

**TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
August 13, 2026**

PLANNING BOARD MEMBERS

Raymond Phoenix – Chairman (Present)
William Ellison – Vice Chairman (Present)
Kathleen Houle (Present)
Christopher Coelho (Absent)
Haley Rivers, Associate Member (Present) (7:01 p.m.)

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

PUBLIC HEARING – Special Permit/Home Occupation – Michael Modzelewski – 147 Kendall Street (Assessors' Map 11B, Parcel 108) (landscaping business)

SEE SEPARATE MINUTES

PUBLIC HEARING – Special Permit/Home Occupation – Ursula Knolton – 115 Prospect Street (Assessors' Map 15A, Parcel 355) (interior design office)

SEE SEPARATE MINUTES

PUBLIC HEARING – Site Plan – Sewall & Hubbard LLC – 120 Hubbard Street (Assessors' Map 14B, Parcel 20) (update existing site plan)

SEE SEPARATE MINUTES

Consent Agenda:

The Board approved the Consent Agenda under unanimous consent.

- ◆ FILE Mail Item 42. - Legal Notices from surrounding communities
 - ◆ APPROVE/SIGN Minutes of July 9, 2026, and July 23, 2026
 - ◆ APPROVE Change of Occupancies:
 - Christina Dinis – 476 East Street (from salon to medical wellness)
 - Harmit Raval – 12 Cady Street (from liquor store to liquor store)
 - Stony Hill Landscaping, LLC – 1131 East Street (from tackle shop to landscaping business)
 - ◆ SIGN Special Permits:
 - Durmus Alper Koc – 65 Waters Edge Drive (Uber Lyft business)
 - Kadir Sungur – 521 Center Street, Apt. 14 (transportation services)
 - Rachel Burgess-Rivera – 23 May Road (home bakery)
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Mail Item 43 - Zoning Board of Appeals Legal Notice – 88 Chapin Street – request for variance

**SITE SKETCH – John Garcia – 37 Letourneau Lane (Assessors' Map 5, Parcel 8)
(update existing site plan to show proper parking)**

John Garcia was present for the appointment.

The Board reviewed a request from John Garcia, 37 Letourneau Lane, for approval of a site sketch to update the previously approved site plan and show the proper parking configuration. The applicant explained that a new tenant resulted in a slight change in use and parking requirements, and the plan was also updated to show a dividing wall between Units 2 and 3. Comments from the Conservation Commission, Department of Public Works, Board of Health, and Fire Department were reviewed, with no concerns or additional requirements noted.

Ms. Houle **MOVED** to waive the full site plan in favor of a sketch, and it is less than 25 years old, hasn't been modified more than twice and is consistent with the purpose and intent of the zoning bylaws from Mr. John Garcia, 37 Letourneau Lane.

Mr. Phoenix: And to also waive the public hearing?

Ms. Houle: And to also waive the public hearing.

SECOND Mr. Ellison.

3-0 In Favor.

Mr. Ellison **MOVED** to approve and sign the site sketch for Letourneau Lane.

SECOND Ms. Houle.

3-0 in Favor.

Documents: Master application; Comments from town boards/departments; Site Plan 37 Letourneau Lane Ludlow, MA (July 15, 2026)

File Mail Item 44 - Zoning Board of Appeals Legal Notice – 755 Lyon Street – request for variance

**ANR – Michael & Debbie Slepecki – 1310 Lyon Street (Assessors' Map 20, Parcels 10A & 13)
(create 3 parcels from existing parcel & convey 2 of the lots to abutters)**

Michael Slepecki & Derek Vigneault were present for the appointment.

The Planning Board reviewed an Approval Not Required (ANR) plan for Michael Slepecki at 1310 Lyon Street. The plan proposes creating a 2.585-acre parcel containing the existing dwelling and ground-mounted solar panels, a 1.328-acre building lot, a 12.735-acre lot to be conveyed to an abutter, and a 47.117-acre lot to be conveyed to the Commonwealth for wildlife management purposes. The Board confirmed that the required ownership certification, ANR supplement sheet, checklist, surveyor's seal, and other required information were provided. The Board determined that the proposed parcels have adequate access and that the plan qualifies as an ANR under the Subdivision Control Law.

Ms. Houle **MOVED** to endorse the ANR for Michael Slepecki at 1310 Lyon Street.

SECOND Mr. Ellison.

3-0 in Favor.

Documents: Master application; Plan of Land Believed to be Approval Not Required, Lyon Road located in Ludlow, Massachusetts, prepared for Michael Slepecki (2 sheets) (07-27-2026)

ANR – Derek Vigneault – 1308 Lyon Street (Assessors' Map 20, Parcel 18A) (create parcel to convey to abutter)

Michael Slepecki & Derek Vigneault were present for the appointment.

The Planning Board reviewed an Approval Not Required (ANR) plan for Derek Vigneault at 1308 Lyon Street. The plan involves creating a parcel to be conveyed to an abutter, the Commonwealth of Massachusetts. The Board confirmed that the signed certification of ownership and authority, required supplemental sheets, and checklist items were provided, including property owner information, plan date and scale, and space for endorsement. The applicant explained that the rear portion of the property, which is wet and not readily usable, will be conveyed to the Commonwealth in exchange for purchasing similar acreage from an abutting property owner. Mr. Carpenter noted that the paper copies of the plans were missing the north arrow, and that the corrected copies will be turned in for signatures. The Board had no questions or concerns.

Mr. Ellison **MOVED** to endorse the ANR for Derek Vigneault at 1308 Lyon Street.

SECOND Ms. Houle.

3-0 in Favor.

Documents: Master application; Plan of Land Believed to be Approval Not Required, Lyon Road located in Ludlow, Massachusetts, prepared for Derek Vigneault (07-27-2026)

Mail Item 45 - Suspected violation letter at 1353 Center Street from the Dias Family

The Board reviewed a complaint regarding an alleged zoning violation at 1353 Center Street involving the storage of heavy construction vehicles and equipment and an alleged home occupation. The Board noted that a similar complaint had previously been referred to the Zoning Enforcement Officer, who determined that there was no violation. The current complaint was also reviewed, including the presence of a flatbed truck and construction equipment. It was confirmed that the equipment belongs to the property owner and is being used in connection with work at the site, and that the flatbed truck is under the applicable 10,000 GVW limit. The Zoning Enforcement Officer and Building Department had reviewed the property and found no zoning or home occupation violation.

Ms. Houle **MOVED** to file.

SECOND Mr. Ellison

3-0 in Favor.

The Board requested that a written response be provided to the complainant.

Mail Item 46 - Letter from Angela Anselmo re: runoff from East Street Solar

In attendance: Angela Anselmo

The Board reviewed a letter from Angela Anselmo regarding stormwater runoff and damage to her property at 207 Reynolds Street following a significant rain event. The letter requested immediate and long-term corrective measures, an engineering assessment of the cause of the runoff, a permanent drainage and erosion control plan, a timeline for corrective work, and clarification regarding responsibility for cleanup and any future damage.

Ms. Anselmo reported that cleanup had already been completed, additional mulch had been placed, soil had been added to redirect water flow, additional silt fencing had been installed, and additional mulch and drainage measures were planned. She also reported walking the site with representatives from DPW and Engineering and expressed hope that the measures would prevent further damage.

The Board discussed the unusually heavy rainfall event, noting that approximately four inches of rain fell within three and a half to four hours. The Board explained that stormwater systems are designed based on specified storm events and engineering calculations, and that the project's stormwater plans had been reviewed by the appropriate town departments. The Board emphasized that the responsibility ultimately rests with the property owner/developer to ensure that construction is properly designed and does not cause stormwater impacts to neighboring properties.

The Board further discussed the ongoing construction, removal of trees, changes in terrain, and the concern that drainage controls are not yet fully in place because the project remains under construction. It was noted that Engineering and DPW were already involved in reviewing the situation and could determine whether the drainage system is being constructed according to the approved plans and whether any deficiencies exist. The Board indicated that if the completed drainage system proves insufficient, that would require further review.

A question was raised regarding whether a stormwater report had been prepared for the project. It was stated that the project would have been subject to stormwater modeling and review by Engineering and DPW, and that Engineering was already engaged in evaluating the current runoff concerns. The Board agreed that the primary issue at this stage is that the project is still under construction and not all of the permanent drainage controls are yet in place.

Attorney Steve Chaplin – Sign Release of Covenant – Santina Drive (lot substitution) Re-sign Release of Covenant – Leland Drive due to scriveners' error Article discussion

In attendance: Attorney Steve Chaplin

Sign Release of Covenant – Santina Drive (lot substitution)

The Board reviewed the Release of Covenant documents for Santina Drive and the release for Leland Drive. For Santina Drive, the developer had signed a new Covenant placing Lot 8 under Covenant, while Lot 5 was being released. The Board confirmed that the value of the lots being held under Covenant remained sufficient to exceed the estimated cost to complete the project.

Ms. Houle **MOVED** to accept Lot 8 and to release Lot 5.

SECOND Mr. Ellison.

3-0 in Favor.

Re-sign Release of Covenant – Leland Drive due to scriveners' error

The Board then reviewed a revised release for Leland Drive to correct a scrivener's error. The original document contained incorrect Book and Page references for both the Covenant and the plan. The corrected document was reviewed, and the references were confirmed to be accurate. It was determined that a rescission of the prior vote was not necessary because the correction effectuated the Board's original intent.

Mr. Ellison **MOVED** to accept the new release and the new with the changes.

SECOND Ms. Houle.

3-0 in Favor.

Article discussion

The Board discussed proposed zoning amendments concerning data centers, including the distinction between high-intensity data centers, such as those supporting major technology companies and AI processing, and smaller-scale facilities that may be appropriate in existing mill or commercial areas. Concerns were raised regarding the definition of "data center," particularly the use of terms such as "high-performance servers" and "primary intended use," which could create loopholes or unintended exclusions. The Board agreed that the definition should be refined to ensure that the intended uses are clearly addressed.

The Board also discussed whether to pursue an outright prohibition of data centers or a temporary moratorium while the Town studies the issue and develops more comprehensive regulations. Members discussed the advantages and disadvantages of each approach, including the need to establish appropriate thresholds based on factors such as scale, resource consumption, noise, and intensity of use.

After discussion, the Board indicated a preference for proceeding with a ban on data centers, provided that the definition is strengthened and carefully drafted. The Board agreed that the Town Planner and Town Counsel would work together to refine the language and definition before the article moves forward.

The Board confirmed that there were no reservations with proceeding in that direction, with the understanding that the proposed ban would include a better and more comprehensive definition of data centers.

Documents: Release of Covenant – Santana Drive; Release of Covenant – Leland Drive; Draft article: Zoning Bylaw Amendment – Temporary Moratorium on Data Centers; Zoning Bylaw Amendment – Data Centers

Outstanding Items

The Board received an update on outstanding matters. Mr. Carpenter mentioned that no response or action had been received regarding the school site plan. Regarding the hotel, the hotel responded after being contacted by Zoning and stated that it planned to have the trailers removed from the site by the

end of the following week. The Board discussed whether this would bring the site into conformity with the approved site plan.

The Board also reviewed the approved plan, which was signed in 2025 and identifies the EV charging stations. It was recalled that there had previously been an issue with signage restricting the charging spaces to EV use only. The hotel had been advised that, if those spaces were being counted toward the required parking, they could not be restricted to EV-only use and should instead be designated as EV-preferred. Mr. Carpenter will review the prior minutes to confirm the details. The Board also noted an extended-use trailer on the site that was obstructing the parking pattern.

The Board received an update on the Town Hall site plan. Mr. Carpenter noted that Dan O'Brien was recently on site conducting additional surveying to resolve questions regarding the location of the property lines, as the property had previously been subject to a land taking and there was no known pin marking the boundary. The earlier questions regarding the scope of the plan and the work being provided have been resolved, and the remaining work is to finalize the survey and updated site plan.

The Board discussed the history of changes made at Town Hall that were not reflected on an approved site plan, including changes to the sheds, parking layout, direction of travel, parking spaces, and parking count. The initial plan provided was considered more of a sketch, and there had also been uncertainty as to whether certain sheds were located on Town Hall or School Department property. The current understanding is that the changes shown on the updated plan are located on Town Hall property.

The Board also discussed concerns regarding Town Hall operations and communication, including the automatic locking of the building during public meetings, which previously resulted in members of the public being unable to enter during a public hearing. Concerns were raised that changes affecting public access and other operational matters have been made without sufficient consultation with boards that conduct public meetings. The Board emphasized the importance of planning, communication, and ensuring that procedures do not create potential Open Meeting Law issues.

Additional concerns were raised regarding the Town's processes for department matters, contracts, technology services, and communication between departments. The Board expressed concern that decisions have at times been made without adequate planning or coordination, resulting in problems and additional costs to the Town. The Board emphasized that mistakes can occur but that better communication and planning should occur before decisions are made or changes are implemented.

A Select Board representative, Tony Sanches, who was present, acknowledged the concerns and stated that he would bring the issues forward and communicate what could or could not be done. The Board thanked him for remaining at the meeting and hearing the concerns.

Sign OSRP letter

The Board reviewed a letter to Mr. Silva expressing appreciation for his dedicated service to the community and acknowledging his leadership, time, and commitment during his tenure. The Board approved the letter as presented for signature.

The Board discussed the upcoming joint meeting with the Select Board to consider the appointment of Ms. Rivers as a full-time Planning Board member. The meeting is scheduled for Tuesday at 5:45 p.m.,

with the expectation that the appointment discussion will be brief. The Board also discussed remote participation and scheduling considerations for members.

The Board agreed that the Planning Board associate member vacancy should be posted once the appointment of Ms. Rivers is official. The vacancy will remain open until filled, but for no less than three weeks, allowing additional applicants an opportunity to apply.

The Board also reviewed the letter regarding the Open Space and Recreation Plan (OSRP). The letter represents the final step in submitting the OSRP to the Commonwealth for review and acceptance. Once accepted, the Town will have a 10-year plan in place. The Board discussed minor capitalization inconsistencies in the letter and agreed to make the necessary formatting corrections before signing.

Documents: Thank you letter to Joel Silva; Open Space and Recreation Plan support letter

Ms. Houle **MOVED** to adjourn.

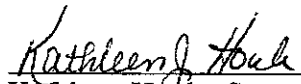
Mr. Phoenix: Oh, those are always in order, not debatable, but they do need a second.

SECOND Ms. Rivers.

4-0 in Favor.

The meeting adjourned at 8:51 p.m.

APPROVED:


Kathleen Houle, Secretary

su

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

TOWN OF LUDLOW PLANNING BOARD
PUBLIC HEARING – SPECIAL PERMIT/HOME OCCUPATION
147 Kendall Street (Assessors' Map 11B, Parcel 108)
Michael Modzelewski
(landscaping business)
August 13, 2026

PLANNING BOARD MEMBERS

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

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

In attendance: Michael Modzelewski, attendees

Mr. Phoenix advised the public that the hearing is being recorded, gave the applicant a copy of the invoice for advertising, and read the legal notice which included the description of: landscaping business.

Mr. Phoenix: With that, I know I read the legal notice, but just kind of the highlights off of this application. This is for 147 Kendall. The detailed description is sole proprietor landscape business for DBA certificate. On our supplement sheet we have that the total area is 1,107, they're looking to use about 50 square feet. No non-resident employees. They are looking to have signage at the property, which we can talk about momentarily. No customers at the house, no deliveries unlike those of normal residence. No changes to the site that would make it look less residential. There would be one vehicle in connection, which is a Ford F-150, which is 7,800 pounds GVW, which is under our 10,000-pound limitation. And we do have a signed request of a waiver for the of the full site plan in favor of sketch and photos as prepared by the applicant. I also do have a signed certification of ownership and authority as well as signed copies of the home occupation checklist and the special permit checklist. So, that's what I have. Aside from the mentioned photos and things. If you wouldn't mind, could you just describe for us what you're looking to do?

Mr. Modzelewski: I was looking to get a business certificate, that way it can be more formal and proper when it comes to documentation, especially on the finance side 'cause this was my first year kind of taking it serious on the business end of things and when I tried opening the business account, they said it can only be in my name unless I were to get a DBA through the town. And I'm just looking, I've grown up on a gentleman's farm and with animals taking care of the yard and it's something I've always wanted to do for work. I look forward to doing that, but I wanna do it proper. I don't want just, hey here's 50 bucks, take it under the table.

Mr. Phoenix: Fair enough that, that sounds good to me. The sign that you mentioned for the property, I'm sure you read it in the, the checklists that were there. It can be up to two square feet in area. So, that can be one foot by two foot, however that's gonna be configured. It cannot be

lighted. You would need to talk to the Building Department, get a permit for that sign. When you wanna put that up, is that your understanding as well that it would be a, a small sign of under two square feet with no lights?

Mr. Modzelewski: Correct. Like two by one? Yeah. Yes, sir.

Mr. Phoenix: Sometimes we used to joke it could be, you know, like 24, it could be like 48 inches by six inches. You go a little bit crazy with it. But yeah, so that's pretty much what we have. You're not looking to have people come to the house, you're gonna be going to other people's places to do the landscaping is just the F-150, you're looking to have like a, a trailer or anything with that as well or?

Mr. Modzelewski: I do currently have an 8x10 trailer that I back up into the carport, or I also have a swing fence gate that I'll park further in the yard. Out of, out of sight.

Mr. Phoenix: Okay. Before I open it up to the public, does anybody from the Board have any comments, questions, concerns?

Mr. Ellison: I looked it over. It looks pretty good to me.

Mr. Phoenix: Okay. Hearing nothing from the Board, I will open this up to the public as this is a public hearing. If you do have anything, I would ask that you state your name and address for the record and address anything that you have through myself as Chair. I'll do my best to get you any information that you need. Does anyone have anything at this time? Yes ma'am.

Ms. Goddeau: I'm next door, 143. Perfect.

Mr. Phoenix: Sure. Can I just get your name as well, ma'am?

Ms. Goddeau: Frances Goddeau.

Mr. Phoenix: Thank you. Hearing nothing.

Ms. Goddeau: I've been there 60 years the first one to buy the all the 10 houses past me and the, the reason why we bought that particular house is the, I have the original adverse says something about the no leaks in a, it's the only house we've never had a leak in. All the rest on that side do. They dug I guess two feet deeper or something like that? I was told that when we moved in and we moved in the Saturday after President Kennedy's funeral. So, I've been there a long time.

Mr. Phoenix: Yeah. And there's, there's definitely a lot of 'em with water around there. So, you're lucky if you've stayed dry.

Ms. Goddeau: No, there's no water in my cellar.

Mr. Phoenix: There you go. With that? Unless anybody has anything else from the public, I'm gonna turn to the Board one more time. Hearing nothing, I'm gonna ask if anybody would care to make a motion on the waiver request, on the finding, on the request in front of us, the status of the hearing, all of the above. The standard form or however you please.

Mr. Ellison: I'll, I will make a **MOTION** Mr. Chairman, to all of the above.

Mr. Phoenix: Okay, so just for clarity, that would be in the standard form to find that it's an acceptable home occupation under the bylaw, to grant the waiver of the full plan in favor of a sketch, to approve the, the home occupation as presented, and to close the public hearing. Is that a fair summary?

Mr. Ellison: That's a fair summary.

Mr. Phoenix: With that understanding, is there a second?

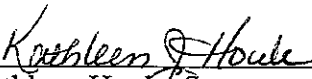
SECOND Ms. Houle.

4-0 in Favor.

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

The public hearing closed at 7:07 p.m.

APPROVED:


Kathleen Houle, 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
115 Prospect Street (Assessors' Map 15A, Parcel 355)
Ursula Knolton
(interior design office)
August 13, 2026

PLANNING BOARD MEMBERS

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

The public hearing began at 7:08 p.m. in the Select Board's Conference Room.

In attendance: Ursula Knolton, attendees

Mr. Phoenix advised the public that the hearing is being recorded, gave the applicant a copy of the invoice for advertising, and read the legal notice which included the description of: interior design office.

Mr. Phoenix: With that I do have an application in front of me for 115 Prospect. As it said in the legal notice home office for interior design. More specifically, we have out of 1,000 square feet looking to use 300. Is that correct? Okay. Number of non-resident employees is zero. Not looking to have any planned signage, customers at the house, deliveries unlike a normal residence, no changes to the site that would make it less look less residential. And you're looking to use one commercial vehicle, 2014 Chevy Sonic, which is 3,924 pounds, which is certainly under the 10,000 GVW. We also have a signed request of the waiver of a full site plan in favor of sketch and photos as prepared by the applicant. And we have a signed certification of ownership and authority as well as signed checklist for the home occupation criteria and the special permit criteria. Fantastic. With that, I'm gonna turn it over to you. If you could kinda give us a little bit more insight into what you're looking to do.

Ms. Knolton: Yeah, so I own my own interior design company. I moved here from Northampton, so the last three years it was there, other places before, but I moved in with my partner and it's just a small little desk home office. I bring everything to my clients. I have all of my shipments go to a receiving house if they're not going directly to the client. What --- questions?

Mr. Phoenix: The only one that I really have and I wanted to double check before I said anything, with you listing that your total area as 1,000 square feet and you're looking to use 300, the way the Bylaw is written is that you're allowed to use up to 25% or 300, whichever is less. So, you could use up to 250 unless you have other structures that would be adding to that total square footage. So, I don't know if you might want to restrict what you're saying you're using, like maybe if you were trying to count the area of an entire section of the house, like.

Ms. Knolton: I just took a guess. Like I just sit at a desk in, in the corner of his apartment. And then I do have samples that I store in random places throughout the apartment, like in a box under the bed, in the basement, in a box. It depends.

Mr. Phoenix: Well, I think that all sounds reasonable, but what I would ask you to do, just to make sure that everything is kind of covered 'cause it doesn't sound like you're gonna be using more than the 25%.

Ms. Knolton: Literally just my desk.

Mr. Phoenix: So, that's definitely gonna be well under. If you could just change that to a number 250 or below and just initial that change for me, that would be fantastic. Other than that, does anybody from the Board have anything that they would like to add or ask?

Mr. Ellison: No, I'm good.

Ms. Knolton: Oh, and initial.

Mr. Phoenix: Yes please. With that, similar to the last hearing, I will open this up if you have any, any public comments, questions, concerns? If you do have anything I would ask that you state your name and address for the record and address anything that you have through myself as Chair, I'll do my best to get you any information that you need. Does anybody have anything at this time? Hearing nothing, I'll come back to the board. And hearing nothing again, I will ask if anyone would care to make a motion or four in the standard form or otherwise.

Ms. Houle: Mr. Chairman, I make a **MOTION** to, in the standard form in regards to the 115 Prospect Street for Ursula Knolton for the special permit and home occupation. And furthermore, to close the public hearing.

Mr. Phoenix: Just for clarity, that's all three of the ones.

Ms. Houle: All three.

Mr. Phoenix: And to close. So that's the, the finding, the waiver, the approval and then also the closure.

Ms. Houle: Correct.

Mr. Phoenix: Okay. With that understanding, is there a second?

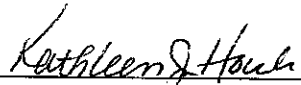
SECOND Ms. Rivers.

4-0 in Favor.

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

The public hearing closed at 7:13 p.m.

APPROVED:



Kathleen Houle, 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 – SITE PLAN
120 Hubbard Street (Assessors' Map 14B, Parcel 20)
Sewall & Hubbard LLC
(update existing site plan)
August 13, 2026**

PLANNING BOARD MEMBERS

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

The public hearing began at 7:15 p.m. in the Select Board's Conference Room.

In attendance: David Plante, attendees

Mr. Phoenix advised the public that the hearing is being recorded, gave the applicant a copy of the invoice for advertising, and read the legal notice which included the description of: update existing site plan.

Mr. Phoenix: On the application in front of us, I have the detailed description of update to existing site plan as requested by Planning Board. I have a signed certification of ownership and authority. As far as correspondence, I have a memo from our own office from Josh. A lot of good check marks on here. Elevations and contours does say not shown, but no changes to elevations or contours due to preexisting nature. And then under o, all of well, 1, 2, 3, and 5 are all highlighted, which are the lighting plan with luminaire schedule, elevations showing the front, rear and sides of the building design, signage design with dimensions and locations, and the traffic study. Additional comment, site is pre-existing without any changes to physical footprint. Site plan is needed due to multiple tenant changes over the years and being over 25 years old. Fire Department's says: *Site plan submitted to the Fire Prevention Office for Sewall and Hubbard, LLC has been reviewed for compliance. The following will be required; adequate existing access noted on site plan, no further comment.* That's nice. *Please note any omissions or missed items during this plan review does not relieve the owner or contractor from meeting all applicable codes, laws, regulations, and standards as they apply to the construction, maintenance or use of this building. As always, feel free to contact the Fire Prevention Office if you have any questions or concerns regarding this matter.* ConsCom says no wetlands. Building Department says n/a. Public Works says n/a, or no comments. And Board of Health has a big old hyphen. So, not a whole lot of comments in there. If you could, I think we covered kind of the, the meat of what we're doing here, but if you could just kind of explain what's going on, what's different from the last time we've really seen a plan on this and we can see where we're at.

Mr. Plante: So, I was approached by the Town, this is the waiver I was needed to type up for one, three and five.

Mr. Phoenix: Sure.

Mr. Plante: Was approached by the Town saying that I needed to get a site plan, a replacement site plan. And they had joked that it may have the original site plan might have disappeared along the way in time, but he said, it's like you said, it's due. So, there's been no structural changes, no, you know, whatever you have had mentioned before, but it's all back on a giant piece of paper.

Mr. Phoenix: It's basically just tenants moving in and out. I think some of the, the usage has kind of shifted a little bit over time, but not much.

Mr. Plante: Not, so I've been, I, my company Cash Register Solutions is my other company. I've been, we've been there for 20-something years. The Lighthouse has been there. I have a poster of it when it burned down in my office. So, I've been there forever and everyone in between comes and goes, different townspeople, bring people to the town. Western Mass Educational is actually back in her spot now. Okay, you've got a thing from her. I had to sign something the other day, she's back in her spot. So, in between the slots there's really, you know, there's not much activity at all.

Mr. Phoenix: Okay.

Mr. Plante: So, just people to have a, like you heard earlier, a storefront to say this is me.

Mr. Phoenix: Yep. I think the, the most recent one other than that was when Jenna moved out and Lighthouse was able to grab some extra space. So, they've got some, some extra elbow room in there.

Mr. Plante: Yeah, they got right. So, they got pool hall, they got all sorts of cool stuff in there. They got a lot more breathing room and.

Mr. Phoenix: Okay. Any questions, comments from the board? Okay, before I go to the public, since I do have the, the waiver request in front of me just to go over that. *Dear members of the Board, in accordance with the local zoning bylaws, I'm formally requesting a waiver from the submission requirements under 7.1.o.5, specifically subsections 1, 2, 3, and 5 for the property located at 108 to 122 Sewell Street. Reason is the Town requested a replacement site plan for the property and there is no alteration to the existing footprint site drainage, traffic patterns or utility connections. On your list of certified vendors with site plan is Paul Smith who prepared the necessary documents you requested. Thank you for your time and consideration. Sincerely David Plante.* So, we have that in front of us. And just for the, the benefit of others that have not been seated on this side of the table as long as some of us, one of the things that we do find over time very often, which isn't always the case, but is typically the case is that with parcels that have been around for a while, whether intentionally or not, there are often changes that happen on the site over long intervals of time, whether it's somebody might put up a shed and forget to come in for a permit for it, they pave additional area or something happens that they may end up regrading things. There's all kinds of different things that may happen over the interval of a quarter century. So, when there are a number of changes, especially after a long period of time with no real full update to the plan, we like to try and make sure that what we have on paper on file in Town Hall matches what's actually on the ground. So, that's kind of where a lot of that comes from is when you are changing things After that amount of time we, we start looking for something updated. Sure. So, with nothing from the Board at the moment, I will ask again if there are public comments, questions or concerns. If you do have anything, please state your

name and address for the record and address anything you have through myself as Chair and I'll do my best to get you any information that you need. Does anybody have anything at this time? Okay, Hearing nothing I'm gonna come back to the Board for any additional comments, questions, or concerns before we start looking at waivers and motions, et cetera. So, I think the first matter at hand would be the waiver request of 1, 2, 3 and 5, which again is the lighting plan with luminaire schedule prepared by an engineer; elevations showing the front, rear, and sides of the building; signage design with dimensions and locations; and the traffic study. Would anyone care to make a motion on the waiver as requested for those four items based on the reasoning given by the applicant.

Mr. Ellison: Mr. Chairman, I'll make a **MOTION** for all to waive all four items.

SECOND Ms. Houle.

3-0 in Favor.

Mr. Phoenix: And on the site plan itself and the status of the public hearing, is there a motion on either or both of those?

Ms. Houle: **MOTION** to approve the site plan is presented and to close the public hearing.

Mr. Phoenix: That's just the standard form for the motion to approve?

Ms. Houle: Correct.

Mr. Phoenix: Okay. Is there a second on that?

Mr. Ellison: **SECOND**. I'm waiting.

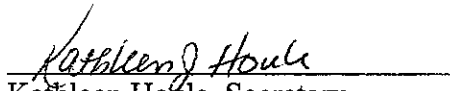
Mr. Phoenix: Making me wait.

Mr. Phoenix: So, with that understanding on the motions, the motion for the two parts that's going on to approve and close, all those in favor?

3-0 in Favor.

The public hearing closed at 7:23 p.m.

APPROVED:


Kathleen Houle, Secretary

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Documents: Master application; Site Plan 108-122 Sewall Street, 120-122 Hubbard Street Ludlow, MA (July 15, 2026); Waiver request; Comments from town boards/departments

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