TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
October 8, 2020

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2020 NOV 13 P 2:46
TOWN OF LUDLOW

PLANNING BOARD MEMBERS

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

The meeting began at 7:02 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 – 50 East Akard Street (Map 16B, Parcel 82D) Kelly Partridge (online clothing business)

SEE ATTACHED MINUTES

PUBLIC HEARING – SPECIAL PERMIT / ESTATE LOT – 0 Lyon Street (Map 7, Parcel 32-1) Michael Chernick, Personal Representative (estate lot)

SEE ATTACHED MINUTES

APPOINTMENT – Jeff Daley & Tom Reidy – Westmass – Mill 8 discussion

Attorney Tom Reidy – Bacon & Wilson; Adam Stein – Winn Development; Lauren Canepari – Winn Development; Rich Whitehouse - VHB were present for the appointment.

Atty. Reidy explained that the project would consist of a mixed-use redevelopment. He said that they've agreed with Westmass for them to build out the first floor as commercial, with Winn Development being responsible for the site work and the development of the residential upper floors. He said that they need to start moving through the Department of Housing and Community Development (DHCD) process at the end of the month, then will be filing with the Town of Ludlow Planning Board for site plan approval, and then with the Administrative Review Committee for approval of the plans for the project.

Mr. Whitehouse explained the landscaping details which were shown on the screen. He also noted that the interior of the building will include 92 residential units, with 144 required parking spaces for the residential use, and includes the construction of 17 parallel parking spaces along State Street which are intended to help support some of the commercial uses. Mr. Whitehouse said that, along the street, the project proposes to create a sidewalk connection between the recently constructed sidewalk on Mill 10 that would extend past the parallel stalls and connect to the existing sidewalk at the intersection of East Street. He mentioned that there will also be an outdoor courtyard area for the residents and commercial use.

Ms. Canepari explained that there will be 92 units (10 two-bedrooms & 82 one-bedrooms) of residential housing for tenants 55 and over and approximately 40,000 square feet of commercial space. She noted that the one-bedroom units will range from 850-1,200 square feet, with the two-bedroom units ranging from 1,200-1,700 square feet. Ms. Canepari also mentioned that there will be 5 units for disabled tenants, and approximately 46 affordable units. She said the clock tower will also be restored and that the commercial spaces may consist of office spaces, coffee shop, or perhaps a small eatery.

Mr. Phoenix: I'll make a **MOTION** at this time to draft a letter for Winn Development and for Westmass indicating that we're still pending an official hearing, but based on the preliminary presentation that we've had, the Planning Board is in favor of the project as designed and looking to see it move forward into a more formal state.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

Mr. Phoenix asked whether the Planning Board could ask Westmass to give an updated overall plan of the area showing which projects are in process, which projects have been completed, and what is yet to be done.

Mr. Phoenix: I will **MOVE** to request that Westmass provide an updated plan as discussed.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

Documents included: Mill #8 Redevelopment Winn Development 100 State Street Ludlow, Massachusetts Conceptual Site Plan (7 pages) (October 7, 2020)

APPOINTMENT – Armand Deslauriers – Concept of Phase II

Armand Deslauriers was present for the appointment.

Mr. Deslauriers explained that this is an informal meeting regarding the egress of Phase III of the Parker Lane Hundred Acre Wood Project. He said that a plan was put on social media not showing the egress off of Ventura Street, but that it was just a concept plan for someone who had wanted a certain lot, and that he was interested in purchasing the Machado property for an egress out to East Street, but that isn't going to take place. Mr. Deslauriers remarked that he is about to submit a Definitive Plan for Phase III with the egress out onto Ventura Street. He noted that he is not going to have the second egress onto Ventura Street due to the steep grades, and that it's going to be a cul-de-sac instead. He said that as an alternative he created a street called Equinox Pass that will go over to the egress to Ventura Street.

ANR – 405 Ventura Street (Map 31, Parcel 121) Launa Beth Saleh (division of Lot 1 from remaining land)

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Don Frydryk and Luana Saleh were present for the appointment.

Mr. Frydryk explained that they divided the parcel into two lots with one lot being just over 40,000 square feet, and the remaining lot just over 15 acres.

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

Mr. Phoenix: I'll make a **MOTION** in the standard form to endorse the ANR as presented.
SECOND Mr. Queiroga.
4-0 in Favor.
Roll call vote: Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

Documents included: Master application; Lot Division Plan – Ventura Street & East Street - Plan of Land in Ludlow, MA – Prepared for Cynthia M. Saleh & Paul D. Machado (9/30/2020)

ANR – 40 Belmont Street & 0 Clarence Street (Map 12C, Parcel 18 & 13) Bradley A. Smith (combine 2 lots)

Bradley Smith was present for the appointment.

Mr. Smith remarked that he's looking to put the two parcels together so that he can build a garage, as per the suggestion of the Building Inspector, Justin Larivee.

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

Mr. Phoenix: I'll make a **MOTION** in the standard form to endorse the ANR as submitted.
SECOND Mr. Queiroga.
4-0 in Favor.
Roll call vote: Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

Documents included: Master application; Plan of Land – 40 Belmont Street, 0 Clarence Street Ludlow, MA owned by Bradley A. & Kristen L. Smith (9/13/2020)

ANR – 41-43 Owens Way (Map 30, Parcel 51) Paul S. Smith (transfer parcel to 1068 East Street to correct shed encroachment)

Paul Smith was present for the appointment.

Mr. Smith explained that the parcels were previously owned by the same party and that they had placed a shed over the parcel line. The properties were recently sold with this encroachment and the ANR will remedy that.

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

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Mr. Phoenix: I'll make another **MOTION** to endorse the ANR as submitted in the standard form.
SECOND Mr. Queiroga.
4-0 in Favor.
Roll call vote: Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

Documents included: Master application; Subdivision Approval Not Required Plan – 1068 East Street and 41-43 Owen's Way Ludlow, MA – owned by Raul G. & Maria J. Fraga and Mario A. Campora (October 5, 2020)

File Mail Item #51 – Letter of concern re: tree removal and construction in lots behind Willard Street & Wedgewood Drive from residents of Wedgewood Drive, Grandview Avenue, Willard Street

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File Mail Item #52 – Change of Address for 0 Center Street & 533 Center Street from Dept. of Inspectional Services

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Consent Agenda:

The Board approved the Consent Agenda under unanimous consent.

- FILE Mail Item 50. - Legal Notices from surrounding communities
- APPROVE/SIGN Minutes of September 24, 2020
- SIGN Special Permits:
  - Jon E. Schneider – 8 Auburn Street (home improvement business)

Home Occupation: owners want Home Occupation in rental property

Mr. Stefancik said that he has had two people inquire about having a home occupation in rental properties (193 Center Street, 597 Chapin Street). Mr. Stefancik remarked that one of the Home Occupation Criteria is: *The use is pursued by a member of the family residing in the dwelling with not more than two non-resident employees.*

The Board agreed that that would be a huge deviation from the Bylaw, and that it would not be allowed.

Appoint Associate Planning Board Member

The Planning Board interviewed the applicants (Christine Saloio, Lisa Dowers, Joshua Carpenter) at the meeting of September 24, 2010.

Mr. Queiroga: --- making a **MOTION** to approve Josh Carpenter and see how that works.

SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Phoenix – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Coelho – yes.

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Mr. Phoenix: I'll make a **MOTION** to adjourn.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

Meeting adjourned at 8:14 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 – SPECIAL PERMIT / HOME OCCUPATION
50 East Akard Street – Kelly Partridge
(online clothing business)
October 8, 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 (Absent)

The hearing began at 7:03 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: Kelly Partridge, abutter

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

Mr. Coelho: So, if, Ms. Partridge, you could go ahead and give us a brief description of what you're planning on doing over there?

Ms. Partridge: Sure, I am having a hard time hearing though, there's a lot of ---

Mr. Coelho: Ok, if there's anybody on the line, if you all just mute your phones until it's time for public comment, and then I'll call on you. That would be great. How's that Ms. Partridge, a little better?

Ms. Partridge: Ok, yeah that's a little bit better.

Mr. Coelho: Ok, great.

Ms. Partridge: So, my business is called Contribution Clothing, and what it is, is a mission driven online boutique and it has a focus on female empowerment. So, --- partner with different non-profits in Western Mass and I provide a quarterly monetary donation to them. My business is mainly online. I am planning on having like a little boutique room in my home, mainly for family and friends. I'm not planning on having, you know, people coming into my home shopping, anything like that. And, yeah, that's mainly the gist of it, it's pretty straight forward.

Mr. Coelho: I'm just reviewing your application here.

Mr. Queiroga: Mrs. Partridge?

Ms. Partridge: Yes?

Mr. Queiroga: This is Joe Queiroga, one of the members of the Board. Do you plan to do most of your promotion online?

Ms. Partridge: Yes sir, yup.

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Mr. Queiroga: Ok, and you own the house, right?

Ms. Partridge: I don't own the house. My boyfriend owns the house.

Mr. Queiroga: And he has signed the application, correct?

Ms. Partridge: Yes.

Mr. Queiroga: --- ok, thank you.

Mr. Coelho: Anybody else? Mr. Phoenix.

Mr. Phoenix: Well based on the description from the applicant I would like to make two MOTIONS at this time, so that you can kind of go forward --- comment. I would like to make a **MOTION** in the standard form to find that this is a suitable home occupation under the Bylaw. And also, further I would like to **MOVE** to approve the request for a waiver --- in favor of a sketch and photos as provided by the applicant.
SECOND Mr. Queiroga.
4-0 in Favor.

Mr. Coelho: Ralph's not on, correct? So, that motion passes 4-0, correct? Ralph, are you here? Ok, he's not here. Ok, now.

Mr. Stefancik: --- roll call.
Roll call vote: Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

Mr. Coelho: I'm assuming that you guys are taking care of the invoices for Turley through the mail or something?

Mr. Stefancik: Yeah, we'll send those out.

Mr. Coelho: Ok, now we have here pictures of her space that she's gonna use. I don't know if those are available, yeah those are available on the email, right?

Mr. Stefancik: They are, and they're on the web.

Mr. Coelho: Excellent. So, she has that and as far as I'm concerned it looks pretty good.

Mr. Stefancik: They're up on the screen, actually.

Mr. Coelho: You're not planning any signage are you, Miss Partridge?

Ms. Partridge: No, not at all.

Mr. Coelho: Ok great. It doesn't look like we have anything from any other town boards on this? I'm not seeing anything here.

Mr. Stefancik: No, no, no. I think there is an abutter, though.

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Mr. Coelho: There is an abutter on the line, yup. We're working our way down there. The checklists are taken care of nowadays by, we don't do checklists anymore. Ok, now I'm gonna go ahead and open this meeting to the public. If you could all please address your questions through me, the Chairman, and I will recognize you and then I will provide Miss Partridge the opportunity to answer. Is there anybody from the public that would like to speak to this public hearing for 50 East Akard Street?

Ms. Fraska: Yes, please.

Mr. Coelho: Could you state your name and address for the record?

Ms. Fraska: Yes, this is Diane Fraska from 49 East Akard.

Mr. Coelho: Ok. Ok, Diane, go ahead, would you like?

Ms. Fraska: I'm just questioning about vehicles, extra vehicles at the location. Kelly, if you're going to have a boutique room, just how much traffic is anticipated?

Mr. Coelho: Well, part of our permitting process indicates that's she's not allowed at any one time more than two vehicles that are non-residential in the driveway. So, the max she would be able to have there would be two at any given time, more than what she already has.

Ms. Fraska: Right, there's several vehicles obviously there now, so you know, extra vehicles or lots of extra vehicles obviously would be a problem, so ok.

Mr. Coelho: And again, Ms. Partridge, please correct me if I'm wrong, you're gonna be by appointment, so you know, you're not gonna be a constant flow of traffic?

Ms. Partridge: Exactly, yeah so, the majority of my business is online, I would say like 95%. I do have the occasional person stop in, but it is definitely by appointment since it's a business that's in my home.

Mr. Coelho: And how many employees expect on having?

Ms. Partridge: It's just me.

Mr. Coelho: Ok. Is there anybody else from the public on the line that wishes to ask a question? Ok, hearing none, Doug, I mean Ray, Ray have we touched on everything we need to touch on?

Mr. Phoenix: As far as I know, I was about to make a **MOTION** in the standard form to approve the Home Occupation.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

Mr. Coelho: Ok, I'll be willing to entertain a MOTION to close the public hearing.

Ms. Houle: **SO MOVED.**
SECOND Mr. Phoenix.
4-0 in Favor.
Roll call vote: Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

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Hearing ended 7:12 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 – SPECIAL PERMIT / ESTATE LOT
0 Lyon Street (Assessors' Map 7, Parcel 32-1)
Michael Chernick, Personal Representative
(estate lot)
October 8, 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 (Absent)

The hearing began at 7:12 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: Atty. Steve Silverman, abutter

Mr. Coelho read the legal notice and reviewed the application. The legal notice included the description of: estate lot.

Mr. Coelho: Ok, we're open, Mr. Chernick you still with us?

Atty. Silverman: No, it's Attorney Silverman. I'm the lawyer for the estate.

Mr. Coelho: Oh, I'm sorry. Attorney Silverman, I'm apologize. It's tough when people are not right in front of me.

Atty. Silverman: Don't worry about it.

Mr. Coelho: Why don't you go ahead and give us a little brief narrative of what's going on over here.

Atty. Silverman: Well, I don't represent the purchaser, but it's John DaCruz from Ludlow. But, as far as I know, he's just gonna comply with the special permit requirements. I don't have any reason to think he's gonna do anything other than build a house there, which he'd have to get, as you know, permission from the Building Inspector as far as the plans are concerned, and the Health Department to put the septic system in. But, other than that, I don't know any more --- plans of course, which is 22 acres worth.

Mr. Coelho: Ok, so you're representing somebody, but you don't know what's going on, alright.

Atty. Silverman: No, I represent the estate that's selling the parcel.

Mr. Coelho: So, who's presenting these plans to us?

Ms. Houle: The estate.

Atty. Silverman: Well, I assume it's the estate, and Doug has the ten copies of the plans drawn by Levesque Associates.

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Mr. Coelho: Ok, just wanted to make sure we have the right person on the phone here.

Atty. Silverman: Yeah me too.

Mr. Phoenix: Mr. Chairman.

Mr. Coelho: Mr. Phoenix.

Mr. Phoenix: I just want to make sure that we have --- carving out tonight, correct?

Mr. Stefancik: Yes, that was already carved out. It just needed, it just needs a special permit to be an official estate lot.

(multiple people talking)

Mr. Phoenix: I understand, ---. Thank you, Doug.

Mr. Coelho: Ok, I'm going through the application here now, and it looks like our fees are paid. We have the owner's signature. Doug, you did a review on this? I see a lot of checkmarks and no red ink.

Mr. Stefancik: I did. It did meet the criteria for an estate lot.

Mr. Coelho: So that's pretty good.

Mr. Stefancik: The DPW looked at it and he was fine with it.

Mr. Coelho: We have a letter here from the Fire Department: *The Ludlow Fire Department has reviewed the plan of land as permitted. We have no comments concerning the Estate of Anthony Grabowski being turned into an estate lot.* Board of Health has no comments or concerns. And that's all I see here. Now you indicated what, verbally, the DPW said they're good with it?

Mr. Stefancik: Yeah, I have an email from Jim.

Mr. Coelho: We have an email. You want me to put that right in the file? This way, Doug, looks good, Jim. That's from the DPW. Ok, I don't see anything else. Does anybody on this side of the table have anything to add or ask about this plan? Anybody on the Planning Board like to ask any questions? Ray, I'm gonna resort to you as my technical expert. Did you have a minute to look at this thing pretty well?

Mr. Phoenix: --- meets or exceeds all of our requirements for what needs to be on here.

Mr. Coelho: Ok, now...

Mr. Phoenix: --- public comments and then pending that we can make a motion and see where that takes us.

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Mr. Coelho: Ok, is there anybody on the line looking to speak to this public hearing for 0 Lyon Street? If you could say your name and address for the record, please.

Mr. Maloni: Jeremiah Maloni, 1173 Lyon Street,

Mr. Coelho: Ok Jeremiah.

Mr. Maloni: How's it going?

Mr. Coelho: Good. How about you?

Mr. Maloni: I was just curious if you guys had a plan for like where the driveway's going and the grading of it and whatnot, like water runoff?

Mr. Coelho: We don't have any engineering on water runoff.

Mr. Maloni: No?

Mr. Coelho: But, it appears that the driveway goes...

Mr. Stefancik: No, that's Cross Road.

Ms. Houle: --- along Harry Hill's property.

Mr. Stefancik: That's 50, 50 feet is its frontage. They're not delineating a driveway or a...

Mr. Coelho: Yeah, so this is just a horizontal drawing indicating the parcel and where the driveway will be. There's no engineering or anything on the driveway yet.

Mr. Maloni: No? Ok.

Mr. Coelho: And it appears that the driveway's gonna be, looks like north of Harry Hill Lot 2 and south of Jeremiah Maloni, which is you. It's gonna be right in between you and them.

Mr. Maloni: Yeah, I figured that.

Mr. Coelho: But, there is no definitive engineering on any of the...

Mr. Maloni: No, ok.

Mr. Coelho: No, we just have to make sure that they have enough room. That's kind of where our purview ends, and then everything else is taken over by the...

Mr. Stefancik: And feet from each of the lot lines.

Mr. Coelho: Yeah.

Mr. Phoenix: As far as stormwater, that would be dependent on how much area they're gonna be disturbing while they're working on this. If they need to do a stormwater plan that would be reviewed through the Department of Public Works, but I would expect that that's probably not gonna come into play.

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Mr. Coelho: Being one house.

Mr. Maloni: How you doing? Dominik Maloni. I'm with Jeremiah at 1173...

Mr. Coelho: Ok.

Mr. Maloni: ...Lyon Street. Can you go back to the grading --- the driveway --- stormwater runoff?

Mr. Coelho: They'll be the ones that'll look at it more closely than we will when he decides to build. I don't know the exact permitting process for that.

Mr. Stefancik: For a single-family estate lot ---

Mr. Maloni: ---

Mr. Coelho: I'm sorry?

Mr. Maloni: It's a different board, it's a different department that would determine ---.

Mr. Coelho: Yeah, but even for a single-family house they're probably not gonna look at it either. It's gotta meet whatever building criteria through the Building Department and that's probably where the building permit's gonna be issued and that's gonna determine those kinds of things. DPW doesn't really involve itself with one single-family house.

Mr. Queiroga: Mr. Chairman?

Mr. Coelho: Mr. Queiroga.

Mr. Queiroga: Yes, just as a reminder. This is the initial one to legalize the land and an estate lot. There will be, has to be drawings that will come about later when they decide to build the house and where and how far. And so, there'll be more, the Building Inspector won't issue anything without a proper drawing, so this is just the initial one.

Mr. Maloni: Alright.

Mr. Coelho: Yeah, we haven't done too many of these, the process, there's gonna be another public hearing to do the? No, that's gonna go through the Building Department.

Mr. Stefancik: Go through building. If he needs something, then he'll send it out to whomever if DPW and stormwater come into play.

Mr. Coelho: Ok yeah, so their next step is gonna be to go through the Building Department and Justin our Building Inspector is the one who has say over those things when it comes to these residential houses.

Mr. Maloni: Ok.

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Mr. Coelho: Anybody else? Hearing none, I suppose I...

Mr. Queiroga: Mr. Chairman?

Mr. Coelho: Mr. Queiroga.

Mr. Queiroga: Are you looking for a motion?

Mr. Coelho: I guess I'm always looking for a motion. That's part of our job, so let's have at it.

Mr. Queiroga: Mr. Chairman, I make a **MOTION** to approve the special permit for the Estate of Anthony Grabowski at 0 Lyon Street, under 7.0.4 a-m with the condition that the special permit will run with the property and not with the applicant.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

Mr. Phoenix: **MOVE** to close the public hearing.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

Hearing ended 7:25 p.m.

APPROVED:

Kathleen J Houle
Kathleen Houle, Secretary

su

Documents: Master application; abutters list; Plan of Land in Ludlow, Massachusetts, Surveyed and Mapped for the Estate of Anthony Grabowski (September 30, 2020)

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