TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
November 12, 2020

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PLANNING BOARD MEMBERS

Christopher Coelho – Chairman (Absent)
Joseph Queiroga – Vice Chairman (Present)
Raymond Phoenix (Present)
Kathleen Houle (Present)
Rafael Quiterio (Present)
Joshua Carpenter, Associate Member (Present)

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

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 – 119 Barre Drive (Map 12B, Parcel 192) Lisa A. Dowers (massage therapy)

SEE ATTACHED MINUTES

The Board had a discussion whether the Associate Member can vote on special permits when there are four board members present. It was agreed that according to the Bylaws, the Associate Member can vote when one board member is absent.

PUBLIC HEARING – SPECIAL PERMIT / HOME OCCUPATION – 193 Center Street (Map 12D, Parcel 53) Jamie Jacobs (small scale salon)

SEE ATTACHED MINUTES

ANR – 590 & 596 Center Street (Map 16B, Parcels 116 & 114) Mark Manganaro (combine lots)

Mark Manganaro was present for the appointment.

Mr. Manganaro explained that he submitted the plan on behalf of CJM Properties and is looking to combine two lots on Center Street into a larger lot with a private way, so that it can be developed into a business. He said that both lots are in the AMD Zoning District.

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

Mr. Phoenix: Hearing nothing, I'm gonna make a **MOTION** in the standard form to endorse the ANR as submitted.

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

Documents included: Master application; Plan of Land – Center Street Ludlow, Mass. Owned by CJM Properties, Inc. – 592 Center Street Ludlow, MA 01056 (November 5, 2020)

ANR – 38 Lyon Street (Map 24, Parcel 42) Kenneth Butts
(give portion of land to 48 Lyon Street)

Mr. Butts was not present for the appointment.

Mr. Stefancik remarked that what Mr. Butts is looking to do is give a portion of his property to his neighbor next door at 48 Lyon Street.

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

Documents included: Master application; Subdivision Approval Not Required Plan – Lyon Street Ludlow, MA owned by Kenneth A. Butts and Meghan Ketchum (October 26, 2020)

Mail Item #56 – Letter from Captain Seth M. Falconer, Ludlow Fire Department re: Sofia's Way

Mr. Stefancik said that this was already discussed at the preliminary meeting for the subdivision (0 Chapin Street) and that Mr. Capua is aware of it and needs to search for another name. He also mentioned that Mr. Capua is aware of the sidewalk issue too, and that they expect to address the sidewalks when they come in for the definitive plan.

File Mail Item #57 – Letter from Joe Alves, Assistant Assessor re: Sofia's Way & Street Names

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Mail Item #58 – Email from Ellie Villano re: Town of Ludlow (General) By-law Review Committee

Mr. Queiroga read the letter that stated that the purpose of the committee is to review the general bylaws and make suggestions and proposed changes to update the Town Bylaw.

Mr. Phoenix **MOVED** to have Doug be our representative to the Bylaw Review Committee unless when he discusses it with Chris Coelho, Chris indicates that he would like the position in which case I would move that the position go to Chris.

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

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File Mail Item #60 – Variance from Ludlow Board of Appeals – 169 Cady Street

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File Mail Item #59 – Variance from Ludlow Board of Appeals – 208 Reynolds Street

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Consent Agenda:

The Board approved the Consent Agenda under unanimous consent.

- FILE Mail Item 55. - Legal Notices from surrounding communities
- APPROVE/SIGN Minutes of June 25, 2020, October 8, 2020, October 22, 2020
- APPROVE Change of Occupancy:
  - Thuy Vi Nguyen (nail salon) – 190 East Street (from cleaners to nail salon)
- SIGN Special Permits:
  - Kelly Partridge – 50 East Akard Street (online clothing business)
  - Michael Chernick, Personal Representative – 0 Lyon Street (estate lot)
- SIGN Release of Development Agreement – Boulder Creek Subdivision Dowd Court

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Mr. Phoenix: **MOVE** to adjourn.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Ms. Houle – yes; Mr. Quiterio – yes; Mr. Phoenix – yes Mr. Queiroga – yes.

Meeting adjourned at 7:44 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
119 Barre Drive – Lisa A. Dowers
(massage therapy)
November 12, 2020

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Raymond Phoenix (Present)
Kathleen Houle (Present)
Rafael Quiterio (Present)
Joshua Carpenter, Associate Member (Present)

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

The hearing began at 7:01 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: Lisa Dowers

Mr. Queiroga read the legal notice and reviewed the application. The legal notice included the description of: massage therapy.

Mr. Queiroga: Alright, tell us, Lisa, what you have in mind.

Ms. Dowers: Well, I am a licensed massage therapist. I have an elderly mom and I can't really spend time away from her. She's on oxygen 24/7. I do have my son taking care of her as well. And I just basically do body work and massage therapy. I won't be advertising. It will not be a walk-in service. There won't be a line of cars, it'll only be minimum, minimally used here 'cause I do have an office in Chicopee as well. And that's, for me to start a business here, I do need a certificate from you guys, from the state, from the Town of Ludlow. So, the Board of Massage Therapy come in and check out the area to make sure it's sufficient and safe for massage and body work, and they can't inspect until I apply and receive my business certificate.

Mr. Queiroga: You do have a license for massage therapy, don't you?

Ms. Dowers: Yes, I do.

Mr. Queiroga: 11035, ok. And you're the owner of the house, I'm assuming?

Ms. Dowers: Yes, myself and my son, yes.

Mr. Queiroga: Ok. Will you have any employees?

Ms. Dowers: No, just me.

Mr. Queiroga: And do you expect to have a little, do you have room where they can park when they come to see you?

Ms. Dowers: Oh yes. Yes, I do. My driveway's pretty big.

Mr. Queiroga: Ok do you ---.

Ms. Dowers: ---. I'm sorry, go ahead.

Mr. Queiroga: I was just gonna ask you if you were planning to put up a sign.

Ms. Dowers: No, I'm not advertising. It's only gonna be by word of mouth, no plans to advertise, nothing. It's only gonna be by word of mouth and there'll be people that I have worked on at my other business.

(multiple people talking)

Ms. Dowers: I had clients that contacted me and asked me if I was gonna reopen my business. I'm like, I told them no, I work in Chicopee and then they kept calling me and asking me if I am and I'm like, well I'll find out and that's when I contacted you guys to open it. So, it would be, like I said, very minimal.

Mr. Phoenix: Mr. Chairman?

Mr. Queiroga: Does members of the Board have any questions?

Mr. Phoenix: Yes, Mr. Chairman. I just, it's more of an informational thing than a question. I know the applicant was saying they're not looking to have any signage at the property. It looks like that is marked off as yes on the application, and it is ok for there to be a sign as long as it's less than two square feet in area, it can't be lighted, and it would require a permit from the building inspector for the sign. So, if that is something that you're looking to do, that is permissible as long as it falls within those guidelines.

Ms. Dowers: Oh no, I don't want to advertise. I had to leave Springfield for a good reason. Somebody in Springfield doesn't like me, so I will not be advertising. It's only gonna be word of mouth.

Mr. Phoenix: Ok.

Mr. Queiroga: Ok, so we can cross that off.

Mr. Phoenix: Mr. Chairman, based on the description of the business, I'd like to make a **MOTION** to find that the home occupation as described is a suitable home one under the Bylaw,

and further, since the applicant has sent in the request for the waiver of the full plan in favor of a sketch, and certainly seems to meet our criteria for that as well, I would further **MOVE** to grant the waiver request as well.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Phoenix – yes; Ms. Houle – yes; Mr. Quiteriо – yes; Mr. Queiroga – yes.

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Mr. Phoenix: Mr. Chairman, that's actually 4-0 because unfortunately Josh, although he can be in the hearing, can't vote since we have enough members of the board already.

Mr. Queiroga: Oh ok, I thought that ---.

Mr. Stefancik: Yeah, Josh can fill in because Chris is absent.

Mr. Phoenix: Well, it's a special permit but we're not missing enough members to need the quorum for the special permit, that would be if we're missing two members.

Mr. Queiroga: Ok, I stand corrected. Ok so, you can check back…

Ms. Houle: We didn't approve it yet.

Mr. Queiroga: Pardon me?

Ms. Houle: We still need a motion to approve it.

Mr. Queiroga: We need a, Kathy?

Ms. Houle: Mr. Chairman, I make a **MOTION**, that was for the waivers. I make a **MOTION** to approve the special permit home occupation for Lisa Dowers at 119 Barre Drive in accordance with 7.o.4 A-M and 6.2.1-6.2.13 with the restriction the permit run with the applicant and not with the property.

Mr. Phoenix: **SECOND** for discussion.

Mr. Queiroga: Go ahead.

Mr. Phoenix: I don't know that we have anybody from the public. But, I don't believe we asked for comments or questions at this point from the public.

Mr. Queiroga: I just asked if anybody --- was interested in this issue, and nobody spoke up.

Mr. Stefancik: We had nobody that called in the office either.

Mr. Queiroga: Ok, so there was a second, correct?

Mr. Phoenix: Yes.

Ms. Dowers: If anybody has any questions, they're more than welcome to call me if they wish.

Mr. Queiroga: Ok, you Lisa, just one more thing, you have signed, and you've read and understand the home occupation criteria, right?

Ms. Dowers: Yes.

Mr. Queiroga: And the special permit criteria, right?

Ms. Dowers: Yes.

Mr. Queiroga: Alright, did we take the vote on this?

Mr. Phoenix: No, we did not.

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

Mr. Queiroga: Good luck with your business Lisa, and there will be a twenty day period for anybody wanting to call in on this and you can call into the office and they will let you know when that's over and you can pick this special permit and register it at the Registry of Deeds so you don't have to go through this great procedure again.

Ms. Dowers: Thank you very much. I appreciate it.

Mr. Queiroga: Thank you and good luck.

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

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 – SPECIAL PERMIT / HOME OCCUPATION
193 Center Street – Jamie Jacobs
(small scale salon)
November 12, 2020

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PLANNING BOARD MEMBERS

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Joseph Queiroga – Vice Chairman (Present)
Raymond Phoenix (Present)
Kathleen Houle (Present)
Rafael Quiterio (Present)
Joshua Carpenter, Associate Member (Present)

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

The hearing began at 7:13 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 Jacobs

Mr. Queiroga read the legal notice and reviewed the application. The legal notice included the description of: small scale salon.

Mr. Queiroga: Jamie, could I ask you what you mean by a small scale with two resident employees one employee being yourself? Who's the other employee?

Ms. Jacobs: So, I have a niece who's also a stylist, who's just beginning, so she'll be at my house, you know, --- at times and probably also taking a couple of clients, hopefully, if you still say it's ok.

Mr. Queiroga: Ok, do you, she has a license I'm assuming?

Ms. Jacobs: Yup.

Mr. Queiroga: Ok, and members of the Board, do you have any questions on this one to start? Ray?

Mr. Phoenix: I don't have any questions, but I did actually check in the Town's General Bylaw and Doug is correct, I stand corrected.

Mr. Queiroga: Hey Doug, can you mark this date on our calendar? Fine, ok. I assume you own the house, right?

Ms. Jacobs: Yes, I do.

Mr. Queiroga: And are you asking, would you be inclined to put a sign on your house?

Ms. Jacobs: Yes, I was hopeful. I did look at the regulations on the website and it said a two by two sign which would be sufficient, if possible.

Mr. Queiroga: Is it gonna be lighted?

Ms. Jacobs: No, it doesn't need to be. Just so people can actually see, you know, where the house is during the day.

Mr. Queiroga: I'm sorry, go ahead. So, those are the only, it's only you and your niece, correct as employees?

Ms. Jacobs: Yeah, I mean, I was thinking there --- the two of us might be busy, so if there was a possibility of a friend of mine to help out or something with, you know, the front line, if anyone wants to buy products or make appointments or things other than hair. But yeah, just, you know, something very small, just a couple of chairs and I think two or three of us was what I was hoping.

Mr. Queiroga: Ok, do you have a, I'm looking at the pictures of your house.

Ms. Jacobs: Yup.

Mr. Queiroga: Do you think you have enough parking?

Ms. Jacobs: Yeah, the yard is pretty good size, the driveway's a good size. It's off of Chmura Street. In the backyard, much of the back is paved.

Mr. Queiroga: Ok.

Mr. Quiterio: Mr. Chairman?

Mr. Queiroga: Mr. Ray, Mr. Phoenix.

Mr. Quiterio: No, It's Ralph.

Mr. Queiroga: Oh Ralph, yes.

Mr. Quiterio: The only question I had would be the parking. Is there gonna be people coming in from Chmura Street, Center Street?

Ms. Jacobs: Yeah, most likely onto Chmura and pulling into the driveway and I was hoping kind of, you know, clear out a lot of the backyard to use for parking and I don't really want to have to maintain any grass.

Mr. Quiterio: So, the parking will be coming from Chmura or coming from Center Street?

Ms. Jacobs: Off of Chmura Street.

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Mr. Quiterio: Chmura Street.

Ms. Jacobs: The driveway's located now right off of, on Chmura Street even though the address is Center.

Mr. Quiterio: Yup.

Mr. Queiroga: Ok, I, Ray, do you have any thoughts on that, on having the, we know about the two, --- having a third chair being run on that site.

Mr. Phoenix: As long as it's meeting the criteria as far as the no more than two nonresident employees, I don't know that that part is technically a big deal. I think the bigger question is if there's gonna be people going in and out, maintaining multiple chairs, possibly needing a third person working for retail sales, and then there's gonna be paving of the grass to make additional parking space, I would have some question about whether that maintains the residential character of the property. I think that's something that we're gonna have to think about.

Ms. Jacobs: Ok.

Mr. Queiroga: Yes, and just try to be as accommodating as you can to your neighbors because --

Ms. Jacobs: Oh yeah, understandably so. Behind me is a big, the entire property is paved for a residential unit there, I think it's a 16 apartment right abutted to the back yard of my property.

Mr. Queiroga: Ok. Any other questions from members of the Board?

Mr. Phoenix: Do we have anything as far as, because I know we normally get a sketch of where the house is on the property, but normally we're not getting physical changes to the exterior. Do we have something on file showing the area that you're expecting to pave?

Ms. Jacobs: I did send in some photos of the current driveway in the backyard.

Mr. Queiroga: Yes, did you get those Ray?

Mr. Phoenix: They might be part of the package, but if there's gonna be changes from that, I certainly want to see what that's gonna look like before I'm able to move forward. Otherwise, you know, I'm not sure that this would be something where I'd want to waive a full registered site plan, you know. I don't know that it raises to that level needing it, but I --- to have something to look at to figure that out.

Ms. Jacobs: Ok, so a sketch of some sort for what we would hope to do with the backyard, which of course, we're in the process of doing construction on the inside, so we're not even ready to get to that point, but I can do something like that if that's what you're hoping for.

Mr. Phoenix: I think that would make me more comfortable. I can't speak for everybody else.

Mr. Quiterio: I agree with Mr. Phoenix as well.

Mr. Queiroga: If that's the case, would we be looking for a…

Ms. Houle: Continuation.

Mr. Phoenix: I think we'd be probably looking for whatever we get for comments, and then probably continue to another meeting to give the applicant time to prepare that.

Ms. Jacobs: Ok. My husband just wanted me to point out that, you know, this is not going to be a walk-in business necessarily. I mean, I guess I could randomly get someone for that, but I would expect it more to be appointment only and not, you know, major foot traffic and major parking issues, but right now I think I could probably fit four cars comfortably in the driveway, and you know, I'm not looking at having, you know, ten cars at one time, I don't believe. So, I think, you know, with a small addition to my driveway that I could accommodate the situation which will, of course, take time to get there. So, I mean, like I said, that I can sketch it out what it currently looks like and what I was hopeful for. ---

Mr. Phoenix: ----

Ms. Jacobs: A ton of traffic is what I'm saying.

Mr. Phoenix: And that's kind of what I think most of us are expecting, but we need to have it on paper as far as what you're looking to do so that we can actually make that decision based on is this still keeping with the residential character of the neighborhood and all that and…

Ms. Jacobs: Yup.

Mr. Phoenix: …making sure that all those things are taken care of. I think in your case it sounds like everything should be fine, but we need to have it actually on paper.

Ms. Jacobs: Ok.

Mr. Queiroga: That being the case, what's your pleasure here? Would it be, are we thinking about another meeting down the road? Do you need more than a couple of weeks Jamie?

Ms. Jacobs: No, no, if you're just looking for a sketch, I mean, I can do that. I can send it in tomorrow.

Mr. Phoenix: Well, our next meeting, I believe, is the 10th of December. Is that correct Doug and Sue?

Mr. Stefancik: That is correct, yup.

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Mr. Phoenix: Do we have anything on the agenda yet for that meeting?

Ms. Urban: We have a site plan at 7:15, so I don't know what time you want to.

Mr. Stefancik: We could do 7:30 on December 10th.

Mr. Phoenix: Does that work for everybody?

Ms. Jacobs: Yup.

Ms. Houle: Yes.

Ms. Jacobs: Is that a Thursday also, I'm assuming?

Mr. Phoenix: Yes.

Ms. Jacobs: Yeah, ok.

Mr. Phoenix: So, I will make a **MOTION** to continue until December 10th at 7:30 p.m.
SECOND Ms. Houle.
5-0 in Favor.
Roll call vote: Ms. Houle – yes; Mr. Quiterio – yes; Mr. Carpenter – yes; Mr. Queiroga – yes; Mr. Phoenix – yes.

The public hearing was continued until December 10, 2020 at 7:30 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).