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

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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 (Absent)

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

PUBLIC HEARING – Special Permit / Home Occupation – Jose Lucas - 35 Barton Street (Assessors' Map 15C, Parcel 153) (catering business)

SEE ATTACHED MINUTES

PUBLIC HEARING – Special Permit / Home Occupation – Jasmine S. & Andre M.M. Queiroga - 15 Barrett Street (Assessors' Map 15B, Parcel 14) (office for general contractor)

SEE ATTACHED MINUTES

ANR – 0 Center Street (Assessors' Map 24, Parcel 70A) Scantic Lands, LLC (Divide Parcel 2 into Parcel 2A and 2B)

Bruce Libby, Don Frydryk – Sherman & Frydryk Land Surveyors, and Attorney Pat Szumowski were present for the appointment.

Mr. Frydryk explained that they are taking Parcel 2 and dividing it into Parcel 2B and Parcel 2A. He said that Parcel 2B has frontage on Reservoir Road with smaller frontage on Center Street, and that Parcel 2A is an isolated parcel that will be conveyed to the abutters.

Mr. Stefancik noted that the plan met all the ANR requirements.

Mr. Carpenter **MOVED** to endorse the ANR for Scantic Lands at 0 Center Street.
SECOND Mr. Coelho.
4-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga – yes.

Documents included: Master application; Plan of Land in Ludlow, MA – Prepared for Scantic Lands, LLC (10/05/2022)

PRELIMINARY SUBDIVISION – Corner of State Street & First Avenue (Millside Business Park) (Assessors' Map 14C, Parcel 106) Jeffrey Daley, Westmass Area Development Corporation (Subdivision of undeveloped portion of the Phase IV site for commercial and industrial development. An 1,800 linear foot +/- roadway will be constructed to service the future facilities developed on the site)

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Sara la Cour – Westmass Area Development and Alex Fagnand – Tighe & Bond were present for the appointment.

Mr. Queiroga read the comments from the town departments. The Fire Department and Conservation Commission had no comments. DPW noted that any upgrades to the drainage infrastructure system and First Avenue pump station will be at the cost of the developers.

Mr. Stefancik remarked that they met all the criteria and they are asking for two waivers: Section III A.4.a Dead end streets shall be no longer than one-thousand (1,000) feet, unless in the opinion of the Planning Board, a greater length is necessitated by topography or other conditions; and Section III A.2.a The minimum width of street right-of-way's shall be fifty (50) feet. Greater width may be required by the Planning Board when deemed necessary for present and future vehicular travel.

Mr. Fagnand explained that this area is identified as Phase IV of the comprehensive plan that was approved for the site and for MEPA permitting that was completed in 2017. He commented that this is an 80-acre parcel of land to the east of First Avenue, south of State Street and the Ludlow Country Club, and north of the Chicopee River, with a 100-foot vegetative buffer all along State Street. Mr. Fagnand said that the proposal includes Millside Drive which is an approximately 1,800-foot road that exceeds the 1,000-foot dead-end length and includes four proposed future development lots to the north of Millside Drive, and a remnant parcel to the south side which contains natural resource areas. He noted that there is a 25-foot-wide emergency access road proposed, which connects from Millside Drive to State Street, and will be gated off for emergency access only.

Ms. la Cour said that construction would begin in spring if everything were approved.

Mr. Coelho discussed the rat migration in town that may be coming from the recent construction of the Mills.

Mr. Coelho **MOVED** to grant the waiver of Section III A.4.a dead-end streets that are longer than 1,000 square feet, Section III.a.2 the width of street right-of-way shall be 50-feet, grant waivers from those.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Carpenter – yes.

Mr. Coelho: Just for discussion, that's associated, the twenty-five foot's associated with that emergency road specifically and the, clearly the…

Ms. la Cour: Millside is all fifty.

Mr. Coelho: Yeah, and clearly the 1,000 feet is for the cul-de-sac.
Roll call vote: Mr. Carpenter – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga – yes.

Mr. Carpenter: I **MOVE** to approve the preliminary subdivision for Westmass Development Corporation located at the corner of State Street and First Avenue for Millside Business Park.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga – yes.

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Documents included: Millside Business Park Ludlow, Massachusetts Preliminary Subdivision Application, Town of Ludlow – November 2022; Comments from Town Boards/Departments; Plan: Town of Ludlow, Massachusetts Millside Business Park Preliminary Plan of Non-Residential Subdivision – Westmass Area Development Corporation - November 2022 – Revised December 2022 (10 Sheets).

ANR – Jeffrey Daley, President/CEO (Westmass Area Development Corporation) Riverside Drive – Lot H, I & J (Assessors' Map 14B, Parcel 130)
(Lots H, I & J are a portion of the Ludlow Mills located in the western section of the mill complex on the north side of Riverside Drive to be subdivided into 3 lots. Lot H is 0.872 acres with 313.44' of frontage and two attached brick buildings (Bldg#46: one-story; #58: two-story); Lot I is 1.047 acres with 151.39' of frontage and includes a two-story brick building (Mill 9); and Lot J is 0.517 acres with 72.55' of frontage with a five-story brick building (Bldg#199).

Sara la Cour – Westmass Area Development was present for the appointment.

Ms. la Cour explained that they are separating out Parcels H, I and J out of the existing parcel. She said that all the parcels will have frontage on Riverside Drive.

Mr. Stefancik noted that they are requesting a zero-lot line in which the building commissioner commented on and recommended granting.

Mr. Queiroga read the letter from Leslie Ward, Building Commissioner regarding the waiver of setback requirements for Mill Building #9.

Mr. Coelho **MOVED** to waive the setback requirement from five feet to zero for the common wall between Mill 9 and Mill Building 199 as shown on the plans.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga – yes.

Mr. Carpenter **MOVED** to endorse the ANR for Westmass Development located on Riverside Drive, Lots H, I, and J.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga – yes.

Documents included: Master application; Waiver request; Plan of Land in Ludlow, MA – Prepared for Westmass Area Development Corp.- Lot Division Plan Riverside Drive (12/07/2022); Memo from Leslie D. Ward, Building Commissioner (December 8, 2022)

Final draft – Marijuana / Cannabis Zoning Bylaws

The Board decided to table the review of the final draft until the next meeting on January 12, 2023, when all board members will be present.

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Documents included: Draft 6.11 Adult Use Marijuana/Cannabis Establishments and Medical Marijuana Treatment Centers; Table 1 Ludlow Table of Principal Uses

File Mail Item #50 – Legal Notice – Zoning Board of Appeals – 0 (Lot 7) Center Street

File Mail Item #51 – Memo from Marc Strange, Town Administrator re: Special Town Meeting

File Mail Item #52 – Letter from Commission on Disability – Inclusion in the Town of Ludlow

CONSENT AGENDA:

The Board approved the Consent Agenda under unanimous consent.

- FILE Mail Item 49. - Legal Notices from surrounding communities
- APPROVE/SIGN Minutes of November 10, 2022
- APPROVE Change of Occupancies:
  - Katie Chicoine (Bare Beauty) 271 East Street (booth rental at existing hair salon)
  - John R. Wrona (John's Corner) 204 ½ Sewall Street (change of owner – existing restaurant)
  - David A. Fields (Avid Auto Sales) 148 Carmelinas Circle (add name to existing auto sales)
  - Joseph DeLiso (Hole Specialist) 42 Perimeter Road (new owner – existing tool mfg. shop)
- SIGN Waiver of Frontage: Michael Goncalves – 170-172 (aka 158) Munsing Street

Mr. Carpenter: I make a **MOTION** to adjourn at 8:05 p.m.
SECOND Mr. Coelho.
4-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Ms. Houle – yes; Mr. Coelho – yes; Mr. Queiroga – yes.

Meeting adjourned at 8:05 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
35 Barton Street – Jose Lucas
(Catering business)
December 8, 2022

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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 (Absent)

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

In attendance: Jose Lucas, attendees

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

Mr. Queiroga: There's no comments from other town boards. Ok, you have a picture, was that the blue house?

Mr. Carpenter: No.

Mr. Queiroga: Mr. Lucas, tell us what you would like to do.

Mr. Lucas: Just, there's going to be like a little office. There's no commotion there, maybe, there's gonna be somebody going there twice a month.

Mr. Queiroga: Ok.

Mr. Coelho: You're not gonna do any cooking there?

Mr. Lucas: No.

Mr. Nelson: No, we're just gonna park one truck there.

Mr. Lucas: Yeah, I got a big back of the driveway, so ---.

Mr. Nelson: He parks it there half the time anyways now, so.

Mr. Coelho: What size truck is it? What's the weight?

Mr. Nelson: It's a step truck.

Mr. Coelho: You guys know the weight?

Mr. Nelson: Yeah, I got it on the thing, 10,000.

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Mr. Lucas: It's there now.

Mr. Coelho: It's ten even.

Mr. Queiroga: Even.

Mr. Coelho: That's what they got written down anyways. Is that what it says on the door?

Mr. Nelson: Yeah.

Mr. Queiroga: It's half yes and half no, right?

Mr. Coelho: I don't know. It depends on what the law says. If it says over 10,000 then I think 10,000's good. If it says 10,000 or over, you know, it's rocking the fine line. I don't know. What's the bylaw say, over 10,000 or 10,000 and over?

Mr. Stefancik: 10,000 is the limit.

Ms. Houle: Is the limit. So, it can go up to 10,000, 10,000 GVW.

Mr. Stefancik: Not more than 10,000.

Mr. Coelho: Not more than 10,000, ok.

Mr. Queiroga: Don't put anything heavy.

Mr. Nelson: Well, when I get in it, it's probably 10,000.

Mr. Coelho: No, just what the door tag says in the Registry.

Mr. Queiroga: Ok, so you're gonna, you're not having any employees at the house?

Mr. Lucas: No.

Mr. Queiroga: And I saw your house, I know where you live. Questions from any members of the Board for Mr. Lucas? Was there a little drawing of what their office was? Was it just a little table or?

Mr. Nelson: Just that sunroom area, that's where the desk is.

Mr. Lucas: I think he --- the sunroom.

Mr. Queiroga: That one?

Mr. Nelson: See the sunroom?

Mr. Queiroga: Yeah.

Mr. Coelho: Did they submit pictures?

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Mr. Stefancik: Right here.

Mr. Coelho: Ok, so they're using their…

Ms. Houle: Mr. Chairman? I **MOVE** to find that the business described by Mr. Jose Lucas at 35 Barton Street is a suitable home occupation under the bylaw, and I believe that he's asked for a waiver of the full site plan at that location in favor of a sketch and photos to be prepared by the applicant since this is in relation to a home occupation and doing so is consistent with the bylaw, purpose and intent of the Zoning Bylaw.
SECOND Mr. Carpenter.
4-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga – yes.

Mr. Queiroga: Any other questions from the Board?

Mr. Carpenter: Mr. Chairman, I **MOVE** to approve the special permit under ---

Mr. Coelho: Pause please, we have to open it up to the public.

Ms. Houle: Public.

Mr. Carpenter: I rescind.

Mr. Queiroga: Anybody here want to comment on this application?

Ms. Houle: Ok.

Mr. Carpenter: Mr. Chairman, I **MOVE** to approve the special permit in the standard form.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Ms. Houle – yes; Mr. Coelho – yes; Mr. Queiroga – yes.

Mr. Queiroga: There'll be like a twenty day waiting period and then you'll be contacted by our office and we recommend that you take that to the Registry of Deeds and put them there so you don't have to go through this every year.

Mr. Lucas: Ok.

Mr. Queiroga: Ok? So, while you need that, just keep it current.

Ms. Houle: Thank you.

Mr. Queiroga: Ok, good luck and if you have a check Doug will, Doug always takes checks.

Mr. Coelho: **MOTION** to close the public hearing.

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

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Hearing ended 7:09 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 – SPECIAL PERMIT / HOME OCCUPATION
15 Barrett Street – Jasmine S. & Andre M.M. Queiroga
(Office for general contractor)
December 8, 2022

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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 (Absent)

The hearing began at 7:10 p.m. in the Selectmen's Conference Room.

In attendance: Andre Queiroga, attendees

Mr. Queiroga remarked that he is related to the applicant, but he has no financial interest with the proposed home business, and that since there are only four Planning Board members present at the meeting, he will vote on the special permit.

Mr. Queiroga read the legal notice. The legal notice included the description of: office for general contractor.

Mr. Queiroga: Ok, why don't you tell us what you want to do, and we can…

Mr. A. Queiroga: I just need a small area, about 40-square feet in my, actually the corner of my dining room just to have my desk, my printer because I'm just starting off my general contracting business. There won't be any commercial vehicles because again, I'm just starting, only my personal vehicle and my wife's personal vehicle. It won't be any equipment or anything like that at the location. It's just a small home-based office.

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

Mr. A. Queiroga: I do not, no.

Mr. Queiroga: Any questions from the board, at this time, to start off? This is your bill for the advertisement for the Register.

Mr. A. Queiroga: Yes sir.

Mr. Queiroga: Yeah, you can either leave it with Doug before you go, or you can send it to them yourself.

Mr. A. Queiroga: Yes, sir.

Mr. Queiroga: So, you're just using it as an office, correct?

Mr. A. Queiroga: Correct. No labeling, no signs, nothing. It's just, I need a little space. I submitted photos, yup.

Mr. Queiroga: Again, as I've said on the first appointment, this is an open public hearing. We've read the notice, advised the public the cameras are recording, give applicant copy of Turley notice which you have. There are no comments from town boards, not required here. Grant findings and/or waivers.

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Mr. Coelho: Mr. Chairman.

Mr. Queiroga: Mr. Coelho.

Mr. Coelho: I **MOVE** to find that the general contracting office as described by Mr. Queiroga at 15 Barrett Street is suitable for home occupation under the bylaw, and I'll also **MOVE** to waive the site plan, the full site plan in favor of a sketch and photos as prepared by the applicant.
SECOND Mr. Carpenter.
4-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga – yes.

Mr. Queiroga: Is there anybody in the audience that wants to comment on this application? Don't all stand up at the same time.

Mr. Carpenter: Mr. Chairman, I **MOVE** to approve the special permit in the standard form and to close the public hearing.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Carpenter – yes; Mr. Coelho – yes; Ms. Houle – yes; Mr. Queiroga – yes.

Hearing ended 7:14 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).