TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
September 10, 2020

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2020 OCT 23 P 12:37
TOWN OF LUDLOW

PLANNING BOARD MEMBERS

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

The meeting began at 7:00 p.m. in the Selectmen's Conference Room via Telephonically (by order of the Governor's March 10, 2020 order titled "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, § 20" due to the COVID-19 Virus Outbreak)

PUBLIC HEARING – SPECIAL PERMIT / HOME OCCUPATION – 8 Auburn Street (Map 11B, Parcel 21) Jon E. Schneider (home improvement business)

SEE ATTACHED MINUTES

PUBLIC HEARING – ZONING BYLAW – Proposed zoning bylaw revision to include the following: SECTION III: GENERAL USE REGULATIONS 3.0 GENERAL REGULATIONS 3.0.4 Fences, by removing the last sentence. All fences four (4) feet and higher require a building permit. 3.3 ACCESSORY USE REGULATIONS 3.3.1 General Accessory Regulations by adding to b. 1. Accessory Buildings. "All accessory buildings over 200 square feet require a permit from the Building Department." c. Accessory Livestock Agriculture by adding "and roosters" to be excluded. & g. Clothing Donation Receptacles, removing and replacing bylaw. Section 3.2.2 Table 1 Table of Principal Uses, removing current section and allowing Clothing Donation Receptacles through site plan approval (SPA). SECTION VI: SPECIAL LAND USE REGULATIONS 6.6 ACCESSORY APARTMENT BYLAW by removing section 6.6.3 j. Dwellings must be in existence, and not substantially altered for a period of three (3) years prior to the filing of the conversion permit.

SEE ATTACHED MINUTES

PUBLIC HEARING – ZONE CHANGE – 193 Center Street (Assessors' Map 12D, Parcel 53) - Jamie & Richard Jacobs (Residence B to Business B) (turning home into small scale salon)

SEE ATTACHED MINUTES

PUBLIC HEARING – ZONE CHANGE – 0 Chapin Street (Assessors' Map 11D, Parcel 115) - Sodi Inc. c/o Ralph Capua (Residence A to Residence B) (to permit for a residential community under the Land Use Classification of multi-family per Table 1, Ludlow Table of Principal Uses of the Ludlow Zoning Bylaw)

SEE ATTACHED MINUTES

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PUBLIC HEARING – SITE SKETCH – 1085 Center Street (Map 24, Parcel 69A) Manuel D. Silva (update site plan to show new auto sales lot)

SEE ATTACHED MINUTES

ANR – 448 Fuller Street (Map 9, Parcel 74A) Armand Deslauriers (revise lots 1 & 2 as shown on plan)

Armand Deslauriers was present for the appointment.

Mr. Deslauriers explained that he's looking to ANR the left side of the property.

Mr. Stefancik stated that he went through the checklist and that it met all the criteria.

Mr. Phoenix: Looks fine to me, I'll make a **MOTION** in the standard form to endorse the ANR.
SECOND Ms. Houle.
5-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

Documents included: Master application; Plan of Lot Division – 448 Fuller Street Ludlow, Mass. – owned by The Estate of Armand J. Deslauriers (August 28, 2020)

SITE SKETCH – 471-485 Center Street (Map 16A, Parcels 52, 55) Ludlow Center, LLC (The Colvest Group) (add 4 on-site drive-thru directional signs)

Peter LaPointe was present for the appointment.

Mr. LaPointe remarked that the combined site includes two businesses with drive-thru's, and that the site plan reorients the route into the drive thru. He said that Westfield Bank had drive-thru signs that were in the wrong location, and KFC also wanted directional drive-thru signs on the site. He noted that the site plan shows two signs at the front of the site, one for each tenant. Mr. LaPointe added the there are also two signs at the back of the site at the entrance to the drive-thru lanes.

Mr. Phoenix: I will make a **MOTION** in the standard form to approve the site sketch as submitted.
SECOND Mr. Quiterio.
5-0 in Favor.
Roll call vote: Mr. Queiroga – yes; Mr. Quiterio – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

Documents included: Master application; Plan: 471-485 Center Street Ludlow, MA – Directional Signs (2020-08-25)

Review letters of interest for the Associate Planning Board Member vacancy

Mr. Stefancik stated that there are four applicants: Josh Carpenter, Dan Lacroix, Lisa Dowers, and Chris Saloio.

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Appointments for interviews will be scheduled with the applicants for the next meeting on September 24, 2010.

Mail Item #43 – Reorganization of Town Boards

Mr. Coelho mentioned that the Building Commissioner has been a member on the Safety Committee for at least six years and has yet to attend a meeting.

Consent Agenda:

The Board approved the Consent Agenda under unanimous consent.

- FILE Mail Item 42. - Legal Notices from surrounding communities
- APPROVE Change of Occupancies:
  - Westfield Bank - 477 Center Street (change of ownership)
  - Michele Barbeau (Bella Couture Salon) 154 East Street (booth rental)
  - Jennr Ventures, LLC d/b/a Playnow! – 433 Center St, Suite 15 (from shoe store to toy store)
- SIGN Special Permits:
  - Dwain P. Devine – 23 Helena Street (accessory apartment)
- APPROVE Bills:
  - Turley Publications (advertising for Associate Planning Member)
  - W.B. Mason (office supplies)

Mr. Phoenix: I'll make a **MOTION** to adjourn.
SECOND Ms. Houle.
5-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

Meeting adjourned at 8:45 p.m.

APPROVED:

Kathleen 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 – SPECIAL PERMIT / HOME OCCUPATION
8 Auburn Street – Jon E. Schneider
(home improvement business)
September 10, 2020

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TOWN OF LUDLOW

PLANNING BOARD MEMBERS

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

The hearing began at 7:00 p.m. in the Selectmen's Conference Room via Telephonically.
(by order of the Governor's March 10, 2020 order titled "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, § 20" due to the COVID-19 Virus Outbreak)

In attendance: Jon Schneider

Mr. Coelho read the legal notice and reviewed the application. The legal notice included the description of: home improvement business.

Mr. Coelho: Ok, so we have the applicant on the line. Are you there?

Mr. Schneider: Yes, I am.

Mr. Coelho: Ok, so why don't you go ahead and give us a brief description of what you're trying to do.

Mr. Schneider: Ok, I'm Jon Schneider, 8 Auburn Street Ludlow, Mass. I previously ran a business at 476 Fuller Street in Ludlow, which was the property was owned by my parents, which had to be sold, the estate. So, I am looking to have just my home office located at 8 Auburn Street, which would be for the phone and paperwork, and I have some small equipment inside my garage and my truck. And basically, conducting home improvements.

Mr. Coelho: Ok, and again, just to reiterate, this is just for a home office, you're not anticipating storing any building materials or anything else that would make the property not look like a home?

Mr. Schneider: Correct. I will not be doing that. My equipment will be stored at another location.

Mr. Coelho: Ok. Going to the, I'm going through as best I can. I do apologize but for some reason Adobe Acrobat here is acting funny.

Mr. Schneider: That's ok.

Mr. Coelho: I can't even mess with this now. So, Doug, you got any input related to the application we need to know about, is he looking for any waivers or stuff like that?

Mr. Stefancik: We would have to do a waiver and a finding. But, I have no comments from other boards, it's seems to be all legitimate, just a home office.

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Mr. Coelho: Ok, does anybody else from the Board have any questions for Mr. Schneider?

Mr. Queiroga: Mr. Schneider?

Mr. Schneider: Yes, I'm here.

Mr. Queiroga: I assume that you own the house, right?

Mr. Schneider: I own the business, yes.

Mr. Queiroga: Do you own the house?

Mr. Schneider: I own the house, well me and the bank, yes.

Mr. Queiroga: Ok, and do you, would you be at the house with, do you have any trucks?

Mr. Schneider: I have a pickup truck and I have a dump truck, which is basically a pickup truck, dual wheel drive. That I could keep with my equipment.

Mr. Queiroga: Ok.

Mr. Schneider: I have a two-car garage, but you know, my truck stays inside the garage, one truck.

Mr. Queiroga: Ok, that's it.

Mr. Coelho: Ok, I had to revert back to Adobe 7.0, so I'm working now. I'm looking at the application here, and it seems in order --- everything. Is there anybody in the audience looking to speak or ask questions on this hearing? If so, please state your name and address.

Ms. Sanderson: Yes, I do have a question.

Mr. Coelho: Ok, your name and address, please?

Ms. Sanderson: Yup, Kelly Sanderson, 371 Holyoke Street.

Mr. Coelho: Ok Miss Sanderson, go ahead.

Ms. Sanderson: Hey John, Are --- putting up a sign or anything?

Mr. Schneider: No, I don't need a sign for what I'm doing. ---

Ms. Sanderson: Oh, ok. That was my question.

Mr. Coelho: Ok, anybody else? Ok, hearing none. I suppose this is in conformance with our regulations. At this point, if anybody wants to make a finding and a motion.

Mr. Queiroga: Mr. Chairman?

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Mr. Coelho: Mr. Queiroga.

Mr. Queiroga: I **MOVE** to find that a home business as outlined by Mr. Schneider is a suitable home occupation under our Bylaw. I also wish to find that if waivers are needed on the full site plan. Doug are waivers needed on the full site plan?

Mr. Stefancik: Yeah, they need a waiver for the full site plan in favor of site sketch and photos.

Mr. Queiroga: Ok.

Mr. Coelho: --- you got a motion that this is suitable for a home office?
SECOND Ms. Houle.
5-0 in Favor.
Roll call vote: Mr. Phoenix – yes; Mr. Quiterio – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Coelho – yes.

Mr. Coelho: Ok, now we need a motion on the waiver of the site plan in lieu of the sketches provided.

Mr. Phoenix: **SO MOVED.**

Ms. Houle: Mr. Chairman?

Mr. Coelho: Ms. Houle.

Ms. Houle: I **MOVE** to waive the need for a full site plan for Jon Schneider at 8 Auburn Street in favor of sketch and photos to be prepared by the applicant since this is in relation to home occupation and in doing so is consistent with the purpose and intent of the Bylaw.
SECOND Mr. Queiroga.
5-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Coelho – yes.

Mr. Coelho: Ok, and now we could have a motion to approve.

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 – 6.2.13 for Mr. Schneider at the location of 8 Auburn Street with the restriction that the permit will run with the applicant and not with the property.
SECOND Ms. Houle.
5-0 in Favor.

Roll call vote: Mr. Quiterio – yes; Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

Mr. Coelho: And a MOTION to close the public hearing?

Mr. Quiterio: **SO MOVED.**
SECOND Mr. Phoenix.
5-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

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Hearing ended 7:10 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
PROPOSED ZONING BYLAW REVISIONS
Town of Ludlow – Planning Board
Proposed zoning bylaw revisions to include the following:
SECTION III: GENERAL USE REGULATIONS 3.0 GENERAL REGULATIONS 3.0.4 Fences, by removing the last sentence. All fences four (4) feet and higher require a building permit.
3.3 ACCESSORY USE REGULATIONS 3.3.1 General Accessory Regulations by adding to b. 1. Accessory Buildings. "All accessory buildings over 200 square feet require a permit from the Building Department." c. Accessory Livestock Agriculture by adding "and roosters" to be excluded. & g. Clothing Donation Receptacles, removing and replacing bylaw. Section 3.2.2 Table 1 Table of Principal Uses, removing current section and allowing Clothing Donation Receptacles through site plan approval (SPA).
SECTION VI: SPECIAL LAND USE REGULATIONS 6.6 ACCESSORY APARTMENT BYLAW by removing section 6.6.3 j. Dwellings must be in existence, and not substantially altered for a period of three (3) years prior to the filing of the conversion permit.
September 10, 2020

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PLANNING BOARD MEMBERS

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

The hearing began at 7:11 p.m. in the Selectmen's Conference Room via Telephonically.
(by order of the Governor's March 10, 2020 order titled "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, § 20" due to the COVID-19 Virus Outbreak)

In attendance: No public attendees were present

Mr. Coelho read the legal notice which included the description of: Proposed zoning bylaw revisions to include the following: SECTION III: GENERAL USE REGULATIONS 3.0 GENERAL REGULATIONS 3.0.4 Fences, by removing the last sentence. All fences four (4) feet and higher require a building permit. 3.3 ACCESSORY USE REGULATIONS 3.3.1 General Accessory Regulations by adding to b. 1. Accessory Buildings. "All accessory buildings over 200 square feet require a permit from the Building Department." c. Accessory Livestock Agriculture by adding "and roosters" to be excluded. & g. Clothing Donation Receptacles, removing and replacing bylaw. Section 3.2.2 Table 1 Table of Principal Uses, removing current section and allowing Clothing Donation Receptacles through site plan approval (SPA).
SECTION VI: SPECIAL LAND USE REGULATIONS 6.6 ACCESSORY APARTMENT BYLAW by removing section 6.6.3 j. Dwellings must be in existence, and not substantially altered for a period of three (3) years prior to the filing of the conversion permit.

Mr. Coelho: Ok, there's that, so we're doing a little bit of adding, on request of the Building Inspector, I'm assuming. Is he here tonight? Is he on the line?

Mr. Stefancik: I don't think he is, but the first four bylaws, we had them on for May Town Meeting, but the Selectmen removed them because they wanted to shorten the warrant for town meeting because of the COVID crisis. So, this is the second public hearing we're doing, we have to re-do the public hearing on the fences, the accessory buildings over 200 square feet, the livestock with the roosters, and then also the removing of the three year prior to filling a conversion permit for an accessory apartment. So, we did go through the public hearing the first time, so we're just re-doing it again for October Town Meeting. But, we did vote to recommend approval at Town Meeting for the first four Bylaws. The clothing donation boxes, we did have the First Church that was in here, I believe, earlier this year and they were looking to put a specific clothing donation box on their property. What we currently had, we were dictating the color, what it had to be, the design of it. And a lot of that we took, I took out to make it easier to place these on properties, but also the contingency that they are to be placed on properties with site plan approval which it wasn't required prior, they just were allowed by right with a stringent strategy from the building department. But, I think now he doesn't regulate these yearly. They don't go out after permitting, to be permitted every year. So, it makes sense, I think, just to, if the people want to put these on the site plan and then you have it on the site plan and they need to be five feet from the side or the rear lot line. We don't get into the design of them because people have wanted to have, churches have wanted to have sheds on the property to store the clothing in, so we're just accommodating it in that fashion. And I think a lot of these get self-monitored. If they become a trash receptacle, I think the owners of the properties just call the facility up who owns or operates the clothing donation boxes to have them removed, so I don't see them as being a problem. I think it's just more accommodating church properties where they weren't allowed before.

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Mr. Coelho: Ok, that's where we are with that stuff. Does anybody on the Board have any questions related to these changes? How about the audience? Is there anybody in the audience here to speak about these proposed zoning changes? Hello? I'm not hearing anything from the audience and the town's people. So, I suppose we can make a motion to move this forward to Town Meeting.

Mr. Queiroga: Mr. Chairman?

Mr. Coelho: Mr. Queiroga.

Mr. Queiroga: Yes, I'd like to make a **MOTION** that these proposed changes to our Ludlow Zoning Laws as suggested by the Building Inspector be passed on to a vote to the Town Meeting. **SECOND** Ms. Houle.

Mr. Phoenix: --- discussion.

Mr. Coelho: Go ahead Ray.

Mr. Phoenix: Well, the way I heard that motion was to send it off to Town Meeting which it's going there anyway, I think the motion that we actually need is to either recommend approval or to recommend disapproval.

Mr. Queiroga: I stand corrected and I would add that to refrain to my previous motion that we are passing it on with our suggested approval.

Mr. Coelho: Just to clarify, we are recommending approval of the zoning bylaw changes to Town Meeting.

(multiple people talking)

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SECOND Ms. Houle.
5-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho - yes.

Mr. Coelho: Motion to close the 7:05 public hearing?

Mr. Queiroga: **SO MOVED**.
SECOND Ms. Houle.
5-0 in Favor.
Roll call vote: Mr. Queiroga – yes; Mr. Quiterio – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho - yes.

The public hearing closed at 7:19 p.m.

APPROVED:

Kathleen J. Houle
Kathleen Houle, Secretary

su

Documents: Draft Zoning Bylaw Changes October 2020 Town Meeting

(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 – ZONE CHANGE
193 Center Street (Assessors' Map 12D, Parcel 53)
Jamie & Richard Jacobs
(Residence B to Business B)
September 10, 2020

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PLANNING BOARD MEMBERS

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

The hearing began at 7:20 p.m. in the Selectmen's Conference Room via Telephonically.
(by order of the Governor's March 10, 2020 order titled "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, § 20" due to the COVID-19 Virus Outbreak)

In attendance: Jamie & Richard Jacobs

Mr. Coelho read the legal notice which included the description of: Zone Change Requested from: Residence B to Business B; Reason for Requested Change: Turning home into small scale salon. Mr. Coelho also read the letter from Board of Selectmen forwarding the application for zone change.

Mr. Coelho: I got the master application in front of me. Mr. & Mrs. Jacobs, are you here?

Ms. Jacobs: Yes, I'm here.

Mr. Coelho: Ok great. So, although we have it in writing that you're looking to make a small-scale salon. Why don't you go ahead and give a brief description of why you're looking for the zone change?

Ms. Jacobs: So, we are, we currently own the property, and it is a small two-bedroom home, and I'm looking to open a business in town. Looking for the zoning change before doing any work, to put plumbing in, etcetera, to do the business there.

Mr. Coelho: Doug?

Mr. Stefancik: Yup?

Mr. Coelho: Do we have any zoning adjacent to this property that's similar to what they're looking to change to?

Mr. Stefancik: We do. We have Business B that's located next door.

Mr. Coelho: Ok. Do we have any other questions from the Board at this time?

Mr. Quiterio: Mr. Chairman?

Mr. Coelho: Mr. Quiterio.

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Mr. Quiterio: --- question. --- the parking will be on Center Street or will be coming from the side street, Chmura I think it's called.

Ms. Jacobs: Yes, I was hoping to use the backyard of the property which is, the driveway comes off of Chmura Street for parking.

Mr. Phoenix: Mr. Chairman. This is for the benefit of the people that are here listening in on this zone change hearing, any information that we get as far as the --- of the business would be run, the layout of the site, what's gonna be going in there is good information to have, but we're really looking at changing the type of thing that can go in there. So, the zone change would be to --- zoning instead of the residential zoning, and then, you know, whether it's one month or twenty years down the line, it might not end up being that salon anymore. So, we're looking at all of the uses under one zoning versus all of the uses of the other, and we can make our decision based off of that.

Mr. Coelho: Doug, do we have any input from anybody else, from any other boards?

Mr. Stefancik: No, and we didn't have any abutters that contacted us on this zone change either, so there was nothing.

Mr. Coelho: Ok, I don't know, I don't know how I feel about this type of zone change either in all reality. Well, I guess I'm going to open it up to the public. Does anybody have any questions related to the zone change at 193 Center Street? Please state your name and address for the record. So, I'm not hearing any requests out there. Is that the case? This is the last I'll call. Anybody looking to speak up to this zone change? Ok, I'm not hearing anything now from the public, so that's good.

(multiple abutters from next public hearing spoke at the same time)

Mr. Coelho: Ok, so I guess I'm willing to entertain a motion whether to, once again, this is a thumbs up or thumbs down for Town Meeting. So, I'm willing to entertain a motion to either approve or disapprove at Town Meeting.

Mr. Phoenix: Yeah, the feedback is getting delightful. I'll make a **MOTION** to recommend disapproval to Town Meeting.
SECOND Ms. Houle.
5-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho - yes.

Mr. Phoenix: I **MOVE** to close the public hearing.
SECOND Mr. Queiroga.
5-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho - yes.

The public hearing closed at 7:29 p.m.

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APPROVED:

Kathleen J. Houle
Kathleen Houle, Secretary

su

Documents: Master application; Letter from Board of Selectmen forwarding application for zone change (August 27, 2020)

(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 – ZONE CHANGE
0 Chapin Street (Assessors' Map 11D, Parcel 115)
Sodi Inc. c/o Ralph Capua
(Residence A to Residence B)
September 10, 2020

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PLANNING BOARD MEMBERS

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

The hearing began at 7:31 p.m. in the Selectmen's Conference Room via Telephonically.
(by order of the Governor's March 10, 2020 order titled "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, § 20" due to the COVID-19 Virus Outbreak)

In attendance: Ralph Capua, Rob Levesque – R Levesque Associates, attendees

Mr. Coelho read the legal notice which included the description of: Zone Change Requested from: Residence A to Residence B; Reason for Requested Change: to permit for a residential community under the Land Use Classification of multi-family per Table 1, Ludlow Table of Principal Uses of the Ludlow Zoning Bylaw. Mr. Coelho also mentioned the letter from Board of Selectmen forwarding the application for zone change.

Mr. Coelho: Is the applicant here?

Mr. Levesque: Yes Mr. Chairman, can you hear me? This is Rob Levesque from R Levesque Associates.

Mr. Coelho: Rob, how are you?

Mr. Levesque: ---

Mr. Capua: --- This is Ralph Capua from Sodi Inc.

(multiple people talking)

Mr. Levesque: Mr. Chairman, could I respectfully request that the other members of the public not in the meeting mute their phones. There's a really bad feedback loop. Whoever's watching the meeting on their tv has a delay, and the feedback loop that's feeding through the audio for the rest of us.

Mr. Coelho: Unfortunately, they're not as technically savvy as we are and I don't think they know how to mute their phones.

Mr. Levesque: Ok.

Mr. Coelho: Can you mute your phones until we call on you? How about this, how about we call you ladies back when it's your turn to speak? Would you mind giving Doug your telephone number? --- Doug?

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Mr. Stefancik: Yeah, yeah.

Mr. Coelho: Ok, ladies, why don't you give Doug your telephone number and we'll call you back in about ten minutes.

(abutters gave Mr. Stefancik their names and phone numbers)

Mr. Levesque: Ok, that's much better Mr. Chairman.

Mr. Coelho: Ok, our interference is better now, ok. Let's not forget to call back Miss Lavoie.

Mr. Stefancik: No, we'll call her back.

Mr. Coelho: Ok, so I'm assuming she's watching on the tv as well, so. Mr. Levesque, why don't you go ahead and tell us what's going on over here in layman's terms please?

Mr. Levesque: Yes sir, thank you very much. So, I'm, again, representing Mr. Ralph Capua. Mr. Capua has recently purchased the subject property. The subject property's approximately seven acres. We've gone out there and done some wetland delineation work to get a really good feel for upland developable area of the property. It's quite a nice piece. Right now, under the current Residence A zoning approximately seven to eight lots could be constructed as a single-family home subdivision. Mr. Capua would like to look at doing an active adult community. We believe that we can have less impact on the neighbors, less impact, less overall footprint impact on the lot itself, respect the buffers for the Conservation Commission, and as well as the other land use regulations that the Town of Ludlow has. We feel strongly that the change in, from a residential subdivision that has an accepted street to an active adult community, a small active adult community at that, would be advantageous to the Town in that it'll still get the tax revenue. It likely wouldn't have the school age children, would not be required to provide services in the upkeep of the roadway and the other services that are typically required by single-family lots, but at the same time would generate tax revenue, and we think would be compatible with the neighborhood. Generally speaking, the natural resource areas within the area, provide a natural buffer around the property on, kind of, three sides for the very little visibility in general from Chapin Street. We think it's a nice opportunity hopefully to have a nice little community there, so we would respectfully be requesting a positive recommendation from the Planning Board so that a small residential active adult community could be constructed there.

Mr. Capua: If I may join in for a moment, this is Ralph Capua calling.

Mr. Coelho: Go ahead.

Mr. Capua: I just wanted to add that we are looking at considerably more tax revenue to the town for 55 and over. It will be a 55 and over gated community. There's no schooling pressures because it's a 55 and over and as Mr. Levesque said it will be self-sufficient based on HOA fees for the number of units that will be provided.

Mr. Levesque: And just, this is Rob again, just for reference gentlemen, ladies, the, there was a sketch provided with your Planner, just, I know it's schematic and it's not the basis for the zone change, but just to give you guys a general feel of what would -- there and what something that we might be proposing would generally look like, give you the general feel for what we're thinking.

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Mr. Stefancik: And I do have the schematic up on the screen. It should go through for the tv.

Mr. Capua: I do want to specify that it will be a 55 and over.

Mr. Phoenix: Mr. Chairman?

Mr. Coelho: Mr. Phoenix.

Mr. Phoenix: When you were going through the correspondence, I think there was something that may have gotten missed. It looked like it had come in via email. I don't know if Doug has that there or if you want me to read that in, but it's a comment from, I believe it's from one of the abutters.

Mr. Coelho: Ok, yeah well, I have that, that's not part of the package. Go ahead and read it in.

(Mr. Phoenix read the email from Julie DiCesare re: opposition to zone change)

Mr. Stefancik: We did have the Selectmen's letter as well.

Mr. Phoenix: I believe Chris read that one in already.

Mr. Stefancik: Ok.

Mr. Coelho: Yeah that's just boiler plate. ---

Mr. Stefancik: Yeah it is, correct.

Mr. Coelho: They don't say whether or not they're for it or against it.

Mr. Levesque: Through the Chair, if I could?

Mr. Coelho: Who's this?

Mr. Levesque: Oh, I'm sorry, Rob Levesque again. Through the Chair, I have just a response to the lady's comments, the abutters comment. You know, good comment, obviously the traffic and resource areas are obviously a big concern for folks. Specific to the development of this property, if we were allowed to do an active adult community here, you actually will have more control, and the Planning Board would have more control on how each of the homesites was developed essentially being able to limit the amount of clearing and disturbance as it extends out towards the property lines and out towards some of the wetland resource areas in the back, obviously regulated by Conservation, but further regulated by the site plan approval process, such a --- community would have to go through. And as far as traffic, we've looked at, you know, a typical active adult unit generates typically less than a single family and it's really at

different hours throughout the day than normal single families. And really, even a single-family home, really diminutive set of approximately 10 vehicle trips per day, and in peak hours, you're really talking about almost, you know, a little drop in the bucket in terms of traffic in this particular area. So, very minimal traffic concerns and we believe that by allowing an active adult community, it provides the Planning Board further controls going forward to kind of dictate buffers and backyards for units. And that would all be maintained in perpetuity so that the community would be required to maintain the --- as it was designed as opposed to, you know, if you have seven or eight lots, somebody going in and clearing their backyard as far as they want because they own the land. So, we do think it provides an opportunity for protection as well.

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Mr. Coelho: Doug?

Mr. Stefancik: Yup.

Mr. Coelho: With this current zoning as Residence A, what's ---?

Mr. Stefancik: It's all Residence A that surrounds the whole entire area. Residence A, by right, they could do a subdivision as they had said. Residence B is where it requirements are multi-family where condominium developments fall under, or a single-family lot, or they could do an estate lot and a single-family lot under Residence A. So, you're only limited to single-family homes under Residence A. The biggest impact would be a subdivision with probably seven to eight lots possibly.

Mr. Coelho: Ok, and there are no Residence B directly adjacent to this property, correct? Doug?

Mr. Stefancik: Repeat that? Yeah, it's surrounded by all residential properties. It's all single-family homes.

Mr. Phoenix: It's all Residence A around it Chris.

Mr. Stefancik: Yes, everything's Residence A.

Mr. Coelho: --- directly, so this potentially would be spot zone?

Mr. Stefancik: It would be.

Mr. Phoenix: Well, it gets around that virtually because of the size, but a good chunk of that size is blocked out by the wetland. So, it's actually one of the questions that I had is, if the wetland were out of the consideration, how much of this parcel was actually usable for development? Is that something that the applicant might be aware of at this point?

Mr. Levesque: I don't, yeah this is Rob Levesque. I haven't quantified it specifically, but I would say at least probably about 4 ½ to 5 acres. There's the L shaped parcel, there's a fairly large wetland on the, I guess the bottom of the L. Yeah so, there's a bigger wetland there, but there's a significant amount of upland on this parcel, might be upwards of 5, but I would say at least 4 ½ to 5.

Mr. Queiroga: Mr. Chairman?

Mr. Coelho: Mr. Queiroga.

Mr. Queiroga: I'd like to make a couple of comments. Number one, these folks could do, without going through all of this, they could do a regular single-family home as Residence A with, I believe, 90-foot frontage on each one?

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Mr. Stefancik: Correct, yes.

Mr. Queiroga: The question is whether they can do anything there, they can. The question is, the single-family homes and what that entails versus the 55 and over gated community condos, whether for the town is a better economic situation or not. Now, I understand, I live in a similar development, and I'm very pleased with it at my age, but I guess it's a very quiet community. I think this will, and the fact that it's an over 55 in itself guarantees you something. And I think it's a positive use of the land and leaving most of it raw with the vegetation that's there and the little bit of water on some of the outskirts, I think, would make a good development. Two lots down from there, you've got a, you've got a little construction company that has a big piece of land on that corner. I just think this is a good use of the land and I'm hoping that people give it a fair chance.

Ms. ---: Can the rest of us jump in now?

Mr. Coelho: We'll call on you. Anybody else on the Board have anything they'd like to add?

Mr. Phoenix: Mr. Chairman.

Mr. Coelho: Mr. Phoenix.

Mr. Phoenix: So, kind of like the last zone change we were talking about, I just want to bring up that we're not just looking at this as the proposal that's in front of us by the applicant for how they want to use the property. First of all, I understand that, you know, that in all likelihood, they own the land and they're going to put something in there whether it be something that looks like this sketch that was proposed with the multi-family, or whether they put in a small subdivision, they can get some single-family lots in there under the existing Residence A zoning. Whatever their plan ends up being, I feel pretty confident that if they own the land, they're going to want to put something there. With that said, I think we do need to make sure we are taking into account that we can't guarantee that the multi-family that they're building or if it changes hands in the middle of the project or down the road --- going to actually be a facility, a place for seniors or people that don't introduce kids into the school system and things like that. This is straight up and down Residence A to Residence B zone change, and what that looks like based off of the plans that I've seen is that we're going from the potential of maybe up to eight single-family homes to what this sketch shows might be as many as 20 residences that would be going in there and by my math, even if the senior housing generates half as many trips as a regular single-family home with kids and everything, that's still more than twice as many residences in that section. So, I think we need to be aware of that before we make any decisions tonight.

Mr. Coelho: Ok. Anybody else on the Planning Board have anything to add? Hearing none, I'm gonna open it up to the general public. If you're on the line and you're looking to speak to this, please state your name and address for the record and if you have questions, make sure they're directed through me the Chair, and that we don't repeat ourselves on questions because time is a ---.

Mr. Lavoie: Hi Mr. Chairman, Moe Lavoie, 773 Chapin Street. I would just like to say that the whole area east, west, north, and south of where this development is being planned is all Residential A and putting a Residential B piece of parcel in the middle of all of the Residential A, to me, does not make any valid sense. If it's Residential A then I'm not terribly opposed to it, but Residential B, I am opposed to it and I would have lots of questions on what they would be building with the Residential B with the condos for over 55. Specifically, is it low income? Is it income based? What are the stipulations going on with this condo? Thank you, Mr. Chairman.

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Mr. Coelho: Thank you.

Mr. Levesque: Mr. Chairman, at the appropriate time we'll be happy to answer the questions on the plan.

Mr. Coelho: Sure, thank you. Anybody else out there in the general public?

Ms. Lavoie: This is Eileen Lavoie, Mr. Chairman. I'm on 773 Chapin Street.

Mr. Coelho: Ok.

Ms. Lavoie: Ok, and I oppose this. It is all residential. I'm concerned about my water table. I'm concerned about wildlife, there is a lot of conservation land there. I'm also concerned if there are qualifications for income. I think that the developer trying to play something and trying to operate as an income producing piece of property that they want to build for the town. But, I'm looking out for the residents that live around there, and the wildlife and the preservation. So, you know, I am opposed to this.

Mr. Coelho: Thank you. Anybody else?

Ms. Carrier: Yes, Helene Carrier, 777. I am opposed to changing the zoning.

Ms. Hodgman: Yes, Elaine Hodgman, 1475 Center Street. I don't think spot zoning is a good idea in town. You're taking away the wildlife, the conservation land.

Mr. Coelho: Ok, anybody else?

Ms. Lavoie: Hi, this is Margaret Lavoie calling. Margaret Lavoie-Fuller.

Mr. Coelho: Were you the one that was on earlier?

Ms. Lavoie: Yeah, my son was on earlier, but I did call earlier.

Mr. Coelho: Ok, I just want to make sure we reach out to you. Go ahead, Miss Lavoie.

Ms. Lavoie: Ok, I am an abutter on the water part of it, but not only that, I have lived on that property for all my life. The thing is that amazes me is that we have a blueberry farm this guy wants to build up against. This swamp is huge, and then on the other side of it we have three ponds, one of which is a corner of that land that he's wants to build on. I'm strictly against it Ok. So, am I talking on here or what am I saying?

Mr. Coelho: ----

Ms. Lavoie: Ok. The other part of this that I want to say is because I've lived on that land all my life, I know that there's all kinds of animals that live there. There's also flowers that are extinct like the mayflower and the lady slipper. You know, if he messes up the water table in that ground, we could end up three ponds with no water in it, or we could end up with the swamp with no water which would become very mucky and a lot of breeding space for mosquitoes. The ponds that were affected when they put in Blisswood Village and they were affected when Big Y went in. As it stands right now, the water going in there has to come from rain or that kind of thing. If he messes up the water table again, we're in trouble. We could lose everything we have; the frogs, the ducks, the geese, whatever lives in the pond. That's my concern. I'm very, very conscious when it comes to conservation. As far as the plot line, I looked at it, just squeezing houses in there. How many units does he want and how many condos does he want? I mean, I have to say that this is really ridiculous, what I'm looking at and I'm strictly against it. I will go to any town meeting to --- or conversation meeting. Thank you for listening and I'll give someone else a point, ok?

Mr. Coelho: Ok, thank you. Anybody else?

(multiple people talking)

Mr. Coelho: Name and address for the record please.

Ms. Costa: Darlene Costa, 301 Holyoke Street, and I oppose for all the reasons that Miss Lavoie just gave, especially because of the wetlands. I oppose any change that could be done and I too will go to any meetings to stop. And that's it.

Mr. Coelho: Ok, thank you very much.

Ms. Costa: Thank you.

Mr. Coelho: Anybody else?

Ms. Beaulieu: Yes, hello?

Mr. Coelho: Name and address for the record please.

Ms. Beaulieu: Linda Beaulieu, 3 Letendre Ave. And I'm just calling --- opposed because all the habitation that's there to be ruined.

Mr. Coelho: Ok, thank you.

Ms. Beaulieu: And that's it. Thank you.

Mr. Coelho: Is there anybody else from the general public looking to speak on this?

(multiple people talking)

Mr. Coelho: Name and address for the record please?

Mr. Dusza: This is Nick Dusza at 795 Chapin Street, one of the abutters, directly next to where the street or the driveway would go in. I do want to comment and support Miss Lavoie-Fuller and the (opposal) for the reasons she stated. And also, Mr. & Mrs. Lavoie who spoke first about it, about making the concerns with expanding and possibly changing, you know, increasing the number of residences that could go in there. We start with, you know, I heard four, and then we're looking at seven to eight and then you guys are saying there's the possibility of up to 20 units. And looking at the plan, I 100% agree that it's way too many developments for such a small area considering of the seven acres there is a large portion of it that is blocked by wetland, and so it just does not, it doesn't make much sense. And when they're saying that they're going to stay within the protective boundary of conservation, there's not gonna be any woods left for any wildlife that does live back there. And knowing that I abut the land, I know that there is a lot more than just the actual wetlands themselves, you know, everything around it. So, I just again, want to say that I am also opposed to the residence change to Residence B and keeping it Residence A. Thank you.

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Mr. Coelho: Thank you. And anybody else?

Ms. Lapierre: Yes

Mr. Coelho: Name and address for the record please.

Ms. Lapierre: Gail Lapierre, 280 Holyoke Street. I abut the property. I would like to give you reasons why I'm against it. The property, now this information I'm gonna give you I read from Mr. Levesque's survey report. On Mr. Levesque's survey report it says that over 50% is wetlands, and it's in saturated condition. It also says on that report part of the soil consists of --- and muck, making it unsuitable for construction. I do remember Mr. Levesque saying there were only about four of the acres that could be buildable, but you have to realize that that's a very small area for him to put in a road, water, sewer, drainage, and the multi-family, and if he's talking about a 20 condo, let me tell you, 55's do have teenagers. There are many 55-year olds that have teenagers that still live at home. And so, it's, when you're building you change landscaping and so goes that water flow and that is one wet, wet area. It causes a negative effect to surrounding neighbors. Again, it's over 50% wetlands and I'd really hate to see us lose those wetlands. I am against this zone change. Thank you.

Ms. Royce: Mr. Chairman? This is Denise Royce of 127 Jerad Drive in Ludlow. I am the trustee of the house of Mrs. Lapierre's at 280 Holyoke Street. She is an abutter. And she has the longest shared property line with this property, so I too wanted to share my concerns regarding this variance request. And, you know, a lot of it revolves around concerns about property values, obviously. Looking at it, and thinking this request, ---

(multiple people talking)

Mr. Coelho: Keep going.

Ms. Royce: I'm sorry, there was just some strange noise, I just wasn't sure if I was getting in a loop ---. So, entrances --- will definitely have some impact to traffic congestion and noise. Other concerns, you know, the visual impact of building height, you know, how big are these buildings gonna be? How tall are they gonna be? Potentially things like dumpsters? --- esthetics with reduction of the wooded areas. Those are concerns about the wetlands, again, with being the longest property line abutter, definitely concerned with shared wetlands between the

two properties. There is substantial shared wetlands, if you will, between 280 and this proposed variance lot. The water's all one. There's no dividing or putting a fence between the water, so we definitely have concerns there. And I guess the last thing is I'm concerned with the proposal for variance. What's the hardship that we're resolving by providing this variance? My thought process is that this was known to be Residential A, surrounded by Residential A at the time of purchase, so I'm wondering if this variance is actually gonna do and try to remedy something that's really a self-induced hardship. I think that's, those are my questions, my concerns, and why I oppose it. Thank you for your time.

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Mr. Cira: Mr. Chairman?

Mr. Coelho: Yes.

Mr. Cira: My name is James Cira. I live at 23 Holyoke Street and I'm against the change along with everybody else for the same thing, the wildlife --- place for a multi-family at all with that much wetlands. If you've been back there or you know that area, it's really wet and one of my biggest concerns is, you know, with whatever drainage they're gonna put in, where's all that water gonna be directed towards Holyoke Street? Are all of us gonna have more water in our yards? --- what can happen once ---. So, I'm definitely against it and that's all I got for you. Thank you.

Mr. Coelho: Ok, thank you. Anybody else that hasn't spoken yet?

Ms. Lapierre: Yes, my name is Deborah Lapierre, I live at 280 Holyoke Street. I'm an abutter. In addition to all the other concerns, I have a concern. There's a new school going up right around the corner from here, and I understand it's a 55 and over population, but 55 and over people are still out and about. They drive around. They're back and forth. It's gonna cause more congestion --- school. That's one of my major concerns with the traffic as well as environmental concerns. There's all kinds of animals, plants and everything else back here. Thank you.

Mr. Coelho: Ok, thank you. And anybody else? Ok, hearing none.

Mr. Levesque: Mr. Chairman, this is Rob Levesque.

(multiple people talking)

Mr. Coelho: Ok, let's go. Name and address for the record please. Speak into your phone so we can hear you.

Mr. Chaves: Yes, this is Darren Chaves, 230 Holyoke Street. Yeah, I want to oppose that too.

Mr. Coelho: Ok, thank you for being brief.

Mr. Chaves: Thank you. And anybody else?

Mr. Chaves: Yes, John Chaves.

Mr. Coelho: Address please?

Mr. Chaves: It's 236 Holyoke Street.

Mr. Coelho: Ok.

Mr. Chaves: And I'm just opposed because the impact on the wildlife and ducks and stuff. They're getting all screwed up even over here where I have near Murphy's Pond and the ducks aren't coming here like they used to, you know. So, if they put something like that up down here, the ducks are all gonna disappear and then other animals are gonna disappear also. Ok, thank you.

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Mr. Coelho: Thank you. Anybody else? Ok, I'm not hearing anybody else. At this point we're running way behind.

Mr. Phoenix: Mr. Chairman?

Mr. Coelho: Mr. Phoenix.

Mr. Phoenix: I just wanted to mention so that the people who are listening are aware that this isn't a variance, and because it's not a variance it doesn't require that there's a hardship. It just requires that, as far as our recommendation at Town Meeting, it requires that we believe that it's in the Town's best interest to grant this zone change from the old zoning to the new zoning, and then we go to Town Meeting so that they can make that same determination for themselves with the benefit of whatever information we give them at our vote tonight. But, it doesn't require a hardship for a zone change.

Mr. Coelho: Ok, thanks for clearing that up. Anybody else have anything to say before I get a motion?

Mr. Levesque: Yeah, Mr. Chairman, Rob Levesque for the applicant. I'd like to just speak briefly to most of the comments. I took copious notes, if I could have just a moment, I'd like to speak to that.

Mr. Coelho: Certainly ---.

Mr. Levesque: Thank you sir. I'll be brief. Just to clarify for the abutters and the people that are concerned. We know this is something that is a concern for people when it happens in their backyard. They wonder what's gonna happen. They wonder about wildlife, etcetera. It's just important for people to understand that there is a Conservation Commission that regulates all the wetland resource areas and the buffer zones there too. Anything that we would do would be required to go through their process. In this particular case, we do have the wetlands determined and delineated already. We know where they are. We'd generally be staying away from them. We won't be impacting any of those wetland resource areas. Regardless of whether the zone change happens or not, this property is developable from a residential standpoint. It's an upland area that we want to develop. And again, the unit count, the lot count may be different, but certainly the impact that people are anticipating is something that is allowed by right. A subdivision of land is allowed by right in Massachusetts specifically under Ludlow Subdivision Control Laws. So, these folks, when you're talking about the ducks, and they're talking about these other animals and different things that they want or are concerned about, it really is not necessarily germane to our specific request. It's something to talk about specific to the Conservation Commission, but specific to the animals and the conservation. That is a

Conservation matter. We're strictly talking about use. But terms of overall impact that will potentially affect wildlife and conservation, we anticipate we'll have less. We anticipate that if we are granted the zone change, this will allow us and the Planning Board, instead of just the Conservation Commission, it would allow Planning Board more control under through their site plan approval process. We can't impact storm drainage, and water, and offsite. We cannot dewater wetlands. We cannot add more water to wetlands, we're supposed to must match pre and post development conditions.

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Mr. ---: You can locate it somewhere else.

Mr. Coelho: Sir, please, we can't have anybody interrupting. They didn't interrupt you guys. Thank you.

Mr. Levesque: Thank you. And then, so, and then there was a question about the units and what type. This is not, although Mr. Capua is more than happy to put a deed restriction on for 55 and over, this is not in any way, or any shape, or form a low income or an affordable housing project in any way, shape, or form. The unit types will typically have a two-car garage, a first floor master, and one to one and a half stories, so maybe a gable, not high units, very nice residential scale, very quiet nestled community, extensive landscaping. There's been discussion about providing a gate, a controlled access, certainly something on the higher end, side of things, not out of the market, but certainly a higher end unit type. These would be kind of, you know, duplex style units we'll call them. So, they would be side by side units, and yes, as we had discussed, there would potentially be the potential for approximately twenty units. However, the overall impact of the area would be much less. So, this question that we raised tonight, with the Planning Board, is really a question of use, not a question of whether this property will be developed or not. I hate to say that. It's been purchased by the developer. It's kind of a forgone conclusion. We fully expect to develop this either as a subdivision, or if given the opportunity, we think a less impactful more advantageous active adult community. But, thank you very much.

Mr. Coelho: ---

Mr. Queiroga: ---

Mr. Coelho: Mr. Queiroga I'm talking, please. And there is the rule of unintended consequences with these kinds of things. And I get that as well as anybody does, but there also has something to be said about giving the people what they want. So, we're gonna go down this road right now, and we're gonna see what happens. That's the best I can say without ---. But I guarantee developer's got a Plan B and never as pretty as Plan A. But, with that being said, I think we've heard enough on this, we have to get moving along. So, I'd be willing to entertain a motion.

Mr. Phoenix: Mr. Chairman.

Mr. Coelho: Mr. Phoenix.

Mr. Phoenix: I will make a **MOTION** that, based on the fact that there's no abutting Residential B property and the overwhelming desire of the abutters, that the property remain zoned Residence A, as-is, that the Planning Board recommend disapproval of this zone change at Town Meeting.

SECOND Ms. Houle.
4-1 in Favor. (Mr. Queiroga)
Roll call vote: Mr. Quiterio – yes; Mr. Queiroga – no; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho - yes.

Mr. Phoenix: **MOVE** to close the public hearing.
SECOND Ms. Houle.
5-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho - yes.

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The public hearing closed at 8:14 p.m.

APPROVED:

Kathleen J. Houle
Kathleen Houle, Secretary

su

Documents: Master application; Petition for Zoning Map Amendment (August 21, 2020); Layout & Materials Plan – 0 Chapin Street Ludlow, MA (September 9, 2020); Assessors' Map 11D; Letter from Board of Selectmen forwarding application for zone change (August 27, 2020); Email from Julie DiCesare re: opposition to zone change (9/10/20)

(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 SKETCH
1085 Center Street (Assessors' Map 24, Parcel 69A)
Manuel D. Silva
(update site plan to show new auto sales lot)
September 10, 2020

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PLANNING BOARD MEMBERS

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

The hearing began at 8:15 p.m. in the Selectmen's Conference Room via Telephonically. (by order of the Governor's March 10, 2020 order titled "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, § 20" due to the COVID-19 Virus Outbreak)

In attendance: Manuel Silva, Ed Godin (abutter)

Mr. Stefancik read the legal notice for the Chairman and reviewed the application. The legal notice included the description of: update site plan to show new auto sales lot.

Mr. Coelho: Thank you Doug. I did find the file here. So, I have one comment from other boards, and that's the Board of Health, and they don't have any comments. So, that's in the record. Is there any other things that I'm missing Doug? I have the sketch.

Mr. Stefancik: The DPW had no comments, the Safety Committee had no comments. I had the plan meets criteria for a site sketch. And then we had a letter that came in from a neighbor, it's, I can read that for you. *(Mr. Stefancik read the letter from Philip Foisy and Antonia Golinski-Foisy)*

Mr. Coelho: Ok, so the zoning on this is industrial, correct?

Mr. Stefancik: That's correct, yes. That and the front parcel, I believe the house --- industrial. I think out in this area, that's the only area that's industrial.

Mr. Coelho: ----

Mr. Stefancik: Correct. That's correct.

Mr. Coelho: Right? --- in an industrial zone?

Mr. Stefancik: Auto sales is allowed for industrial, yes.

Mr. Coelho: Ok, ok is the developer here?

Mr. Silva: Yes Mr. Chairman, Manny Silva is on the phone.

Mr. Coelho: Mr. Silva, how are you? Thank you for your patience.

Mr. Silva: Yeah, that's fine.

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Mr. Coelho: Why don't you go ahead and give us a description verbally of exactly what you want to do over here and how it would benefit the town.

Mr. Silva: This is virtually, just a moving the auto sales license from Center Street in Ludlow which it used to be Center Street Auto Sales, and it's gonna be taken out of there and we're moving it up to 1085 which is the, as someone had mentioned, it is an acceptable parcel in the industrial area. And it's set back quite a bit, so it's really not going to affect neighbors or it's not going to affect the landscape of the property. Most of it will not even be visible. It's going to be a mostly internet type situation with parking of some vehicles there. So, anything else I am available to answer questions.

Mr. Coelho: Is there any plans on doing --- cutting around the current building? I'm looking at Google Maps.

Mr. Silva: There is nothing at all going to be done there other than just delineating the parking for the cars.

Mr. Coelho: Ok. Ok, anybody else on the Planning Board have any questions?

Mr. Phoenix: Mr. Chairman?

Mr. Coelho: Mr. Phoenix.

Mr. Phoenix: What was the prior use in that building? Was that a machine shop back there?

Mr. Silva: Yeah, that machine shop used to be, that building used to be a machine shop, and right now the owner is using it as a, happens to be the owner for Alves Fuels, and they use it for some ductwork, that's it.

Mr. Phoenix: Thank you.

Mr. Coelho: Do you anticipate doing a lot of advertising for foot traffic over there, foot traffic, you know.

Mr. Silva: I doubt very much in that area there'll be very much foot traffic at all. I'm obviously gonna do some advertising which will be internet based and whatnot, but.

Mr. Coelho: People are gonna want to come and see the cars, I guess, right?

Mr. Silva: I doubt anybody will buy a car sight unseen, although they are these days with the internet service, but mostly people will come down and visit, and it will probably be by appointment mostly.

Mr. Coelho: Right, so we're not talking Balise Auto Sales on Center Street.

Mr. Silva: No, we'd have to come back down to Center Street in the more livable and retail area.

Mr. Coelho: Yeah, ok. Anybody else on --- any questions? Ok, I'm gonna go open it up to the public. Is there anybody on the line from the public looking to speak to the site sketch for 1085 Center Street? Please state your name and address for the record.

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Mr. Godin: Ed Godin.

Mr. Coelho: Ok Mr. Godin, address please.

Mr. Godin: --- Wilbraham. I'm a neighbor at 1077. I own the property at the solar farm which is his abutter.

Mr. Coelho: Yup.

Mr. Godin: I got a question. First about the sign. Is he gonna put a sign out at the street?

Mr. Silva: Mr. Chairman, if I could answer that?

Mr. Coelho: Yes, Mr. Silva, go ahead.

Mr. Silva: Actually, the Bylaws of the Town of Ludlow require that there's signage with the hours and whatnot be posted up. So, there'll be a small sign put up there, yes.

Mr. Godin: Ok, how about the hours? That's an 8:00-5:00 neighborhood out there. I don't live there, I work there. I'm just concerned about the 8:00-5:00. Is that something that you can handle or at least agree with?

Mr. Silva: Yeah, I would say that what the regulations are, I believe that the licenses for the auto sales right now, there all 8:00-5:00 ---.

Mr. Godin: Ok, I'm just trying to help out the neighborhood, that's all. I'm not against the car lot. There's two businesses there now, are you going to move up there all by yourself or is there going to be other businesses up there with you?

Mr. Silva: No, no, the duct work is gonna take most of the building. If you can see the sketch there, sir. The corner of…

Mr. Godin: I got the sketch.

Mr. Silva: Yeah, the corner of the building will be the office for the auto sales, and then the front part will be the portion for parking. But, the main…

Mr. Godin: Ok, I just didn't know if there was other businesses gonna be involved in that property, that's all.

Mr. Silva: ----

Mr. Godin: --- car lot up there. I'm not against the car lot at all. I just want the information up front, that's all. Thank you.

Mr. Silva: You're welcome.

Mr. Godin: How about fencing? Are you trying to fence that in?

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Mr. Silva: At this time no. If it does, if it does, you know, become vandalism and stuff and it's needed, then we'll have to make that decision later.

Mr. Godin: Ok, that's it for me.

Mr. Silva: Thank you.

Mr. Coelho: Thank you Mr. Godin.

Mr. Godin: Ok.

Mr. Coelho: Anybody else? Ok, I'm not hearing anything. Ray, procedurally, where are we at with this?

Mr. Phoenix: Well, we have this in front of us as a site sketch in a public hearing since we didn't waive the hearing on it, which I'm guessing was because this is a little bit different than the use that was already in there, but I think, all we really need to do is have a motion in the standard form to either approve or to deny the site sketch which realistically the criteria for the site sketch are the table which is included on the site plan, so I don't see any reason that we would have to not approve it at this time since it meets the criteria in our bylaw.

Mr. Coelho: Ok, and do we, if we are gonna make it a motion to approve, I think I'd like to hear the operating hours of 8:00-5:00 or 7:30-5:30 to give them a half hour to get in and have their coffee or something.

Mr. Phoenix: Well, we can ask for that, but I don't know that we can require that since there's no special permit.

Mr. Coelho: Ok, but that's still regulated for the auto license Mr. Silva?

Mr. Silva: Yes, the auto licenses have restrictions on the timing for whatever it is, and quite honestly, I don't think we'll be there that long.

Mr. Coelho: Yeah, right, right, right, ok. And you do realize they're limited to the amount of cars that are limited by the spaces on this plan, site sketch. That's pretty obvious.

Mr. Silva: Oh yes, actually we'll put ample parking in there for them just to make sure, but I doubt very much, again, that we'll have that many cars there at all.

Mr. Coelho: Umm, alright.

Mr. Phoenix: Mr. Chairman, I'm actually looking at the chart, and I'm looking at it a little bit more closely, I think there might be a mistake on here. So, I think we might need to just have the

chart cleaned up a little bit because the parking space count, at the very least, is off. Because it's showing the required parking is seven, --- is eight, and I don't see the number of spaces that are actually there. So, it's missing something in the chart as far as the total number of spaces, 'cause there's 24, I believe, it shows on the plan itself, but that number is not on the chart. So, I will make a **MOTION** in the standard form to approve the site sketch with the addition that the altered include that 24 total parking spaces on the chart.

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Mr. Stefancik: Can you approve the waiver first?

SECOND Mr. Queiroga.
5-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

Mr. Phoenix: **MOVE** to close the public hearing.
SECOND Ms. Houle.
5-0 in Favor.
Roll call vote: Mr. Queiroga – yes; Mr. Quiterio – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

The public hearing ended at 8:29 p.m.

APPROVED:

Kathleen J. Houle
Kathleen Houle, Secretary

su

Documents: Master application; Comments from Town Departments/Boards; Request for waivers; Letter from Philip Foisy and Antonia Golinski-Foisy re: opposition to business (9/6/20); Site Sketch – 1085 Center Street Ludlow, MA, owned by S & R Realty Properties, LLC (March 17, 2020)

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