TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
September 8, 2022

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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 – 79 Jerad Drive
(Assessors' Map 41, Parcel 26F) Brenda Sanderson
(bake organic dog treats and sell at fairs & online)

SEE ATTACHED MINUTES

PUBLIC HEARING – Site Plan / Special Permit – 235-237 East Street
(Assessors' Map 14B, Parcel 50) Gama Investments LLC
(turn store front into a one-bedroom apartment)

(The public hearing was postponed until later in the meeting due to the fact that the applicant was not present)

PRELIMINARY SUBDIVISION – 0 & 694 Chapin Street (Chapin Heights)
(Assessors' Map 11D, Parcel 97, and Map 16B, Parcel 1-1) VDS Properties, LLC c/o Mr. Joe Alves
(proposed eight (8) lot residential subdivision)

(The appointment was continued from August 25, 2022)

John Tomaszewski was present for the appointment.

Mr. Tomaszewski showed the revised plan showing the center island.

Mr. Phoenix: If that's all that we were looking for and that's there, I don't know if we need to bother anybody else for anything else. Unless there's anything else from the Board, I'd make a **MOTION** to approve the preliminary subdivision as currently presented.
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.

Vote on 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)

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In attendance: Richard Kowalski, Attorney Tony Dos Santos, attendees

The Board confirmed that no new items could be heard as the public hearing is closed.

Mr. Phoenix discussed the timeline, which included the initial public hearing on May 26, 2022, and several continued hearings until the public hearing was closed on July 28, 2022. He commented that the 90-day period for coming to a decision, elapses on October 26, 2022. Mr. Phoenix questioned whether the public hearing should be opened back up so that the Board could take the new information that was received into account, and allow for more discussion with the neighbors and the applicant. He also asked whether reopening the public hearing would change the 90-day deadline. Mr. Stefancik said that he would have to ask town counsel.

Mr. Phoenix remarked that there were several things that still needed clarity on the plan, and that he could not vote in favor of it the way it currently sits. He added that he thinks what it really comes down to is does it meet the Ludlow Bylaws and does it satisfy the requirements for business in the Agricultural Moderate Density Overlay District, the requirements for special permit and for site plan approval.

Mr. Phoenix suggested that the Board can run through the special permit, site plan and Agricultural Moderate Density checklists to make sure that all of those things are satisfied, and identify which ones that the Board feels that they don't have clarity on.

The Board reviewed the following checklists: *(italicized criteria are ones in which the Planning Board agreed that the plan submittal did not comply with or needed clarity on)*

BUSINESS IN THE AGRICULTURE MODERATE DENSITY OVERLAY DISTRICT

Special Permits for business uses in the AGRICULTURE MODERATE DENSITY OVERLAY DISTRICT, if consistent with this bylaw in all other respects, shall be granted only if the Planning Board determines that the proposal's benefits to the Town or vicinity will outweigh any adverse effects, after consideration of the following:

5.1.1 Location

a. The proposal will be located near uses which are similar to the proposed use or, if not, the nearby uses will be ones likely to benefit from rather than be damaged by having the proposed activity nearby.

b. Public water supply will be available or will be made available without increased cost to the Town and serving this use at this location will pose no problems which are unusual.

c. If the proposed project will employ more than 10 full-time people, then public sewer will be available or will be made available without increased cost to the Town and serving this use will pose no problems to the Town which are unusual.

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d. The proposal will not cause environmental stress from erosion, siltation, ground water or surface water contamination, or habitat disturbance on the site.

5.1.2 Activity Type and Mix

a. The proposed activity will contribute to the diversity of services available to the Town.

b. Any retail services will be designed to serve the Town's population rather than a larger region.

c. The proposal will add little to traffic congestion, considering the location, the number of trips likely to be attracted, and any special access provisions committed (e.g. bike storage facilities, employee ridesharing) and uses with an average number of 100 trips generated per day per 1,000 square feet of gross floor area.

d. The proposal will pose no environmental hazard because of use or storage of explosive, flammable, toxic, or radioactive materials.

e. The proposal will not result in air pollution or excessive noise.

5.1.3 Site Design

a. Scenic views from public ways and other developed properties will be considerately treated in the design of the site.

b. Topographic change will be in keeping with the surrounding topography.

c. Removal of existing trees or other important natural features will be avoided.

d. Pedestrian movements within the site and to other places will be well provided for.

e. Vehicular movement within the site will be safe and convenient, and arranged so as to not disturb abutting properties.

f. Visibility of parking and service areas from public streets will be minimized through facility location and the use of topography and vegetation.

g. Potential disturbances such as noise, glare, and odors will be effectively confined to the premises through buffering or other means.

h. Water quality will be protected through appropriate location and design of disposal facilities in relation to water bodies and site geology.

i. One driveway per business shall be permitted as a matter of right. Curb cuts shall be limited to the minimum width for safe entering and exiting and shall in no case exceed twenty-four (24) feet in width.

j. The Planning Board may waive up to 25% of the required parking spaces under Section 6.4 PARKING REQUIREMENTS in the Agriculture Moderate Density District.

5.1.4 Facility Design

a. Scenic views from public ways and other developed properties will be considerately treated in the design of the building(s).

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b. Primary exterior materials will match the appearance of materials commonly found on existing buildings within the Town.

c. Domestic scale will be maintained in the building(s)' design through massing devices such as breaks in walls and root planes and through the design of architectural features.

7.1.4 SPECIAL PERMIT CRITERIA

a. The proposal is suitably located in the neighborhood in which it is proposed and/or the total town, as deemed appropriate by the Special Permit Granting Authority;

b. The proposal is compatible with existing uses and other uses permitted by right in the same district;

c. The proposal would not constitute a nuisance due to air and water pollution, flood, noise, dust, vibrations, lights, or visually offensive structures and accessories;

d. The proposal would not be a substantial inconvenience or hazard to abutters, vehicles, or pedestrians;

e. Adequate and appropriate facilities would be provided for the proper operation of the proposed use;

f. The proposal reasonably protects the adjoining premises against any possible detrimental or offensive uses on the site, including unsightly or obnoxious appearance;

g. The proposal ensures that it is in conformance with the sign regulations of the bylaw. (See Section 6.5)

h. The proposal provides convenient and safe vehicular and pedestrian movement within the site, and in relation to adjacent streets, property or improvements;

i. The proposal ensures adequate space for the off-street loading and unloading of vehicles, goods, products, materials, and equipment incidental to the normal operation of the establishment or use;

j. The proposal provides adequate methods of disposal and/or storage for sewage, refuse, and other wastes resulting from the uses permitted or permissible on the site, and methods of drainage for surface water;

k. The proposal ensures protection from flood hazards, considering such factors as the following: elevation of buildings; drainage, adequacy of sewage disposal; erosion and sedimentation control; equipment location; refuse disposal; storage of buoyant materials; extent of paving; effect of fill, roadways or other encroachments on flood runoff and flow;

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l. The proposal is in general harmony with the general purpose and intent of this bylaw;

m. The proposed use complies with any and all additional Special Permit Criteria or special use regulations imposed on individual uses in Section VI of this bylaw.

7.1.5 Required Site Plan Contents

All site plans shall be prepared by a person or persons registered under the Massachusetts General Laws of the Commonwealth of Massachusetts to practice architecture and/or engineering, and land surveying and shall show the seals of the architect and/or engineer, and land surveyor. All site plans shall be on standard 24" X 36" sheets at a scale of 1-inch equals 40 feet, with additional narrative as necessary: (Amended 1/25/99)

All site plans shall also include the property owner's names, date of plan, and scale of plan; and a space for endorsement by the Planning Board (3" X 5") (Added 10/2/06)

a. Provision for adequate drainage of surface water from paved areas. Use of landscaped areas to provide such drainage in order to relieve storm drainage systems is encouraged. The piping for the storm water drainage systems shall be designed using the ten (10) year storm curve for parking area drains and the twenty-five (25) year storm curve for culverts over existing natural waterways and retention areas.

b. Existing and proposed vegetation. Such vegetation shall be indicated by:

(1) Type and location (whether woods, brush, shrubs, etc.)

(2) Number of plants (if appropriate)

c. Existing natural features such as wetlands, rock outcroppings, slopes, hills, etc.

d. Pedestrian facilities, if any, including walks, plazas, benches, etc.

e.1. Parking spaces and circulation area for automobiles as well as the location of landscaped areas within them. Existing and proposed curb cuts shall be indicated together with approval for such cuts from the appropriate town or state agency. The number of spaces shall be in accordance with Section 6.4.2 of the bylaw.

e.2. All parking areas shall be paved and noted on the site plan as "to be paved," with the type of pavement to be used.

e.3. Area where deliveries will be made on site.

f. Existing and proposed fencing to be used to buffer abutting residential dwellings and/or districts from the intended development (if appropriate). Section 3.0.4 of this bylaw.

g. Existing natural features and vegetation to be retained shall be so indicated. Due regard shall be shown for all existing vegetation and natural features which, if preserved, will add attractiveness and value to the development.

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h. The location and type of monumentation at all property corners shall be shown and maintained.

i. Existing and proposed elevations and contours. The contour interval shall be two (2) feet or any interval which adequately depicts the grading.

j. All existing and proposed utilities, and to include utilities with easements.

k. All site plans required herein shall display names of all abutters.

l. All existing and proposed sidewalks and curbings.

m. Landscaping Requirements

(1) Required landscaping shall be provided as set forth in Table 3.

(2) Buffer strips required by Table 3 shall be reserved exclusively for plantings, pedestrian facilities such as benches and walkways, required fences, necessary traffic control signs and those free-standing signs which conform to the requirements of Section 6.5.2e of this bylaw.

n. The plan shall also include a chart showing the following information:

(1) Area of lot.

(2) Area and size of building.

(3) Maximum area of building to be used for selling, offices, business, industrial, or other uses, if applicable.

(4) Maximum number of employees, where applicable.

(5) Maximum seating capacity, where applicable.

(6) Maximum sleeping capacity, where applicable.

(7) Number of parking spaces required for the intended use, based on Section 6.4.

(8) Number of parking spaces existing at the site (including street parking adjacent to site).

(9) Number of trees and/or shrubs.

(10) Number of trees and/or shrubs shown on plan.

o. **Additional Requirements:** All site plans need to have the following information unless waived by the Planning Board: (1.) Lighting Plan with Luminaire Schedule, prepared by an engineer. *(2.) Elevations showing the front, rear and sides of the building design.* (3.) Signage design with dimensions and locations. (4.) Area where snow will be stored. (5.) Traffic Study.

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Mr. Coelho: I'll make a **MOTION** to reopen the public hearing provided that we can get it done before the 90-day extension and or if that 90-day resets when we reopen.
Mr. Phoenix: I really want this to done, but I'm gonna **SECOND** and we'll see how the vote comes. I want it to be done, but I want it to be done right and I don't know which of these is the correct path.
1-4 Against.
Roll call vote: Mr. Carpenter – no; Ms. Houle – no; Mr. Coelho – yes; Mr. Phoenix – no; Mr. Queiroga – no.

Mr. Carpenter: Mr. Chairman, I'm gonna make a **MOTION** to deny the special permit based on those bylaws and subsections.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Mr. Phoenix – yes; Mr. Coelho – no; Ms. Houle – yes; Mr. Queiroga – yes.

Documents included: Plan Set for JLL Real Estate, LLC (5 Sheets) (Rev 2 - 06/16/2022)

PUBLIC HEARING – Site Plan / Special Permit – 235-237 East Street
(Assessors' Map 14B, Parcel 50) Gama Investments LLC
(turn store front into a one-bedroom apartment)

SEE ATTACHED MINUTES

Letter from neighbors re: On street parking and increased business activity around 421-423 East Street, 437- 439 East Street, and 15-17, & 16 Kirkland Avenue

Mr. Coelho recused himself from the discussion as a board member.

Mr. Queiroga read the letter which described overcrowding and unsafe conditions due to parked cars from the neighboring business at 16 Kirkland Avenue. The letter requested that "no parking" signs be displayed on the street and that an updated site plan be submitted for the property at 16 Kirkland Avenue.

Mr. Coelho said that the Safety Committee discussed the problem, and that they, along with the DPW, are going to see what can be done about signage. A discussion was also had about that most of the traffic issues are stemming from the auto repair shop on Kirkland Avenue.

Mr. Phoenix reviewed the site plan on file which showed a total of three employees, two required parking spaces, and five existing parking spaces.

Mr. Carpenter: Mr. Chairman, I make a **MOTION** to have the property owner come in and review the site plan for the property.
SECOND Mr. Phoenix.
4-0 in Favor.
Roll call vote: Ms. Houle – yes; Mr. Phoenix – yes; Mr. Carpenter – yes; Mr. Queiroga – yes.

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The owner of the building will be contacted to come into meet with the Planning Board to discuss the parking and the site plan on file.

Timeline for Bylaw Revisions

Mr. Stefancik reviewed the Timeline for the Bylaw Revisions with the Board Members.

Mr. Phoenix commented that in the self-storage section of the bylaw revisions, he didn't see anything called out in the parking requirements specific to self-storage and asked if it could be included in the draft.

Mr. Phoenix: I'll make a **MOTION** to adopt the timeline as presented by the Town Planner with the understanding that it may need to be amended at any time based off of how the process is currently moving.
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: Action Plan Zoning Bylaws

Site Plan Roundtable (response from Marc Strange)

The letter from Mr. Strange stated that the round table process will not affect the planning process at all, and that the Planning Board would be receiving a more finely tuned site plan from the review and staff comments.

The Board agreed that they would like to have a discussion with Mr. Strange about what exactly is being envisioned. Mr. Phoenix was concerned about whether the round table process would affect the timelines after the submittal, but that it would be a good idea as an additional service as a pre-submittal meeting.

Documents included: Email from Marc Strange to Susan Urban (8/30/2022)

4-8 White Street (trailer in parking lot)

Mr. Phoenix said that there is trailer present in the parking lot again on 4-8 White Street and that it is blocking two of the parking spaces and some of the hashed-out area. He also mentioned that he's not sure that dumpsters are where they're supposed to be. The owners were contacted last year for the same

issue, and they were told that they needed to come in with a site plan if the trailer was going to be there. He remarked that he's concerned that if they only need it for two months out of the year, that it will be removed before they are notified that they can't have it there, and the same thing will be repeated every year. Mr. Phoenix commented that it needs to be made clear to the property owners that this is not allowable and that there can and will be enforcement action taken if they're going to keep putting the trailer there without having a site plan. Mr. Stefancik said that the trailer is not allowed there because it is not an industrial property, but that they can have refrigeration units attached to the building. Mr. Phoenix stated that they are in noncompliance with their site plan on a somewhat regular, although not constant, basis, and that it sounds like grounds for revoking their site plan.

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Mr. Phoenix: I will **MOVE** to reach out to the building inspector for enforcement action and to also communicate with the property owner the seriousness of the Planning Board in making sure that the site plan is being honored appropriately.

Mr. Coelho: **SECOND** for discussion. I think the letter that we send to the building owner should indicate final notice or final.

Mr. Phoenix: Well, I think that goes through the enforcement stuff with building and then next year if this happens again, we've talked to them, we gave them a chance, they took it away. We sent it to building inspector, they take it away. They put it back. Ok, we're just not playing games anymore.

Mr. Coelho: Ok.

Mr. Queiroga: Ok, there's one…

Mr. Phoenix: There's a motion.

Mr. Coelho: And a second.
5-0 in Favor.

Mr. Stefancik will send the property owner a letter and speak with the Building Commissioner to send an enforcement letter.

CONSENT AGENDA:

The Board approved the Consent Agenda under unanimous consent.

- FILE Mail Item 38. - Legal Notices from surrounding communities
- APPROVE/SIGN Minutes of August 25, 2022
- SIGN Special Permits:
  - Daniel B. Moore – 77 Yale Street (selling roasted coffee beans)
- APPROVE Change of Occupancy – Omar Martinez - Body Shop – 860My & Detailscars1 Collision – 37 Letourneau Lane – Industrial C (add body shop to used car sales)

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

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Meeting adjourned at 9:35 p.m.

APPROVED:

Kathleen J. Houle
Kathleen Houle, Secretary

su

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

TOWN OF LUDLOW PLANNING BOARD
PUBLIC HEARING – SPECIAL PERMIT / HOME OCCUPATION
79 Jerad Drive – Brenda Sanderson
(bake organic dog treats and sell at fairs & online)
September 8, 2022

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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 7:01 p.m. in the Selectmen's Conference Room.

In attendance: Brenda Sanderson, attendees

Mr. Queiroga read the legal notice, gave the applicant a copy of the Turley Publications invoice, and advised the public that the hearing is being recorded. The legal notice included the description of: bake organic dog treats and sell at fairs & online.

Mr. Queiroga: Let's see if we have any comments from town boards. Alright, I don't see any comments from any of the town boards. Would you like to tell us what your plans are?

Ms. Sanderson: My plan is to open up an organic dog treats online as well as doing a bunch of fairs or deliveries here free in Ludlow. And it's all organics. There's no byproducts whatsoever except for some of them has vitamin C and turmeric in them to help the dogs with their bones.

Mr. Queiroga: Ok, and I assume you own the house?

Ms. Sanderson: My boyfriend does, yeah. He signed off on it.

Mr. Queiroga: He signed?

Ms. Sanderson: Yup.

Mr. Queiroga: Ok, and do you intend to have any employees?

Ms. Sanderson: No, not for a while. I'm just baking it myself.

Mr. Queiroga: Not for a while, huh? Ok. Questions from anybody on the board for our applicant?

Mr. Phoenix: Mr. Chairman, I'll just go over the application supplement that we have for home occupation. On there we show that the area of the home and other buildings is 3,200 square feet. The area to be used for the home occupation is 400 square feet. Number of non-resident

employees is zero. We have a bunch of no's to the questions about planned signage, customers at the house, deliveries like unlike those of a normal residence, and changes to the site that would make it look less residential. Similarly, we also have none shown as far as the vehicle in connection with the business. We also do have a signed request for the waiver of the full registered site plan in favor of a sketch and photos as prepared by the applicant. So, we do have all of that on file. Unless anybody else on the board has any initial questions, I think at this time it would appropriate to make the initial **FINDING** that the home occupation as described is a suitable one under the Bylaw and to approve the waiver request using our standard form.
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.

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Mr. Queiroga: Are there any?

Mr. Phoenix: Also, just for the record Mr. Chairman, we do have signed copies of our two checklists indicating that the applicant has read and understands the criteria under both the home occupation section and the special permit section.

Mr. Queiroga: Ok, do we, anybody in the public wish to comment on this application?

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 Mrs. Brenda Sanderson at 79 Jerad Drive with the restriction that this permit will run with the applicant and not with the property.
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. Carpenter: **MOTION** to close the public hearing.
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.

Hearing ended 7:06 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 / SPECIAL PERMIT
235-237 East Street – Gama Investments LLC
(turn store front into a one-bedroom apartment)
September 8, 2022

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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 8:22 p.m. in the Selectmen's Conference Room.

The applicant was not present for the public hearing.

Mr. Queiroga read the legal notice into the record. The legal notice included the description of: turn store front into a one-bedroom apartment.

Mr. Queiroga: Zoning on this is business, correct?

Ms. Houle: Yes.

Mr. Stefancik: Business A. It's on East Street.

Ms. Houle: Plus, it's in East Street Corridor.

Mr. Stefancik: East Street Corridor.

Mr. Queiroga: Change of use for the Chapter 34 code ---.

Mr. Coelho: Is that Safety Committee?

Mr. Queiroga: Is it?

Mr. Coelho: Yeah, we discussed it. No, that's building, I'm sorry.

Mr. Queiroga: Building, yup. This is Planning Board, sign waiver request, Additional Requirements 1-5. Need to review, more parking may be necessary. Site line issues at the intersection will be reviewed in near future. This is from the Safety Committee.

Mr. Coelho: Yeah, I can elaborate on that.

Mr. Queiroga: Sure.

Mr. Coelho: If that's, is that acceptable? We've been experimenting with some of these bump out areas, specifically one, on the corner of Hubbard and East.

Mr. Queiroga: It really improved it.

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Mr. Coelho: It improves site line distance, and we're getting positive feedback, of course, from everybody except one party, however, this experiment might be expanded to all of those corners. So there, you know, in the future there might be a missing parking spot. It didn't seem, the building inspector indicated that they might not have the appropriate parking, according to building code, but I thought we based our parking requirements on that, and I wasn't sure exactly if we did, but I have to imagine we would, you know. So, I think it's just something we need to pay attention to.

Mr. Queiroga: Let me read this, a couple more comments. One is the Fire Department. *The preliminary site plan submitted by Gama with intentions of turning a store front into a one-bedroom apartment located at 235-237 has been reviewed for compliance. The following will be required. The level of renovation required to convert a preexisting four-family apartment building into a five-family apartment will require further documents to be submitted to this office. Please submit a detailed design development plan for this property drafted by a registered design professional in order to meet compliance with Fire and Building Code. Captain Seth Falconer.* Conservation Commission, no wetlands, or problems. That's it for ---.

Mr. Carpenter: Mr. Chairman, I missed your DPW comments, and my printout is a little blurry for me.

Mr. Queiroga: DPW.

Mr. Phoenix: Looks like it says provide information on sleeping capacity in chart. Show area where snow will be stored on plan. Which the snow storage in Doug's review is covered in the o. Additional Requirements 1-5. Applicant will need to sign waiver request.

Mr. Stefancik: There is a waiver request as well in the back.

Mr. Phoenix: So, we do have one of those now?

Mr. Queiroga: One thru five?

Mr. Stefancik: One thru five, yup.

Mr. Queiroga: Yeah, ok.

Mr. Phoenix: Is there any reasoning provided for granting those by any chance?

Mr. Coelho: From the applicant? Yeah, well who else would it come from right? I'm sorry.

Mr. Phoenix: I know a lot of these are usually pretty obvious as to why we would grant them, but it's nice to sometimes have a reason as to why it's appropriate to other than they just don't want to do it.

Mr. Queiroga: And Doug wrote in here in red, applicant will need to sign waiver request for additional requirements 1-5.

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Mr. Phoenix: So, I think in this case it's pretty self-explanatory, just to…

Mr. Stefancik: It says the proposed parking is a very limited area for snow storage. In the event a large snow deposit is on the property, it shall be removed from the site. A waiver is requested for the area where snow shall be stored.

Mr. Phoenix: So, I mean, the lighting plan with luminaire schedule prepared by an engineer. I'm thinking, given the location they're not really adding lighting, they're just using the existing on street lighting. Two, elevations showing the front, rear, and sides of the building design. They're not changing the actual exterior of the building. That's still gonna be intact. Three, signage design with dimensions and locations. I'd be more inclined to think that's a thing for a business. We don't get a whole lot of signage for residential use.

Mr. Stefancik: No, it's just a conversion to an apartment.

Mr. Phoenix: Then the area where snow will be stored, which you already addressed. And then traffic study which one would tend to think that on average a typical residential unit's gonna have less traffic generated than a business use. I'm sure there are plenty of exceptions that people could cite, but I think in general that's a pretty solid guess.

Mr. Queiroga: The waivers and findings.

Mr. Carpenter: Is it just me, or is this something that doesn't come across the board very often?

Mr. Phoenix: Well, I think it's the first time I've seen somebody using that zoning to change from a storefront to a residence.

Mr. Coelho: We had one other one, but parking wasn't a problem with that one other I think, you know, never mind snow removal and parking.

Mr. Phoenix: It's either hasn't happened or very rare, either way.

Mr. Carpenter: ---

Mr. Queiroga: He'll still have to come here ---.

Mr. Stefancik: He will have to pay the Turley bill, yeah.

Mr. Queiroga: Ok, and so, I wouldn't ---.

Mr. Phoenix: So, just to kind of keep things moving here, I'm gonna make a **MOTION** to grant the waiver request for o.1-5 based on the fact that most of those are not being changed as part of this proposal and the snow storage has been defined, essentially, as it will be largely removed from the site.
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: So that part's taken care of.

Mr. Queiroga: So, we need to have him come in and…

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Mr. Phoenix: Well, they need to pay the bill. But as far as…

Mr. Carpenter: While we're going through the comments from other boards, did they address the one from all these boards? Like do we have anything that says they addressed these? I'm specifically thinking…

Mr. Phoenix: Sleeping capacity on the chart, is that there?

Mr. Carpenter: That one didn't bother me as much as the fire department had a good one. I lost the page. They would require further documentation submitted to the fire department based on the level of renovation required to convert the four family to a five family. Conservation just said no wetlands. The other one that bothered me was the building commissioner, building permit for change of use for Chapter 34 Code review and the stamped plans.

Mr. Phoenix: That's all for interior work. I think that's more notification than anything else. Is that correct, Doug?

Mr. Stefancik: That's correct. I think even with the fire, those two things are gonna trigger at the same time once he pulls a building permit. And you tell people when they are doing a conversion, you talk to fire and building because it's gonna trigger code things. You're not necessarily gonna just be able to throw up sheetrock and throw whatever you want and call it a day. It's gonna be all the code things you have to follow. You know, the more of units you put in there, it just triggers other requirements.

Mr. Phoenix: Going back to the thing about sleeping capacity, I think that might be an issue. Is there a newer version than what I have, 'cause this is sleeping capacity zero?

Mr. Stefancik: Yeah, it's seven bedrooms. I have the updated plan up here.

Mr. Carpenter: Seven bedrooms, ten parking spaces, --- and one spot on the street.

Mr. Phoenix: So, it is on the newer version. Ok, cool, cool, cool. So, I think I will make a **MOTION** in the standard form to approve the site plan and special permit as presented on the condition that the bill for Turley Publications be paid by the applicant, and I will further **MOVE** that we 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 8:31 p.m.

APPROVED:

Kathleen J. Houle
Kathleen Houle, Secretary

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Documents: Master application; waiver request; comments from town boards/departments; Site Plan – 235-237 East Street Ludlow, MA – owned by Gama Investments LLC (August 9, 2022)

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