TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
August 10, 2023

PLANNING BOARD MEMBERS

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

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

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ANR – Alexandra Szarlan – 0 Fuller Street (Assessors' Map 10, Parcel 93)
(Divide off two parcels from an existing 53-acre lot)

Dan O'Brien – Smith Associates Surveyors, Inc. was present for the appointment.

Mr. O'Brien explained that the Szarlan family owns the property, and that the daughter is planning on building on the 3.9-acre parcel that's being cut off, and that they left an additional 50-foot strip to add to the leased dental practice property. He also noted that the remaining 46 acres have 80 feet of frontage on Kendall Street.

Mr. Phoenix and Mr. Stefancik agreed that the plan met the ANR checklist requirements.

Mr. Phoenix: Unless somebody else has any questions on it, I'll entertain a MOTION in the standard form to endorse the ANR.
Mr. Coelho: **SO MOVED.**
SECOND Mr. Queiroga.
4-0 in Favor.

Documents included: Master application; Plan of Lot Division – Fuller Street, Kendall Street Ludlow, Mass. owned by General Ronnie Realty, LLC (July 27, 2023)

CONSENT AGENDA:

The Board approved the Consent Agenda under unanimous consent.

- FILE Mail Item 47. - Legal Notices from surrounding communities

File Mail Item #46 – Notice of Decision – Zoning Board of Appeals – 0 Dale Street

Zoning Bylaws

Leslie Ward, Building Commissioner, was present for the appointment.

Mr. Phoenix read the Draft Zoning Bylaws:

*Section IV: Dimensional and Density Regulations: 4.0 General Dimensional Requirements: by adding * for further clarification see Definitions Section X and Diagram 1-6.*

Ms. Ward brought some diagrams to define and eliminate confusion about the definitions of side & front yard setbacks, estate lots, and cul-de-sacs. She also said that she would like to modify the text of the (d) Visibility at Intersections Section (1) to include driveways. The Board Members and Ms. Ward discussed how mailboxes would fit into Section (2). Ms. Ward mentioned that she also made some changes to 3.0.4 Fences.

Under 4.4.10 Site Plan Approval Process, 1. "and one member" "of the Board of Public Works" was removed.

Section VI: Special Land Use Regulations 6.12 Single-Family Dwelling on Estate Lots: replace existing diagram with new diagram (as submitted by Ms. Ward).

Section VII: Site Plan Approval: 7.1.3 Exemptions from Site Plan Approval c. by adding "and the Building Commissioner and by adding a new subsection to c. Some of the proposed changes noted to add "the Planning Board will require a sign-off from the Building Commissioner of their designee that there are no outstanding issues with the property in respect to building code compliance". Mr. Phoenix commented that he feels that Change of Occupancies should not be required for booth rentals for hair salons. Ms. Ward agreed that those should not be required.

Mr. Coelho: I'll make a **MOTION** that we don't require Change of Occupancies for barber/hair stylists...

Mr. Phoenix: For the booth rentals.

Mr. Coelho: ...for the booth rentals.
SECOND Mr. Queiroga.
4-0 in Favor.

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Mr. Coelho questioned the change "the Planning Board will require a sign-off from the Building Commissioner" as discussed above regarding 7.1.3. The Board agreed that "consultation" would be a better choice of words than "sign-off". Mr. Phoenix suggested that "change of use" be added to the wording also.

8.2.1 Conditions of Construction: A few changes were made by Ms. Ward by deleting and adding some of the wording (names, definitions).

Mr. Stefancik showed the Board a Mission Clean Energy flyer about battery energy storage systems and asked if they wanted to do anything with them. He mentioned that Ware has done a year-long moratorium on them so that they can get a better understanding of them and to put a bylaw together. Ms. Ward said they are extremely hazardous when they catch fire. She said that there is not enough technology to create huge fields of these things that are prone to explosions or fires, and that it would be

a liability for the town if we allowed them. Mr. Phoenix stated that he thinks a moratorium should be created so that a potential bylaw could be looked at.

Mr. Phoenix asked if the owners of some of the hair salons in town can be notified that Change of Occupancies will not longer be needed for booth rentals.

Documents included: Section III: General Use Regulations; 7.1 Site Plan Approval; 8.1 Enforcement; Draft Zoning Bylaws; Mission Clean Energy flyer.

Subdivision Rules & Regs

The Planning Board reviewed the following proposed changes to the Subdivision Rules & Regs:

Page 8. B. Definitive Plan 2. Contents f.: Adding verbiage about the area of parcels and street right of ways. Monuments to be set prior to lots being conveyed.

Page 9. B. Definitive Plan 2. Contents p.: Remove section as it is no longer relevant according to DPW.

Page 10. B. Definitive Plan 2. Contents w.: Add verbiage that trees do not need to be identified in the right of way area.

Page 12. 5.a. Performance Guarantee: Adding in covenant information.

Page 14 – 15. 8. Reduction of Bond or Surety: Clarification of procedure of covenant being released. All lots need to be released at the same time and the remainder of the work is to be bonded or a bank book provided.

Page 21. E. Utilities h. Add in a HOA for maintenance of stormwater detention /retention basin.

Page 23. 5. Gas Transmission Lines: Removal of the Planning Board as approving authority and replace with the gas provider and DPW/engineering. Added in sleeve will be installed to lots.

Page 48. Form H: Add in a Covenant form.

Page 50. Form I: Add in a Release of Covenant form.

Page 53. Re-letter all remaining forms.

Page 55. Definitive Plan Checklist form: Change the number of prints to 10 and a pdf copy of all plans and materials. Remove sanity discharge application. Not necessary.

A public hearing will be set up to go forward with the changes.

Mr. Coelho: I'd like to make a **MOTION** to adjourn.
Mr. Phoenix: Hey, those are always in order and not debatable.
SECOND Mr. Queiroga.
4-0 in Favor.

Meeting adjourned at 8:40 p.m.

APPROVED:

Joseph Queiroga, Secretary

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