TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
February 28, 2019

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2019 MAR 29 P 2:00
TOWN OF LUDLOW

PLANNING BOARD MEMBERS

Joseph Queiroga – Chairman (Present)
Raymond Phoenix – Vice Chairman (Present)
Christopher Coelho (Present)
Kathleen Houle (Absent)
Rafael Quiterio (Present)

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

PUBLIC HEARING – SPECIAL PERMIT / HOME OCCUPATION – Robert Provost – 34 Aldo Drive (cleaning business)

SEE ATTACHED MINUTES

File Mail Item #07 – Legal Notice from Conservation Commission – Request for Determination – Lot 52F Moore Street (Assessors' Map 32, Parcel 52F)

File Mail Item #08 – Legal Notice from Conservation Commission – Request for Determination – 0 Knollwood Road (Assessors' Map 39, Parcel 54)

File Mail Item #09 – Legal Notice from Conservation Commission – Notice of Intent – Lot A West Street (Assessors' Map 9, Parcel 18)

PUBLIC HEARING – SPECIAL PERMIT / HOME OCCUPATION – Linly Kaira – 53 Blanchard Avenue (import agent)

SEE ATTACHED MINUTES

File Mail Item #10 – Legal Notice from Conservation Commission – Request for Determination – 782 Center Street (Assessors' Map 17, Parcel 120)

File Mail Item #12 – Memo from Ellie Villano, Town Administrator - Article for the May 13, 2019 Special Town Meeting within the Annual Town Meeting Warrant

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Mail Item #11 – Letter from Safety Committee re: construction of new elementary school (766 Chapin Street); traffic concerns at intersection of Chapin Street and Fuller Street, and placement of soccer field

The Board discussed the fact that there is not much that can be done about the location of the soccer field at this point. Mr. Coelho remarked that the Town needs to take a serious look at fixing the traffic at that intersection right now instead of waiting until everything is built up over there. He said that the DPW should be working with the Board of Selectmen in getting a (traffic) light put in. Mr. Phoenix noted that the Safety Committee should also be involved in that plan, and that the people doing the housing project should also be partially responsible for the cost.

Mr. Stefancik will forward a copy of the letter to the DPW.

PUBLIC HEARING – SPECIAL PERMIT / HOME OCCUPATION – Alan Kelliher – 25-27 Maple Street (painting business – King's Painting)

SEE ATTACHED MINUTES

Consent Agenda:

The Board approved the Consent Agenda under unanimous consent.

- FILE Mail Item 13. - Legal Notices from surrounding communities
- APPROVE/SIGN Minutes of January 24, 2019
- APPROVE Change of Occupancies:
  - Jessica Brothers – Fitclub24 (All Day All Night Fitness) – 56 East Street
- APPROVE/SIGN Bills – Tighe & Bond (FY19 GIS Support)
  – Ludlow Printing (binding of 2018 minutes)
  – Karen Sunnarborg Consulting (Housing Production Plan)

ANR – Ralph Berry – 697 Moore Street (Assessors' Map 33, Parcel 56)
(Lot division plan for Lot 9 on the westerly side of Moore Street)

Don Frydryk – Sherman & Frydryk was present for the appointment.

Mr. Stefancik explained that the ANR was previously withdrawn without prejudice at the Planning Board meeting of December 13, 2018 due to a question of whether the lot measurements needed to be shown on the entire parcel. He also noted that Mr. Frydryk came in to speak with the Planning Board on January 24, 2019 on what needed to be done to get the ANR approved. Mr. Stefancik said that he contacted Town Counsel about this per the Board's request, in which he received an email response from Rebecca Thibault stating that *MGL Chapter 41, Section 81P requires a board to endorse an ANR plan that does not show a subdivision so long as each lot created has sufficient frontage on a public way. A refusal to endorse is effectively a determination that the plan shows a subdivision, requiring the owner to use the full subdivision process. I note also that the plan I reviewed appears to comport with the checklist/requirements for plans. In particular, the location, frontage, and area of the land remaining in the original*

parcel after establishing the new parcel is shown (#8), and there is sufficient data to determine the location and length of every property boundary line in the new parcel (#6). Mr. Stefancik mentioned to the Board that he trying to set up an appointment with Attorney Thibault to discuss the ANR approval process.

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Mr. Phoenix commented that he is fine in going along with what Town Counsel suggested regarding the pins, but that the Subdivision Rules and Regulations needs to be changed to reflect that.

Mr. Phoenix: But, as far as this particular plan, if the guidance from the Town Counsel is to go forward with it as is, then I'll make a **MOTION** in the standard form to endorse the ANR.
SECOND Mr. Coelho.
4-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho - yes; Mr. Queiroga – yes.

Documents included: Master application; Plan of Land in Ludlow, MA – Prepared for (owner) Ralph L. Berry (02/12/19); Email from Rebecca M. Thibault (2/28/19); page 487 from Handbook of Massachusetts Land Use and Planning Law

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SITE SKETCH – Peter Ostrowski (Peter M Ostrowski Inc.) – 219 Moody Street (Assessors' Map 3, Parcel 104)(office for wholesale car license)

Peter Ostrowski was present for the appointment.

Mr. Ostrowski explained that before receiving a used car license, the Board of Selectmen requires that he get the recommendations from the Planning Board, Building Inspector, and Safety Committee.

Mr. Phoenix: If there's no physical change, and I think given the nature of what he's proposing, I think it's certainly fits in as a site sketch instead of a full site plan, and I think that also given the nature of the proposal as described, I think it certainly makes sense that we would be able to waive the public hearing as well, which I believe are the two waiver requests that we have?

Mr. Queiroga: Yes.

Mr. Phoenix: To that end, I will make a **MOTION** to waive both the site plan to a site sketch, and the public hearing that would go along with that.
SECOND Mr. Coelho.
4-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho - yes; Mr. Queiroga – yes.

Mr. Phoenix read the Requirements for Site Sketch checklist:

_____ *Area of lot*

_____ *Area & size of buildings*

_____ *Number of parking spaces required for intended use based on Section 6.4*

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_____ *Number of parking spaces existing at the site (including street parking adjacent to the site.*

_____ *Maximum area of building to be used for selling, offices, business, industrial or other uses.*

_____ *Maximum number of employees where applicable.*

_____ *Maximum seating capacity where applicable.*

_____ *Maximum sleeping capacity where applicable.*

Mr. Coelho: I **MOVE** to approve and sign the site sketch for Mr. Ostrowski at 219 Moody Street.
SECOND Mr. Phoenix.
4-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho - yes; Mr. Queiroga – yes.

Documents included: Master application; Site Plan for Parcel M-3 Ludlow, MA - prepared for Gilbert & Son, 219 Moody Street Ludlow, MA (02/04/2019)

**PUBLIC HEARING – SITE SKETCH – Mid America Properties, LLC –
14 Chestnut; Place (Assessors' Map 13C, Parcel 54) & 58 Sewall Street (Assessors' Map 14B, Parcel 9-1)(amendment to site plan due to addition of new tenant-substance abuse treatment facility (Gandara Center): 10-12 employees, voluntary overnight program, no changes to the site; occupancy, employee and parking data are revised on the site plan)**

SEE ATTACHED MINUTES

**PUBLIC HEARING – SITE PLAN – CPV Red Rock Solar LLC –
0 Lyon Street (Assessors' Map 20, Parcel 4C)(construction of a ground-mounted solar photovoltaic (PV) array located in both Ludlow and Granby MA)**

SEE ATTACHED MINUTES

Mr. Phoenix: Seeing nothing else on the agenda, I will make a **MOTION** to adjourn.
SECOND Mr. Coelho.
4-0 in Favor.

Meeting adjourned at 8:36 p.m.

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APPROVED:

Kathleen Houle, Secretary

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

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2019 MAR 29 P 2:02
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TOWN OF LUDLOW PLANNING BOARD
PUBLIC HEARING – HOME OCCUPATION/SPECIAL PERMIT
34 Aldo Drive – Robert Provost
(cleaning business)
February 28, 2019

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2019 MAR 29 P 2:00
TOWN OF LUDLOW

PLANNING BOARD MEMBERS

Joseph Queiroga – Chairman (Present)
Raymond Phoenix – Vice Chairman (Present)
Christopher Coelho (Present)
Kathleen Houle (Absent)
Rafael Quiterio (Present)

Hearing began at 7:02 p.m. in the Selectmen's Conference Room.

In attendance: Robert Provost, attendees

Mr. Queiroga read the legal notice, gave Mr. Provost a copy of the invoice from Turley Publications, and reviewed the application. The legal notice included the description of: Home Office – cleaning business.

Mr. Queiroga: Ok, Mr. Provost why don't you let us know what you'd like to do at the house.

Mr. Provost: Well, all it is, is a like an office to fill out the bill for, we have one job that we've been doing for a long time and we just fill it out. As a matter of fact, our cleaning stuff is at the building, and there's no people coming into our house or.

Mr. Queiroga: Do you have any employees?

Mr. Provost: No, just me.

Mr. Queiroga: Ok. Just yourself? And do you, what does the business do?

Mr. Provost: Cleaning. We clean.

Mr. Queiroga: Cleaning business?

Mr. Provost: Yes.

Mr. Queiroga: You keep any chemicals at home?

Mr. Provost: No.

Mr. Queiroga: No? Ok. And you go out to your job sites right?

Mr. Provost: Only one place.

Mr. Queiroga: So, it's just…

Mr. Provost: Just one place we go to. We have the cleaning stuff there, that's, it's convenient.

Mr. Queiroga: Good. And you own your own house, correct?

Mr. Provost: Yes, I do.

Mr. Queiroga: Ok. Does anybody on the Board have any, want to ask him any more questions?

Mr. Phoenix: No, I think we already have signed copies of the checklists? I think I saw those in the file, or did you not sign those yet for this one?

Mr. Queiroga: I believe there was.

Mr. Phoenix: I know I saw those with some of these, but not with others.

Mr. Queiroga: Some of them are not, but this one…

Mr. Stefancik: It should be clipped to the side of the folder.

Mr. Queiroga: The side?

Mr. Phoenix: Yeah, it should be right in the front, if they need to still be done.

Mr. Queiroga: Yes.

Mr. Phoenix: So, we just need that to get signed; should be front and back. With special permits, I think you should have gotten a copy of that already when you were submitting the application. But, it's thirteen requirements for special permit, and thirteen for home occupation that you need to follow, basically indicating the use will still keep it looking residential for the neighborhood. Beyond that, I don't believe we've had a finding or a waiver on this as of yet. Based on the description from the applicant, I will **MOVE** to find that the business as described is a suitable home occupation.
SECOND Mr. Coelho.
4-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Mr. Queiroga – yes.

Mr. Phoenix: And I will also, since we do have a signed request for the waiver of a full site plan in favor of a sketch, and the nature of this is just a home occupation, I will **MOVE** to grant that waiver request.
SECOND Mr. Coelho.
4-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Mr. Queiroga – yes.

Mr. Queiroga: There'll be a twenty-day waiting period.

Mr. Phoenix: We're not that far yet.

Mr. Queiroga: What?

Mr. Phoenix: You're jumping. ---

Mr. Queiroga: --- we're gonna keep on time.

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Mr. Phoenix: We've got to ask for public comment still.

Mr. Queiroga: Is there anybody out there that came in to comment on this application? ---.

Mr. Phoenix: Ok, unless anybody has anything else they'd like to add, I'd like to make a **MOTION** in our standard form to approve the home occupation as described.
SECOND Mr. Coelho.
4-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Mr. Queiroga – yes.

Mr. Phoenix: And I will also make a **MOTION** to close the public hearing.
SECOND Mr. Coelho.
4-0 in Favor.

Hearing ended 7:06 p.m.

APPROVED:

Kathleen J. Houle
Kathleen Houle, Secretary

su

Documents: Master application; abutters list

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

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2019 MAR 29 P 2:01
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TOWN OF LUDLOW PLANNING BOARD
PUBLIC HEARING – HOME OCCUPATION/SPECIAL PERMIT
53 Blanchard Avenue – Linly Kaira
(import agent)
February 28, 2019

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TOWN OF LUDLOW

PLANNING BOARD MEMBERS

Joseph Queiroga – Chairman (Present)
Raymond Phoenix – Vice Chairman (Present)
Christopher Coelho (Present)
Kathleen Houle (Absent)
Rafael Quiterio (Present)

Hearing began at 7:10 p.m. in the Selectmen's Conference Room.

In attendance: Linly Kaira, attendees

Mr. Queiroga read the legal notice, gave Ms. Kaira a copy of the invoice from Turley Publications, and reviewed the application. The legal notice included the description of: Home Office – import agent.

Mr. Queiroga: So, why don't you tell us what you're planning to do.

Ms. Kaira: Ok so, I would like to obtain a permit to become an import agent at my home, it's 53 Blanchard Avenue. I don't have any employees. It's just work as a middleman between foreign companies and different U.S. markets here.

Mr. Queiroga: Ok, will you have any employees?

Ms. Kaira: No, I won't.

Mr. Queiroga: I assume you won't have any trucks or anything else, just normal car?

Ms. Kaira: No, yeah. So, yeah, there will be no employees. There'll be no goods shipped over to the house, nothing like that.

Mr. Queiroga: You own the house?

Ms. Kaira: No, I do not. My parents do.

Mr. Queiroga: Ok. The, let me just see any comments.

Mr. Coelho: Primarily you just need to do paperwork and…

Ms. Kaira: Yes, yes, exactly, yes.

Mr. Phoenix: And I saw, you do have the checklist signed off, which again, like I said in the last hearing, there's thirteen requirements for a special permit and thirteen for a home office that you need to follow to basically just ensure that you're keeping things the same they are as far a residential neighborhood is concerned, and there's no real evidence that a business is taking place there.

Ms. Kaira: Ok.

Mr. Phoenix: I saw that you did sign those. I also saw that you did sign the waiver request for the full site plan to a sketch.

Ms. Kaira: Yes.

Mr. Phoenix: And we have not made a finding on this either.

Mr. Coelho: We don't?

Mr. Phoenix: What?

Mr. Coelho: We don't?

Mr. Phoenix: I said we have not yet.

Mr. Coelho: Oh.

Mr. Phoenix: So, I would make a **MOTION** to find that a home office is a suitable home occupation under the Bylaw.
SECOND Mr. Coelho.
4-0 in Favor.
Roll call vote: Mr. Phoenix – yes; Mr. Quiterio – yes; Mr. Coelho – yes; Mr. Queiroga – yes.

Mr. Phoenix: I will also make a **MOTION** to grant the waiver of a full site plan to a site sketch since this just for a home occupation.
SECOND Mr. Coelho.
4-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Mr. Queiroga – yes.

Mr. Queiroga: Let me, as in the past, is there anybody out there that would like to comment on this application? Ok.

Mr. Coelho: Mr. Chairman?

Mr. Queiroga: Mr. Coelho.

Mr. Coelho: I'll make a **MOTION** to accept the special permit and home office, I **MOVE** to approve the special permit under 7.0.4 a-m and the home occupation under Section 6.2.1 thru 6.2.13 for Linly Kaira…

Ms. Kaira: Yes.

Mr. Coelho: …at 53 Blanchard Ave with the restriction that the permit run with the applicant and not with the property.
SECOND Mr. Quiterio.
4-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Mr. Queiroga – yes.

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Mr. Phoenix: **MOVE** to close the public hearing.
SECOND Mr. Coelho.
4-0 in Favor.

Hearing ended 7:14 p.m.

APPROVED:

Kathleen Houle, Secretary

su

Documents: Master application; abutters list

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

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TOWN OF LUDLOW PLANNING BOARD
PUBLIC HEARING – HOME OCCUPATION/SPECIAL PERMIT
25-27 Maple Street – Alan Kelliher
(painting business – King's Painting)
February 28, 2019

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PLANNING BOARD MEMBERS

Joseph Queiroga – Chairman (Present)
Raymond Phoenix – Vice Chairman (Present)
Christopher Coelho (Present)
Kathleen Houle (Absent)
Rafael Quiterio (Present)

Hearing began at 7:23 p.m. in the Selectmen's Conference Room.

In attendance: Alan Kelliher, attendees

Mr. Queiroga read the legal notice, gave Mr. Kelliher a copy of the invoice from Turley Publications, and reviewed the application. The legal notice included the description of: Home Office – painting business.

Mr. Queiroga: Ok, Alan tell us, tell us what, you'll need to sign that, tell us what you're planning to do.

Mr. Kelliher: I just need a home office for a painting business I'm gonna start doing.

Mr. Queiroga: Ok, so this home office, that's all it is, is just an office for your paperwork, and then your bills, etcetera.

Mr. Kelliher: Yes, yup.

Mr. Queiroga: Ok, and are you gonna have any employees?

Mr. Kelliher: No.

Mr. Queiroga: Are you gonna have a truck over 10,000 pounds?

Mr. Kelliher: No.

Mr. Queiroga: For sure?

Mr. Kelliher: Yes.

Mr. Queiroga: Alright.

Mr. Phoenix: Well he's committed on the form to a 6,500 GVW Ford F150.

Mr. Kelliher: Yes.

Mr. Queiroga: For those, this is a, is that the office right there?

Mr. Kelliher: Yes.

Mr. Queiroga: I'll pass that on, and a sketch. Do you own the house?

Mr. Kelliher: Yes.

Mr. Phoenix: And as far as supplies and everything like that, there's really not gonna be a big backlog of any kind of supplies or anything like that?

Mr. Kelliher: No, I keep everything in my basement, just in one section.

Mr. Phoenix: Ok.

Mr. Kelliher: And it's not that much stuff.

Mr. Phoenix: But you're not, like, getting multiple 55-gallon drums of paint or anything that are?

Mr. Kelliher: No.

Mr. Phoenix: Ok.

Mr. Queiroga: And I did ask you, you're not gonna have any employees, right?

Mr. Kelliher: No.

Mr. Queiroga: Any signs?

Mr. Kelliher: No.

Mr. Queiroga: Ok, any more questions from the Board before I check the audience?

Mr. Phoenix: We got that signed, both sides?

Mr. Kelliher: Nope.

Mr. Coelho: Take a minute to read it too.

Mr. Phoenix: Well, you should have had it to read.

Mr. Kelliher: Yeah, I got this with the packet too.

Mr. Phoenix: So, those are the thirteen things that you need to follow for the special permit portion of it, and thirteen things for the home occupation portion. It's kind of like the a to z, sort of, of being able to keep the business up and running at that location.

Mr. Kelliher: Ok.

Mr. Queiroga: Ok, would you, is there anybody in the audience that wants to comment on Alan's application?

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Mr. Phoenix: Before we go any further, we have not yet made a finding or a waiver on this.

Mr. Queiroga: Counting on you.

Mr. Phoenix: Based on the description that we've been given by the applicant, I would **MOVE** that a home occupation, a home office as described is a suitable home occupation under the Bylaw.
SECOND Mr. Coelho.
4-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Mr. Queiroga – yes.

Mr. Phoenix: And given the nature of the home office that the applicant is describing, I would **MOVE** to grant the waiver of the full site plan in favor of a site sketch as prepared by the applicant.
SECOND Mr. Coelho.
4-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Mr. Queiroga – yes.

Mr. Phoenix: And unless anybody has anything else, I will **MOVE** in the standard form to approve the special permit, home occupation as it's been presented.
SECOND Mr. Coelho.
4-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Mr. Queiroga – yes.

Mr. Phoenix: And I'll **MOVE** to close the public hearing.
SECOND Mr. Coelho.
4-0 in Favor.

Hearing ended 7:27 p.m.

APPROVED:

Kathleen J. Houle
Kathleen Houle, Secretary

su

Documents: Master application; abutters list

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

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TOWN OF LUDLOW PLANNING BOARD
PUBLIC HEARING – SITE SKETCH
14 Chestnut Place (Assessors' Map 13C, Parcel 54)
& 58 Sewall Street (Assessors' Map 14B, Parcel 9-1)
Mid America Properties, LLC
(amendment to site plan due to addition of new tenant-substance abuse treatment facility (Gandara Center): 10-12 employees, voluntary overnight program, no changes to the site; occupancy, employee and parking data are revised on the site plan)
February 28, 2019

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PLANNING BOARD MEMBERS

Joseph Queiroga - Chairman (Present)
Raymond Phoenix - Vice Chairman (Present)
Christopher Coelho (Present)
Kathleen Houle (Absent)
Rafael Quiterio (Present)

The public hearing began at 7:48 p.m. in the Selectmen's Conference Room.

In attendance: Jeff McGeary – Gandara Center, Joe Martins – Gandara Center, Michael Liu – Berkshire Design Group, attendees

Mr. Queiroga read the legal notice, gave the applicant a copy of the invoice from Turley Publications, and reviewed the application. The legal notice included the description of: amendment to site plan due to addition of new tenant-substance abuse treatment facility (Gandara Center): 10-12 employees, voluntary overnight program, no changes to the site; occupancy, employee and parking data are revised on the site plan.

Mr. Queiroga: Let me give you some comments from our various boards. Do you have copies of these?

Mr. McGeary: No.

Mr. Queiroga: We have copies for them?

Mr. Stefancik: No, they're minor comments.

Mr. Queiroga: So, the one from the Planning Board; *The plan meets the criteria for a site sketch.* So, we're ok. Board of Health; *approved.* No problem. Good to hear, right?

Mr. McGeary: Yes, it is.

Mr. Queiroga: Fire Department; *RE: Site Plan, Mid America Properties, LLC 14 Chestnut Place and 58 Sewall Street (amendment to site plan due to addition of new tenant-substance abuse treatment facility (Gandara Center). The Ludlow Fire Department has reviewed the site plan as presented. At this time the Ludlow Fire Department has no additional comments. We do*

however expect all applicable federal, state, and local codes to be followed during the course of construction on this project. While I'm at it, is there going to much construction on it?

Mr. McGeary: Construction's fairly minimal. We had to renovate some bathrooms to be ADA compliant. ---.

Mr. Queiroga: Ok, and the last comments from the Department of Public Works; *no comments*, from Jim Goodreau, Assistant Town Engineer. Ok, I might say on behalf of the Planning Board, because this building has been a hospital in the past, and continues to be a use of medical use, we could have had this done without a public hearing, but we decided to have the public hearing to give everybody their share of comments. And so, we'll move forward on that. Why don't you let us know what the, what you expect?

Mr. McGeary: Sure, so the project will be a 16-bed program…

Mr. Queiroga: Can you identify yourself? I'm sorry.

Mr. McGeary: Sure, my name is Jeff McGeary. I'm the director of operations at the Gandara Center.

Mr. Queiroga: Ok.

Mr. McGeary: And the project will be a 16-bed residential program for women in recovery.

Mr. Queiroga: Women in recovery?

Mr. McGeary: Women in recovery, correct.

Mr. Queiroga: And just, did I hear you read the word voluntary?

Mr. McGeary: It is a voluntary program, correct.

Mr. Queiroga: Which means they can come in?

Mr. McGeary: Which means that they're free to sign themselves, they need to volunteer to be there, and they're free to sign themselves out if they choose to no longer receive services. So, they're not court ordered to be there. It's a strictly voluntary ---.

Mr. Queiroga: What kind of substance abuse is it normally?

Mr. McGeary: It could be, certainly could be opioids, could be alcohol, it really could be any substance.

Mr. Queiroga: ---

Mr. McGeary: Correct.

Mr. Queiroga: What floor is it gonna be on?

Mr. McGeary: Second floor.

Mr. Queiroga: Second floor? Some questions from the Board?

Mr. Coelho: What kind of security is in place? I'm sure running a program like this, you're required by law to have certain protocols in place. Could you maybe describe some of the, I don't want to, you know, miss, carry on the, a wrong stereotype, but…

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Mr. McGeary: Sure.

Mr. Coelho: Neighbors generally get concerned. If you could describe some of the security protocols you guys are required to maintain.

Mr. McGeary: Sure. So, I mean, the biggest thing is it's the 24 hour, 7 days a week supervision including awake overnight staff on the overnights, who, again, because these are adults and because they're there voluntarily, they are free to leave, but we would provide supervision with trained counselors, again, awake overnight staff, at least 3 to 4 recovery coaches and staff during awake hours as well.

Mr. Coelho: How many other facilities do you operate similar to this?

Mr. McGeary: Similar to this? Probably eight.

Mr. Coelho: And do you find generally a loitering problem associated with facilities like these?

Mr. McGeary: Absolutely not. No loitering problem at all. And again, while it's a voluntary program, we also have expectations for clients who want to be there. You don't follow the rules, you're not going to be there.

Mr. Coelho: It's not a forced program.

Mr. McGeary: Correct.

Mr. Queiroga: And this is all women?

Mr. McGeary: This is all women.

Mr. Queiroga: Ray, got any questions?

Mr. Phoenix: I think it's still in line with what had previously been approved to occupy the space there. I think the main concern that I would have is making sure that it's still meeting the physical requirements that were in place with the previously approved business that didn't really ever take shape there.

Mr. Queiroga: Ralph, have any?

Mr. Quiterio: I don't have any questions.

Mr. Queiroga: Additional questions? Any more from you before I open it up?

Mr. Coelho: No, I got all my questions out I think.

Mr. Queiroga: Ok, I'm gonna ask if anybody out there would like to comment on this, that you identify yourself and give your address and address through the Chair. Would anybody like to comment?

Mr. Scuderi: Yeah, my name's Angelo Scuderi, I'm the owner of 61-85 East Street. And yeah, I'm concerned about the kind of element that it's gonna be attracting. I think I feel a little better that you said it's all women, 'cause I've been by the methadone clinic in Springfield and…

Ms. Keough: Is that one of yours?

Mr. McGeary: It is not, no.

Mr. Scuderi: …and there's been a lot of people hanging out, out there and...

Mr. McGeary: Right.

Mr. Scuderi: …and I'm just, you know, envisioning it happening over here and I'm like, ok, that's concerns me because I own a building around the corner, you know, tenants and, you know, I'm just concerned.

Ms. Keough: Doesn't it border a park?

Mr. McGeary: So, just understandable with your concerns, but again, I think the difference with the methadone clinics is it's a constant flow of people coming and going and getting their, you know, their medication.

Mr. Scuderi: ---

Mr. McGeary: That's not the case here. It's self-contained. There's no loitering. It won't be visible. Everything's, again, self-contained.

Mr. Scuderi: How about, I'm just saying, again, I own apartments, and sometimes I'll rent to a lady, and all of a sudden this guy shows up that's no good. I have problems. What about something like where you have all these women in there, but obviously they probably have boyfriends, husbands, whatever.

Mr. McGeary: Sure, so there is very limited visitation, so we have visitation hours on the weekends where, and again, it's family members, significant others, can come, visit for an hour, but after that there's no overnights. It's visitation, supervised visitation, and then the end of visitation.

Mr. Scuderi: And then you say the security, it's like there's people…

Mr. McGeary: It's constant, it's constantly staffed 24/7 by awake staff including --- overnight shifts.

Mr. Scuderi: Ok, the parking lot, are you gonna have cameras out there or anything like that?

Mr. McGeary: So, we will have cameras throughout the facility, and the interior and at least a camera at the entrance, but I'm not sure if it will capture the whole parking lot.

Mr. Scuderi: Alright.

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Ms. Keough: Can anybody walk in?

Mr. McGeary: Nobody, no, the door…

Ms. Keough: Is locked?

Mr. McGeary: …yeah locked, and the elevator has controlled access to the, somebody has to be let up to the floor.

Mr. Phoenix: That actually brings up a question for me. How does this play out with VOC that still has an office in the building?

Mr. McGeary: Excuse me, play out with?

Mr. Phoenix: The Valley Opportunity Council, the WIC office.

Mr. McGeary: So, again, I know that the building has that shared lobby, but we would have, the elevator in the lobby would have access only to our floor, the way that it's been designed.

Mr. Phoenix: In between VOC and your operation with them, constitute full use of the building or there'll still be unused?

Mr. McGeary: No, there's still quite a bit left. This is the whole first floor and the whole third floor ---

Mr. Phoenix: So, you're just above that then?

Mr. McGeary: Correct, right.

Mr. Queiroga: Any other questions or comments?

Mr. Phoenix: We should probably run through the checklist.

Mr. Queiroga: You got it there?

Mr. Phoenix: Yup.

Mr. Phoenix read the Requirements for Site Sketch checklist:

_____ *Area of lot*

_____ *Area & size of buildings*

_____ *Number of parking spaces required for intended use based on Section 6.4*

_____ *Number of parking spaces existing at the site (including street parking adjacent to the site.*

_____ *Maximum area of building to be used for selling, offices, business, industrial or other uses.*

_____ *Maximum number of employees where applicable.*

_____ *Maximum seating capacity where applicable.*

_____ *Maximum sleeping capacity where applicable.*

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Mr. Coelho: Do we need the waivers already, or?

Mr. Stefancik: No, 'cause you have a public hearing, and it's a site sketch, for the site sketch you do.

Mr. Phoenix: Yes, we need a waiver for that.

Mr. Coelho: So, I'll make a **MOTION** to waive the full site plan in favor of a site sketch as presented by the Berkshire Design Group.
SECOND Mr. Quiterio.
4-0 in Favor.
Roll call vote: Mr. Phoenix – yes; Mr. Quiterio – yes; Mr. Coelho - yes; Mr. Queiroga – yes.

Mr. Coelho: I'll also make a **MOTION** to approve the sketch as submitted.
SECOND Mr. Quiterio.
4-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho - yes; Mr. Queiroga – yes.

Mr. Phoenix: It's not a special permit, you don't need to do a roll call.

Mr. Coelho: He likes roll calls. It's fine. It's nice and clear. I get it. It's gonna be clear on the minutes.

Mr. Queiroga: Alright, at this point I'd be looking for a motion.

Mr. Phoenix: **MOVE** to close the public hearing.
SECOND Mr. Quiterio.
4-0 in Favor.

Hearing closed at 7:58 p.m.

APPROVED:

Kathleen J Houle

Kathleen Houle, Secretary

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Documents: Master application; Comments from Town Departments/Boards; Updated Site Plan – Mid America Properties, LLC – 14 Chestnut Place Ludlow, MA (Revisions 2/6/2019 Changes to Tenant/Occupancy Data)

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

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TOWN OF LUDLOW PLANNING BOARD
PUBLIC HEARING – SITE PLAN
0 Lyon Street (Assessors' Map 20, Parcel 4C)
CPV Red Rock Solar LLC
(construction of a ground-mounted solar photovoltaic (PV) array located in both Ludlow and Granby MA)
February 28, 2019

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PLANNING BOARD MEMBERS

Joseph Queiroga - Chairman (Present)
Raymond Phoenix - Vice Chairman (Present)
Christopher Coelho (Present)
Kathleen Houle (Absent)
Rafael Quiterio (Present)

The public hearing began at 8:03 p.m. in the Selectmen's Conference Room.

In attendance: Brian Huntley – Tighe & Bond, Robert Mastria – CPV Red Rock Solar, Greg Sampson – CPV Red Rock Solar, Briony Angus – Tighe & Bond, Jim Nawrocki – JLN Properties, attendees

Mr. Queiroga read the legal notice, gave the applicant a copy of the invoice from Turley Publications, and reviewed the application. The legal notice included the description of: construction of a ground-mounted solar photovoltaic (PV) array located in both Ludlow and Granby MA.

Mr. Queiroga: Do you have copies of the comments from the other Boards?

Ms. Angus: We do.

Mr. Queiroga: Ok, I'll read them into the record. The Board of Health has approved, has no problem with your submission. Our own Planning Board just noted a couple items; *circulation shows arrows on paved apron for street to driveway entrance.*

Ms. Angus: We can address those, we have made those changes on the plans.

Mr. Queiroga: *Monumentation; show pins as to be set on Ludlow parcel.*

Ms. Angus: ---

Mr. Queiroga: *Applicant is asking for waivers Additional Requirements o. 1, 2, 3, & 5.* Fire Department; *The Ludlow Fire Department has reviewed the site plan as presented. At this time the Ludlow Fire Department recommends that CPV Red Rock Solar LLC contact a representative from Westover Air Reserve Base in Chicopee, MA informing them of the proposed solar project and address any issues with the solar field layout giving off a visual glare interfering with flight operation. We do however expect all applicable federal, state, and local*

codes to be followed during the course of construction of this project. The Department of Public Works; *We have reviewed the site plan for Red Rock Solar as prepared by Tighe and Bond dated 12/2018 with a revision date of 1-20-19 and have the following comments: Submit a copy of NPDES Construction General Permit when submitted.* And you said you have copies of all of these?

Ms. Angus: We do, yup.

Mr. Queiroga: Ok, so why don't you give us an overview of what your plans are.

Ms. Angus: Sure, I'll introduce ourselves and then Rob the applicant will probably just tell you about himself and his company a little bit. I'm Briony Angus with Tighe & Bond.

Mr. Huntley: I'm Brian Huntley with Tighe & Bond.

Mr. Mastria: Robert Mastria from Competitive Power Ventures.

Ms. Angus: Do you want to do a mini CPV overview.

Mr. Mastria: Sure. So, Competitive Power Ventures is a power development and asset management company. We have an office in Braintree Massachusetts. We have, in the past 5 or 6 years, constructed about 6,000 megawatts of combined cycle natural gas projects. We've done about 700 megawatts of on shore wind power projects, and we also are an asset manager of 9,000 megawatts in the continental United States. So, those are our three main lines of business and --- renewables we're adding solar, we're currently developing three solar projects in Massachusetts right now.

Mr. Queiroga: What is this site, what is the size of this site in terms of its capability?

Mr. Mastria: It's going to 4.4 megawatts AC.

Ms. Angus: So, I'll tell you a little bit about the site. As shown on the, I'm gonna get up if that's ok.

Mr. Queiroga: Sure.

Ms. Angus: So, the site, the address for the Ludlow purposes is 0 Lyons, the site is actually accessed on 5 Lyons in Granby. This here is the municipal line, so the Ludlow portion of the parcel's here, Granby is here. This site is actually four parcels owned by, we have the landowner here, Jim Nawrocki, and all parcels are under common ownership with the access again, from Granby. The total four parcels are 76 acres. The limit of work as shown on this figure here is approximately 21 acres. The majority of the solar project is in Ludlow. Our limit of work here is about 13.5 acres. So, this is an application to the Planning Board for site plan approval in accordance with your solar bylaw. As the project is located in Granby as well, we're also seeking site plan approval on a special permit in Granby, and we have also, in both communities, are seeking wetland permits. We have already received an Order of Conditions for the portion of the site from the Ludlow Conservation Commission. CPV Red Rock Solar, that's the name of the applicant for this particular project, is going to develop the permit, construct and operate the site through a long-term lease…

Mr. Huntley: Easement agreement.

Ms. Angus: …easement agreement with the land owner. So, the land is not being sold, but like a lot of other solar projects that I'm sure you've seen in town, it'll be a long-term arrangement for CPV to operate the project. They'll be responsible for all site operations, site and facility operations and maintenance. I'll let Brian talk to you a little bit, just about the site development. And we are seeking a stormwater permit as well, for the project. We had met, the three of us had met previously with Doug, and Jimmy about the project, and Penny, actually, before we started permitting. So, it is an active, and formerly active mining operation, so there is some site work involved. The, let's see, our application walks through how the project complies with each of the Town's solar bylaw design, and performance standard criteria and we're not seeking relief or waivers for any of those. We are seeking, as the planning director's comments noted a couple waivers from some of your site plan requirements as was noted on the drawings. We have updated drawings, Doug, that address your comments in the memo that came in. Brain can walk you through those. I think that's a quick overview, you know, site access for construction, and operations and maintenance will still continue to be through the Granby site entrance. The circulation, the roads and site access ways are following current internal site access roads. The project, --- talking about interconnection, but why don't you give them an overview of.

Mr. Huntley: Ok, I'm gonna stand up here because it's easier for me --- also. Again, I'm Brian Huntley with Tighe & Bond also, the project manager on a design engineer for the project. And I think, in general, the approach is that this area here is the area where Jim has been mining gravel for a number of years. He's in the process now of that portion of the site being completed and moving towards restoration reclamation of that area. So, as part of this project, there are some existing stocks piles that are in the southern end of the site, some stone piles, some spoil piles that came out of his screening operation that will be regraded. This entire portion of the site that's within the limit of work will be loamed and seeded. So, what we're going from, from a storm water point of view, is currently the site is essentially an open gravel removal operation, we're moving from that to a vegetated surface where there'll be a meadow mix that's planted, with the idea that it's probably mowed approximately twice a year, so it allows the grass to grow up to a certain height, very similar to what you'd see in a hay field. So, the goal for the vegetation is to have a meadow type of growth in the area. From a storm water perspective, currently all the storm water essentially flows to the north and west on the site, and our plan is to not change the flow of storm water at all, but, as I said, you know, kind of knock out the highs and the lows to make it more uniform, and with the change of the current surface to vegetation, we're actually reducing peak grade runoff, and we're increasing groundwater recharge on the site. There's, as Briony indicated, our plan is using all of the existing access roads. The only improvements that are proposed are to, you know, minor grading as indicated throughout the life of the project, but there is no improvement proposed to the existing access roads. They're a good base. They've been used for years for gravel operation. They suit the project very well for both construction and long-term maintenance on the site. There are a couple of equipment pads that are drawn. There's one in this area right here, which is located in Ludlow; there's another one on the other side of the town line in Granby up here, also. Essentially, that's where as all of the power from the panels is interconnected and generated, it'll go to that equipment pad. That equipment pad has the inverters, and it also has a step-up transformer. That's where the voltage gets converted from DC from the panels to AC, and then the AC gets transferred up to the voltage that's required for the interconnection out to the utility grid. And that's a good point, that right now there are, as probably most people know, Granby has a different power utility provider than Ludlow does, and the applications have been submitted to both of those utility providers with the hope that whichever one happens to respond quicker with a better offering

package on what improvements are necessary, the final decision will be made on which point of interconnection is used; that if it does happen to go through Ludlow there's a line that will run essentially diagonally up the slope here, with an interconnection on Lyon Street, otherwise the interconnection would be through the existing access road here on the site to the existing utility lines that are in Granby.

Ms. Angus: I think the only other couple things that I would add, is the site, if the Board Members are familiar with this site, it's pretty well screened right now, but from a topography and existing vegetation, there's no, the vegetation along the western edge of the project is not proposed to be cleared, so I think from a visual impact perspective, it is very minimal, and we also note that the site will be, the entire array will be fenced with a perimeter fence with a wildlife gap of six inches underneath, which was a requirement of the Conservation Commission.

Mr. Huntley: And I think the final things I wanted to comment on, are on the comments that Doug raised, and the revisions that we made that we did provide an updated set. We have four full sized copies to leave with the Board here today as well, where we have shown that the paved apron on into the project site, which is currently a paved apron, we have shown the circulation arrows, which again, is the only area that's paved on the site now, with an in and an out arrow, as part of the project here, so it's clear what the circulation for the site. And then the other comment on showing the monumentation to be set, as part of this project there are no additional property lines, there's no subdivision proposed, so there are no additional monuments that are proposed as part of the project, as a clarification on that.

Mr. Coelho: How long is the land lease?

Mr. Mastria: It can be up to 35 years.

Mr. Coelho: How long is this one? Do we know?

Mr. Mastria: I'm sorry?

Mr. Coelho: How long is this one?

Mr. Queiroga: ---

Mr. Mastria: Thirty years. So, we have an option to extend for five years.

Mr. Coelho: What's the design lifespan on these kind of panels?

Mr. Mastria: Minimum of thirty years.

Mr. Coelho: And what's the plan after they've reached their more efficient?

Mr. Mastria: Well, with this new generation of panels, none of them have really gotten to that point yet. They do have the manufacturer's warranty the output to a certain level for thirty years. At the end of thirty years if they're still producing power, we would elect to just leave them and keep them there. Otherwise, if we get to the end of the lease and it's time to remove the project, the project will be decommissioned, all the driven piles will be pulled out of the ground, and you'll be left with the meadow that was planted there.

Mr. Coelho: What kind of fluids are you used in the transformers nowadays? I mean, are we gonna have any PCB problems over there in the future?

Mr. Huntley: Absolutely not PCB's. PCB's aren't allowed anymore. I would say that it's, they will be oil filled transformers based on the size of them. Typically, they're going to be provided on concrete pads, all of them, and they would be provided based on the volume that's associated with the transformer with the appropriate containment if necessary for those, but it wouldn't be PCB's.

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Mr. Coelho: And there'll be routine maintenance inspections of all those, and that'll all be documented, and you guys have contingencies in place should something spill?

Mr. Mastria: Absolutely.

Mr. Queiroga: The, you said access will be through Mr. Nawrocki's access?

Mr. Huntley: Correct.

Mr. Queiroga: Is he continuing to use the access for his construction vehicles?

Mr. Huntley: Yes.

Mr. Queiroga: And what's the closest of any houses to that site?

Ms. Angus: Your son's?

Mr. Nawrocki: This gentleman right here.

Mr. Douville: Todd Douville, 1380 Lyon Street.

Mr. Queiroga: How far away are you from the site?

Mr. Douville: From the back of my property, 26-30 feet to the edge.

Mr. Nawrocki: Probably, yeah.

Mr. Douville: To the top of the ---.

Mr. Nawrocki: Brian, do you know where his house is, you can show him on the…

Mr. Huntley: His is the one on the south?

Mr. Nawrocki: Yes, right in the corner, left corner.

Mr. Huntley: It's this parcel right down here, right?

Mr. Nawrocki: Yes.

Mr. Huntley: Yup.

Mr. Queiroga: Is there any plans to, besides the fence, to put some bushes to?

Ms. Angus: There isn't any currently proposed just because of the distance and the topography from, can you use your hands to gesture to what I'm saying?

Mr. Huntley: Here.

Ms. Angus: Yeah.

Mr. Huntley: Between the project and the property here, there is a topographical change and there is existing vegetation all along the property line there now.

Mr. Queiroga: And going more to west, going up there, there's no?

Mr. Huntley: Going to the north, the next parcel here, is…

Mr. ---: ---

Mr. Huntley: Yeah, the applicant's son, the landowner's son.

Mr. Phoenix: So right now, aside from the section right adjacent to the road, everything else is gravel, not paved. Is that correct?

Mr. Huntley: Right, the entire site. The only pavement is an apron here on the approach.

Mr. Phoenix: And as far as after construction, what additionally will be paved at that point?

Mr. Huntley: Nothing.

Mr. Mastria: Nothing.

Mr. Phoenix: Ok, I, I'm not sure what we've looked at with the other solar projects that we've had? I'd have to…

Mr. Stefancik: --- gravel roadways.

Mr. Phoenix: We have? Ok.

Mr. Stefancik: Can they pave the apron in front?

Mr. Phoenix: But I believe they also paved where the parking was gonna be for the vehicles when they came for service and everything, didn't they?

Mr. Stefancik: I'd have to check.

Mr. Phoenix: I'd like to check.

Mr. Queiroga: I think Ray might be right.

Ms. Angus: There's a fairly, the site entrance currently is a fairly wide gravel road that accommodates the vehicular parking along the side of it, and then, you know, there's plenty of room in this site that is currently, sort of, gravel and gravel access roads that is still gonna be available. And then, just lastly, there's not, you know, once the project is constructed, the vehicular traffic for maintenance, etcetera, is, you know, one vehicle a month maybe. It's not a great deal of parking needed.

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Mr. Mastria: If that, and it's typically pickup truck travel. It's not any type of major machinery or trucking or anything like that.

Mr. Queiroga: That area in the middle that was working, what's the elevation compared to the rest of the site?

Mr. Huntley: In the wetland here?

Mr. Queiroga: Yes. Is that what that is, a wetland?

Mr. Huntley: Yeah, the center of the site is a wetland.

Ms. Angus: Yup.

Mr. Coelho: Reflection from the water will increase your capacity or what?

Mr. Mastria: No. In fact, you can't even see it because it's pretty much built up all around it.

Mr. Coelho: Oh, so was that a mining, was that wetland manmade from mining processes or?

Ms. Angus: No, it's looking back on historic photos and aerials, it's there. You can see it, yeah.

Mr. Huntley: It looks like the elevation is about 284 in the wetland here, and then immediately around it, so it's a berm that comes up and over, and we're at 284 here as well, so on the other side of that berm, and then it goes up from there as you get out away from this area.

Ms. Angus: You know, if the Board has seen solar projects going in to more greenfield type sites where they might have needed to create a little dedicated parking area, I can see how that would be a requirement. This site is very, you know, it's a current industrial use. There's a lot of opportunities for parking on this site currently. --- get every other solar project ever?

Mr. Stefancik: There's only three.

Ms. Angus: So, Doug, I just said to the Board that, you know, on greenfield type projects where they're going in on fields or whatever, maybe you had a definite parking area.

Mr. Stefancik: --- did on Eversource one, it's an existing gravel driveway, and that's just the gate area up at the top. This is the ---, and it looks like a paved apron in the beginning for the two entrances, and I believe that's gravel up on top.

Mr. Huntley: Yeah, that's all gravel at the top ---.

Ms. Angus: ---

Mr. Stefancik: This is Center Street. There's parking for service vehicles.

Mr. Phoenix: Is it paved or is it gravel or what is it? Because the Bylaw says all parking areas shall be paved and noted on the site plan as either paved or to be paved with the type of pavement to be used. We've gone through this with many, many, many people over the years including when Camp White came in and we told Camp White that they needed to pave the parking area. So, if it's a parking area, according to the Bylaw, it needs to be paved.

Ms. Angus: I don't think we're actually showing a dedicated parking area.

Mr. Phoenix: I can flip back to where it shows parking on there, 'cause I had that up on my screen before I just pulled this up.

Mr. Stefancik: It doesn't specify on Center Street whether it's paved or gravel.

Ms. Angus: --- Brian where's the part of the drawings ---?

Mr. Huntley: Yeah, I mean, we do show service vehicle parking.

Mr. Phoenix: Service vehicle parking adjacent to equipment pad.

Mr. Huntley: Which was a request of Doug that we add that to the drawing.

Mr. Phoenix: 'Cause you need to have an area where they're gonna park, otherwise they can't really be there.

Mr. Huntley: Is the Bylaw intended to all parking or is it specifically towards customer type parking or --- parking?

Mr. Phoenix: The Bylaw says all parking.

Mr. Stefancik: --- service vehicles.

Mr. Phoenix: So, under the site plan section of the Bylaw, item e. is parking, and item e 2. is all parking areas shall be paved. There's not really any ambiguity there. If it's been missed, it's been missed, but it's not ambiguous, and it should have been done on the other ones.

Mr. Queiroga: And how is the…

Mr. Stefancik: I think the Eversource area, it's indicating that it's paved at the top in that parking area where a service vehicle would go, but the roadway going in is gravel except for the apron.

Mr. Coelho: I don't think he's asking about the roadway.

Mr. Phoenix: I don't care about the roadway, I'm talking about the parking area. If they're gonna be having service vehicles there, they need to be able to park somewhere and that area, according to the Bylaw, it's to be paved. I'm not trying to be a jerk about it, but that's what the Bylaw says and it's not a section that we're able to waive. It needs to be met or it cannot be

approved, or we need to go to Town Meeting and have Town Meeting make a zoning bylaw change which may or may not happen and is gonna delay the project indefinitely until that gets approved. So, in order for us to legally approve this, it needs to have paved parking.

Mr. Queiroga: What's your opinion as to what's the most amount of vehicles would be there at any one time?

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Mr. Huntley: One.

Mr. Mastria: One.

Mr. Huntley: One vehicle probably once a month.

Mr. Mastria: If that.

Mr. Huntley: I mean, is it amendable to the Board that we relocate the parking area to the other equipment pad that isn't even in Ludlow, and remove the parking area entirely from this project? It's certainly something that we could agree to as a condition and make a modification to the drawing tomorrow or, you know, Monday to resubmit.

Ms. Angus: I think that, I think there's plenty of real estate to add a paved parking space for one car. I think where we would put it logically, actually, would be in Granby, now that you say it, but I hope that would meet the intent of your Bylaw. We definitely, our response to this section of the Bylaw was that no parking spaces are proposed as part of the project, but ample grassy areas, ample areas adjacent to the proposed array are available. But, I agree that it does clearly state all parking areas shall be paved. It's an interesting requirement now that I actually read it for these projects.

Mr. Coelho: That comes back to putting parking areas as impervious, this way, you know, with construction companies and stuff like that or companies that use machines with a lot of equipment, at least you're not getting contamination going right into the ground. I think that's where that comes from.

Mr. Phoenix: Well, I think that's because the majority of projects that ever come in are not something where one car shows up once every month or two. This is a fringed case that the Bylaw just didn't contemplate when it was written.

Mr. Coelho: It's a brave new world. There's gonna be less and less need for people to maintain stuff.

Mr. Phoenix: I think I even said it earlier here tonight, the rules don't always have to make sense, we just need to follow them.

Ms. Angus: Is there an opportunity to waive that section of the Bylaw under 6.10.7?

Mr. Phoenix: That's not a waivable section. We can't usually waive in the site plan unless it's specifically called out. I can double check.

Ms. Angus: Says site plan review authority may waive strict compliance with any requirement of this Bylaw if where such action is allowed by federal, state, and local statutes or regulations, 2. is in the public interest, or 3. is not inconsistent with the purpose and intent of this Bylaw.

Mr. Phoenix: Right, that would be for ---

Mr. Stefancik: ---

Mr. Phoenix: Yes. That's not part of the actual…

Mr. Stefancik: Site plan approval.

Mr. Phoenix: Yes.

Mr. Queiroga: You have one of the big electrical units in the Ludlow area, right?

Ms. Angus: One of the electrical equipment pads, correct, yeah.

Mr. Queiroga: It's possible that once in a while that has to be serviced or looked at?

Ms. Angus: Yup, that would, that's...

Mr. Mastria: Typically, unless there is a problem, maintenance is conducted twice a year.

Mr. Queiroga: So, even if you set the parking up in Granby, you're gonna have to get to that unit. You're not…

Ms. Angus: Oh yeah.

Mr. Huntley: There's access to it.

Ms. Angus: Yeah.

Mr. Queiroga: I don't doubt there is access to it.

Mr. Phoenix: ---

Mr. Queiroga: --- not get out, he's gonna go right by it. He's gonna have to stop and park.

Mr. Phoenix: If, as part of the overall project, they want to say that the parking is on the other side of the line, I would not necessarily be disagreeable to that either. The reality is, 'cause I don't think the person that shows up there, it's a fairly large site, wherever they end up parking, I think, is there's gonna be some walking involved to get the equipment that they're trying to maintain. So, I, and let's also be honest about this, I don't think anybody's gonna be up there policing exactly where somebody's parking.

Ms. Angus: I think they will stop and get out and stop and get out.

Mr. Phoenix: So, the reality is, like I said, the Bylaw might not necessarily make sense in this case, and if we have the out of saying that it's on the other side of the line, and that it doesn't

have to be this random patch of pavement in the middle of nowhere, that's not necessarily a bad call.

Ms. Angus: I think that it's not even just trying to get out of the provision of your Bylaw, I think that's actually how it would happen, so we would be amenable to that.

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Mr. Phoenix: 'Cause I think it makes sense, I think, if we had that out in other situations it might be handy, it's just not always available. This one just happens to straddle the line. And if they're fine with it not being paved, everybody wins. They actually get to have the rules be followed and common sense at the same time a little bit. That doesn't happen all the time.

Mr. Queiroga: You're in a good mood today.

Mr. Coelho: I know, I thought this was gonna take longer.

Mr. Queiroga: So…

Mr. Mastria: It's a --- site. It's nice to be able to have a site that's not a greenfield and be able to repurpose it, and actually improve it at the same time.

Mr. Coelho: If it wasn't a good site, you wouldn't be sitting here right now.

Mr. Mastria: That's absolutely true.

Mr. Queiroga: Yeah, why don't we open up to anybody that would like to comment on this application would you please go through the Chair and identify yourself and your address. Anybody want to comment on this application? They're all…

Mr. Nawrocki: Well, I guess I could make a comment. I own it, I'm in support of it. But, Rob and the rest of the team have been just very, very informative to me, so I'm assuming that they will reciprocate to you as far as what goes on. They don't do too much without telling me. Some of it doesn't involve me, but they still let me know, so, so far it's been a good relationship.

Mr. Douville: Todd Douville, the only abutter. I believe the projects gonna be low enough on the floor that the impact is only gonna be minimal. You may see it off that back corner during the winter maybe, but during the summer once the leaves come on, no effect.

Mr. Queiroga: What kind of fence are you putting up? What kind of fencing?

Ms. Angus: It's a chain link fence.

Mr. Huntley: Yup, I believe there's a detail in the drawings.

Ms. Angus: It'll have…

Mr. Huntley: It's an open fence, a galvanized chain link fence, standard fence.

Mr. Phoenix: I think, and correct me if I'm wrong, comments from other Boards were all either just reminders of things that need to happen separate from this process or thumbs up.

Mr. Queiroga: That's correct.

Mr. Phoenix: The only comments that we had that really needed to be addressed were from Doug addressing the circulation arrows, which the new revised plans do have on them, and there's something else, and then the Section o. 1, 2, 3 & 5. What was the other thing in there?

Ms. Angus: A comment about monumentation.

Mr. Stefancik: Monuments, monumentation.

Mr. Phoenix: And that's indicated on the revised drawing?

Mr. Huntley: There are no proposed changes in any property lines, so there are no proposed monuments for the project.

Mr. Phoenix: The pins would either need to be found or to be set on the plan. You can just put to be set.

Mr. Huntley: Ok, we can modify the drawing to indicate that, yes.

Mr. Phoenix: It's another one of those reality fitting things. I think it brings it down to just showing the pins and moving where the parking is indicated, just so that that gets cleared up. I think that's all that, as far as I'm aware is still outstanding. Is that everyone's?

Mr. Queiroga: What about the waivers?

Mr. Phoenix: Well yeah, I said the waivers.

Mr. Queiroga: Ok.

Mr. Phoenix: So, as far as those, o, 1, 2, 3, & 5 are, oh boy, I'm in the wrong section. I don't have that in front of me right here.

Ms. Angus: Do you want this? It's Doug's letter ---.

Mr. Phoenix: So that's, yeah, it was everything except for the snow storage, which, so traffic study I don't think applies here 'cause there's not traffic --- probably gonna be less traffic than what was there before 'cause they're not actively using that section of the site. Lighting plan with luminaire schedule; we're not planning on putting up a whole lot of lights when you're trying to generate power by catching light. And elevations showing the front rear and sides of the building design; they're not putting up buildings. And signage design with the dimensions and locations; you're not putting any signage on the Ludlow side, I'm assuming that's all near the street, if anything?

Ms. Angus: The only signage will be for a high voltage…

Mr. Huntley: Electrical code required signage, safety signage, correct.

Mr. Phoenix: So, given that the applicant has requested a waiver of 1, 2, 3, & 5 under Section o. of the Site Plan Requirements, and that none of them seem to particularly apply to this project, and it's in the best interest of the total town, I would **MOVE** that we grant that waiver request.
SECOND Mr. Coelho.
4-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho - yes; Mr. Queiroga – yes.

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Mr. Phoenix: And I will further make another **MOTION,** using our standard form for approving a site plan, to grant approval for this project as presented on the conditions that it comes back with the monumentation being shown and the adjustment to the parking.
SECOND Mr. Coelho.
4-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho - yes; Mr. Queiroga – yes.

Mr. Phoenix: **MOVE** to close the public hearing.
SECOND Mr. Coelho.
4-0 in Favor.

Hearing closed at 8:36 p.m.

APPROVED:

Kathleen J. Houle
Kathleen Houle, Secretary

su

Documents: CPV Red Rock Solar Project Granby and Ludlow, MA Site Plan Approval Application (December 2018); Comments from Town Departments/Boards; Plans: CPV Red Rock Solar Project Permit Application Set, Ludlow & Granby, Massachusetts, December 2018, Revised January 2019 (complete set 14 sheets); Topographic Survey, 7 & 11 Lyons Street, Granby, MA & 1400 Lyons Street, Ludlow, MA prepared for Tighe & Bond, Inc. (December 21, 2018)(4 sheets)

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

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