TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
October 28, 2021

PLANNING BOARD MEMBERS

Christopher Coelho – Chairman (Present)
Joseph Queiroga – Vice Chairman (Present)
Raymond Phoenix (Present)
Kathleen Houle (Present)
Joshua Carpenter (Present)

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

PUBLIC HEARING – SPECIAL PERMIT / HOME OCCUPATION – 39 Andrew Street (Assessors' Map 11A, Parcel 9) Matt Gilman (office for organic material hauling service)

SEE ATTACHED MINUTES

ANR – 185 & 191 West Street (Assessor's Map 2D, Parcels 2 & 3) Partyka Partners Limited Partnership, John Krzeminski, Jr. – (Reconfiguration of Land of Partyka Partners Limited Partnership to Lot 2, Lot 3 and Remaining Land)

Don Frydryk was present via telephone.

Mr. Frydryk explained how the land located at 185 & 191 West Street will be split up, as per the submitted plan, creating Lots 2 and 3 with remaining land.

Mr. Phoenix and Mr. Stefancik confirmed that the plan was complete.

Mr. Phoenix: I make a **MOTION** in the standard form to endorse the ANR.
SECOND Ms. Houle.
5-0 in Favor

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Documents included: Master Application; Plan of Land in Ludlow, MA prepared for (owner) Partyka Partners Limited Partnership / Lot Division Plan West Street (10/11/2021)

SITE SKETCH – 24 Center Street (Assessors' Map 13C, Parcel 34) Hubbard Library / Town of Ludlow (installation of sign & shed)

Patrick McGowan was present for the appointment.

Mr. Coelho read the waiver request from the applicant.

Mr. Phoenix: With those things said, the changes that we're looking at on the plan are fairly minimal, so I'm gonna make a **MOTION** to grant the waiver requests for the full plan in favor of a sketch as well as the public hearing and the fee for application to our board, again that's because of the scale of the project, the minimal nature of it and also that fact that this is a town organization.

SECOND Mr. Carpenter.
5-0 in Favor

Mr. Stefancik said that the proposed sign needs to be a ten-foot setback, and that the shed, if it's a one story, needs to be five feet from the property lines. He noted that the plans are conforming with the setbacks.

Mr. McGowan explained that the Fire Department had a comment about the number 24 that was shown on the proposed plan and that they felt that it was confusing in that it indicates that it's 24 Hubbard Street. Mr. McGowan said that they are going to eliminate the "24" from the sign.

Mr. Phoenix: I'll make a **MOTION** in the standard form to approve the site sketch as submitted.
SECOND Mr. Carpenter.
5-0 in Favor

Documents included: Master Application; Request for Waivers; Comments from Town Boards/Departments; Site Sketch (10/13/2021)

SITE SKETCH – 291-283 Moody Street (Map 3, Parcel 106A) Don Cameron (storage units, office, and warehousing)

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Don Cameron was present for the appointment.

Mr. Stefancik said that there is a current site plan on file from 2013.

Mr. Phoenix remarked that there is an awful lot of proposed storage trailers shown on the plan and that normally the general guidelines for whether a sketch or a site plan is accepted loosely revolves around a 25% change to either the nature of the business or the amount of area covered by the business. He said that with the addition of the trailers, it brings the changes over the 25% threshold for doing this as a sketch as opposed to a plan.

Mr. Cameron explained that the previous business had shown 98 parking spaces for employees on the plan. He said that the inside of the building will be used for warehousing with no employees, therefore he is reducing traffic flow based on employees. Mr. Cameron remarked that he will be putting in storage pods that are one story and eight-foot high modular containers with no construction involved.

Mr. Stefancik said that the comments from the Town Departments/Boards were minimal at best, with the Fire Department commenting that the Knox-Box needed to be relocated.

Mr. Phoenix stated that he thinks it meets the criteria for a site sketch, but that it doesn't meet the criteria to accept a site sketch instead of a full plan in this case due to the amount of deviation from the existing approved site plan. He said that it needs to be a full site plan with a public hearing.

Mr. Phoenix: I'll make a **MOTION** to deny the waiver request on the public hearing based on the increase in the footprint and the layout of this business compared to existing.
SECOND Ms. Houle.
3-2 in Favor (Mr. Queiroga, Mr. Carpenter)

Roll call vote: Mr. Phoenix – yes; Mr. Carpenter – no; Mr. Queiroga – no; Ms. Houle – yes; Mr. Coelho – yes.

Mr. Phoenix: Mr. Chairman, I'll make a **MOTION** to deny the request for the waiver of the full plan in favor of a sketch based on the nature of the change being contemplated.
SECOND Ms. Houle.
3-2 in Favor (Mr. Queiroga, Mr. Carpenter)

Mr. Phoenix: Since we haven't actually voted on the plan itself, if we don't do that I believe we would be giving grounds for constructive approval, so I'd like to clean that up by making a **MOTION** to deny the site plan on the basis that it has not been found to meet the criteria for a site plan at this time and to give the applicant opportunity to resubmit as a site plan with proper review in place.
SECOND Ms. Houle.

Mr. Queiroga: Could I understand what the motion was?

Mr. Coelho: Denying it as a site plan as it is.

Mr. Phoenix: The other option is we just leave it open and we schedule the public hearing and we have the public hearing on this as a full site plan and we move forward that way. If the applicant wants that we can do that, but that's not the tone that I'm currently getting.

Mr. Coelho: Why don't we do that? That would be his easiest way to go.

Mr. Phoenix: It's up to the applicant.

Mr. Coelho: Would you rather do that?

Mr. Cameron: I'm not following you guys.

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Mr. Queiroga: What, here is what they're telling you is, by us, correct me if I'm wrong, Ray, we would take what he has given us so far, correct?

Mr. Phoenix: Mmmhmm.

Mr. Queiroga: Even though we're denying this.

Mr. Phoenix: No, we can, let's take my motion off the table so we're not gonna discuss it out of context. So, **I'm gonna withdraw my motion**. If we move forward from this moment with the two votes that we already had, we weren't able to grant either of the waiver requests, so where we're currently sitting at is we have an application in front of us. We can send this out back to the other departments and say can you review this as a full site plan. We can review it in house as a full site plan. We can publish for the public hearing, we can have the public hearing and move forward with that whole process. We can do that right now without taking any other action as a board.

Mr. Stefancik explained that the public hearing could be advertised for the next meeting on November 18th if Mr. Cameron leaves the plans. Mr. Cameron left the plans for submittal as a full site plan with a public hearing on the November 18th.

Mail Item #47 – Removal of Ludlow Mills Building 199 - Ludlow Historical Commission

Mr. Phoenix: I'll make a **MOTION** to request that the Town Planner draft a letter to the Historical Commission indicating that we have no problem with removal of Building 199 as referenced in their October 14, 2021 letter.
SECOND Mr. Carpenter.
5-0 in Favor

File Mail Item #48 – Ludlow Board of Appeals - Variance Granted – 0 Center Street (Assessors' Map 13C, Parcel 11)

Consent Agenda:

The Board approved the Consent Agenda under unanimous consent.

- FILE Mail Item 46. - Legal Notices from surrounding communities
- APPROVE/SIGN Minutes of September 9, 2021
- SIGN Special Permit:
  - Melanie Costa – 43 Minechoag Heights (accounting services business)
- APPROVE Change of Occupancies:
  - Express Management North, LLC – Edward Rosero – 456 Center Street, Suite 6 (from Sprint to T-Mobile)
  - Yashira Soto-Perez (Ludlow Nutrition Spot) 194 East Street (new ownership of existing business)
- APPROVE/SIGN Bills – Turley Publications (Legal Notice – Associate Member)

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Mr. Phoenix **MOVED** to adjourn.
SECOND Mr. Carpenter.
5-0 in Favor.

Meeting adjourned at 7:51 p.m.

APPROVED:

Kathleen J Houle
Kathleen Houlé, Secretary

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(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
39 Andrew Street – Matt Gilman
(office for organic material handling service)
October 28, 2021

PLANNING BOARD MEMBERS

Christopher Coelho – Chairman (Present)
Joseph Queiroga – Vice Chairman (Present)
Raymond Phoenix (Present)
Kathleen Houle (Present)
Joshua Carpenter (Present)

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

In attendance: Matt Gilman

Mr. Coelho read the legal notice and reviewed the application. The legal notice included the description of: office for organic material hauling service.

Mr. Coelho: Ok, I got to advise everybody that the cameras are recording both audio and visual, so both parties have to know and agree to that. Here is a copy of the Turley Publications bill. We'll need a check for that. Normally we like to get them tonight, right?

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Mr. Stefancik: Yes.

Mr. Coelho: Did you happen to bring one? Great.

Mr. Gilman: I didn't fill it out yet, but ---.

Mr. Coelho: That's fine. Ok, now I'm gonna read any comments. Why don't you give me a brief description of what you're trying, I mean, it's pretty self-evident, but.

Mr. Gilman: Yeah, absolutely. So, at the house itself, it's just gonna be an office for a service that myself and my partner will be providing. So, basically, we're looking to educate our customers on sustainable practices, environmental, and empower communities to make positive environmental changes. So, essentially, we're taking a lot food scraps and other materials that can be recycled into compost and energy --- digestion. So, we're trying to take those products, trying to bring them to farms and other places where they can be partly composted and used to create produce later down the line. So, essentially, what we'll be doing is we'll be taking the scraps, food scraps and other organic materials from residents, businesses and we'll be hauling them to a couple farms in the area ---.

Mr. Coelho: Interesting. Like the old days when you used to have the…

Ms. Houle: The little garbage.

Mr. Coelho: ...the little garbage thing. You guys are really young. I barely remember that too, so it's not.

Ms. Houle: Joe and I know.

Mr. Coelho: But yeah, my grandmother had one. --- all the pig farmers would come pick it up. I'm not seeing anything here from any other boards.

Mr. Phoenix: Mr. Chairman.

Mr. Coelho: Mr. Phoenix.

Mr. Phoenix: I do see that the home occupation supplemental sheet has been completed for the one non-resident employee, no to all of our other general questions, and for the vehicle it's a Jeep Grand Cherokee 4,500-5,300 lbs., and the area is certainly fine. Also, on there is the request for a waiver of a full site plan in favor of a sketch and photos prepared by the applicant. Seeing that, I would make a **MOTION**, number one, to find that a home office as described is a suitable home occupation under the Bylaw and two, to grant the waiver, based on the fact that this is a home office, home occupation and in the best interest of the town.
SECOND Mr. Carpenter.
5-0 in Favor.
Roll call vote: Mr. Phoenix – yes; Mr. Carpenter – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Coelho – yes.

Mr. Coelho: Ok, so we have the findings and the waivers, the checklists, you guys filled out this application. On the back of this application there are two checklists that you signed. I'm sorry, you guys, I've got you two grouped together, but ---. You understand those are the rules you have to follow, and should somebody present a case that you didn't follow them, you could be subject to further review.

Mr. Gilman: Correct, yes.

Mr. Coelho: Ok, anybody on the board have any questions?

Mr. Queiroga: Are you the owner of the house?

Mr. Gilman: Yes, I am, yup.

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Mr. Coelho: Anybody in the public have any questions? Is there anybody on the phone? Ok.

Mr. Phoenix: Hearing nothing Mr. Chairman, I'll make a **MOTION** in the standard form to approve the Home Occupation as presented.
SECOND Ms. Houle.
5-0 in Favor.
Roll call vote: Mr. Phoenix – yes; Mr. Carpenter – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Coelho – yes.

Mr. Phoenix: Mr. Chairman, I'll make a **MOTION** to close the public hearing.
SECOND Mr. Carpenter.
5-0 in Favor.

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

Hearing ended 7:06 p.m.

APPROVED:

Kathleen J Houle
Kathleen Houle, Secretary

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Documents: Master application; abutters list

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