TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
February 13, 2020

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2020 MAR 13 A 10:44
TOWN OF LUDLOW

PLANNING BOARD MEMBERS

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

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

Mr. Coelho acted as Chairman in Mr. Phoenix's absence.

PUBLIC HEARING – SPECIAL PERMIT / HOME OCCUPATION – Ashley Oliveira – 174 Erin Lane (sell cakes & baked goods)

SEE ATTACHED MINUTES

PUBLIC HEARING – 251-253 Cady Street (Map 1C, Parcel 14B) – Brett Merrill (update site plan)

SEE ATTACHED MINUTES

SITE SKETCH – 450-456 Center Street (Map 15, Parcel 135) Colvest/Wilbraham, LLC (People's Bank) (modify shape of building by 128 sf, add canopy over drive-thru, adjustments to shape of drive-thru lanes)

Atty. Ellen Freyman, Frank Colaccino, and Peter LaPointe were present for the appointment.

Atty. Freyman explained that when designing the interior of the bank, they realized that everything wasn't fitting in properly, so, basically, they are making it more of a square which will allow for a better use of the interior space. Mr. Colaccino mentioned that they are also adding a canopy (to-the drive-thru) and that the changes will not affect traffic flow at all.

Mr. LaPointe noted that the other thing that's shown on the plan from the December 12th approval is that they've added a fence along the property line, separating them from the neighbors. Mr. Colaccino said that the following things that were discussed at the public hearing are now shown on the plan; the fence and making sure that the lights didn't hit it; the do not block the box on both sides; and they made sure that the downlights don't go off site, but only shine towards the property.

Mr. Stefancik confirmed that the changes that the neighbors requested are noted on the plan.

A request for a waiver of the full registered site plan requirement in favor of a sketch, and a waiver the public hearing was submitted with the application.

Mr. Queiroga: I make a **MOTION** to waive the full plan, I MOVE to waive a full site plan in favor of a sketch since it is, there is an existing approved site plan on file that is less than 25 years old and that it has been modified no more than twice, and doing so is consistent with the purpose and intent of this zoning bylaw and that the changes are minor in nature.
SECOND Mr. Quiterio.
4-0 in Favor.

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Ms. Houle: I **MOVE** to approve and sign the site sketch for Colvest Wilbraham LLC for 450-456 Center Street.
SECOND Mr. Queiroga.
4-0 in Favor.

Mr. Queiroga: I amend my motion...
Mr. Coelho: To add waive of the public hearing.
Mr. Queiroga: …to waive of the public hearing.
SECOND Ms. Houle.
4-0 in Favor.

Documents included: Master application; request for waivers; comments from Town Depts./Boards; Ludlow, MA Banking Center Exterior Perspective drawing; Site Plans – Colvest/Wilbraham LLC – 456 Center Street Ludlow, Massachusetts (Issued for: Review 1/24/2020)

ANR – 484 & 488 Center Street (Map 16A, Parcels 58 & 59) Inspired by Opportunity LLC (combine 2 parcels for proposed restaurant)

Matthew Bruton – BL Companies was present for the appointment.

Mr. Stefancik said that there is an approved site plan on file and that they just recently purchased the properties.

Mr. Bruton explained that the ANR is to combine the properties for the proposed Wendy's Restaurant now that they are under the same ownership.

Mr. Coelho read the ANR checklist:

1. *Property owner's name, date of plan, and scale of plan.*
2. *A space for endorsement by the Planning Board.*
3. *The names of all abutters.*
4. *The lines of existing streets, ways, property lines, and easements. Indicate whether streets and ways are public or private.*
5. *The approximate distance from the property to the nearest street intersection, town line, or other definable physical feature.*
6. *Sufficient data to determine the location and length of every property boundary line in the new parcel and to establish these lines on the ground.*

Indicate the area of the new parcel.

7. *The location of all property corner monuments and whether they were found or set.*

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2020 MAR 13 A 10: 24
TOWN OF LUDLOW

8. *The location, frontage, and area of the land remaining in the original parcel after establishing the new parcel.*

9. *The north arrow for bearing system used on the plan and whether it is true, magnetic, or assumed north.*

10. *The location of all existing buildings and the distance from the existing buildings to the new property lines.*

11. *If a building lot is intended, the frontage requirement at the setback line must be shown.*

SUBMISSION: Two (2) Mylar's plus four (4) sets of prints (dark line on white background) shall be submitted to the Board for endorsement.

Mr. Queiroga: I **MOVE** to endorse the ANR for Opportunity LLC with the and...
Mr. Quiterio: 484-488 Center Street.
Mr. Queiroga: …that's correct, what he said, 484-488.
SECOND Ms. Houle.
4-0 in Favor.

Documents included: Master application; Plan of Land Inspired by Opportunity, LLC – 484-488 Center Street Ludlow, Hampden County, Massachusetts (Lot Consolidation Plan) (Rev. 2/10/2020)

Consent Agenda:

The Board approved the Consent Agenda under unanimous consent.

- FILE Mail Item 10. - Legal Notices from surrounding communities
- APPROVE/SIGN Minutes of January 23, 2020
- SIGN Special Permits:
  - Deborah A. Boyer – 459 Moore Street (Accessory Apartment)
- APPROVE Change of Occupancies:
  - Eva Rodriguez (Ludlow Animal Clinic P.C.) 200 Center Street, Unit 13 (new ownership)
  - Xiao Xia Li (Sakura Sushi) 456B Center Street (from vacant to restaurant)
  - Tia Fortier (Nails by Tia Lynn) 8 Chestnut Street (from cupcake business to nail salon)
  - Abigail Teh (hair salon) 8 Chestnut Street (from cupcake business to hair salon)
  - Michelle LaRocque (It Makes Scents/Outside the Box Gift Shop) 207 Winsor Street (from consignment shop to gift shop)

File Mail Item #11 – Comments from Ludlow DPW re: Accessory Apartment at 459 Moore Street

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File Mail Item #12 – Vacant Unkempt Property Violation @ 25 Pond Street from Justin Larivee, Building Commissioner

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File Mail Item #13 – Legal Notice/Public Hearing from Board of Selectmen for change of address of the Class II Motor Vehicle License issued to Robert's Auto Body Sales, Inc. from 119 Carmelina's Circle to 345 West Street

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File Mail Item #14 – Letter to Board of Selectmen re: no interest in property located on West Street (Map 9, Parcel 36A, from Conservation Commission

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Mr. Queiroga: **MOTION** to adjourn.
SECOND Ms. Houle.
4-0 in Favor.

Meeting adjourned at 7:33 p.m.

APPROVED:

Kathleen J. Houle

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 – HOME OCCUPATION/SPECIAL PERMIT
174 Erin Lane – Ashley Oliveira
(sell cakes & baked goods)
February 13, 2020

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PLANNING BOARD MEMBERS

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

Hearing began at 7:01 p.m. in the Selectmen's Conference Room.

Mr. Coelho acted as Chairman in Mr. Phoenix's absence.

In attendance: Ashley Oliveira, attendees

Mr. Coelho read the legal notice, advised the attendees that cameras are recording, gave Ms. Oliveira a copy of the invoice from Turley Publications, and reviewed the application. The legal notice included the description of: Home Office – sell cakes & baked goods.

Mr. Coelho: So why don't you give us a brief description of what you want to do.

Ms. Oliveira: Sure, so, I was a pastry chef out in Boston for the past like ten years, and my husband and I moved back to Ludlow, where we grew up, to have our son, and now I'd like to sell some cakes and baked goods from my home and farmers markets.

Mr. Coelho: You're not planning on doing any commercial baking or anything like that, right? Just kind of custom?

Ms. Oliveira: Just kind of direct to customers yeah, for weddings, maybe showers, that sort of thing.

Mr. Coelho: Anybody else on the Board have questions as to related to her business?

Mr. Queiroga: You gonna have any employees?

Ms. Oliveira: No, just myself.

Mr. Queiroga: --- vehicle I'm assuming?

Ms. Oliveira: Yup, just our car.

Mr. Queiroga: Have you contacted the Health Department downstairs?

Ms. Oliveira: Yup, yeah.

Mr. Queiroga: So, you know what they require?

Ms. Oliveira: I know their requirements at least, yup.

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2020 MAR 13 A 10:44
TOWN OF LUDLOW

Mr. Queiroga: I think you're already certified, right?

Ms. Oliveira: I am, yeah.

Mr. Queiroga: And you own your house, I believe?

Ms. Oliveira: I do.

Mr. Coelho: I'm looking here that you're asking for a waiver of the site plan, requirement for the full site plan and accept a sketch with photos. So, we have the waiver request in writing if anybody wants, first we have to act…

Mr. Stefancik: Finding.

Ms. Houle: Finding. Mr. Chairman?

Mr. Coelho: Yup.

Ms. Houle: I **MOVE** to find that the special permit home occupation for the selling of cakes and baked goods as described by Ashley Oliveira is a suitable home occupation under the Bylaw.
SECOND Mr. Queiroga.
4-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Coelho – yes.

Mr. Coelho: Now we have the request for waivers. I'd be willing to entertain a motion on that.

Ms. Houle: Mr. Chairman, I **MOVE** to waive the full site plan for Ashley Oliveira at 174 Erin Lane, in favor of a sketch and photos as this is in relation to the home occupation and in doing so is consistent with the Bylaw.
SECOND Mr. Queiroga.
4-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Coelho – yes.

Mr. Coelho: So, we had a site list here, I'm sorry, home occupation checklist that you signed. Are you aware of this document?

Ms. Oliveira: Yup.

Mr. Coelho: And you're aware of the rules that you're gonna have to follow, and should anybody complain about these rules…

Ms. Oliveira: It's on me.

Mr. Coelho: …you might come back here again.

Ms. Oliveira: Ok, got it.

Mr. Coelho: We might not be so nice. So, I just want make sure, I'm not gonna read each one because you signed it.

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2020 MAR 13 A 10: 44
TOWN OF HUDSON

Ms. Oliveira: I signed it.

Mr. Coelho: Ok, now with that said, anybody, I see we have a full house here. Would anybody like to speak to Miss…

Ms. Houle: Oliveira.

Mr. Coelho: …Miss Oliveira's business at her home? That means everybody's here for another one, huh?

Ms. Oliveira: That means everyone loves cake.

Mr. Coelho: Everybody does love cake, you're right. Ok, hearing nothing from the audience, I'm looking for a motion.

Mr. Queiroga: Mr. Chairman.

Mr. Coelho: Mr. Queiroga.

Mr. Queiroga: I **MOVE** to approve the Special Permit under 7.0.4 a-m and the Home Occupation under Section 6.2.1 to 6.2.13 for Mrs. Oliveira, with the restriction that the permit will run with the applicant and not with the property.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Coelho – yes.

Mr. Coelho: The motion passes 4-0. MOTION to close?
Ms. Houle: **SO MOVED.**
SECOND Mr. Queiroga.
4-0 in Favor.

Hearing ended 7:05 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).

TOWN OF LUDLOW PLANNING BOARD
PUBLIC HEARING – SITE PLAN
251-253 Cady Street (Assessors' Map 1C, Parcel 14B)
Brett Merrill
(update site plan)
February 13, 2020

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PLANNING BOARD MEMBERS

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

Hearing began at 7:06 p.m. in the Selectmen's Conference Room.

Mr. Coelho acted as Chairman in Mr. Phoenix's absence.

In attendance: Brett Merrill

Mr. Coelho read the legal notice, advised the attendees that cameras are recording, gave Mr. Merrill a copy of the invoice from Turley Publications, and reviewed the application. The legal notice included the description of: update site plan.

Mr. Coelho: Why don't you give us a little rundown of what you're doing or what you'd like to do.

Mr. Merrill: Right, I did the full site plan and survey, I had the survey done of the three residential units and the salon, so I could do an updated site plan of how the house actually is compared to what it was when I bought it. So, I just wanted to kind of update everything so it's by the book.

Mr. Coelho: So, this is more or less housekeeping?

Mr. Stefancik: Correct, yes. There's no, this is the first site plan on file, there's no professional site plan.

Mr. Coelho: No substantial changes?

Mr. Merrill: Nothing.

Mr. Coelho: Grant waivers and or findings. Are there any waivers or findings necessary? I don't see a, oh there's a waiver request, the big page that says waiver request. I am requesting waiver of the following Sections 7.1.5 Required Site Plan Contents: o. Additional Requirements: All site plan must have the following: Lighting plan with luminaire schedule; elevations showing the front, rear, sides of the building; Signage design with dimensions. You are showing where area's gonna be stored, correct? So, you're not looking for relief on that with snow storage?

Mr. Merrill: Yup, right in the back.

Mr. Coelho: And traffic study. So, there's our waiver request. And again, there are no substantial changes to the site.

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2020 MAR 13 A 10:44
TOWN OF LUDLOW

Mr. Merrill: Nothing.

Mr. Coelho: And use is gonna be the same?

Mr. Merrill: Yes.

Mr. Coelho: I'd be willing to accept a motion on the waiver.

Mr. Queiroga: The waiver is for, Chris is for which items?

Mr. Coelho: 1, 2, 3, and 5 of…

Ms. Houle: 7.1.5

Mr. Coelho: 7.1.5.o

Mr. Queiroga: Mr. Chairman.

Mr. Coelho: Mr. Queiroga.

Mr. Queiroga: I make a **MOTION** to waive the following sections 7.1.5 Required Site Plan Contents, Additional Requirements. All site plans need to have the following information: 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 Traffic study. **SECOND** Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Coelho – yes.

Mr. Coelho: Again, there are no changes. What's on site now? Is it a hair salon?

Mr. Merrill: Yeah, three of the residential units and then the hair salon.

Mr. Coelho: And the hair salon. Anybody from the general public have any questions related to this project?

Mr. Pollard: I didn't see the site plans ---

Mr. Coelho: If you could stand up and say your name and address for the record, please.

Mr. Pollard: John Pollard, 263 Cady Street.

Mr. Coelho: Thank you. The site plan is on…

Mr. Pollard: What changes are to be made?

Mr. Coelho: There are no changes.

Ms. Houle: There are no changes.

Mr. Pollard: So, there's are no changes?

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TOWN OF LUDLOW

Mr. Coelho: No, this was just a housekeeping. There wasn't, must not have been a site plan on site because it was an old property and now that he's formalizing things he wanted to make sure there was a plan on file.

Mr. Pollard: Mitzi's was there and she didn't do a site plan.

Mr. Coelho: Right, it was before we had…

Ms. Houle: Before it was required, so.

Mr. Coelho: …these requirements, so according to him and what we have in front of us, nothing's gonna change there. Anybody else? Great. Checklists, do we have another sign-off sheet? No, there really isn't, it's just our review.

Mr. Stefancik: Just the comments, and that's it.

Mr. Coelho: And I don't see, I mean, we have a Safety Committee comment. Oh, did I bury them? I tried hooking you up but these guys caught me.

Ms. Houle: Here's the Safety Committee.

Mr. Coelho: Safety Committee had no comment because there wasn't any significant changes. A memo from the Planning Board looks clear of any discrepancies from our perspective. Board of Health: Per State of Mass. State Sanitary Code 310.CMR.15.004 Paragraph 6, beauty salons and hair salons generate industrial waste that cannot be discharged to an onsite septic system. The septic system for the property is in violation in code and connection to town sewer must be done within two years. See attached.

Mr. Merrill: Yeah, I'm on their agenda as well, so.

Mr. Coelho: So, you're gonna have to either connect or develop some sort of waste management plan that's acceptable --- but it's easier to probably connect.

Mr. Merrill: Yeah, I'm speaking with them. I'm on their agenda to talk about the future plans with that.

Mr. Coelho: Make sure that you're aware of that.

Mr. Merrill: Absolutely.

Mr. Coelho: And we have a, we have a very thorough letter here that I'm not gonna take the time to read into the record, however, it is on record which this looks like it's stating everything they're quoting, which is pretty good. So, if you'd like a copy of this as well.

Mr. Merrill: Oh, of the clauses for the Board of Health?

Mr. Coelho: Yeah.

Mr. Merrill: Yeah, yeah, yup. I talked to the DEP and we have, again, I have, I'm gonna be meeting with them talking about the findings from the septic and everything else like that, so.

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TOWN OF LUDLOW

Mr. Coelho: This looks pretty good, ok good. And again, Safety Committee had nothing. And that's all I'm seeing. Nothing from DPW or?

Mr. Stefancik: No, I did check with Jim and he didn't have any issues.

Mr. Coelho: Ok.

Mr. Queiroga: Are you looking for a motion?

Mr. Coelho: Yeah, I suppose it's appropriate to take a vote on this now.

Mr. Queiroga: Mr. Chairman, I **MOVE** to approve and sign the site plan for Mr. Merrill at 450…

Ms. Houle: 251-253.

Mr. Queiroga: …251-253, that's better, for Mr. Merrill, and I'm looking for a second.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Coelho – yes.

Mr. Coelho: MOTION to close?
Mr. Queiroga: **SO MOVED**.
SECOND Ms. Houle.
4-0 in Favor.

The public hearing ended at 7:14 p.m.

APPROVED:

Kathleen J. Houle
Kathleen Houle, Secretary

su

Documents: Master application; Comments from Town Departments/Boards; Request for waivers; Site Plan – 251-253 Cady Street Ludlow, MA owned by Brett Merrill (January 13, 2020)

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