TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
May 26, 2022

PLANNING BOARD MEMBERS

Joseph Queiroga – Chairman (Present)
Raymond Phoenix – Vice Chairman (Present)
Christopher Coelho (Present)
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 – Special Permit / Home Occupation – 517 Ideal Lane #607 (Assessors' Map 16A, Parcel 48-607) Paul Babin Jr & Kimberly Babin (office for engineering consulting business)

SEE ATTACHED MINUTES

PUBLIC HEARING – Site Plan – 193 Center Street (Assessors' Map 12D, Parcel 53) Jamie Jacobs (beauty salon with associated site improvements)

SEE ATTACHED MINUTES

ANR – Timberidge Road (Assessors' Map 39, Parcels 41-49, 68, 70-74 and Map 40, Parcels 154-188) Barbara Capuano (combine former subdivision into one lot)

Dana Steele of JR Russo and Associates was present for the appointment.

Mr. Steele explained that Mrs. Capuano evaluated her options for the development of this property, and then in her ending analysis she determined that her best course was to merge the property into a single building lot/estate lot.

Mr. Stefancik said that the plan met all of the ANR checklist criteria with the exception of a few pins that Mr. Steele was going to add to the revised plan when submitted.

Mr. Phoenix: I'll make a **MOTION** in the standard form to endorse the ANR.
SECOND Mr. Carpenter.
5-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga – yes.

Documents included: Master application; Plan of Land prepared for Barbara Capuano, Executrix of the Will of Jay C. Capuano – Timberidge Road Ludlow, Massachusetts (1-10-22)

PUBLIC HEARING – Special Permit / Estate Lot – Timberidge Road (Assessors' Map 39, Parcels 41-49, 68, 70-74 and Map 40, Parcels 154-188) Barbara Capuano (estate lot)

SEE ATTACHED MINUTES

File Mail Item #26 – Letter from the Safety Committee re: Delivery solutions in front of Big Y store, 433 Center Street

The Safety Committee noted that they have significant safety issues with the My Picks delivery vehicle plan that was submitted for the creation of a paved parking area on Cherry Street.

Mr. Stefancik said that he sent a copy of that letter to Big Y, and that Big Y responded that they will be using the delivery area in the back of the building.

Mr. Phoenix: I'll make a **MOTION** to inform Big Y that they need to make sure that all of the deliveries to the site, to their business as well as their tenants, are being performed in the designated areas of the lot that they called out on their site plan.
SECOND Mr. Carpenter.
5-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga – yes.

CONSENT AGENDA:

The Board approved the Consent Agenda under unanimous consent.

- FILE Mail Item 25. - Legal Notices from surrounding communities
- APPROVE/SIGN Minutes of May 12, 2022
- APPROVE Change of Occupancy:
  - Sarah J. Lewison (Steppin' Out II) – 60 East Street (from dance studio to dance studio)
- SIGN Special Permits:
  - Lyn Fioravanti – 53 Bridle Path Circle (off-site baking business)

PUBLIC HEARING – Special Permit / Site Plan – 590-596 Center Street (Assessors' Map 16B, Parcels 116 & 116A) JLL Real Estate, LLC (redevelopment of site into a self-storage facility in an Agricultural Moderate Density Overlay District)

SEE ATTACHED MINUTES

PUBLIC HEARING – Special Permit / Home Occupation – 175 East Street (Assessors' Map 14B, Parcel 99) Ron DeSellier (office for electrician)

SEE ATTACHED MINUTES

Mr. Carpenter: I will now make the **MOTION** to adjourn at 9:21 p.m.
SECOND Mr. Phoenix.
5-0 in Favor.

Meeting adjourned at 9:21 p.m.

APPROVED:

Kathleen Houle, Secretary

su

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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
517 Ideal Lane #607 – Paul Babin Jr & Kimberly Babin
(office for engineering consulting business)
May 26, 2022

PLANNING BOARD MEMBERS

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

The hearing began at 7:03 p.m. in the Selectmen's Conference Room.

In attendance: Paul Babin, attendees

Mr. Queiroga read the legal notice and gave the applicant a copy of the Turley Publications invoice. The legal notice included the description of: office for engineering consulting business.

Mr. Queiroga: Ok Mr. Babin, give us an idea of what you're trying to do.

Mr. Babin: Basically, I used to work in the VA as the chief engineer, and I retired. I was diagnosed with lung cancer in the fall, so I kind of retired in January. So, I'm doing a little bit of consulting and basically, I would just be at my computer. All the prints and stuff come by PDF. I can review them and stamp them online. And if I have to stamp them in person, I always go to their office and stamp the drawings. Basically, a small little --- jobs are, you know, some of the electricians need an engineer and that's basically. I registered with the state for the LLC and then I was informed I had to register here. I've checked through the condo. They don't have any issue with it. There's no traffic, just me in my house and if I have to, I might go to a job site here and there, but it's mostly reviewing some plans and a lot of companies don't have an engineer with a stamp. They have all junior engineers, so I'm basically reviewing their work until they're capable to take it on their own.

Mr. Queiroga: Very good. You will or will not have any employees? Will you have any employees?

Mr. Babin: Basically, it's my wife and I and my son. He has like 5%. He just graduated as an engineer and just passed his FE, but he's going off the army for, 'cause he got a full four year scholarship for ---, so he'll be gone for five or six years. But, while he was here for a year he was helping me. So, it's basically us three.

Mr. Phoenix: And just so you understand too, a special permit for a home occupation, you are allowed to have people that do work for you. It's up to two nonresident employees. So, even if he's able to continue working for you from somewhere else, as long as you're under those two you're still fine on the permit as well.

Mr. Babin: Yeah it would be, my wife lives with me as well, so that wouldn't be an extra. There would just be him.

Mr. Phoenix: So, in any event, I think if they both decided that they were gonna move next door, you're still fine with the two, so.

Mr. Babin: Ok, ---.

Mr. Phoenix: I just wanted to make sure you know, you know, if you have growing pains and all of a sudden people needs more eyes on things, you do have a little bit of leeway in there.

Mr. Babin: Yeah, I'm not trying to get too big. I'm retired. I'm just trying to keep my mind going and stuff like that basically.

Mr. Queiroga: And you don't need any special vehicles or anything else, just a regular car?

Mr. Babin: No, no. It's just --- maybe paper. That's just about it.

Mr. Phoenix: ---

Mr. Queiroga: I want to take a minute, I'm sorry, I'm gonna take a minute to let everybody know, you included, there is, this is an open public hearing, that there are cameras recording with both the picture and the sound. And you've already got your invoice for Turley, right?

Mr. Babin: Yeah, I have the check here.

Mr. Queiroga: And I didn't see, --- disappeared on me. I didn't see any comments on this from anybody else, so go ahead.

Mr. Phoenix: I was just gonna say going along with what we've been talking about, we do have the supplement sheet for home occupation showing the square footage of the buildings as well as the amount that he's gonna be using for the business. And showing that there will be no nonresident employees, at least intended right now. No signage intended. No customers to the house. No deliveries made unlike those of a normal residence. No changes to the site that would make it look less residential, and no commercial vehicle. Which basically is all in keeping with what we want on a home occupation. We want the neighbors to not even know there's a business going on for the most part. So, as long as there's no impact to them, we're usually pretty happy. Also, on this sheet, we do have a signed request for a waiver of the full site plan in favor of a sketch and or photos as prepared by the applicant. And I saw those were part of the packet as well. With everything that we've heard I'd like to make a **MOTION** to find that the home occupation that's been described is a suitable one under the Bylaw, and to grant the waiver of the full plan in favor of a sketch and photos as has been prepared based on the fact that it's in the best interest of the total town and the nature of the proposal that we have in front of us tonight.

SECOND Mr. Carpenter.

5-0 in Favor.

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

Mr. Queiroga: You will be contacted.

Mr. Phoenix: We're not there yet.

Ms. Houle: We're not there yet.

Mr. Phoenix: That was just the finding and the waiver. So, we still haven't approved the actual home occupation. We need to just make sure that nobody else on the board has any comments or questions, and there are none from the public, then we can have a motion on that.

Mr. Queiroga: I have no, anybody else?

Ms. Houle: Is there anybody on the line do you know? No?

Mr. Coelho: Ask the audience?

Mr. Queiroga: Anybody in the audience have anything to say on this?

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

Hearing ended 7:08 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).

TOWN OF LUDLOW PLANNING BOARD
PUBLIC HEARING – SITE PLAN
193 Center Street (Assessors' Map 12D, Parcel 53)
Jamie Jacobs
(beauty salon with associated site improvements)
May 26, 2022

PLANNING BOARD MEMBERS

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

The hearing began at 7:11 p.m. in the Selectmen's Conference Room.

In attendance: Jamie Jacobs, Rick Jacobs, Mike Pietras – ELS, Inc.

Mr. Queiroga read the legal notice. The legal notice included the description of: beauty salon with associated site improvements.

Mr. Queiroga: Let's see, our health inspector's office had no comments. The Safety Committee has no issues with the turn into a salon. The Ludlow Fire Department, Captain Seth Falconer: *The plans submitted to this office for the beauty salon with associated site improvements has been reviewed for compliance. The following will be required: Listed approved fire extinguishers must be provided and maintained; Provide necessary means of egress illumination in accordance with the building code; Fire protection narrative as required by 780CMR; Fire protection signaling system installed in accordance with Mass State Building Code 9th Edition 780CMR. Plan review performance by Local AHJ; Provide Knox Box rapid building entry in accordance with the Town of Ludlow bylaws. Please note any omissions or missed items during this plan review does not relieve the owner or contractor from meeting all applicable codes, laws, regulations, and standards as they apply to construction, maintenance, or use of this building. Captain Seth Falconer.* Ok, here's your copy for the advertisement.

Ms. Jacobs: Ok.

Mr. Queiroga: Ok, like I said to the previous gentleman, you can either leave it with Doug over there or you can send it to them. Hi Mike.

Mr. Pietras: Hello. How's everyone doing?

Mr. Queiroga: Good, I think.

Mr. Pietras: I took smaller tabloid size if anyone wants to look at these.

Mr. Coelho: I left my glasses in the car so --- with the bigger one.

Mr. Pietras: Yeah, they're not that bad at this size either, but.

Mr. Phoenix: That's why I like magic.

Mr. Pietras: Would you like them?

Mr. Carpenter: Yes, thank you.

Mr. Queiroga: And again, when people are getting ready to speak, just want to advise everybody again, advise that the cameras are recording, give applicant a copy of the Turley invoice which we did. Read any comments from town boards, which we did. And grant findings or waivers which we have not done yet. Ok, questions from anybody? Why don't you tell us what they have in mind?

Mr. Pietras: Sure. Good evening everyone. Mr. and Mrs. Jacobs here are the applicants. They're looking to locate their Raw Texture Salon, which is the name of the company, on this parcel. They may have seen some of your guys in the fall. They went to a zone change process for this property which was approved, and subsequently why we're here to move their project forward. The parcel size is just shy of 7,500 square feet with an existing single-story building on it. We have already submitted plans for the architectural rehab of the building. I have copies here if anyone wants to look at them. Within it, it's code complaint layout. Within the upgrades relating to the site. We are making ADA Mass Architectural Access Accessibility upgrades with the ramp to the front. There is a van accessible parking stall along Chmura Street that will be located there and then there's six off street parking spots within the presentation in the proposal in front of you. We do account for all stormwater generated additional on this site. We've spoken to Jim Goodreau at Engineering, everything is good and approved. I believe he sent no comments as well. The building's serviced by public utilities scheduled to remain the same. They're all coming in off Center Street. They're indicated on the site plan. Within this proposal we feel it meets with the intent of our zoning bylaws and would ask the board to find it favorable. We did locate a proposed sign location. You'll see a greenish line that's on 45 from the corner of Chmura and Center, that's the town setback line, the 25 feet each way to demonstrate that it does clear both setbacks required in our zoning.

Mr. Phoenix: And now you're looking for waivers on 7.1.5o 1, 2, and 5 which would specifically be the lighting plan with luminaire schedule, the elevations showing front, rear, and sides of the building design, and the traffic study. I'm seeing on here, because I didn't see it in the other portion of the submission, but I'm seeing it here on the plan. For the traffic study it mentions, due to the size of the operation, which I think is certainly a valid argument. As far as the elevations, I know you said there's architectural work. Is that all internal or is there anything external being done?

Mr. Pietras: Nope. We do have elevations of the building, we just didn't put them into the site plan package. That's why I brought this in case you folks wanted to see them, they are detailed out.

Mr. Coelho: How would you characterize the outward appearance of the building?

Mr. Pietras: It fits right in with the community. We're not changing much of the exterior view, if you would. The only item is within the front porch. We transferred that to where the handicap ramp will be, but beyond that…

Mr. Coelho: It's still gonna maintain the character of the neighborhood?

Mr. Pietras: For sure. Yeah that why anything not shaded isn't even being touched. The only areas that were being altered are shaded in color. Right here if you want to look at it closer.

Mr. Phoenix: And then as far as the lighting plan, what, if anything, is being suggested for lighting for the parking and for the business or is that going to be staying as existing?

Mr. Pietras: Other than a direct motion light to the parking lot, I don't believe anything will change much.

Mr. Phoenix: Ok, and the motion light is that expected that that's all gonna fall on the property or is there gonna be any light spillage to neighboring properties?

Mr. Pietras: I wouldn't imagine any spillage, and it would be, I mean, your normal motion light now is dusk dawn controlled as well as motion. And there is screening along this eastern property line. It's all vegetated, and, in fact, number twelve 12 Chmura, if we were to look at an aerial, they're parking lot is opposite of our property. The residence is actually to the southern side.

Mr. Phoenix: So, if, just to speculate for a moment, if we were to grant the waiver of the lighting plan and then someone were to come in and say that they have an issue with light spilling onto their property from it, at that time we would need to make sure that that's remedied. And if that's not the case, I think we'd be looking to go down paths we don't want to go down. I don't think you want to either. So, just putting that out there, that's one of the reasons we ask for that plan is so that we can have an engineer say, ok yeah, there's gonna be zero light going off onto the other property, we've had it shielded, all that stuff. So, without that, there's a little bit of risk, but I think it's fairly small in this case.

Ms. Jacobs: It is, and he's right, there is, it's a parking lot basically directly behind, so, it's, in fact, probably helpful, if anything.

Mr. Pietras: One add, is there's a utility pole that you'll see right off the northeastern property corner, and I believe there's a street lamp on that right, so there's light in their parking lot.

Mr. Phoenix: Ok, sounds good.

Mr. Queiroga: Any other questions from members of the board? Ok, I don't know if I read or not, but the Public Works had no comments by our town engineer. And Safety Committee, Safety has no issues with a turn into a salon. And again, the Ludlow Fire Department, Mr. Jacobs had the same comments that I read before. *(Mr. Queiroga reread the comments from the Fire Department.)* Ok, I don't see any red on our end, just that the applicant is asking for three waivers on o. Additional Requirements. I'd be looking for a motion.

Mr. Phoenix: --- public comment first?

Mr. Queiroga: Yeah, anybody here would like to comment on this application? ---

Mr. Phoenix: Hearing nothing, I'm gonna start by making a **MOTION** to grant the waiver of 7.1.5o. 1, 2, and 5 for various reasons including that the scope of the project is fairly minimal especially as regards to the traffic study, that the impact of the renovations to the building are fairly insignificant in comparison to the remainder of the building that's still gonna be the same and that we do have plans showing what those will be looking like that we can keep on file in the office even though they weren't part of the original submission, as well as there is an understanding that the lighting will be maintained in such a way as it doesn't have an adverse effect on any of the neighbors.
SECOND Mr. Coelho.
5-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga - yes.

Mr. Phoenix: With that said, I'll make a **MOTION** in more or less the standard form to grant the approval of the site plan with the one condition added that the provisions that are mentioned in the letter from the Fire Department be addressed and taken care of.
SECOND Mr. Carpenter.
5-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga - yes.

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

Hearing ended 7:24 p.m.

APPROVED:

Kathleen J Houle
Kathleen Houle, Secretary

su

Documents included: Master application; Request for waivers; Comments from Town Boards/Depts; Site Plan - Existing & Proposed Conditions – 193 Center Street Ludlow, MA for Jaime Jacobs (04/22/2022); Plans: Additions & Renovations – Raw Texture – 193 Center Street Ludlow, MA (September 16, 2021)

(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
Timberidge Road
(Assessors' Map 39, Parcels 41-49, 68, 70-74 and Map 40, Parcels 154-188)
Barbara Capuano
(estate lot)
May 26, 2022

PLANNING BOARD MEMBERS

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

The hearing began at 7:32 p.m. in the Selectmen's Conference Room.

In attendance: Dana Steele – JR Russo and Associates

Mr. Queiroga read the legal notice, advised the public that the cameras are recording, and gave the applicant the invoice for Turley Publications. The legal notice included the description of: estate lot.

Mr. Queiroga: And do we have any comments from any of our boards?

Mr. Phoenix: Just a few. Most of them are no comment.

Mr. Queiroga: No comments from our engineer. Safety has no issues with the estate lot. And again, from our fire department: *The special permit for 48 lots and road to be merged into a single estate lot has been reviewed for compliance. The Ludlow Fire Department has no comments at this time. Please note any omissions or missed items during this plan review does not relieve the owner or contractor from meeting all applicable codes laws, regulations, and standards as they apply to construction, maintenance, or use of this building. Captain Seth Falconer.* And from our own board: *The site plan meets all the requirements for an estate lot.* Board of Assessors: *Map 39, Parcel 73 needs to be under the same ownership of the other parcels in order to be combined.* Were you aware of that?

Mr. Steele: Nope.

Mr. Stefancik: I think there's one parcel that's owned specifically by Barbara for some reason and the other parcels are in a separate name. So, I think what Maria's saying is when you combine it or sell it, it needs to be taken case of legally.

Mr. Steele: Yeah, that was just temporary. I think what happened was she sold a lot and then they sold it back to her and so when it was originally in the estate and they sold it back, they sold it to her personally. But, I think that's been resolved.

Mr. Stefancik: Ok.

Mr. Queiroga: So, it's not a problem?

Mr. Coelho: That would probably nullify our decision legally, I have to assume, if it wasn't taken care of, right?

Mr. Stefancik: Legally they can take care of this anyway, so it should be good.

Mr. Coelho: I mean, if there's an ownership quabble, it's gonna be beyond whether or not we approve.

Mr. Steele: There's no ownership issue, so.

Mr. Queiroga: Ok, any questions, official questions from the board? Does anybody in the audience wish to speak on this issue? Ok.

Mr. Phoenix: Hearing nothing, I'll make a **MOTION** in the standard form to approve the Special Permit as submitted and the estate lot also, since we have a standard form for that as well, and then to close the public hearing.
SECOND Mr. Carpenter.
5-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga – yes.

Hearing ended 7:35 p.m.

APPROVED:

Kathleen J. Houle
Kathleen Houle, Secretary

su

Documents: Master application; Comments from Town Boards/Departments; Plans: Estate Lot – Barbara Capuano Timberidge Road, Ludlow, MA (February 23, 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 / SITE PLAN
590-596 Center Street (Assessors' Map 16B, Parcels 116 & 116A)
JLL Real Estate, LLC
(redevelopment of site into a self-storage facility in an Agricultural Moderate Density Overlay District)
May 26, 2022

PLANNING BOARD MEMBERS

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

The hearing began at 7:45 p.m. in the Selectmen's Conference Room.

In attendance: Richard Kowalski, Benjamin Coyle – Bacon Wilson PC, Brent White – White Engineering, attendees

Mr. Queiroga read the legal notice. The legal notice included the description of: redevelopment of site into a self-storage facility in an Agricultural Moderate Density Overlay District.

Mr. Queiroga: Department of Public Works: *We have reviewed the site plan for self-storage facility prepared by White Engineering dated 5/10/22 and have the following comments: Submit a copy of the NPDES Construction General Permit and the SWPP when completed and submitted. An additional storm water fee of $450 needs to be submitted to address the disturbed area on site. The location and type of monumentation. All property corners shall be shown and maintained. The Board of Public Works voted that the existing eight-inch sewer line that runs through the southern abutting property was a sanitary lateral and no future connection will be made to that line. A discussion will have to be with the Board of Public Works to address the possible connection. The minimum size for a sewer line connection is six inches PVC pipe. If you have any questions regarding these comments, do not hesitate to call.* Our Town of Ludlow Fire Department: *To whom it may concern, the site plans submitted at this office for redeveloping of site into self-storage facility located at 590-596 Center Street has been reviewed for compliance. The following will be required: Address of facility to be clearly posted and visible from Center Street; Listed approved fire extinguisher must be provided and maintained for office area; Provide necessary means of egress illumination in accordance with the Building Code for office area; Fire protection narrative as required by 780 CMR for office area; Fire Protection signaling system installed in accordance with Massachusetts State Building Code 9th Edition 780 CMR. Plan review performed by local AHJ; Provide Knox Box for rapid entry in accordance with Town of Ludlow Bylaws to be permanently affixed to the exterior of perimeter gate.* The Safety Committee: *At this time Safety has no issues but would like to further re-assess in the future.* From the Ludlow Planning Board, the only comment they had to make on this was the change of iron pipe not found to iron pipe to be set. Ok, alright, so why don't you give us a brief synopsis of what you want to do?

Mr. Coyle: Sure, my name is Benjamin Coyle. I'm an attorney with the law firm of Bacon Wilson. I represent the applicant JLL Real Estate, LLC. With me tonight is Brent White of White Engineering. He's the engineer on the project. And Richard Kowalski is the owner. He is here with us tonight as well. The applicant is before the Planning Board this evening relative to the proposed project for the property at 590-596 Center Street, with approximately 160 units of self-storage facility on approximate 2.7-acre parcel. The property's located in the Agricultural Moderate Overlay District, and the use is allowed by right subject to site plan approval and the issuance of a special permit and the stormwater permit. The applicant submitted a rather lengthy narrative with the application, and I'd just like to go through some highlights for you so that I don't regurgitate everything that was here, we'll be here forever, but just wanted to give you some of the highlights. Access to the property is off of Center Street as shown on the plans, through the private way that comes off of Center Street as indicated in the ANR plan that was approved by this board previously. There is a second curb cut on the property, but the intention is to not use that second curb cut. We want to do that for safety and to make sure that they aren't any issues with access, so that there's a definitive access. There are sidewalks that will be maintained on Center Street. The access road is designed in such a manner that it arcs towards the north to shield the view from Center Street which is shown on the plan as well. There will be architecture retaining walls, block walls that are on both the north and south side of the private driveway as it goes in, because there's a little bit of an elevation change that's shown there as well. Access to the facility will be through a secure gate that's right in the front of the facility as many storage facilities are now a-days. You're either gonna have a key card or a QR code that's on your phone that will allow you access so that security is one of the highlights of these particular areas. As you enter the facility, there are going to be four buildings consisting of approximately 36,000 square feet of enclosed storage space. The middle two buildings will have access on both sides, the north and south side, however, the northern most and southern most buildings will only have access on the inside going towards the center of the project, not towards the outside, towards the abutters. There's also a proposed 375 square foot office building on the site. The buildings are concrete slab with steel construction and they have an insulated roof, but they are not climate controlled. Driveways within the facility are 20-feet wide and are designed for sufficient room for fire department access and maneuverability. Landscape buffer; there will be a fence, chain link, along the front, the west side and the rear, the east side and the rear of the buildings on the north and the south side will act as the barrier because there's no access on that side. Table 3 of the zoning bylaw set forth the requirements for the landscaping buffer which are actually being exceeded by this project by about 20 percent. There's proposed coniferous trees along the borders of the property, and there's a 20-foot setback on the side yards to the north and south. It's the intention that the plantings will reestablish the natural buffers between the abutting property owners. Lighting, which is also a major concern that I know people have with regard to these types of projects. There was a pretty extensive lighting cut sheet that was provided in your plan. There will be downward lighting on the units designed to allow little to no light to leave the actual property. Units in the driveways are illuminated with wall mounted shielded light fixtures that are dark sky complaint. The light fixtures are shielded and mounted on the wall below the roof line of the building which will serve as a secondary containment of the light from the footprint, from leaving the footprint. The topography of this site has been laid out so that it works within the natural topography that's there. There is the intention that it will be a net zero impact with regard to soil removal from this facility. Everything will be self-contained on the property. Parking, there aren't specific parking requirements pursuant to the zoning bylaws, however, there will be two parking spaces in the rear of the facility, and they will be on asphalt. No deliveries are expected, but there is a notation on the plan of an area where deliveries can be right next to the office. There are also six additional parking spaces along the entire length of the driveways for limited use for which customers may need. But, as most of us

know, with the storage facility, you pull your car up to your unit, you unload it, and you get out. It's not a place where people are spending a lot of time other than loading and unload their units. Relative to the health, safety, welfare, and security, as I indicated, there will be either personalized QR codes or pin pads access for each individual customer. Police and fire will have access 24-hours a day through the Knox box or through their own security code that they can have, or we intend to provide to them. Cameras, there will be about 60 to 70 security cameras throughout this facility. Security is a major component to this project. No storage of any illegal, flammable, or hazardous materials of any kind will be allowed here. There is no outdoor storage of any vehicles, no RV's or any of those types of things will be stored at this facility. As indicated, the property is fully lit with the downward lighting. Each unit has its own lock. Traffic; we provided a traffic summary to this board. The traffic study indicates that there will be about 6.5 trips during the peak P.M. traffic hours, and that's shown in the institute for Transportation Engineers ITE Trip Generation Manual 10th Edition. The noise that will come from this particular project is going to be minimal. The applicant has another facility in West Springfield that operates very similar under these same circumstances and hasn't had any issues with that as well. Snow removal and trash removal; there's an area depicted on the plan and for snow removal. There is an area depicted on the southern southeastern portion for the dumpster. We've discussed moving that to the northeast side which is, which will be a little bit better, we think, all around for access. Snow removal can be pushed back to the rain forest area indicated on the plan and to the extent that there is an exorbitant amount of snow, it will be off site. Signage; there is a proposed signage sign on the plan that shows that the sign complies with the bylaws and the details are provided to the board. As indicated with the fire department in their comments to this board, we will make sure that the address is displayed prominently on the access road that goes back there. Construction; during the construction period which is expected to take approximately five months, there will be normal construction protocols and safety protocols in place with silt fences and additional protocols that are gonna be in place is going to be the construction of a construction pad or anti tracking pad at the entrance to reduce dust and debris as well as watering the property on a continuing basis to make sure that that doesn't happen, the dust and debris. There was a very extensive stormwater management plan that was provided with the submission that the storm water's gonna be contained on site and it's a very robust, very conservative system that the engineer prepared and believes that it will be the best option for this particular facility. That's the overview of the project. We can answer any questions that you may have with regard to any specifics.

Mr. Coelho: The architectural aspect of this, how will that look in general as far as what we might see driving by?

Mr. Coyle: So, driving by from the road, it's going to be difficult to see, based upon, and there's the plan, based upon the curvature of the roadway to enter the facility. But there's an architectural rendering of what the facility is gonna be intended to look like.

Mr. White: And sir, just to better address the, with respect to the divisional impacts from Center Street, first we have our 50-foot landscape buffer. Again, my name is Brent White from White Engineering from Pittsfield on behalf of the applicant. First off, we do have our landscape buffer on either side of the driveway leading into the property. So, we have vegetative screen right at the very, just off the edge of the sidewalk along Center Street itself. From there, we do have a series of retaining walls that have been designed in a way to keep wall heights at a minimum as possible while managing the topography on site. We've also submitted a detailed planting plan that identifies that from each tier that we go from the lower level up to the first tier At the top of that first tier there's a set of plantings that will help screen the second tier of the

wall, etcetera here, so really, when someone is driving by here when the vegetation is established, our hope is that someone needs to slow down and look right as they pass the entrance to even look through our vegetation to even see this facility itself.

Mr. Coelho: I'd have to assume that most of the impact of the business like this comes from actual the construction of it. What's the estimated build out time of something like this?

Mr. White: Five months.

Mr. Coelho: Five months. And how about, again, I don't envision people going in and out on a daily basis. Typically, they fill their unit, maybe come in to get things here or there. They're probably a big impact at the beginning when it first opens up. Do we anticipate an environment where this will fill up relatively quickly?

Mr. Coyle: We believe that there's a need for the facility in the town and we believe that it will be filled relatively quickly.

Mr. Coelho: 'Cause we do have traffic problems over there, or down the road a little bit, so. You'll get your time in a minute.

Ms. ---: I can wait.

Mr. Coelho: Good. Mr. Chairman?

Mr. Queiroga: Any other comments?

Mr. Phoenix: I've got a few things, but I don't want to go too deep right out the gate. Let's start with a couple of simple ones. From the DPW comments, their third comment was location, type of monumentation, all property corners shall be shown and maintained. I know on Doug's run through there was a note that something needed to be changed as far as pin not found to pin not set, pin to be set. Without going through and checking every i and t myself again, is it your understanding that that's specifically what they're referring to on there or are there also pins that are missing and their comment is a little bit more vague?

Mr. Stefancik: No, they show all the pins, it's just that they showed them as not founds instead of to be sets, so. They showed everything, here, here, here, here, here, here. They all have an indication where a pin would be, or it wouldn't be found.

Mr. Phoenix: Ok, so as long as they're there, I'm relatively happy with just the wording being changed. I just wanted to clarify that it was the same intention between their letter and what you had. Additionally, I know I saw in the packet, that I have here, that there is the SWPPP, but I'm seeing in the DPW comments, number one submit a copy of that. The NPDES construction general permit and the SWPPP when completed and submitted and they talk about the fee for stormwater and everything like that. Has that been submitted to them at this time?

Mr. White: Do you want to discuss the fee first, ---? I'd be happy to speak to the first point that was raised by the DPW.

Mr. Kowalski: So yeah, the fee has been now submitted and they have their fee. I think there was just some question, I believe, Doug, in reference to how that was calculated?

Mr. Stefancik: Yeah, they submitted a fee of $250, it just was miscalculated, so Jim said they need to have $450 additional with the fee, so I do have a check right here.

Mr. White: And with respect to, and so the Environmental Protection Agency has the NPDES program and as a part of that, any site that disturbs more than one acre of land is required to have a NPDES general permit. Typically, that is a permit that is filed concurrently at the time construction documents are being prepared. It's an online platform, when I submit an application through the EPA, I submit what's known as a Notice of Intent , which is essentially an online form where I describe the property area, everything that is included in the application that identifies how we intend to during construction control to the site as well as what our post construction management of increased runoff will be from roofs and paved areas, which is all the bases of what the DPW reviewed. It's just a separate process for which the EPA has their own registration, essentially. It's not even much of a ---, to be perfectly honest. Many times, if a project goes before the Conservation Commission, they issue an Order of Conditions. One of their standard conditions is just to say when the EPA gives your product specific permit, we would like a copy of that for our records. So that, --- that falls more under the building permit type of ---.

Mr. Phoenix: No, I get that. I mean, that's pretty much standard boiler plate.

Mr. White: Right.

Mr. Phoenix: I'm just --- anything that we're seeing that has a disturbance.

Mr. White: Yes.

Mr. Phoenix: But, normally when this comes in, we'd have a thumbs-up or a thumbs-down on the stormwater plan, and this right here is saying that they are looking to have that when it's completed and submitted.

Mr. White: Well they, you have all the documents, you have all the engineering calculations and the stormwater pollution prevention measures that will be submitted to the EPA. Frankly, we need to get through site entitlement to know that we have a project before we actually register the project with the EPA. So, that's the only thing that's really outstanding is our filing of the online proforma, essentially, and us submitting that to your office.

Mr. Phoenix: Well, just to completely upfront, even if everything else is completely 100% ok tonight, until I hear back from Public Works, that they've reviewed, that their engineering division has reviewed those stormwater calculations in that plan that they're happy with it, I'm personally not gonna be able to vote in favor of this. I'd have to wait to hear back from them on that.

Mr. White: I believe the review that they've prepared, reviewed of the information that we've submitted.

Mr. Phoenix: It says right here, if we take out the NPDES Construction General Permit, submit a copy of the SWPPP when completed and submitted. So, either there's some confusion on their part when they wrote this letter or they're still looking to get that.

Mr. White: I think there's confusion frankly, because this…

Mr. Phoenix: But again, I can see it. But just because I have a copy of it in PDF, doesn't mean that they've reviewed it. So, I just need to get something from them that says that they've reviewed it and they're ok with it.

Mr. Coyle: Ok, we can follow up with the department with regard to that.

Mr. Phoenix: And I'm also, again, just kind of sticking with this one thing for now. The comment that they had as far as the sewer line. Is there any response on that?

Mr. Coyle: We intend to have discussions with them. We just got this. Relative to the extent of the office and what it will entail. We believe that we will have either the ability to connect under whatever requirements they may want, or we can look to other alternatives…

Mr. White: Correct.

Mr. Coyle: …for onsite sanitary options. But, we believe that we will be able to address those without much concern.

Mr. Phoenix: Although I have a few other things, for now I just want to bring up one other one then I'll be quiet for a few minutes anyway. As far as the traffic study goes, that is a thing that's generally required under 7.1.5o in the bylaws, I think it's number five, and I saw no request for a waiver of that. I saw there were some traffic calculations, but I didn't see any actual traffic study prepared by a traffic engineer or anything along those lines. Am I missing something or is that not present and not asked to be waived?

Mr. Coyle: Well, we would like a waiver based on the fact that we provided the trip generation reports.

Mr. Phoenix: If you want to give us that in writing, we can certainly entertain that waiver and we can act on that once we have that request.

Mr. White: And the reason why we seek that waiver as a professional engineer with the understanding that the proposed project calls for the elimination of a curb cut which is generally viewed favorably in terms of reducing traffic confusion for patrons who may be coming to the site and unsure of which way to enter the property as well as the approximately $1/10^{th}$ of 1% of increase in traffic during the PM peak hour here. We feel that the impacts based on the proposed project would not require an extra level of review by a transportation engineer. As a licensed civil engineer in the Commonwealth, I have certain level of ability to make those impacts and represent them to the board ---.

Mr. Phoenix: And that's fine, but it's up to this board to decide whether or not to grant that waiver.

Mr. White: Understand.

Mr. Phoenix: It's not, without that being requested, that needs to be a formal part of what was submitted. And that isn't quite what happened. So, it sounds like we have a remedy for that where the board will be able to discuss that and decide whether we agree with what you're

saying and that we don't necessarily need the full traffic study. But, that's a discussion we can have once we have that request in hand. So, with that, I'll turn it over to any other board members that have questions or comments at this time.

Mr. Queiroga: Josh?

Mr. Carpenter: I have no comments Mr. Chairman.

Mr. Queiroga: You all right?

Mr. da Silva: I'm all set.

Mr. Queiroga: I'd like to ask, the place where you have the most, the closeness, the most closeness to other people's property, is obviously the area around Sroka Lane.

Mr. Coyle: Correct.

Mr. Queiroga: Now, I'm looking at drawings that looks like the buffer you plan to put in terms of, what kind of species are you going to use?

Mr. White: Yes sir. So, along the landscape buffer we propose a total of 31 frasier fir evergreen trees that will be a minimum of six to seven-foot height, minimum of eight feet apart. And that's just to really to give the root zone room to establish. If we plant them too close from the start here, they will suffocate themselves and not be able to survive. To supplement those, we also have a total of 18 lilacs that we propose to plant at a four to five-foot height, with a minimum of five feet apart those, and six of those plants will be front buffer and twelve of those lilacs will be towards the rear. And the intentions are also, is the, along with the landscaping as Attorney Coyle identified, that for the neighbors along Sroka Lane, the two southern most buildings that are facing them, those walls will not have any doors, so there will be no noise or access of anything that they serve as a full height fence, essentially from that perspective, sir.

Mr. Coelho: So, there's no access to the units on that side?

Mr. White: That is correct.

Mr. Coyle: To the south or the north.

Mr. Queiroga: The other thing I wanted to ask you is that you said how many units?

Mr. Coyle: Approximately 180 units.

Mr. Queiroga: How many buildings?

Mr. Coyle: There's a total of eight buildings.

Ms. ---: Can you speak up? Some of us can't hear what you're saying. Everybody. I mean, can you speak up?

Mr. Queiroga: Ok.

Ms. ---: How many units?

Mr. Coyle: A total of approximately…

Ms. ---: Eight industrial buildings.

Ms. ---: And how many individual units?

Ms. ---: And then two office buildings.

(multiple people talking)

Mr. Queiroga: Why don't we, we'll let you have your comments. What is the purpose of the office building? --- employees?

Mr. Kowalski: So, you know, the intention is to have an office for signing people up for their unit, filling out paperwork. It's a potential that it can be manned, and an employee be there and provide oversight for security.

Mr. Queiroga: Do you expect, how many employees do you expect to, after it's all rented?

Mr. Kowalski: One-part time.

Mr. Queiroga: One part-time.

Mr. Kowalski: Once it's full. I mean, so, you know, in reference to some of the traffic stuff, we do have another facility in West Springfield. We've monitored or, monitored the access for the last three years. We average, typically, across the entire year, about 8 ½ cars a day total for the entire day for the entire year. So, that's your average in reference to the traffic and how many people that you get coming through that facility.

Mr. Queiroga: And they can get in with just a card or something from their phones?

Mr. Kowalski: Yes. Correct. Yeah, so the way the system works is, you know, we try to make security a priority here on people storing their items and then insuring the safety of those. There is a gate in the front of the facility in addition. Each code that folks get is specifically tied to an account and as that person enters, there is a, it pulls up their account, time stamps their account and takes a picture of their license plate, so we know who's coming and going here, and on the way out it does the same thing. We know how long those people were there, when they left, and things of that sort. So, and we keep track of those metrics.

Mr. Coelho: Have there been instances where those metrics were requested by local authorities in any of your other facilities?

Mr. Kowalski: So, currently to date we haven't had any incidents that we've had any issues with security or theft or anything of that sort, people staying excessively or anything of that sort, so the answer is no, we haven't had anything.

Mr. Queiroga: What's the, maybe I should address this to you, what's the level of change from the road to the gate?

Mr. White: From the road to the gate is approximately twelve feet. That's why we've done a series of walls…

Mr. Queiroga: Twelve feet?

Mr. White: Correct. That's why we've done a series of walls to bring up that elevation change so it wasn't such a large monolith wall that we wouldn't be able to better screen initially during construction.



Mr. Queiroga: Any other comments before I go to the public?

Mr. Coelho: I'm good for now.

Mr. Coyle: We'll step back and let the…

(multiple people talking)

Mr. Coyle: We'll stay here, ok.

Mr. Queiroga: I'm just gonna ask a couple things. Number one, is that you tell us who you are and where you live in Ludlow, and also because of all these people we have to put some sort of a time limit or we're gonna serve breakfast. And so, I'm gonna ask that you limit your comments to about two minutes, try to summarize it, and don't keep repeating the same one. So, who wants to put up their hand first?

Ms. Gamache: I'll start. My name is Linda Gamache I live at 39 Sroka Lane in Ludlow, and I'd like to read some of the concerns that we put together. Abutters seek to have the Planning Board hear valid concerns for the following issues. The proposal will change and alter the existing landscape forever. The above-mentioned property is located in a populated residential area. The proposal will greatly affect the valuation of existing surrounding properties. Rezoning or special permit, as you're referring to, to commercial property creates a less than desirable resale value of homes in this area, thus can cause a deal breaker for sales of these homes. Major concerns that will impact residents. Changing the zoning will devaluate surrounding properties. Self-storage facilities are placed in nonresidential areas. This, for said concerns mentioned. These types of facilities have their place in perhaps an industrial area, not in people's backyards. The property will be clear cut, you've mentioned that. You've mentioned that you're not going to damage the soil, but you're gonna clear cut it to put these facilities there. So, the property will be clear cut thus affecting water flow. And I want you to note, there is wetland at the top of the property as well as rock ledge. Excavating in any way may very well affect the water flow downhill towards Center Street onto resident's properties. Abutters are requesting a written statement as to who will be held accountable in the event that damages are incurred. Self-storage facilities have bright flood security lighting. This will shine into resident's homes. Even though it's dim lighting, the whole thing's gonna be lit up. Self-storage facilities will create continual traffic cars, trucks, as well as moving vans. And I want to speak to the crime rate. There have been valid statistics of incidents of break ins to these facilities thus placing this populated residential area of residents at risk as the property is surrounded with private citizens homes. We are requesting that this letter in response to the above proposal be held on file for future reference. You might have noticed the letter I put in the Register. Alright, I cc'd that same letter to Senator Eric Lesser and he was wonderful in getting back to us saying thank you for bringing this to my

attention, I appreciate your reaching out. I want to submit two documents to the board today to be kept on file as to this proposal. The first document is all the abutters signatures that oppose this proposal. The second document is all the non-abutters who support the abutters opposition to this proposal. Who do I give this to?

Mr. Phoenix: Joe, before we go any further, it might be helpful and might have a more constructive conversation here if we can outline where things are at. So, as far as this type of business, it would be considered warehousing under our table of principal uses. When we look at that table, the zoning where that's allowed includes Business B, Agricultural Moderate Density, Industrial A, and Industrial C. It's also allowed in the Mills with a completely different process. But, the restriction that it has in Agricultural Moderate Density is that in addition to needing a site plan which just shows us, you know, where the buildings are, the parking, the pins and lines and all that, this special permit also means that they have to meet additional criteria above and beyond that, and that we can put additional criteria on the way that that business is put together and operates in order to make sure that it meets the needs of the town. So, that's what we're looking at tonight. There is, if it were just a site plan approval, we'd have very little ability as a board to even think about denying it unless it fails to meet the specific criteria called out in the zoning bylaw. With a special permit, that has a little bit more leeway for interpretation on some of the criteria, and that's also again, where we're able to have a little bit more control over what's going on, on the parcel. So, as far as zoning and all that, it is a proper zoning for what's being proposed. The question is, can it be conducted in a way that's appropriate that is suitable and that meets the criteria that we have in the Bylaw. That's really where a lot of this is gonna come down to, and that's why we're looking at the questions as far as whether it has the traffic study, whether the pins are all there, all of that kind of stuff. Because we're trying to do that bare minimum work and then we can kind of build up from there and see where we're at. There are other things that are in place, like the stormwater plan that needs to be reviewed by public works. They'll review the calculations and make sure that it meets what it's supposed to, and they'll let us know. That's their job as the engineering division. That's not something that's in our, necessarily our skill set. We're overseeing the process and making sure that's all set. As far as anything with conservation, that's, again, I hate to go down this road because it's the way that town government is, but it's a different group. That's the Conservation Commission. I checked, I didn't see any response comments from them either saying no comment or with comments. But, if there's an issue that involves wetlands, even if we approve it, they trump us. If things need to get moved in order to meet the needs of the Conservation Commission, their say is more important than ours. So, I just want to make sure everyone's clear on at least those basics, so that we don't necessarily have to go over those several times during the course of people making their comments. Thank you, Mr. Chairman.

Mr. Queiroga: Ok, before I, she's gonna bust out of that chair.

Ms. Pellegrino: I think Wendy covered much of it but if I could just have my two minutes.

Mr. Queiroga: Can you tell us?

Ms. Pellegrino: My name is Christina Pellegrino. I live at 600 Center Street in a 200-year old farmhouse which is oddly not shown on this plan, but you can see my driveway just above their trees, and you can see most of my backyard where their offices will be. I do appreciate their tree line though. I'd like to just quickly, the first line of the Bylaws under the Business and Agricultural Moderate Density Overlay basically say that it's our responsibility here tonight to only allow this if the benefits outweigh any adverse effects. So, that's our minimal responsibility

here tonight. Location 5.1.a says that the proposal be located near uses which are similar to the proposed use, if not, there will be one's likely to benefit. There are only two other businesses in the area which would not benefit. I believe those business owners are both here tonight. I don't see how they would benefit. There are no other like uses. There's farmland all to the rear and you're looking at my backyard all along their fence line there. As far as not causing environmental stress, we're looking at the property now, which they purchased for $50,000 which had two homes on it, residential homes, so they were already two lots there leaving the remainder of the property heavily wooded property, hundred plus year old trees. I can tell you it is the home to coyotes, fox, deer, everything, bird, every kind of bird, bear, deer, and wildlife you can imagine. And according to the site design portion of the bylaws, removal of existing trees or other important natural features will be avoided. They obviously haven't avoided cutting down a single tree. I don't see that one's been saved. Facility design according to these bylaws states that all the buildings will actually be of like design to other buildings found in the area. I don't believe there are any other industrial buildings in that area. The other two businesses that are located there, which are our friendly neighbors, both look like homes. I will say that I did a quick Google search and I can verify that what they're saying is basically what the traffic with three trips per day is pretty accurate. It doesn't generate a lot more traffic, however, I can also tell you that living at 600 Center Street where my backyard is literally my oasis because my front yard is Center Street. The traffic there at rush hour is not great. It is a bad curve. There are accidents there often. And that driveway will certainly increase the difficulty of all the surrounding properties getting in and out of their house at any given time. I appreciate the security features, however, it also means that anyone can be given a key card and have 24 hour access to all of our backyards at any time. So, they'll know who it is after the fact, but that's not gonna do us much good when they hand off their security card to anyone. Also, the Bylaws state that the business should only serve the Ludlow community. There are seven self-storage facilities, I believe, I Googled within a six-mile radius of Ludlow. I do not know that there's any immediate need. I would certainly welcome any residents that tell me that they're desperately in need of a self-storage facility in town, but I don't think you can find any. I could go on, but I think I've taken my two minutes to at least pare down the things that I think are just the immediate deal breakers, but I'm certain if you go through, which I certainly did, they are in violation of at least one section of each of the subsections of the Bylaws under the Moderate Agricultural Density Overlay District Business Plans. Thank you.

Mr. Martin: Dennis Martin, 587 Center Street, right across. I've lived there for 38 years. There were two houses over there, very quiet. They were torn down by John Manganaro who I talk to quite a bit. He told me that his plan at that time was to build three luxury home in there. Well, I got to thinking recently, there's no gas line between the intersection of Chapin and Center Street and Randall's Farm. --- that kind of homes back there. Then I hear this. I've seen in my 38 years there, two seasons ago, a mother bear, two cubs come right out that dirt road, cross right across Center Street to my neighbor's yard and down in the woods to Randall's Farm. I've also had wild turkeys, foxes, coyotes…

Ms. Pellegrino: Many, so many.

Mr. Martin: …wildlife, unbelievable. They're gonna disturb this whole thing. And I would like to know, would they put it in their backyard?

Ms. Pellegrino: One other thing, the elevation, I know that they said the lighting is all downward, but they're located, by the time you get to the back above my property line, so I will be looking down on them.

Mr. Queiroga: ---

Ms. Pellegrino: I don't. I'm not an engineer so I don't understand the elevations.

Mr. Queiroga: --- all turn not only into the property, but down into the property.

Ms. Pellegrino: But the property is currently upward.

Mr. Queiroga: Ok…

Mr. Martin: Can you get in there 24 hours, 7 days a week? Is that facility open 24/7?

Ms. Pellegrino: Yes.

Ms. Martin: Paula Martin, 587 Center Street. As my husband said, they're gonna exit and they're gonna be right facing our property. You know, all the plans sound great, but what's it saying, what about the best laid plans, because the reality is we have to live with it. We have to deal with it. Mr. Kowalski, do you live in Ludlow?

Mr. Kowalski: I do not currently live in Ludlow, but I did grow up in Ludlow. I moved to Ludlow when I was five. I went through the school system here, I graduated from Ludlow High School in 1998.

Ms. Pellegrino: So, you probably ran track? --- right there.

Mr. Kowalski: I went to UMass. My parents still live one mile away from this facility on Hunter Road.

Ms. Martin: Ok.

Mr. Kowalski: I drive by here all the time, so…

Ms. Martin: So, Hunter Road is basically, that's kind of in their backyard if you go through the woods.

Mr. Kowalski: It is, yes.

Ms. Martin: Ok. All you people on the Planning Board, any of you live in this area or do you live in other areas of Ludlow?

Mr. Phoenix: I live over, kind of across from Taco Bell with the Turnpike in my, across the street neighbor's yard.

Ms. Martin: Here's the thing, as I said, there's best laid plans, but then there's the reality. We're gonna have to deal with this, and I hate to say this because, but there's gonna be criminal activity whether you want to admit to it or not. It's gonna happen. It's just the sign of the times. And the traffic coming and going, the people on Sroka Lane, they're losing what they consider their oasis, their beautiful landscape that they're --- sit out in their backyard and relax. We have to deal with the traffic. I've lived there for 38 years. Before I could pull out of that driveway to go

wherever I want, it used to take me five minutes to get to Big Y, it's a thirty-minute ride from 587 Center Street. Ok, in the mornings to take my kids to school, I'm sitting at the end of my driveway for 15 minutes and that's with the light where you can now take a left-hand turn. It's ridiculous. This is just gonna add to the traffic. And the coming and going at six or seven a day, yeah but, six or seven at what time of day? Because you're gonna get people coming in at midnight because they're doing something illegal and they don't want anybody to know what's going on. All the cameras in the world, that's fine, but the reality is, there's a price to pay, and all the people in that area are gonna pay it.

Ms. Gamache: Agawam actually has someone living in one of their storage facilities.

Ms. Pellegrino: On my last emotional plea, I own a 200-year old farm house. No one is ever going to buy my 200-year old farmhouse with an industrial building plopped in my backyard.

Mr. Queiroga: Ok.

Mr. Webb: Hi, I'm Jeff Webb, I'm an abutter. I live at 31 Sroka Lane. See my name there. You know, I've been there for 63 years, and like everybody said, we got wildlife back there and it's nice and quiet. This is inappropriate for a neighborhood. It really is. They just tore down two houses there, and if they were gonna build two more houses, none of us would be here. You know, that's what it's for. And our neighborhood, it's a neighborhood. Not the middle of the night slamming doors and you can't even sleep. It's bad enough with the, I used to be a part-time firefighter, and it's bad enough with the ambulance going out every 20 seconds. The sirens in this section is unbelievable, and to add to it with slamming doors and cars coming in at night, it's horrible. Please don't do this to us. Don't do it, please.

Ms. Pellegrino: There are three traffic stops right in front of my house.

Mr. Queiroga: Now, let's get real here, ok.

Mr. Webb: --- traffic.

Mr. Queiroga: I understand and, I understand your concerns, ok?

Mr. Webb: You don't unless you live there.

Mr. Queiroga: I've lived --- because I've been here longer than you for 68 years.

Mr. Webb: Ok, so you got me by five.

Mr. Queiroga: So, wait a minute. Let me finish.

(multiple people talking)

Ms. Pellegrino: --- but we're on the same side. We're all on the same side. We want to do what's right for the Town of Ludlow.

(multiple people talking)

Ms. Pellegrino: That the Bylaws are being upheld. And as I said, I believe that there's a violation in the Bylaws under the Moderate Agricultural. Even if you take all of the emotions out of it, if we flip over to the Bylaws and we start reading 5-4 Business in the Agricultural Moderate Density Overlay District, the first responsibility to this board was to show that it had some great benefit to the town over any harm. They haven't done that. Haven't shown how this would be of any benefit to the Town of Ludlow, I mean, other than, you know, monetary, but that is what it's all about. But, they've right in location a. they're done, the proposal to be located near like uses similar to the proposed. There are no like uses in this area. This is a residential neighborhood.

(multiple people talking)

Ms. Pellegrino: I mean, and it goes on and on, site design.

Mr. Queiroga: Ma'am?

Ms. Pellegrino: 5.5.3c ---.

Mr. Obrzut: Excuse me, there are other people that would like to speak.

Ms. Pellegrino: I'm sorry. I'm trying to help.

(multiple people talking)

Mr. Obrzut: I know she's making points, but you need to get a lawyer to come here and ---.

(multiple people talking)

Ms. Pellegrino: Please speak, sir. I didn't mean to.

Mr. Obrzut: My name's Michael Obrzut, I live on upper Chapin Street. How many trees are they gonna cut down?

(multiple people talking)

Mr. Obrzut: How many?

Ms. Pellegrino: Hundreds.

(multiple people talking)

Mr. Obrzut: I want to know a count of all the trees that are gonna be cut down. --- climate change ---. Now if you want a --- of environmentalists over there during construction, you're gonna get them. Number one. Number two, the traffic. You're coming up over a hill. You try coming up over that hill on a regular day. There's people, that's a thoroughfare. It's not a street. They come flying over that hill like Ludlow isn't even here. They just want to get through it. And as soon as it gets any more congested over there, that's that much more traffic they push onto Fuller Street, which is the next place that you have umpteen accidents on the corner of Fuller and Chapin. Now, I would like a count, a reasonable count, not to the exact tree, a reasonable count of the amount of trees that you are taking down because you're gonna affect the

environment and the oxygen level and everything in that area by taking all them trees down. They tried to do the same thing in Monson. They were gonna cut down so many acres of trees and they didn't allow it. It's bad for everybody's health and well-being. Again, the safety is a big concern because, like I said, you're a little bit blind coming, not so much if you're coming up from the fire station, it isn't as bad, but if you're coming the other way, people come down off of that hill pretty regular, and if somebody is coming out of that facility, is making a left hand turn, they're not gonna have much warning. Which is another question of who's gonna be responsible if we need signs put up to slow down or whatever because it does, you know, cause more traffic problems than we think it will.

Mr. Queiroga: Thank you for your comments. Let me get somebody who hasn't talked behind you.

Ms. Mathisen: My name's Rebecca Mathisen. I'm a lifelong resident of Ludlow. And I currently live on Sroka Farm, which is the original farm of the area. All this land was zoned agricultural for this farm. Granted, it has shrunk in size, but it is still an active farm. I can tell you that putting in something like this is going to impact the environment. We have seen developments go up off of Hunter Road, that whole Clover Road area. The animals move. They move into our area, ok? I have animals that I try to protect every day. I protect the environment. I manage my land to make sure that the environment stays stable in my area. To add something like this is devastating. I also have a young child who rides his bike up and down the street, who is now old enough to ride his bike to Randall's. This moves in, I'm not gonna let him. The fact that there's not gonna be any fences, just trees blocking between. You're adding...

Mr. Queiroga: No, they do have fences ---.

Ms. Mathisen: On the north and south side, I heard shrubbery.

Mr. Coyle: The back of the building acts as the ---.

Ms. Mathisen: The back of the building, I'm sorry, people can still walk right straight through. And I got to tell you we have so many people always on the property, always. Are they trespassing? Yes. Sometimes I get upset, sometimes I don't. It all depends on their intent. And I do have to say that so many cars come down that road and guess where they turn around? My driveway, every single time. Why? Because they take a wrong turn. You put something like that in, how many times do you think they're gonna access from that road because Google Maps is gonna hit on the back of the property, it's not gonna hit on the gate, it's gonna hit on the back side and they're gonna turn down there and think that they can. And all this ends at my barn where my animals are, where my child is. It's not safe. It's going to destroy the environment. Animals are gonna move to your parent's house on Hunter Road. There's going to be more coyotes. There's going to more bears, fisher cats, bobcats, Canadian lynx. Yup, they're here. They're here. I've seen them. I've had them. They're dangerous. They're dangerous to children. Those two acres are invaluable. There are animals there all the time. You put houses in, animals move around. They move around the people just fine. You clear cut it, you're taking away their homes. You're taking away their access. You put in a dumpster, now you're inviting more critters to come in and cause chaos.

Mr. Coelho: Mr. Chairman.

Mr. Queiroga: Mr. Coelho.

Mr. Coelho: This is always a decision that is sometimes not appreciated by the local residents and the people that live directly abutting any development. This land has value. It's pretty simple. And that value is gonna be realized one way or another. For instance, if somebody felt value in putting an amusement park there, they would allow to. If somebody had value in putting an automated teller machine or a bank in there, they would be allowed to. Somebody wanted to put a bowling alley there, they would be allowed to. Somebody wanted to put a brew pub there, they would be allowed to. I can go on and on and on. Now, I've seen in this town several projects get denied that were less impactful than what plan b was, one being the current housing development across the street from the school. That started off as something less impactful, and the person who realized the value in that property was the owner, had plan b which brought us in a large housing development that otherwise wouldn't have been there. So, that's something else we have to all think about regardless of the fact that we've been there for a hundred years. Regardless of that fact that it was a farming area. That is changing.

(multiple people talking)

Mr. Coelho: It doesn't have to? I'm not talking to you like anything. I'm just telling you the reality of the situation.

Mr. Lizzotte: Would you want it in your backyard?

Ms. ---: --- to avoid ---.

Mr. Coelho: If I didn't want it in my backyard, I would make that property my backyard.

Ms. ---: But you know what, sir? I really respect what you just said, but can we stick to what we're here for? Anything can happen anywhere, but I want to stick with what is being proposed now.

Mr. Phoenix: Mr. Chairman

(multiple people talking)

Mr. Phoenix: Chris, I'd like to say that I generally agree with what you're talking about. It's the same thing also, if we just want to look a little bit further down the road on Fuller Street, we had the issue where they were gonna put some single-family homes and then it became 241 units that were gonna be going in there, and then we got it down to, I think, 168 through negotiations and whatnot. But, it's clear that it was a much heavier impact. Generally, I would agree with that with you, but in this case, we're not talking about something where the other plan b options, at least that I can come up with, are allowable by right. Those one's that you're talking about like with that, and with the one by the school, those were put through 40B to put in housing. As far as these other ones, as long as the zoning remains AMD, if we're looking at business uses, just about everything that you listed, with the exception of ATM's, I believe, also require site plan approval and special permit through this board. So, no matter what the proposal is, there's about a 99% chance that it's gonna be coming through this exact same process where we get the exact same bite at the apple to make sure that it's being done property and in a way that's consistent with the Bylaws. So, I'm not as concerned with the argument that you're making in this particular case as I am in those other ones, especially when it has to do with housing because that's when we start looking at the 40B back up plans.

Mr. Coelho: And I agree.

Ms. ---: It's totally different.

Mr. Coelho: A storage facility with limited access is gonna be a lot less impactful than a lot of the other uses that could happen over here.

(multiple people talking)

Mr. Phoenix: I think there are a lot of arguments that can be made in favor, and there are a lot of arguments that can be made against. I mean, I can sit here, and I can talk about in '97, I think it was, one of the handful of car accidents that I've been in was essentially right over there. It was coming toward the stop light over by the police and fire station because of the traffic and the weather and the road conditions and everything. I can go in to all of that stuff, we all, for the most part, have history in this town that we can pull on to understand the character of this particular neighborhood because I think just about everybody in town who's been through there countless times, as well as understanding, at least from our perspective, the contingencies that can happen in other circumstances. I think that's why I tried to frame the conversation a little bit. I heard a lot of good stuff, and I want to make sure that everyone knows that I'm listening. I'm paying attention to what you're saying. The, we have some ability to say yes or no on this, and I'm not gonna say what my decision is until we get to that point. But, I just want to make sure that everyone understands that even if we're responding and we're saying, no there's gonna be fencing, we are not necessarily saying we're in favor of this particular project and we're gonna vote yes. If we say something critical to the applicant, we're not necessarily indicating we're gonna vote no, we're just trying to establish what the things are that are going on here. The facts of what's happening and what we can quantify in our decision either to approve or to deny that approval. And I certainly understand a lot of the emotional stuff that go into this, I really do, and I don't want to downplay that. I just want to kind of go back to what the Chairman said about we want to try and focus on not rehashing the same things. If we've heard it already, I would hope I can speak for everyone on this side of the table and say that we have been paying attention to what you're saying, and those comments, those arguments have already been noted. So, please just, in the interest of time, so that we don't have to continue without hearing from everybody at least once, I'm gonna ask that everyone listen to what the Chairman originally asked, try and keep your comments short, keep them on point, keep them nonrepetitive, and all conversations should really be directed through the Chairman. We shouldn't be having cross talk. We shouldn't be having questions and answers between people. Everything should be going through Mr. Queiroga as the Chairman.

Mr. Queiroga: Ok, just to add one more thing to what Ray said. And that is, these people showed up here with a contract to buy that property from the former owners, and it wasn't a small amount. Ok, and they have their rights because the zoning allows A, B, and C.

Mr. Phoenix: If they ---.

Mr. Queiroga: You know, those of you that have been here as long as I have, know that I live in the condos over by the East Street and Miller. Ok, and you know what's across the street from us? The old Bruschi Construction. It's allowed.

Ms. ---: It's been there forever.

Mr. Queiroga: It's been there forever.

(multiple people talking)

Mr. Queiroga: Now, and Alves Fuel and a construction company. Ok, so what I'm trying to tell you is, it's not just one sided here. We have to be fair. Because they'll turn around and sue the town.

Ms. Pellegrino: We don't have a problem with a special permit being allowed for a business that is appropriate. We do have two businesses there that do not have any traffic, they look like homes. There are offices, they're appropriate. They don't affect the environment. They don't affect the abutters. They don't affect nature.

Mr. Webb: They're good neighbors.

Mr. Martin: They're very quiet.

Ms. Pellegrino: We are not crazy people saying we don't want business there ever. We understand that we're in a district that a special permit can be granted under appropriate circumstances to an appropriate business. What we're saying is that this simply doesn't meet that.

Mr. ---: It'll look like an industrial park.

Mr. Phoenix: One last thing before I try and hopefully shut my mouth on this one for most of the evening. I was kind of holding this back, but it seems like it's appropriate to bring this up now. In the past, this board with slightly different members looked at Center Street past Chapin, essentially as trying to restrict business from going into that area. I can speak from my personal experience that when we had some of the businesses that go in in that neighborhood, whether we're talking about the dance studio or a couple of other things that happened over the years, those were kind of tough sales for me just based on that one criteria alone. The problem with that criteria is that it's not in the Bylaw. That's kind of our gut instinct that we had as a board. That's something that we tried to have canonized in the master plan and it's not something we can strongly enforce. I can tell you that's generally where my feeling is, is that once you get past the police and fire station that is, more or less, an agricultural residential neighborhood. Does that mean that in some circumstances things might be going through a zone change to be able to do something else? Yeah, that's gonna happen. Am I gonna agree with it all the time? No. Am I sometimes? Absolutely. So, I just want to put that out there as well, that this board is very aware, I think all of us now, but certainly all of us that had that understanding before, of the nature of your neighborhood. We do understand that. So, speaking for myself, and only myself, that is something that I will be taking into account when I make my decision.

Mr. Queiroga: The other, I'll get to somebody who hasn't spoken. We'll get to you. I just want to add one more thing. Randall's Farm, right now, is the second busiest commercial building in Ludlow. Ok? Was that always like that? It wasn't. And part of it is their success. Ok, and yes, it puts pressure on taking that commercial traffic further and further out to the borders of the town. But, you know, I mean, when I came here in 1953, I don't think I would have thought that Randall's would have been that busy, but obviously it is. It's successful. Let me go to a couple people that had their hands up.

Mr. Cameron: Mark Cameron, I live at 583 Center Street. I live there with my dad. I grew up there as a younger child. I worked at a storage unit in Ludlow, so when someone brought up the criminal aspect of it, I seen that first hand 24/7. It's common knowledge. Ever watch the show Breaking Bad? Where did all this illegal drug money go? It went in the storage unit. It's common knowledge. I seen it at the facility over on Carmelinas, middle of the night, you know, criminal aspect of it. And the other thing, I used to see a lot of problems with it. I see a lot of big moving trucks. And I look at this facility across the street from my father's house and I say, how the hell is a moving truck or even a fire truck gonna get in and around in through that area. It's be interesting, but. That's my only two observations that I'd like to bring to the Board. Thank you.

Mr. Weiss: I just have a…

Mr. Queiroga: Identify yourself.

Mr. Weiss: Oh, my name's Spencer Weiss. I live at 40 Sroka Lane. Now, I'm across the street from the abutters. And I just have a comment of saying that I don't think that it will serve the town. Randall's, as big as it is, serves the town properly. Ludlow has a couple of, already, self-storage units that are not at complete capacity within three miles of this facility. There are seven other self-storage units, thirteen within five miles. Now that's not exact, but I mean I did a Google search, but with all that, I firmly believe that capacity is not going to be filled at any time at this facility with a hundred and some odd units. If the waiver is granted, then what would be the pivot to a more profitable, and I don't fault anybody for trying to run a successful business, but I don't think the business will be successful, and I don't think it will serve the town. I hope I was short enough.

Mr. Queiroga: Thank you.

Mr. Lizzotte: Christopher Lizzotte, 63 Sroka Lane. I'm a direct abutter to the back side of the property. And my comment to the Board would be that I don't agree with how the building is going to be set back off of my property. You can see the site and my house if probably going to be no more than 15 feet away from the storage units themselves, the way my property's set up. My biggest concern is I have got a well that I worry about when excavation and compacting starts construction, because my elevation is probably six to seven feet lower than where the property would actually be, where the storage units would actually be started to be built. That would be a huge impact because of all of the ledge rock that is on that property. Also, with the property being clear cut, I worry about all the trees being taken out. They say that there's going to be, stormwater is going to be contained on their property. What kind of issues is that now going to bring to the abutters as far as, you know, mosquitos, pests, you know, unwanted animals being in our yards? And if it comes to a point where the storm drain doesn't work or doesn't get approved, where does that all go? Does that go into my well? --- is that a retention pond so it leeches into the ground? That would be my biggest problem, and that's why I would oppose something like this in my backyard.

Mr. Queiroga: Ok, thank you.

Ms. Wdowiak: I yes, I just had a couple of questions ---.

Mr. Queiroga: Could I get your name?

Ms. Wdowiak: I'm sorry, Robin Wdowiak. I'm at 588 Center Street. You've invited all the abutters here. So, my question to you is what way are our opinions, the abutters opinion, have with this board? You seem to be focusing on the rules and what's allowed and what's not allowed. We asked you if you would prefer that in your backyard, but I'm curious how much our opinion weighs on this board? You've invited us.

Mr. Phoenix: I think, speaking for myself, I think, in all the decisions that I've made since I've been on this board, I've done my best to follow what the Bylaws say and where they lead us and treat every applicant based on whether they meet or fail to meet those. The commentary from the public, I take into account to the extent that it informs that decision. I do my best to understand that there's an emotional component for people, but the bottom line is, every decision that comes in front of us, there's gonna be people that are happy about it, and people that are upset about it. I try to not focus on that honestly, because that shouldn't be my function sitting here. I should be trying to follow what the bylaws of the town say, and if they don't say the right thing, I should be trying to work get that fixed, so that it fixes things for people in the future. That's what I do. Like I said, I try and take everything into account, especially the things that are based on the facts of the situation. In a lot of cases, that fact might be something that is not quantitative. It might be qualitative. It might be a neighborhood that I don't spend a lot of time in. In this case, it's a neighborhood pretty well known in the town for the most part. But, that's not always the case. So, I try and make sure that all of those data points, whether they're numbers, whether they're personal experiences, all of those things that are factual, are part of that decision that I make. At the end of the day, it comes down to following the rules or not following the rules.

Ms. Wdowiak: Is there a plan for the future of this town or you just gonna build up every piece of property that exists?

Mr. Phoenix: Well, we have a master plan that was worked on, but it's aging at this point. They're difficult to put together because it's difficult, quite frankly, to get enough people that are interested enough to sit down and put the time in to work on building one. It's an expensive and time-consuming process. We do have one, what was the year on that one, Doug, do you know?

Mr. Coelho: Fourteen.

Mr. Stefancik: 2011, 2012.

Ms. Wdowiak: That's not very impressive at all. I mean, as the Planning Board, I'm not sure what your major function is in terms of the future of the town, but.

Mr. Queiroga: We're not the only board that has their opinion on those plans, ok? And it's not just our job to initiate. We have just as many people leave here unhappy as we do leave here happy. Ok, so we're trying to take everybody's concerns into effect. I been here over 16 years, and meetings like this I don't enjoy.

Ms. Wdowiak: Right.

Mr. Queiroga: But, ok, unless you're sitting on this side of the table, and you've had that experience, then maybe you can lecture as to we don't have, put enough work into that.

Ms. Wdowiak: I was just curious how everybody's opinion here actually effects the vote. Again, you invited us here, does it affect it at all? I'm just curious.

Mr. Phoenix: At least for me it does.

Ms. Wdowiak: Thank you.

Ms. Martin: Excuse me, I have just one quick question. I did not realize there were storage facilities within Ludlow. I would be interested to know how many actual residents have a storage unit in Ludlow versus out of towners?

Mr. Phoenix: I don't know that that's a data point that we would be able to get.

Ms. Pellegrino: --- it supposed to be a business that only serves Ludlow.

Mr. Kowalski: I can give a little bit of input on that. So, just from that experience, people typically that use the storage facility only use that facility in a three-mile radius, so. Typically, most customers do not travel outside of a three-mile circle to use that facility. And then the other facility…

Ms. Martin: Ok, just a quick observation. This is Ludlow. Have you driven around Ludlow? If people don't want things they throw it in their backyard, they throw it in their barn, they throw it in their garage or on their front lawn. They don't get storage units. I'm sorry, I'm not picking on people in Ludlow…

Mr. Coelho: They also dump things at the end of dead end streets.

Ms. Martin: Exactly, but they don't pay for storage units.

Ms. Pellegrino: But, not in our neighborhood they don't, because we have beautiful farmland at the end of our dead-end streets.

Mr. Queiroga: Identify yourself?

Mr. Cameron: My name is Don Cameron, I own Ludlow Self Storage. Hi Mr. Kowalski, we met yesterday on the phone. I could probably solve the whole thing. I have a couple of offers and I know Mr. Kowalski's interested. I'd gladly sell him my place, buy the land, and use it as green space for the neighborhood because of the residents. But, more importantly, I'm going to urge the board not to approve this because the fact that any state highway requires a traffic study before approval of the board. Starbucks and the bank required traffic studies. They screwed them up the first time, they were required to do them the second time, and you're supposed to have one before it goes through. Furthermore, I've taken a quick look at the plan and I just called the fire department because when I was approved, the board set a precedence, I was required to do 25-foot driveways between the buildings and these driveways are 20 feet. I was required to have eight parking spaces in the front of my office building, with one employee, and there's only two. I was required to have the fire department view the property and make sure trucks could turn around and there clearly is not enough room because the parking is in the area where the trucks would turn around. This doesn't pass the sniff test for the fire department, although they gave limited comments and they need to weigh on this again. It doesn't pass the office sniff test also. I was required to have two bathrooms, one handicapped, for potential

customers. I'm not sure I saw that. So, based on the precedence this board set when I built my first place in town 20 years ago, there's a number of criteria that were laid upon me that aren't here. The Fire Department also required exterior fire extinguishers on every building which I complied with. The new property that I just built on Moody Street, is only 50% full. There's, it's going slow, Carmelina's almost full, but at this point there's still a need for my business. I also approached this board two years ago to buy land in an Agricultural Residential Overlay, and the board had told me that they would not do a zone change, and they would not do a special permit, and I have those emails. So, the board has set a precedence by denying me the exact type of business in the exact type of zoning. So, the board is at risk of changing what they disallowed for me previously. So, my second property that I just purchased on Moody Street for a million dollars, and I spent a million to develop it, cost me two million, and if I was able to go into the wrong zoning and purchase a property for that price, I could have built my business for half the price which puts me at a disadvantage because of the fact that A, the board wouldn't let me go into an agricultural residential overlay, and B, I complied and I went into the proper zoning area and, therefore, spent twice as much money. So, the board puts me at a disadvantage. The precedence has been set by this board, and again, it doesn't pass any of the requirements that I followed.

Mr. Coelho: You had a site plan rejected from an AMD, of a similar project?

Mr. Cameron: I'll show you emails.

Mr. Coelho: Do you have a site plan rejected under a public hearing?

Mr. Cameron: I can answer those questions later through my attorney.

Mr. Coelho: Oh, ok.

Mr. Cameron: Thank you very much for your time.

Mr. Queiroga: By the way, what's your address?

Mr. Cameron: I own three properties in town, four.

Mr. Queiroga: No, where do you live?

Mr. Cameron: I live in Amherst. I have a home in Ludlow on Center Street where my father lives on, I'm deeded on that property. I own a home on Norwich Street that my sister lives in that I purchased for my sister. I own Carmelinas Circle, and I own the property on Moody Street. So, I own four properties in town. Any other questions sir?

Mr. Queiroga: No, I just want to know what your residence is.

Mr. Cameron: Thank you very much.

(multiple people talking)

Mr. Queiroga: Ok, we've got a lot of things to think about.

Mr. White: Mr. Chairman, may I clarify at least some of the technical that were raised? The first is with respect to the actual light structures themselves. Those are mounted on the wall below the beginning of the roof that goes towards the back on --- any building. So, the light fixture height itself is below the peak of any roof on the building itself. It is a shielded light fixture and the plans submitted show the limits of the light footprint of each light structure or light head that will be placed throughout the property clearly identifying that there are no light footprint spillage within our buildings let alone off of our property boundary in of itself. So, I think that's a technical point that was raised that needed to be more specifically addressed. Secondly, I believe it was a misstatement. The roads are a minimum of 24-foot wide between each of the buildings, and that is indicated on the two scale site plans that the fire department did review. And we did review the plans a number of times with the town even prior to our formal application to seek their feedback to ensure that our snow storage, our dumpster placement, our loading unloading for the office would not be a conflict or an issue for the fire department, so I just want to make that clear that the fire department had the opportunity to review the two scale site plans and question the applicant before we submitted the application itself. So, I think that's important to know.

Mr. Coelho: So, under the special permit we're allowed to impart certain restrictions, correct?

Mr. Phoenix: Yes.

Mr. Coelho: I understand there might be a problem with the 24-hour operation of the facility which in my opinion, probably it could be a problem. Would the applicant be accepting of limiting business hours to a reasonable?

Mr. Kowalski: I would be willing to entertain that. I just want to let you know that the amount of people that come through the facility between the hours of, let's say, 10:00 p.m. and 5:00 a.m., based on our, based on my other facility in West Springfield is less than ten per year.

Mr. Coelho: So, then it wouldn't, it wouldn't be unfair to give you hours of operation from 7:00 in the morning till 9:00 at night?

Mr. Kowalski: I think that could be fair. I'd be, we do have a fair amount of people that stop in in the morning before they go to work, so I would maybe say, can we do like a 5:30 or 6:00 a.m. and maybe go to a 10:00 or 11:00 p.m.?

(multiple people talking)

Mr. Phoenix: Mr. Chairman.

Mr. Queiroga: Mr...

Mr. ---: How about if somebody breaks in there in the middle of the night?

Mr. Phoenix: Mr. Chairman.

Mr. Queiroga: Please. Please, just please. You talked...

Mr. ---: This is an open meeting.

Mr. Queiroga: Let him say what he has to say.

Mr. Phoenix: It's a public hearing where people are allowed to speak. The Chairman's in control of that.

Mr. ---: Don't blame it on us.

Mr. Phoenix: I'm not blaming anything on anyone. I'm just saying the conversation all needs to be all through the Chairman. He can call on people. We're also supposed to be having another public hearing at 8:15, and we're approaching 9:15. So, out of fairness to everything that's going on, at the very least, there are still things that would need to be addressed by the applicant before we can even remotely consider approving it, at least from my perspective. So, I think the best thing we can do at this point, is pick another date and time to continue this hearing to, so that we can have a little bit more time to get that work done, so that we can, if necessary, have more time at that point for discussion and we can make a decision at that point or at some point thereafter. And that way there, we can get onto the next people that have been patiently waiting for almost an hour. So, with that in mind, Doug or Sue, do we have…

Ms. Urban: We have June 9th at 7:45 or June 23rd.

Mr. Phoenix: Or what?

Ms. Urban: June 23rd is open, or we have June 9th at 7:45.

Mr. Phoenix: I can make the motion, I'm just trying to, I think June 9th should be long enough for engineering to get back to us, but just to be on the safe side, what time did you say on the 23rd, Sue?

Ms. Urban: We have nothing on the 23rd ---.

Mr. Phoenix: Ok.

Mr. Coyle: The applicant would like to agree to a continuance to June 9th if possible.

Mr. Phoenix: Well, I'm gonna be making a **MOTION** to continue to June 23rd at 7:00 p.m. at this same location.

Mr. Carpenter: **SECOND** for discussion. Can we bring in, can we send this out to fire again for a more substantial review since that was brought up about the egress and all that?

Mr. Coelho: Well, fire's already reviewed it and said it fits for their trucks.

Mr. Phoenix: Well, let me withdraw my motion for a moment, just so we can clean that up. As far as what Josh is saying, that's probably not a bad idea just to have them review it again in case there was anything missed. I'd rather ask them to take a look at it a second time than possibly have an issue down the line.

Mr. Carpenter: Maybe DPW as well because we have those issues that can be ---.

Mr. Phoenix: Absolutely, until I get something from public works that says that the engineering division has looked over it, feels that they have all the applications in place that need to be there,

checking for the stormwater, all that other good stuff. Until they're at least happy with those bare minimum requirements that are supposed to be done prior to submission, certainly prior to the hearing, I think that's not great. I think that's part of the reason why I'm looking at the 23rd is because I don't want to get to the 9th and have a risk of not getting comments back from somebody having a process that's still in place, having people show up, having Mr. Kowalski come in, having him be paying people to come in to represent him, have people from the public take their time to come in, and once we're all sitting here, we say ok we still don't have all the information we'll see you again in another couple weeks. I think that'd be a waste of everybody's time. I think it's a much better idea to put in an extra couple weeks to make sure that that stuff can all be in place.

Mr. Queiroga: Do you have any thoughts Chris? Do you have any problems with that?

Mr. Coelho: No, we need to hash this out to the best of both parties, you know? And we need time for that at this point.

Mr. White: May I ask just a question before we adjourn here just so at least we have a clear marching order?

Mr. Coyle: Let them continue ---.

Mr. Phoenix: So, I think for the moment, again, I think our cleanest thing that we can do is just have the motion to continue and then whatever discussion needs to be had at the next session, we can have then and hopefully we can conclude the discussion at that hearing. I think that would be in everyone's best interest, both yours as the applicant, as well as the public's time coming in and speaking on their own behalf. If we can close everything up at least for the discussion that night, whether the decision's made that night or not. So, to that end, I'm gonna make the **MOTION** again to continue this public hearing until June 23rd at 7:00 p.m. here at this same location.
SECOND Mr. Carpenter.
5-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga - yes.

The public hearing was continued until June 23, 2022 at 7:00 p.m.

APPROVED:

Kathleen J. Houle
Kathleen Houle, Secretary

su

Documents included: Special Permit & Site Plan Review Application for JLL Real Estate, LLC (May 2022); Application for Stormwater Permit/Stormwater Pollution Prevention Plan (SWPPP) for JLL, LLC (May 2002); Comments from Town Boards/Depts; Existing Conditions Plan for JLL Real Estate, LLC (22-03-08); Petition from abutters

(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
175 East Street - Ron DeSellier
(electrician)
May 26, 2022

PLANNING BOARD MEMBERS

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

The hearing began at 9:15 p.m. in the Selectmen's Conference Room.

In attendance: Ron DeSellier, attendee

Mr. Queiroga read the legal notice, gave the applicant a copy of the Turley Publications invoice, and advised the public that the cameras are recording. The legal notice included the description of: office for electrician.

Mr. Coelho: How about give us a brief discussion of what you plan on doing?

Mr. DeSellier: I have an electrical business and I was using the office at my stepdad's house. He's elderly and I was watching him while I was doing my paperwork, so I had the business located in Springfield. So, now he's moving out of there and I live in Ludlow, so my billing address and my business address were two different things. I want to put them together. It's just a computer I'm adding, that's all it is.

Mr. Coelho: And this is primarily for office work?

Mr. DeSellier: Yeah, that's it, yeah.

Mr. Coelho: Not planning on storing large spools of wire?

Mr. DeSellier: No, I deal with mostly thermostats that are this big and there's a box of them like this and we responsibly recycle anything. Like most of the stuff I get is wire.

Mr. Coelho: No large amounts of buoyant materials?

Mr. DeSellier: No, nothing at all really.

Mr. Phoenix: You pulled out an oldie but goody.

Mr. Coelho: That's my favorite question.

Mr. Phoenix: I miss the checklist for that one reason only.

Mr. DeSellier: No, there's no hazardous materials or anything at all there.

Mr. Queiroga: Buoyant materials.

Mr. Coelho: Something that floats.

Mr. Phoenix: Styrofoam and some packing peanuts.

Mr. DeSellier: Yeah.

Mr. Phoenix: We have two thirteen-point checklists, which I believe you would've seen and signed off on.

Mr. DeSellier: Correct.

Mr. Phoenix: And one of those points that we used to always kind of highlight was storage of buoyant materials. --- effective roadways, fill and other encroachment. I can't remember verbatim many words. It's been too many years since we stopped reading them every single time. That was always kind of the highlight of reading twenty-six points of the same thing over and over again.

Mr. DeSellier: Right.

Mr. Coelho: No commercial vehicles over 10,000 GVW?

Mr. DeSellier: No, just the one van that's it.

Mr. Phoenix: Just to kind of put that into a capsule for you Chris, we've got on the home occ checklist, or the supplement here, a 2019 Ford Transit van rated at 9,000 pounds. We have the area of the house at 1,100 square feet. The area used for home occupation is 10 x 4. We have one non-resident employee and then we have a bunch of no's as far as planned signage, customers coming to the house, deliveries unlike a normal residence and changes to the site to make it look less residential. We also do have a signed request for the waiver of the full site plan in favor of a sketch and photos as prepared by the applicant. Based on that waiver request and the conversation that we've heard so far, the description. I'm gonna make a **MOTION** to, number one, find that the home occupation as described is a suitable one under the Bylaw, and to also to grant the waiver of the full plan in favor of the sketch and photos as ---.
SECOND Mr. Carpenter.
5-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga – yes.

Mr. Phoenix: We've got to check for comments, and then I can make the motion and we can close and then we can adjourn.

Mr. Queiroga: Do it, do it.

Mr. Phoenix: Is anybody either here physically or virtually through the miracle of modern technology have any comments or questions at this time? Hearing nothing, I'm gonna make a **MOTION** in the standard form to approve the Special Permit Home Occ as presented and to close the public hearing immediately thereafter.
SECOND Mr. Carpenter.
5-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga – yes.

Hearing ended 9:21 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).