for improved communication, accountability, and planning regarding Town Hall access procedures to ensure both building security and compliance with public meeting requirements.

The Board further discussed concerns about the implementation of new technologies and administrative systems without sufficient testing, evaluation of alternatives, or consultation with affected stakeholders.

Members stressed the importance of deliberate planning, communication, and collaboration when making operational changes affecting public services.

Following discussion, the Board requested that staff prepare correspondence to the Select Board, with a copy to Town Counsel, outlining concerns regarding Town Hall access, Open Meeting Law compliance, and related operational issues.

The Board continued discussion regarding site plan compliance issues involving various Town-owned properties. Members expressed concern regarding ongoing discrepancies between approved site plans and existing site conditions, particularly at Town Hall. Discussion focused on the placement of storage sheds and the need to resolve outstanding compliance issues through the submission and review of appropriate plans.

The Board acknowledged that some previously discussed concerns at Harris Brook Elementary School may have been addressed, including the removal of traffic cones and signage that had generated earlier complaints. Members noted that additional traffic circulation improvements may still be considered by school officials in the future.

Discussion also touched upon other Town and school properties where site conditions may differ from approved plans. Members agreed that priority should be given to addressing the most significant compliance issues before pursuing minor amendments related to playground equipment, fencing, or other less substantial changes.

Board members expressed concern that municipal projects should be held to the same standards and procedures expected of private applicants appearing before the Planning Board. The importance of accurate applications, proper authorization, and compliance with approved plans was emphasized throughout the discussion.

The Board discussed the potential financial and legal implications associated with undertaking work prior to obtaining required approvals. Members noted that similar actions by private applicants could result in additional fees, enforcement actions, or other corrective measures. The Board stressed the importance of ensuring that future municipal projects follow established review and approval processes.

Following discussion, a **MOTION** was made (Ms. Houle) and **SECONDED** (Mr. Silva) directing staff to prepare correspondence to the Select Board, with a copy to Town Counsel, regarding concerns related to Town Hall access, Open Meeting Law compliance, and associated administrative issues. The motion passed unanimously (3-0).

The Chair concluded by expressing hope that continued discussion and communication among boards, departments, and Town officials would lead to improved coordination, greater accountability, and more deliberate decision-making on matters affecting Town operations and facilities.

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Ms. Houle **MOVED** to adjourn.

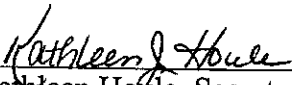
**SECOND** Mr. Silva.

Mr. Phoenix: Those are always in order and not debatable.

**3-0 in Favor.**

The meeting adjourned at 9:10 p.m.

APPROVED:

  
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Kathleen Houle, Secretary

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