TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
January 27, 2022

PLANNING BOARD MEMBERS

Christopher Coelho – Chairman (Present)
Joseph Queiroga – Vice Chairman (Present)
Raymond Phoenix (Present) *(via telephone)*
Kathleen Houle (Present)
Joshua Carpenter (Present)
Joel da Silva, Associate Member (Present)

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

PUBLIC HEARING – SITE PLAN – 1 Moody Street (Assessors' Map 3, Parcel 45)
Lyon Office, LLC (return property to original designation as a doctor's office)

SEE ATTACHED MINUTES

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CONSENT AGENDA:

The Board approved the Consent Agenda under unanimous consent.

- FILE Mail Item 06. - Legal Notices from surrounding communities
- APPROVE/SIGN Bills:
  - Bridgeport National Bindery, Inc. (book binding of 2020 minutes)

PUBLIC HEARING – SPECIAL PERMIT / ACCESSORY APARTMENT – 297 West Street
(Assessors' Map 2C, Parcel 51) Shawn & Leigh Peabody
(addition of 536 SF accessory apartment)

SEE ATTACHED MINUTES

ANNUAL TOWN REPORT

The Annual Town Report was resubmitted to the Board Members for review after some corrections were done per Mr. Phoenix's request.

Motion to send Annual Report to Selectmen below.

Documents included: 2021 Annual Town Report draft

CANNABIS FACILITIES

Mr. Stefancik gave the Board Members a copy of the cities of Holyoke and Westfield Marijuana Bylaws for review as a guideline. The Board discussed the zoning areas that the other cities allow the marijuana facilities to go in which are industrial zoned areas. Mr. Stefancik said that both the General Bylaw and Zoning Bylaws would need to be changed, and that it could go in for the October Town Meeting. Mr. Coelho asked Mr. Stefancik to set up a meeting with the Selectmen to investigate the potential of allowing one or some of the business zoning areas (Business A or B) to allow for retail dispensaries only, but not production or manufacturing. Mr. Stefancik will also reach out to the City of Westfield and Holyoke Planning Boards to see if they will agree to meet to talk about their Bylaws and what worked and didn't work. Mr. Coelho also suggested that the Ludlow Mills be contacted to see if they would allow any marijuana establishments in the Mill Redevelopment District.

The conversation will be continued until the next Planning Board Meeting.

Documents included: Draft Medical Marijuana Bylaw; City of Holyoke Marijuana Facilities Bylaw; City of Westfield Marijuana Establishments Bylaw

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Mr. Carpenter **MOVED** that we send off the Annual Report to the Selectmen.
SECOND Ms. Houle.
5-0 in Favor.
Roll call vote: Mr. Phoenix – yes; Mr. Carpenter – yes; Ms. Houle – yes; Mr. Queiroga – yes; Mr. Coelho - yes.

ANR – 0 Poole Street (Assessors' Map 31, Parcel 95) Joseph Deponte Realty Inc.
(recombine several previously approved lots into a single parcel)

Dan O'Brien of Smith Associates was present for the appointment via telephone.

Mr. O'Brien explained that the lots were previously divided a few years back to make a subdivision that was withdrawn, and then estate lots, and that Mr. Deponte wishes to combine them back into one parcel.

Mr. Phoenix **MOVED** in the standard form to endorse the ANR as submitted.
SECOND Mr. Carpenter.
5-0 in Favor.
Roll call vote: Mr. Phoenix – yes; Mr. Carpenter – yes; Ms. Houle – yes; Mr. Queiroga – yes; Mr. Coelho - yes.

Documents included: Master application; Lot Consolidation Plan – Poole Street Ludlow, Mass. owned by Joseph Deponte Realty, Inc. (January 14, 2022)

Mr. Coelho: Doesn't look like there's anything else in front of this Board, at this point I'll be willing to entertain a MOTION to adjourn that is.
Mr. Phoenix: **SO MOVED.**
SECOND Mr. Carpenter.
5-0 in Favor.
Roll call vote: Mr. Phoenix – yes; Mr. Carpenter – yes; Ms. Houle – yes; Mr. Queiroga – yes;

Mr. Coelho – yes.

Meeting adjourned at 7:35 p.m.

APPROVED:

Kathleen J. Houle

Kathleen Houle, 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 – SITE PLAN
1 Moody Street (Assessors' Map 3, Parcel 45)
Lyon Offices, LLC
(return property to original designation as a doctor's office)
January 27, 2022

PLANNING BOARD MEMBERS

Christopher Coelho – Chairman (Present)
Joseph Queiroga – Vice Chairman (Present)
Raymond Phoenix (Present) *(via telephone)*
Kathleen Houle (Present)
Joshua Carpenter (Present)
Joel da Silva, Associate Member (Present)

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

In attendance: Bill Keavany – Pearson

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Mr. Coelho read the legal notice, advised the public that the meeting is being recorded, and gave the applicant a copy of the Turley Publications invoice. The legal notice included the description of: return property to original designation as a doctor's office.

Mr. Coelho: Ok, I'm gonna go ahead and read some comments. Why don't you go ahead and give us a little run down of what's happening over here now and then we'll get into the other stuff.

Mr. Keavany: Ok so, first of all, my name is Bill Keavany. I'm with Pearson. We're a West Springfield real estate developer construction company. We developed this site about eight or ten years ago for Hampden County Physicians. It was a medical office building. Hampden County went through some transitions and ultimately were acquired by Trinity, Mercy Hospital Trinity. Trinity, as you've read in the paper, has been downsizing and giving back space, and so this is one of the facilities that they didn't, that they closed. So, we spent about three or four years trying to find another user. We came before you this past summer with a user, BHN, which you guys were very gracious in allowing them to change the use of the building. The problem became between the time that we had negotiated with BHN and then were approved and get going, the cost structure to do that renovation in some instances, almost tripled. It became just financially, Doug and I talked about this a little bit, it became, it just wasn't possible to consummate that deal. BHN had a limited supply of dollars and the cost structure just exploded. So, in the interim, we were able to find a tenant that we had previous relationships with, which is New England Orthopedic Surgeons or Springfield Group, and they're looking to expand, and they looked at the site and felt that this was a market that they wanted to be in. So, New England Orthopedics has come to us and we've negotiated a lease with them. So, there's two benefits to the town for that. One benefit in particular is BHN was ultimately gonna buy the building, which would have taken it off the tax rolls. This particular deal we have with New England Orthopedics is a lease, for ten years, and so that building will remain on the tax rolls. You know, the second benefit is, you'll have another medical provider in your community. So, in bringing it back to where it originally began, we are not doing any alterations to the outside of the building.

There are some minimal interior renovations we have to do which we filed a building permit with the building inspector to do. But there are no changes to the parking lot. There are no changes to the outside of the building. There are no, it just remains the way it is now. So, I brought the original renderings from a number of years ago and that's how it looks today and that's how it will remain. And then we did update the site plan to make it current. But again, there'll be no changes to the site plan.

Mr. Coelho: And they haven't done any work over there yet since they had their prior approval to change it up, right?

Mr. Keavany: No.

Mr. Coelho: It wasn't that long ago. I mean, it was only a couple months.

Mr. Keavany: It was in the summer, July?

Mr. Coelho: Ok, I'm sure that'll make the neighbors happier.

Mr. Keavany: Ok, that's true.

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Mr. Coelho: Comments from other boards, Doug went through this. Let me go through the comments here Ray, and then we'll take it around the horn, ok?

Mr. Phoenix: Well, I just wanted to jump in before that. I just wanted to say that since my current employer is in the healthcare space doing healthcare IT, I don't believe that they have any current contracts with NEOS, so I feel comfortable acting on this matter. I think even if they did, my position within the company wouldn't benefit really from it anyway. But, I just wanted to be clear on the ethics of it, that I don't believe there's any conflict whatsoever in this case.

Mr. Coelho: Thank you for your transparency. So, for the Board of Health, they don't have any comments or concerns. *Mr. Coelho read the comments from the Town of Ludlow Fire Department which noted that service and testing of the existing fire alarm control panel and any and all equipment by certified technician; service and testing of the existing fire suppression system by certified technician; reports to be submitted to Ludlow Fire Department to be kept on file; schedule onsite test of the buildings fire alarm system prior to building occupancy.* Have you had a copy of this letter?

Mr. Keavany: I have not received a copy of that letter.

Mr. Coelho: We will get you one. *(Mr. Coelho finished reading the letter from the Fire Department – see file.)* Doug went through this pretty well, again it's not changed except for what's on paper. The applicant is, and we have no comments here from the Planning Board. The applicant has put a written request to waive the lighting plan with luminaire schedule, signage design and dimension, location, and traffic studies. I'm assuming these red blocks mean that you do have elevations and an area where the snow will be stored listed on the?

Mr. Keavany: ---

Mr. Coelho: So, they, they're requesting relief from 7.1.5 o. 1, 3, and 5 in writing. So, I'd be willing to act on that seeing how everything's already in place. I don't think it should be too contentious.

Mr. Phoenix: So, I just want to be clear with the, obviously we had looked at the traffic and everything before when it was essentially the same usage. Lighting's not changing. I just want to be clear though, on the signage, is that gonna be sticking with what was already existing or is that getting changed at all?

Mr. Coelho: Signage ---.

Mr. Keavany: The box sign is going to stay the same, but obviously NEOS will replace Mercy.

Mr. Coelho: Just a lettering difference, Ray.

Mr. Phoenix: That's fine. I wanted to be clear before we made any decision.

Mr. Coelho: Ok.

Mr. Phoenix: With that said, I'll make a **MOTION** to approve the waiver of 7.1.5 o. 1, 3, and 5 given that fact that this was essentially already contemplated at this location and those items are not going to be changing with the current proposal.
SECOND Mr. Carpenter.
5-0 in Favor
Roll call vote: Mr. Phoenix – yes; Mr. Carpenter – yes; Ms. Houle – yes; Mr. Queiroga – yes; Mr. Coelho – yes.

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Mr. Coelho: Now I'm going to go ahead, and does anybody on the Planning Board have any questions for the applicant at this point?

Mr. Queiroga: Well, I don't have questions as much as just a couple of comments. I know New England Orthopedic is a classy outfit and they're very strong, so we're glad to see them come to town. They really operated in Springfield and East Longmeadow for most of the time, so we're glad to see, especially somebody, an outfit that's as good as they are and the fact that it's gonna go back on the tax rolls which the other use was not, so. Because of those reasons I think it's an upgrade.

Mr. Keavany: Well technically it never left.

Mr. Coelho: Anybody else on this side of the table have any comments? Hearing none, I'm gonna open this up to the meeting. Are you hear to speak about 1 Moody Street? No, you're not? Ok. Is there anybody on the phone or the internet or?

Mr. Phoenix: It's just me and you.

Mr. Coelho: It's just me and you, so I suppose that grants us relief from that situation. At this point, I guess I'll be looking for a motion to approve and maybe close it in one quick fell swoop.

Mr. Queiroga: Mr. Chairman.

Mr. Phoenix: Mr. Queiroga.

Mr. Queiroga: I make a **MOTION** to approve the site plan for 1 Moody Street as it exists and nothing else to ---?

Mr. Coelho: No, it's not a special permit, correct Doug?

Mr. Stefancik: No, no.

Mr. Queiroga: Ok, and that's it.
SECOND Mr. Carpenter.
5-0 in Favor
Roll call vote: Mr. Phoenix – yes; Mr. Carpenter – yes; Ms. Houle – yes; Mr. Queiroga – yes; Mr. Coelho – yes.

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

Hearing closed at 7:13 p.m.

APPROVED:

Kathleen J. Houle
Kathleen Houle, Secretary

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Documents: Master Application; Waiver request; Comments from Town Departments/Boards; Site Plan/Proposed Modifications For: NEOS – 1 Moody Street Ludlow, MA 01056 (1/7/2022)

(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 / ACCESSORY APARTMENT
297 West Street – Shawn & Leigh Peabody
(addition of 536 SF accessory apartment)
January 27, 2022

PLANNING BOARD MEMBERS

Christopher Coelho – Chairman (Present)
Joseph Queiroga – Vice Chairman (Present)
Raymond Phoenix (Present) *(via telephone)*
Kathleen Houle (Present)
Joshua Carpenter (Present)
Joel da Silva, Associate Member (Present)

The hearing began at 7:15 p.m. in the Selectmen's Conference Room.

In attendance: Shawn & Leigh Peabody

Mr. Coelho read the legal notice and advised the public that the meeting is being recorded. The legal notice included the description of: addition of 536 SF accessory apartment.

Mr. Coelho: Why don't you guys go ahead introduce yourselves, state your name and address, give us an idea of what you're looking to do, and we'll go along with the process.

Ms. Peabody: Leigh Peabody, 297 West Street in Ludlow. My husband Shawn from the same address, same last name. We'd like to put in an addition on our house for my elderly father who resides in Florida right now. He's 86 years old and I believe he's probably gonna need some help soon, and I think bringing him home, and on our property, would be the best situation for all of us.

Mr. Coelho: Ok, that's good. It's happening more and more nowadays. This is a bill for Turley Publications…

Ms. Peabody: Yup, I have the check.

Mr. Coelho: …for running this ad in the paper, so if you can, you can either send it to them or leave us a check tonight that will be fine.

Ms. Peabody: Yeah, it said to bring a check.

Mr. Peabody: Wait now, do you owe them another check tonight?

Ms. Peabody: For what?

Mr. Peabody: For anything else.

Mr. Coelho: I don't think so.

Ms. Peabody: The letter said to bring on for Turley.

Mr. Coelho: Not unless she just wants to give us one.

Ms. Peabody: I already gave you guys one. Just the first of many I'm sure.

Mr. Coelho: Don't worry, we can take lots of them.

Ms. Peabody: I know, I live here.

Mr. Coelho: So, this is a, we have a memo here from the Planning Board with a couple of highlights here. It's gonna be occupied by your father.

Ms. Peabody: Yup.

Mr. Coelho: So, it's gonna be 586 square feet. Doesn't appear that we…

Mr. Queiroga: ---

Mr. Coelho: I'm sorry?

Mr. Peabody: 586.

Mr. Coelho: 586, yeah.

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Ms. Peabody: Something like that, yeah.

Mr. Coelho: It's gonna be somewhere under 600 square feet.

Ms. Peabody: Yes.

Mr. Coelho: The Board of Health indicated that a Title V system inspection will be needed to be done on the septic system, see attached letter dated…

Mr. Peabody: Before it's occupancy.

Ms. Peabody: Yeah, she's already been out.

Mr. Coelho: They sent you a letter here that seems very, the onsite system is designed for a four-bedroom home which currently, there are plenty of ways to take care of this, so I'm sure your builder can help you, but yeah, you will, before occupancy, you'll need to account for the septic system.

Mr. Peabody: We will.

Mr. Coelho: Fire Department: *The Ludlow Fire Department has reviewed the plans as presented. Please be advised where alterations, repairs, or additions requiring a permit occur, or where one or more sleeping rooms are added or created in existing dwellings, the individual*

dwelling unit shall be equipped with smoke alarms located as required for new dwellings. The fire prevention office requires sign off sheet from the Building Department and a set of plans dropped off for review. A final walk thru acceptance test must be performed prior to occupancy. At this time the Ludlow Fire Department has no additional comments. We do however expect all applicable federal, state, and local codes to be followed during the course of construction on this *project. Sincerely, Seth Falconer, Fire Prevention Officer.* So, you understand that, that's pretty common. Not seeing anything else here from any other town boards. We have some pictures if anybody is interested in looking at the house. Here, go ahead. I have a full application that's completed. And once again, I shuffled my notes. But, that's where we are. Does anybody on this side of the have any questions, comments, or concerns for the applicant? Hearing none, we'll open it up to the public. Are there any findings or waivers that they're looking for? No?

Mr. Stefancik: No.

Ms. Peabody: There we are.

Mr. Coelho: There's nobody here in the room, I'm assuming, unless Doug or Sue wants to speak to this. Is there anybody on the phone Ray?

Mr. Phoenix: No, still just us.

Mr. Coelho: Still just us, so I suppose the public's had their opportunity at this point.

Mr. Phoenix: I'll make a **MOTION** in the standard form to approve the Special Permit for Accessory Apartment as submitted and to close the public hearing.
SECOND Mr. Carpenter.
5-0 in Favor.
Roll call vote: Mr. Phoenix – yes; Mr. Carpenter – yes; Ms. Houle – yes; Mr. Queiroga – yes; Mr. Coelho - yes.

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Hearing ended 7:21 p.m.

APPROVED:

Kathleen J Houle
Kathleen Houle, Secretary

su

Documents: Master application

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