TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
August 18, 2022

PLANNING BOARD MEMBERS

RECEIVED
TOWN CLERK'S OFFICE
2022 AUG 26 A 8:06
TOWN OF LUDLOW

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

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

Review Zoning Bylaws

James Gennette, Board of Selectman was present for the discussion.

6.11 Adult Use Marijuana Establishments and Medical Marijuana Treatment Centers

Mr. Stefancik explained that the highlighted portions on the draft bylaw is where town counsel responded to him, and that he (town counsel) was fine with the additions and edits.

The Board discussed whether the phrase "marijuana establishments shall not be located 500 feet from the existing public and private school providing education to either grades one through twelve" should be included in the bylaw. Mr. Phoenix said that if this part of the state level that it doesn't need to be echoed on the town bylaw, and that the state building code should just be referred to.

Mr. Gennette of the Board of Selectmen said that he is completely opposed to cannabis in Ludlow and that if the townspeople were to approve it, he wants to make sure that there's some good structures in place within the bylaws. He also noted that he disagrees with a zero range for this type of facility next to any school. Mr. Phoenix responded that any facility would need site plan approval and special permit approval along with a potential traffic study requirement and hours of restrictions.

Mr. Phoenix reviewed some grammatical errors on the draft bylaw.

Mr. Phoenix **MOVED** to adjourn and take this up at our next meeting.
(motion failed due to lack of second)

Mr. Gennette questioned the zoning for cultivation uses. The Planning Board said that some of the zoning still needs to be reviewed. He also asked about the physical characteristics of the proposed properties and the special permit requirements such as a drive-thru. The Board explained how special permits work and the noted some of the restrictions that can be put on businesses. They also remarked that a letter from the police chief acknowledging review and approval of the marijuana establishment security plan is required.

Mr. Phoenix said that he would like to push this bylaw submittal to the spring town meeting. Mr. Coelho commented that he wants a definite time line on when everything needs to be submitted by, and an action plan for the May town meeting such as the board reviewing a finalized draft in October/November, public comment in December/January, to have the final plan ready in March for submittal for May town meeting.

RECEIVED
TOWN CLERK'S OFFICE
2022 SEP 26 A 10:12
TOWN OF LUDLOW

AMD District

Mr. Phoenix began the conversation by saying that the bylaw states that Planning has the ability to extend AMD based on where the sewer is at present. Mr. Stefancik will send that to town counsel for review.

Self-Storage Containers

Mr. Phoenix went over some grammatical errors on the article and table. The Board agreed to take self-storage units out of Agriculture and Agriculture Moderate Density District and leave it only in Industrial Zoning and the Mills District. They also discussed adding a Special Permit approval requirement in the Mill Redevelopment District and removing the Administrative Review Committee at some point down the line. Mr. Stefancik said that town counsel has not reviewed these proposed changes as of yet.

Mr. Carpenter: I have no problem postponing all of our bylaws for October town meeting.
SECOND Ms. Houle.
5-0 in Favor.

Mr. Coelho: I want a third for discussion. However, I do want an action plan to get this done and not get it lost in the mill. And then what happens when we want to get other stuff done for October too?

Mr. Phoenix: Well, I'm gonna be putting something down in my own calendar to keep track of some of this, but like I said, ultimately the schedule comes down to what Doug and Sue think is gonna work and what Joe thinks he agrees with.

Mr. Coelho: Ok.

Mr. Phoenix: And if it doesn't get done, then…

Mr. Coelho: I'll rescind my third for discussion then, although I got my discussion, so.

Mr. Carpenter: I forgot, my **MOTION** is to postpone.
Roll call vote: Mr. Carpenter – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Ms. Houle - yes; Mr. Queiroga – yes.

Documents included: Draft 6.11 Adult Use Marijuana Establishments and Medical Marijuana Treatment Centers

---

Mr. Phoenix: I'll make a **MOTION** to adjourn.
SECOND Mr. Carpenter.
5-0 in Favor.

Meeting adjourned at 8:10 p.m.

RECEIVED
TOWN CLERK'S OFFICE
2022 AUG 26 A 8:56
TOWN OF LUDLOW

APPROVED:

Kathleen J. Houle
Kathleen Houle, Secretary

su

(All related documents can be viewed at the Planning Board Office during regular business hours.)

TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
August 11, 2022

RECEIVED
2022 NOV 26 A 10:06
TOWN OF LUDLOW

PLANNING BOARD MEMBERS

Joseph Queiroga – Chairman (Present)
Raymond Phoenix – Vice Chairman (Absent)
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 – 77 Yale Street (Assessors' Map 15D, Parcel 202) Daniel B. Moore (selling roasted coffee beans)

SEE ATTACHED MINUTES

ANR – 100 State Street (Assessors' Map 14B, Parcel 130) Westmass Area Development Corporation, c/o Jeffrey Daley (to subdivide Parcel G from the balance of the property)

Atty. Tom Reidy of Bacon & Wilson was present for the appointment.

Mr. Reidy explained that he is representing the re-use of Mill 8 that the Planning Board has already approved in January 2021. He said that Winn Development is ready to start construction on the project, and that he has been speaking with Jim Goodreau from the DPW regarding the stormwater permit. Mr. Reidy also mentioned that the Building Commissioner is requiring that a party wall shall be constructed to create separate buildings due to the fact that the property line transects a building, and that they are fine with that condition. He commented that Westmass submitted a waiver request of the five-foot setback requirement as the setbacks are 0.60 at the northern boundary, and 0.00 feet at the eastern boundary.

Mr. Coelho: I **MOVE** to approve the waiver of frontage for Westmass Area Development Corporation c/o Jeff Daley on 100 State Street specifically at the, waiver from the five-foot setback requirement. First request is 2.6 feet between the northern boundary of Mill 9 and the courtyard to Mill #8, and second to request a zero setback between the eastern boundary of Building 199, part of Mill 9 noted on the plan, and connector with Mill #8 Building. So that's waived down to zero and the other corner is waived to .6.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Mr. Coelho – yes; Ms. Houle - yes; Mr. Queiroga – yes.

Mr. Stefancik said that the plan met all of the criteria.

Ms. Houle: I **MOVE** to endorse the ANR for Westmass Development Corporation at 100 State Street, Map 14B Parcel 130.

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

Documents included: Master application; Request for Waivers of Setback Requirements from Sarah la Cour (August 11, 2022); Memo from Leslie D. Ward, Building Commissioner re: Proposed parcel separation of Mill 8 by Westmass Area Development Corp (August 11, 2022) Plan of Land in Ludlow, Massachusetts surveyed for Westmass Area Development Corporation (Revised: August 3, 2022)

2022 AUG 26 A 10:06
TOWN OF LUDLOW

Draft Marijuana / Cannabis Bylaw

Mr. Carpenter explained that he wanted this on the agenda because of the warrant being open for the October Town Meeting.

Mr. Stefancik said that he gave all of the board members a draft copy of the proposed bylaw with suggested corrections from town counsel. He informed the board that it must be submitted to the Selectmen by August 22nd and went over some of the recommendations from town counsel.

Mr. Stefancik said that the bylaw is in draft form until the public hearing and that changes can be made before the warrant is set and published. The Board agreed that another meeting is required to finalize the bylaw for submittal for the warrant. Mr. Stefancik said that a workshop type meeting would be held after the corrections are made and that the Selectmen would be invited, and then a public hearing would be needed.

Mr. Stefancik noted that he also included a draft bylaw definition for storage units and where self-storage facilities would be located, has some verbiage to add to the Agricultural Moderate Density District regarding the measurement of the sewer lines, and taking out the town bylaw that prohibits marijuana.

Mr. Coelho asked that Mr. Stefancik put all the revisions together for next week's meeting and to invite the planning liaison from the Board of Selectmen.

A Planning Board meeting will be scheduled for August 18, 2022 for the bylaw discussion.

File Mail Item #35 – Special Town Meeting Warrant from Marc Strange, Town Administrator

---

Storage units

Mr. Carpenter mentioned that he looked at the draft bylaws and that he agrees that storage units should not be allowed in the AMD district. He also asked that the discussion for the application for the storage units on 590-596 Center Street be addressed at the next regular Planning Board meeting to be held on August 25, 2022.

CONSENT AGENDA:

The Board approved the Consent Agenda under unanimous consent.

- FILE Mail Item 34. - Legal Notices from surrounding communities
- APPROVE/SIGN Minutes of July 28, 2022

Mr. Carpenter: Mr. Chairman, hearing nothing, I will make a **MOTION** to adjourn at 7:44.
SECOND Mr. Coelho.
5-0 in Favor.

RECEIVED
2022 SEP 26 A 8:06
TOWN OF LUDLOW

Meeting adjourned at 7:44 p.m.

APPROVED:

Kathleen Houle
Kathleen Houle, Secretary

su

(All related documents can be viewed at the Planning Board Office during regular business hours.)

TOWN OF LUDLOW PLANNING BOARD
PUBLIC HEARING – SPECIAL PERMIT / HOME OCCUPATION
77 Yale Street – Daniel B. Moore
(selling roasted coffee beans)
August 11, 2022

RECEIVED
2022 AUG 26 A 8:06
TOWN OF LUDLOW

PLANNING BOARD MEMBERS

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

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

In attendance: Daniel Moore, attendees

Mr. Queiroga read the legal notice. The legal notice included the description of: selling roasted coffee beans.

Mr. Queiroga: Also, just to let everybody know, this is a public hearing and we're, you're on our tv and also recording, so if you have anything to say on this, make sure that you identify yourself with your name and your address. Daniel, why don't you tell us what your plan is?

Mr. Moore: Well, our plan is to sell roasted coffee beans, to bag the coffee beans at the house and to use part of our space as an office. I plan on selling about fifty pounds per week, but not out of the house, just using the house as a place to use the kitchen and do our paperwork basically.

Mr. Queiroga: Ok.

Mr. Coelho: Are you going to distribute them?

Mr. Moore: Right now, it's just a hobby. I sell to friends and family and I just want it to be legitimate, so. Our first step is to…

Mr. Queiroga: Do you have any employees?

Mr. Moore: What's that?

Mr. Queiroga: Will you have any employees?

Mr. Moore: No.

Mr. Queiroga: No.

Mr. Coelho: People coming to the house to buy them or are you delivering them?

Mr. Moore: I plan on delivering.

Mr. Queiroga: Ok. By the way, this is the bill for Turley, invoice for the advertisement. You can, if you have a check, you can leave it with Doug over there, if not, you can pay Turley direct.

Ms. Houle: It's paid to Turley. You can either give to to Doug and he'll have it sent out with that, or you can send it yourself.

2022 TOWN OF LUDLOW

Mr. Moore: Ok.

Mr. Queiroga: Ok, questions for Daniel?

Mr. Carpenter: Mr. Chairman?

Mr. Queiroga: Yes.

Mr. Carpenter: So, you're not roasting coffee beans, you're just bagging them?

Mr. Moore: Just bagging them and selling them.

Mr. Queiroga: You don't have any heavy trucks or anything, right?

Mr. Moore: (shook head no)

Mr. da Silva: Where do you source the beans? They already come roasted, you have a delivery truck coming in?

Mr. Moore: Actually, I roast them myself.

Mr. da Silva: Ok.

Mr. Moore: I roast them at my parent's house in Holyoke. I have my roaster set up there and, yeah so. I source them from…

Mr. da Silva: Oh, you don't have to tell your secret. Just to see if you had deliveries, delivery truck coming in or something like that.

Mr. Moore: No, it's nothing.

Mr. da Silva: Don't reveal your sources.

Mr. Coelho: So, when you bring it from your parent's house to your house, what is it in a box?

Mr. Moore: Food grade bins.

Mr. Coelho: Food grade bins.

Mr. Moore: Yeah.

Mr. Coelho: Nothing requiring special deliveries, or.

Mr. Moore: No.

Mr. Queiroga: Anybody in the audience have any comments or questions?

RECEIVED
2022 AUG 26 A 8:06
TOWN OF LUDLOW

Mr. Coelho: Mr. Chairman.

Mr. Queiroga: Mr. Coelho.

Mr. Coelho: I **MOVE** to find that the packaging of pre-roasted coffee beans business as described by the applicant at 77 Yale Street is a suitable home occupation under the Bylaw.
SECOND Mr. Carpenter.
5-0 in Favor.
Roll call vote: Mr. da Silva – yes; Mr. Carpenter – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga – yes.

Ms. Houle: You have a waiver request there, Joe for the?

Mr. Queiroga: Pardon me?

Ms. Houle: Do you have the waiver request signed?

Mr. Queiroga: Yes.

Ms. Houle: Mr. Chairman? Since you checked that the waiver request is on file I **MOVE** to waive the full site plan for 77 Yale Street for Daniel B. Moore in favor of a sketch and photos prepared by the applicant since this is in relation to a home occupation and doing so is consistent with the intent and purpose of the Bylaw.
SECOND Mr. Carpenter.
5-0 in Favor.
Roll call vote: Mr. da Silva – yes; Mr. Carpenter – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga – yes.

Mr. Queiroga: Ok, there'll be a…

Mr. Coelho: Mr. Chairman.

Mr. Queiroga: Mr. Coelho.

Mr. Coelho: I **MOVE** to approve the Special Permit under 7.0.4 a-m and the Home Occupation under Section 6.2.1-6.2.13 for Daniel B. Moore at 77 Yale Street with the restriction that the permit will run with the applicant and not with the property.
SECOND Mr. Carpenter.
5-0 in Favor.
Roll call vote: Mr. da Silva – yes; Mr. Carpenter – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga – yes.

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

RECEIVED
2022 AUG 26 A 8:36
TOWN OF LUDLOW

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).