TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
June 24, 2021

RECEIVED
TOWN CLERK'S OFFICE
2021 JUL -9 P 12:24
TOWN OF LUDLOW

PLANNING BOARD MEMBERS

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

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

PUBLIC HEARING – SPECIAL PERMIT / HOME OCCUPATION –
66 Mountainview Street Ext. (Assessors' Map 16A, Parcel 133) – Rebecca Kozaczka (pest control)

SEE ATTACHED MINUTES

Consent Agenda:

The Board approved the Consent Agenda under unanimous consent.

- APPROVE Change of Occupancy:
  - Cristina Afonso – 36 East Street (salon booth rental)
- APPROVE/SIGN Bills – Amazon Business (office supplies)

Zoning Bylaws & Subdivision Rules and Regs

Mr. Stefancik remarked that he started drafting some of the changes in the Subdivision Rules and Regulations:

Page 8. f. All perimeter monuments shall be set prior to street acceptance of the subdivision.
Mr. Stefancik said that the applicants are always asking for waivers on this, and that this change would allow the applicants more time to have the subdivision completed, but before street acceptance. Mr. Phoenix suggested that it be done before the surety is released so that the pins are in place before the lots are divided out and sold/conveyed and validated prior to acceptance.

Page 9. p. Section removed, no longer relevant.
Mr. Stefancik noted that he took out "All definitive plans submitted shall include the Town of Ludlow Standard Specifications Sheets 1-3 (latest revision) and any other pertinent special specifications and details requested by the Department of Public Works." per the request of Jim Goodreau, DPW who said it's irrelevant at this time.

Page 10. w. Existing trees do not need to be identified in the proposed roadway, sidewalks, the right-of-way areas, and in stormwater basins.
Mr. Stefancik asked the Board if they want to do more with this section because we typically are finding that people are cutting everything down, so perhaps note the areas where there won't be any trees, but on the lots mark the percentage of trees that does need to be kept and have a three to five-foot buffer.

RECEIVED
TOWN CLERK'S OFFICE
2021 JUL -9 P 12:24
TOWN OF LUDLOW

Mr. Phoenix said that he thinks that the trees need to be marked so that the Board knows how many of the large trees are on the property so that it can be determined if there needs to be any replacement of trees.

Mr. Stefancik commented that this is a frequent waiver that is granted on the subdivisions.

Mr. Phoenix remarked that the Town has a tree warden and an engineering department and that perhaps they should come into a Planning Meeting for further discussion on this.

Page 12. (1) By a covenant, executed and duly recorded by the owner of record, running with the land, whereby such ways and services shall be provided to serve any lot before such lot may be built upon or conveyed, other than by mortgage deed: provided that a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of such premises or part thereof may sell any such lot, subject to that portion of the covenant which provides that no lot shall be built upon until such ways and services have been provided to serve such lot; and provided, further, that nothing herein shall be deemed to prohibit a conveyance by a single deed, subject to such covenant, of either the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Planning Board. A deed of any part of the subdivision in violation hereof shall be voidable by the grantee prior to the release of the covenant but not later than three (3) years from the date of such deed.

Mr. Stefancik said that he attached a Covenant Form and a Release of Covenant Form in the back of the Subdivision Rules and Regulations.

Page 14. (8) If lots are held under clause (1), Covenant, all lots are to be released and the developer may choose a performance bond or bank book as security for the remainder of the work to be completed.

Mr. Stefancik explained that he added this clause in case there is still work that needs to be done, the developer can choose to go to a performance bond or bank book for the rest of the completion.

Mr. Coelho suggested that #8 be after #5. Mr. Stefancik will insert #8 (Reduction of Bond or Surety and Release of Covenant) and #9 (Release of Performance Guarantee) after #5 (Performance Guarantee) and renumber.

Page 21. h. Stormwater detention/retention basins are to be maintained by a Homeowners' Association.

Mr. Stefancik noted that he added this into the Regulations.

Page 23. 5a. All main or distribution pipelines used for the transmission of gas shall be placed underground within the subdivision, in a location and at a depth approved ***by the gas provider and DPW/Engineering. Sleeves will be installed to all lots so gas service can access the property.*** *Related*

equipment and accessories shall be installed in conformance with the Department of Public Safety Standards.

Mr. Stefancik said that he added (the bolded area above) per the request of Jim Goodreau as the prior verbiage read: *in a location and at a depth approved by the Planning Board. Related equipment and accessories shall be installed by conformance with the Department of Public Safety Standards.*

RECEIVED
TOWN CLERK'S OFFICE
2021 JUL -9 P 12:24
TOWN OF LUDLOW

Page 50. Definitive Plan Checklist Form
Changed: *9 sets of prints to 10 sets of prints*
Removed*: A copy of the sanitary discharge application, where applicable*

Mr. Phoenix suggested that the Statement of Completeness on the Definitive Plan Checklist Form be made more visible.

Mr. Stefancik mentioned that he attached a Release of Development Agreement Form to the back of the Subdivision Rules and Regulations. He said that some of the attorneys have recently been asking for this release in some of the new subdivisions.

Mr. Phoenix remarked that he is looking to hear more from Engineering on some of the changes, and then have Town Counsel review the changes before the public hearing. Mr. Stefancik said that he wants Jim Goodreau to look through the Subdivision Rules and Regulations more thoroughly for any additional changes. Mr. Coelho asked for an email chain between Mr. Stefancik and Mr. Goodreau for any discussion. Mr. Phoenix requested that Mr. Goodreau come to a Planning Meeting to discuss any questions.

Documents included: Rules and Regulations Governing the Subdivision of Land

---

Mr. Phoenix: **MOTION** to adjourn.
SECOND Mr. Queiroga.
4-0 in Favor.
Roll call vote: Mr. Queiroga – yes; Mr. Phoenix – yes; Mr. Carpenter – yes; Mr. Coelho – yes.

Meeting adjourned at 7:28 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
66 Mountainview Street Ext. – Rebecca Kozaczka
(pest control)
June 24, 2021

RECEIVED
TOWN CLERK'S OFFICE
2021 JUL -9 P 12: 24
TOWN OF LUDLOW

PLANNING BOARD MEMBERS

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

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

In attendance: Rebecca Kozaczka

Mr. Coelho read the legal notice and reviewed the application. The legal notice included the description of: pest control.

Mr. Coelho: Ok, that's good, that's good. Comments from town boards. I can't imagine that anybody was too worried about this. It doesn't look like we have any. I have a, first of all why don't you describe to us what you're gonna do.

Ms. Kozaczka: Well we run the business out of, like to run the business out of our home instead of an office. We have, my son works for the company and occasionally I have another worker that comes in on the day of the work, every day, and they go out and take the trucks, do their work, bring the trucks back, bring me the receipts, and I take care of all the back room work, the payments, the billing, invoices and that kind of thing.

Mr. Coelho: It looks like you have a regular F150 as part of the business?

Ms. Kozaczka: Yes.

Mr. Coelho: That's what the application says.

Ms. Kozaczka: Yup.

Mr. Coelho: No more than two nonresident employees, correct?

Mr. Phoenix: Yeah, she's got on here she has one nonresident employee. I'm seeing you're not looking to have any signage, any customers coming to the house, anything like that.

Ms. Kozaczka: There's signage on the truck that sits in the yard. It's an F150 truck, but customers don't come to the house.

Mr. Phoenix: You're not like putting up a small sign in front of the house advertising the business?

Ms. Kozaczka: No.

Mr. Coelho: Let me ask you this, what about storage of chemicals?

RECEIVED
TOWN CLERK'S OFFICE
2021 JUL 9 P 12:24
TOWN OF LUDLOW

Ms. Kozaczka: Storage of chemicals, we have a locked shed outside the house that we have it locked, and the only thing that we have in there is Termidor, everything else is like mice bait.

Mr. Coelho: And I'm sure the quantities are de minimis or are they...

Ms. Kozaczka: We have usually like one 2-gallon jug of the Termidor at a time. We don't keep a lot on site. The same thing with the mice bait. That's pretty much all we really use.

Mr. Coelho: So, we're not gonna have 55-gallon drums of chemicals hanging around in the backyard.

Ms. Kozaczka: No, no.

Mr. Phoenix: And as far as the office space, it looks like you're using 25 square feet out of 3,840.

Ms. Kozaczka: Yes.

Mr. Phoenix: Ok. And I do see that you signed on here requesting the waiver of the full site plan in favor of the sketch and photos that you were able to provide for us.

Ms. Kozaczka: Yup, yup.

Mr. Phoenix: Perfect.

Mr. Coelho: Anybody else have any questions? Hearing none, I'd be willing to entertain a motion on the finding and waivers.

Mr. Phoenix: I will make a **MOTION** to grant the waiver of the full registered site plan in favor of sketch and photos as prepared by the applicant, and also to find that the business as described is a suitable home occupation under the Bylaw.
SECOND Mr. Carpenter.
4-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Mr. Queiroga – yes; Mr. Phoenix – yes; Mr. Coelho – yes.

Mr. Coelho: We --- read any checklists here on our, my cheat sheet, but you do get, you were provided the criteria in which you'll have to follow, and you signed off on the fact that read those and understand. Do you have any questions on any of those?

Ms. Kozaczka: Nope.

Mr. Coelho: Ok.

Mr. Phoenix: And basically, for anybody playing the home game, those essentially equate to nothing can change on the property that makes it less like a residence. It still has to look just like it has all along. Just trying to preserve the character of the neighborhood, that sort of thing.

RECEIVED
TOWN CLERK'S OFFICE
2021 JUL 19 P 12: 24
TOWN OF LUDLOW

Ms. Kozaczka: Yup, absolutely.

Mr. Phoenix: Twenty-six criteria that basically say that when it comes down to it.

Ms. Kozaczka: That's fine.

Mr. Coelho: Ok, now's the time I have to open it up to public comments. I don't see anybody from the public here in case either of you two would like to comment, no?

Mr. Phoenix: Hearing nothing, I'll make a **MOTION** in the standard form to approve the site, the Special Permit Home Occupation, and to close the public hearing after that.
SECOND Mr. Queiroga.
4-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Mr. Queiroga – yes; Mr. Phoenix – yes; Mr. Coelho – yes.

Hearing ended 7:06 p.m.

APPROVED:

Kathleen J. Houle
Kathleen Houle, Secretary

su

Documents: Master application; abutters list

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