

**TOWN OF LUDLOW PLANNING BOARD  
MINUTES OF THE MEETING OF  
May 25, 2017**

**PLANNING BOARD MEMBERS**

Edgar Minnie – Chairman (Present)  
Joseph Queiroga – Vice Chairman (Present)  
Christopher Coelho (Present)  
Kathleen Houle (Present)  
Raymond Phoenix (Absent)

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2017 JUL 14 A 11:37  
TOWN OF LUDLOW

Meeting began at 6:55 p.m. in the Selectmen's Conference Room

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**CONTINUED PUBLIC HEARING – SPECIAL PERMIT/ACCESSORY APARTMENT –  
Kevin Lauer – 38 Andrew Street (adding a 730 sq. ft. accessory apartment)**

**SEE ATTACHED MINUTES**

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**PUBLIC HEARING – SPECIAL PERMIT/HOME OCCUPATION – Peter Buscema –  
119 East Akard Street (home office – promote at trade shows and special events)**

**SEE ATTACHED MINUTES**

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**Approve Site Plan Addendum - Mike Bertini – Ludlow High School – 500 Chapin Street  
(Todd H. Gazda)(Assessors' Map 16D, Parcel 67)(addition of parking lot)**

Tabled from the meeting of May 11, 2017, due to a lack of quorum for approval of site plan addendum and waivers.

Mr. Stefancik explained that everything was gone through procedurally at the last meeting. He also mentioned that they have filed with Conservation for the parking lot.

Mr. Queiroga **MOVED** to approve the site plan addendum for Ludlow High School.

Mr. Minnie: We're doing a waiver, we're not doing the...

Mr. Queiroga: We're doing the waiver?

Mr. Minnie: We're doing the waivers first.

Mr. Queiroga: Ok, so, I'll make a **MOTION** to waive the fee...

Mr. Minnie: The fee.

Mr. Queiroga: ...the site sketch...

Mr. Minnie: The fee, the public hearing.

Mr. Queiroga: ... and the public hearing.

Mr. Minnie: And to accept the sketch. Ok, is there a second?

**SECOND** Ms. Houle.

**4-0 in Favor.**

Ms. Houle **MOVED** to approve and sign the site sketch for Ludlow High School, at 500 Chapin Street.

**SECOND** Mr. Coelho.

**4-0 in Favor.**

**Roll call vote: Mr. Queiroga - yes; Mr. Coelho -- yes; Ms. Houle -- yes; Mr. Minnie -- yes.**

*Documents included: Master application; request for waivers; comments from Town Departments / Boards; Plan - Ludlow High School - Garage - Additional parking spaces: 16*

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**Meeting with Board of Selectmen re: Housing Production Plan, Smart Growth Funds - June 20, 2017 @ 7:00 p.m.**

Mr. Stefancik noted that the Selectmen would like to meet with the Planning Board on June 20, 2017 @ 7:00 p.m. to discuss the Housing Production Plan and asking for permission to use the Smart Growth Funds in relation with the Housing Production Plan, as requested by the Planning Board.

Mr. Coelho said that he will attend the meeting and represent the Board, along with Mr. Stefancik.

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**PUBLIC HEARING - SITE PLAN ADDENDUM - Eversource Energy, Attn: William Blanchard - 0 Chapin Street (Assessors' Map 27, Parcel 40)(update site plan for proposed 1.8 megawatt (MW) solar facility)**

**SEE ATTACHED MINUTES**

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**File Mail Item #46 - Cease & Desist letter from Dept. of Inspectional Services re: Waffle Ball Tournaments - 41 Meadowlark Circle**

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**File Mail Item #47 - Response letters from Dept. of Inspectional Services re: Waffle Ball Tournaments - 41 Meadowlark Circle, & Reinstatement of Cease & Desist.**

**File Mail Item #48 - Cease & Desist - 4<sup>th</sup> Notice – No Site Plan Approval - from Dept. of Inspectional Services - 0 Holyoke Street (Assessors' Map 3, Parcel 7A)**

Mr. Queiroga remarked that the property owners are in the process of doing a site plan, and then they will go back to the Zoning Board of Appeals.

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**File Mail Item #49 - Violation letter from Dept. of Inspectional Services re: Shrubs obstructing corner view – 306-308 West Avenue**

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**File Mail Item #50 - Legal Notice – Ludlow Conservation Commission – 58 Beachside Drive**

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**File Mail Item #51 - Legal Notice – Ludlow Conservation Commission – Eversource right-of-way**

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**File Mail Item #53 - Environmental Notification Form – 3419 Road Building Project – Eversource Energy**

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### *Consent Agenda:*

*The Board approved the Consent Agenda under unanimous consent.*

- ◆ APPROVE/SIGN Minutes of April 27, 2017
  - ◆ FILE Mail Item 52. - Legal Notices from surrounding communities
  - ◆ SIGN Special Permits:
    - Norbert A. Pereira – 89 Cislak Drive (Home office – home improvement business)
    - Vanished Valley Brewery, Inc. – 782 Center Street (remove no point-of-sale operations)
  - ◆ APPROVE Change of Occupancy:
    - Sarah Wenners – 251 Cady Street (hair salon)
  - ◆ APPROVE/SIGN Bills – Ludlow Printing & Copy Center (business cards)
    - D. Stefancik (reimbursement for travel expenses)
- =====

**ANR – Estate of Robert H. Farr, John Farr Executor – West Street (Lot 15)  
(Assessors' Map 8, Parcel 1A)(subdivide off Lot 15 from remaining parcel)**

*John Farr was present for the appointment.*

Mr. Farr said that he is subdividing Lot 15 off of the remaining land, to be sold as a building lot.

*Mr. Queiroga read the ANR checklist:*

1. *Property owner's name, date of plan, and scale of plan.*
2. *A space for endorsement by the Planning Board.*
3. *The names of all abutters.*
4. *The lines of existing streets, ways, property lines, and easements. Indicate whether streets and ways are public or private.*
5. *The approximate distance from the property to the nearest street intersection, town line, or other definable physical feature.*
6. *Sufficient data to determine the location and length of every property boundary line in the new parcel and to establish these lines on the ground. Indicate the area of the new parcel.*
7. *The location of all property corner monuments and whether they were found or set.*
8. *The location, frontage, and area of the land remaining in the original parcel after establishing the new parcel.*
9. *The north arrow for bearing system used on the plan and whether it is true, magnetic, or assumed north.*
10. *The location of all existing buildings and the distance from the existing buildings to the new property lines.*
11. *If a building lot is intended, the frontage requirement at the setback line must be shown.*

*SUBMISSION: Two (2) Mylar's plus four (4) sets of prints (dark line on white background) shall be submitted to the Board for endorsement.*

Mr. Coelho **MOVED** to endorse the ANR for Mr., the Estate of Robert H. Farr, John Farr Executor, West Street, Lot 15, Assessors' Map 8, Parcel 1A.

**SECOND** Ms. Houle.

**4-0 in Favor.**

*Documents included: Master application; Lot Division Plan of Land in Ludlow, MA prepared for John C. Farr, Executor of the Estate of Robert H. Farr (owner)(May 12, 2017)*

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**ANR – Thomas A. Flebotte – 1145 East Street (Assessors' Map 31, Parcels 80 & 81)  
(combine two lots to build attached garage)**

*Thomas Flebotte was present for the appointment.*

Mr. Flebotte explained that he is combining his two lots to build an attached garage onto the existing garage.

*Mr. Coelho read the ANR checklist:*

1. *Property owner's name, date of plan, and scale of plan.*
2. *A space for endorsement by the Planning Board.*
3. *The names of all abutters.*
4. *The lines of existing streets, ways, property lines, and easements. Indicate whether streets and ways are public or private.*
5. *The approximate distance from the property to the nearest street intersection, town line, or other definable physical feature.*
6. *Sufficient data to determine the location and length of every property boundary line in the new parcel and to establish these lines on the ground. Indicate the area of the new parcel.*
7. *The location of all property corner monuments and whether they were found or set.*
8. *The location, frontage, and area of the land remaining in the original parcel after establishing the new parcel.*
9. *The north arrow for bearing system used on the plan and whether it is true, magnetic, or assumed north.*
10. *The location of all existing buildings and the distance from the existing buildings to the new property lines.*
11. *If a building lot is intended, the frontage requirement at the setback line must be shown.*

*SUBMISSION: Two (2) Mylar's plus four (4) sets of prints (dark line on white background) shall be submitted to the Board for endorsement.*

Ms. Houle **MOVED** to endorse the ANR for Tom Flebotte at 1145 East Street.

**SECOND** Mr. Coelho.

**4-0 in Favor.**

*Documents included: Master application; Plan of Land #1145 East Street Ludlow, Mass., owned by Thomas A. Sr. + Kathleen M. Flebotte (May 18, 2017)*

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**SITE PLAN ADDENDUM – Ahmad Amin (Basics Mini Mart) – 190-194 East Street (Assessors’ Map 14B, Parcel 112)(update site plan to show location of sign)**

*Hasan Nadeem was present for the appointment.*

Mr. Queiroga said that the applicant is putting up a new conforming sign with underground electrical connections. He also noted that the sign will be smaller than the existing sign.

*Mr. Queiroga read the Requirements for Site Sketch checklist:*

\_\_\_\_\_ *Area of lot*

\_\_\_\_\_ *Area & size of buildings*

\_\_\_\_\_ *Number of parking spaces required for intended use based on Section 6.4*

\_\_\_\_\_ *Number of parking spaces existing at the site (including street parking adjacent to the site.*

\_\_\_\_\_ *Maximum area of building to be used for selling, offices, business, industrial or other uses.*

\_\_\_\_\_ *Maximum number of employees where applicable.*

\_\_\_\_\_ *Maximum seating capacity where applicable.*

\_\_\_\_\_ *Maximum sleeping capacity where applicable.*

Mr. Nadeem presented the Board with a design of the new sign.

Mr. Coelho: I’ll make a **MOTION** to waive the full site plan in lieu of a sketch for Mr. Ahmad Amin.

Mr. Nadeem: Yes.

Mr. Coelho: I nailed that one.

Mr. Minnie: You got it.

Mr. Coelho: ... for Basics Mini Mart, 190-194 East Street because this is minor change and ...

Mr. Minnie: And it’s a brand new fresh site plan.

Mr. Coelho: ... and it's a brand new fresh site plan, and the site plan's less than 25 years old.  
**SECOND** Ms. Houle.  
**4-0 in Favor.**

Ms. Houle: And Mr. Chairman, I **MOVE** to waive the public hearing for 190-192...

Mr. Minnie: That would've been a good idea. Second?

Ms. Houle: ...194 East Street.  
**SECOND** Mr. Queiroga.  
**4-0 in Favor.**

Mr. Coelho: So, Mr. Chairman, I'll make a **MOTION** to approve the site sketch as submitted by Mr. Amin, for 190-194 East Street, indicating the placement of the new sign.  
**SECOND** Ms. Houle.  
**4-0 in Favor.**

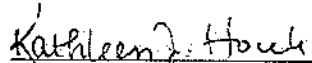
*Documents included: Master application; request for waivers; comments from Town Departments / Boards; Existing Conditions Site Plan 190-194 East Street Ludlow, MA, owned by Englewood Properties, LLC, prepared for Basics Plus, LLC. (Update – add new proposed sign – 4/20/17); Sign drawing proposal – Chuck's Sign Co.*

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Mr. Minnie: **MOTION** to adjourn?  
Ms. Houle: **SO MOVED.**  
**SECOND** Mr. Coelho.  
**4-0 in Favor.**

Meeting adjourned at 7:54 p.m.

APPROVED:

  
\_\_\_\_\_  
Kathleen Houle, Secretary

su

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





**TOWN OF LUDLOW PLANNING BOARD**  
**CONTINUED PUBLIC HEARING – ACCESSORY APARTMENT/SPECIAL PERMIT**  
**38 Andrew Street – Kevin Lauer**  
**(Adding a 730 square foot accessory apartment)**  
**May 25, 2017**

**PLANNING BOARD MEMBERS**

Edgar Minnie - Chairman (Present)  
Joseph Queiroga - Vice Chairman (Present)  
Christopher Coelho (Present)  
Kathleen Houle (Present)  
Raymond Phoenix (Absent)

*Hearing began at 6:55 p.m. in the Selectmen's Conference Room.*

*This hearing was continued from May 11, 2017.*

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*In attendance: Kevin Lauer, attendees*

Mr. Coelho: Mr. Chairman?

Mr. Minnie: Mr. Coelho.

Mr. Coelho: Just for the record, I've watched the video and read the minutes of last meeting that I was unable to attend, and I'm pretty well caught up to what's going on.

Mr. Minnie: And I concur for myself also.

Mr. Stefancik: And there's two pieces of paperwork.

Mr. Minnie: It's taken care of.

Mr. Stefancik: You took care of that? Ok.

Mr. Minnie: And we went over everything. We got here early. The Ludlow Planning Board will hold a public hearing. Oh, this is a continuation, right?

Ms. Houle: Continuation.

Mr. Minnie: We don't have to do that. ---

Mr. Stefancik: You have the quorum to act on it today.

Mr. Minnie: Checklist is done too?

Mr. Coelho: Yeah.

Ms. Houle: Everything was done, except we needed a quorum. We needed four votes on...

Mr. Minnie: Oh, I'm sorry.

Ms. Houle: ...for the waivers and for the approval.

Mr. Minnie: Ok, so we have the waivers all set?

Ms. Houle: We have to make them.

Mr. Stefancik: Correct.

Mr. Minnie: Ok, so we got to do the waivers because we didn't have enough people for the waivers, right?

Mr. Stefancik: I don't know if you have any waivers with this...

Mr. Minnie: I didn't see any in the notes.

Mr. Stefancik: ...because it's special permit and...

Mr. Minnie: Right.

Ms. Houle: For an accessory apartment, yeah you do.

Mr. Stefancik: But, I think you can waive the full site plan to a site sketch.

Ms. Houle: Full site plan, yeah.

Mr. Minnie: And is that what we had, right, which was this right here, yeah? Alright, so can we have a waiver of waiving the site plan in favor of a sketch provided by the applicant?

Mr. Coelho: Is public comment closed, or should we talk to people first? There's not many people in the room, but.

Ms. Houle: We can do the waiver first, then we can...

Mr. Coelho: Ok.

Ms. Houle: Mr. Chairman?

Mr. Minnie: Yes.

Ms. Houle: I **MOVE** to waive a full site plan for Kevin Lauer at 38 Andrew Street, in favor of a site sketch and photos to be prepared by the applicant.

**SECOND** Mr. Queiroga.

**4-0 in Favor.**

Mr. Minnie: Alright, at the request of Mr. Coelho, is there anybody here tonight who's interested in this accessory apartment, besides the applicant? And hearing nothing, would someone like to make a motion on the special permit for Kevin Lauer, 38 Andrew Street for a 730 square foot accessory apartment?

Ms. Houle: Mr. Chairman?

Mr. Minnie: Yes, ma'am.

Ms. Houle: I **MOVE** to approve the Special Permit under 7.0.4 a-m and the Accessory Apartment under 6.6.1 thru 6.6.3 a-1, for Kevin Lauer at 38 Andrew Street, with the conditions that the permit will run with the applicant and not with the property, that the relationship of the accessory apartment tenant will remain consistent with the terms of the Bylaw, and that all follow up documentation will be provided by the applicant proving this continued relationship.

**SECOND** Mr. Queiroga.

**4-0 in Favor.**

**Roll call vote: Mr. Queiroga – yes; Mr. Coelho - yes; Ms. Houle – yes; Mr. Minnie – yes.**

Mr. Minnie: **MOTION** to close the public hearing?

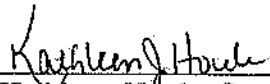
Ms. Houle: **SO MOVED.**

**SECOND** Mr. Coelho.

**4-0 in Favor.**

*Hearing ended 7:32 p.m.*

APPROVED:

  
\_\_\_\_\_  
Kathleen Houle, Secretary

su

Documents: Master application; abutters list; Comments from Town Boards/Departments; Floor Plan – 38 Andrew Street; *Plan of Land in the Town of Ludlow, Massachusetts, Hampden County – Prepared for Kevin E. Lauer (04/04/2017)*

*(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 – HOME OCCUPATION/SPECIAL PERMIT**  
**119 East Akard Street - Peter Buscema**  
**(home office – promote at trade shows and special events)**  
**May 25, 2017**

**PLANNING BOARD MEMBERS**

Edgar Minnie - Chairman (Present)  
Joseph Queiroga - Vice Chairman (Present)  
Christopher Coelho (Present)  
Kathleen Houle (Present)  
Raymond Phoenix (Absent)

*Hearing began at 7:00 p.m. in the Selectmen's Conference Room.*

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*In attendance: Peter Buscema, attendees*

Mr. Minnie read the legal notice, gave Mr. Buscema a copy of the invoice from Turley Publications, and reviewed the application. The legal notice included the description of: Home Office – promote at trade shows and special events.

Mr. Minnie: Ok, how you doing this evening?

Mr. Buscema: Good. How you guys doing?

Mr. Minnie: Not too bad. You were before us once for an informal informational hearing?

Mr. Buscema: Say again?

Mr. Minnie: Were you before us before for an ---?

Mr. Buscema: --- first time.

Mr. Minnie: Alright, so would you like to tell us a little bit of what you're planning to do?

Mr. Buscema: Yeah, I promote different products at trade shows and special events throughout the nation. And I really, I just need like an office space at my house to like book the shows, do the paperwork, make some phone calls, get some mail, for example.

Mr. Minnie: Sure. And, in most towns you can't do that at your house, but in Ludlow we allow it with a special permit under certain rules and regulations that we'll be talking about and going over tonight. Are you envisioning any other employees in your business beside yourself?

Mr. Buscema: No.

Mr. Minnie: Are you envisioning any new vehicles in your yard?

Mr. Buscema: No.

Mr. Minnie: No. You're allowed a sign, a very small sign under the Bylaw. Do you plan on putting up a sign?

Mr. Buscema: No signs.

Mr. Minnie: So basically, there will be no outward change of what's going on, and just a fax machine, a photocopier, a telephone, and some mail.

Mr. Buscema: That's it.

Mr. Minnie: Ok. And that's allowed under our Bylaw. So that's good.

Mr. Buscema: Perfect.

Mr. Minnie: So, if you request it, instead of doing a registered site plan, and paying somebody a lot of money and stamping it, and all that, if you request it, you can provide a couple photos in lieu of that, but you have to ask to provide the photos in lieu of the site...

Ms. Houle: Ed, it may be already signed on that paperwork.

Mr. Minnie: ---, on the ...

Mr. Coelho: --- request form built into the application now.

Mr. Minnie: Ok.

Mr. Coelho: ---

Mr. Minnie: I thought that was only on the ...

Mr. Queiroga: I think it might be on the next page.

Mr. Coelho: Right here, this might be it.

Mr. Minnie: Oh, isn't that nice, it was requested in writing. Ok, so, you don't have to ask for it, but we do have to vote on it. Does anybody have any other questions for Peter?

Mr. Coelho: I don't.

Mr. Minnie: Ok.

Ms. Houle: Mr. Chairman, first I'd like to make a finding. I **MOVE** to find the home occupation as described by Peter Buscema is a suitable home occupation under the Bylaw.

**SECOND** Mr. Coelho.

**4-0 in Favor.**

Ms. Houle: And I **MOVE** to waive a full site plan for Peter Buscema at 119 East Akard Street, in favor of a sketch and photos to be prepared by the applicant since this is in relation to home occupation and doing so is consistent with the purpose and intent of the Zoning Bylaw.

Mr. Minnie: Second.

Mr. Coelho: Are you seconding?

Mr. Minnie: I said is there a second?

Mr. Coelho: I thought you seconded it.

**SECOND** Mr. Queiroga.

**4-0 in Favor.**

Mr. Minnie: And checklists?

*Mr. Queiroga read the Home Occupation Criteria Checklist:*

### **HOME OCCUPATION CRITERIA CHECK LIST**

1. Such use is clearly secondary to the use of a premises for dwelling purposes.
2. The use is pursued by a member of the family residing in the dwelling with not more than two non-resident employees.
3. No trading in merchandise is regularly conducted except for products made on the premises or of parts or other items customarily maintained in connection with, and incidental to, such merchandise.
4. No external change is made which alters the residential appearance of the building on the lot.
5. All operations, including incidental storage, are carried on within the principal or accessory building, and that there is no outward evidence that the premises are being used for any purpose other than residential (except for an accessory sign or vehicle as hereinafter permitted.)
6. The proposed accessory use would be suitably located in the neighborhood in which it is proposed. The use shall not be characterized by outward manifestations (such as traffic generation, noise, public service and utility demand, etc.) not unlike those dwelling units in the particular neighborhood in which the dwelling is located.
7. Only one vehicle parked on the property may be a commercial vehicle and of not more than 10,000 pounds G.V.W. (Gross Vehicle Weight). In all, the total number of vehicles parked on the property during business hours should not exceed by more than two (2) the number of vehicles parked during non-business hours.
8. In all Residence and Agriculture districts, the use will be reasonably compatible with other uses permitted as of right in the same district and with adjoining uses.
9. The use will not constitute a nuisance by reason of an unacceptable level of air or water pollution, excessive noise or visually flagrant structures and accessories, and the use is not a serious hazard to abutters, vehicles or pedestrians.
10. Adequate and appropriate facilities will be provided for the proper operation of the proposed use, including special attention to safe vehicular circulation on the site and at the intersection with abutting streets.
11. The occupational use shall not occupy more than the equivalent of twenty-five percent (25%) of the total gross floor area of the residential structure plus other accessory structures housing the occupation or not more than 500 square feet of gross floor area, whichever is less.

12. In connection with a home occupation there shall be no display visible from outside the building other than an identification sign not larger than two (2) square feet in area and shall not be lighted.
13. Adequate off-street parking for employees and customers shall be provided and must be screened from view from the roadside and from the neighbor.

Mr. Minnie: Thank you. Mr. Coelho.

*Mr. Coelho read the Special Permit Criteria Checklist:*

### **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;
- 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.

Mr. Minnie: Got it. Thank you, Chris.

Mr. Coelho: My pleasure.

Mr. Minnie: Ok, is there any other comments or questions from the Board? Hearing none, Mrs. Houle, would you like to make a motion?

Ms. Houle: It's my day?



Mr. Minnie: Yeah, you got the paperwork in front of you, and you've been doing such a fabulous job all day that we're gonna continue with you.

Ms. Houle: I **MOVE** to approve the Special Permit under 7.0.4 a-m and the Home Occupation under Section 6.2.1 thru 6.2.13 for Peter Buscema at 119 East Akard Street, with the restriction that the permit will run with the applicant and not with the property.

**SECOND** Mr. Coelho.

**4-0 in Favor.**

**Roll call vote: Mr. Queiroga – yes; Mr. Coelho - yes; Ms. Houle – yes; Mr. Minnie – yes.**

Mr. Minnie: **MOTION** to close the public hearing?

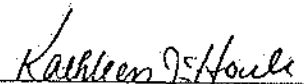
Ms. Houle: **SO MOVED.**

**SECOND** Mr. Coelho.

**4-0 in Favor.**

*Hearing ended 7:08 p.m.*

APPROVED:

  
\_\_\_\_\_  
Kathleen Houle, Secretary

su

Documents: Master application; abutters list

*(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 ADDENDUM  
Eversource Energy, Attn: William Blanchard  
0 Chapin Street (Assessors' Map 27, Parcel 40)  
(update site plan for proposed 1.8 megawatt (MW) solar facility)  
May 25, 2017**

**PLANNING BOARD MEMBERS**

Edgar Minnie – Chairman (Present)  
Joseph Queiroga - Vice Chairman (Present)  
Christopher Coelho (Present)  
Kathleen Houle (Present)  
Raymond Phoenix (Absent)

*Hearing began at 7:15 p.m. in the Selectmen's Conference Room.*

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*In attendance: Mike Gagnon – Milone & MacBroom, Amy Voisine-Shea, attendees*

Mr. Minnie read the legal notice, gave the applicants a copy of the invoice from Turley Publications and a copy of the comments from the Town Departments/Boards, and also reviewed the application. The legal notice included the description of: update site plan for proposed 1.8 megawatt (MW) solar facility).

Mr. Minnie: And while you guys are preparing, I'm gonna just jump in here real quick and say that comments from the Board of Health were none; comments from the Town Planner, meets all criteria for the sketch; ConsCom, no wetlands; and Department of Public Works, no comments. You're batting 1,000 so far. Ok, so, I think everybody on the Board, and probably almost everybody in the room, is familiar with what's going on, and that there's a modification because of a glitch or a hiccup. So, go ahead.

Mr. Gagnon: Good evening, for the record, once again, Mike Gagnon, Milone and MacBroom, and here with me is Amy Voisine-Shea, representative from Eversource. So, essentially, since the previous site plan, which was approved on April 13<sup>th</sup>, I believe, due to some internal requirements by Eversource, we had to do some modifications to the layout. And what I am going to do, is I am gonna go to sheet LA1, and what I can do is, I can, yeah, I got an extra half scale here.

Mr. Minnie: Sure.

Mr. Gagnon: I think I passed a few around, just to, kind of, help you follow along. And by the way, if you need to, I actually have the previous approved plans here, if you want to do a comparison on anything. So, I think, the major changes where we essentially took the westerly fence line, which was located here. You know what, for the purposes of comparing apples to apples, I will pull up the former plan. So, basically, if you look at the two, what we had previously, this is the 200 foot transmission easement line, that's shown right here. If you look at the current, or the revised plan, what we had to do is, we had to pull all of the panels to be

outside of that, due to an internal requirement. So, essentially, what that did is it shrunk down the facility slightly. In addition to that, the stormwater management basin also had to be moved slightly as well. So, that was, so that could be kept within that transmission easement. Capacity is the same, even though we've got a little bit of footprint instead of, you know, revising the calcs. The storage is the same.

Mr. Minnie: You're oversized really.

Mr. Gagnon: A little bit oversized, yup. So, consequently, what that required is, we had to lengthen the access drive a little bit.

Ms. Voisine-Shea: ---.

Mr. Gagnon: Right. In addition to that, we did a little bit of a modification to the plantings along the easterly side, after Amy met with some of the abutters.

Mr. Minnie: Yup.

Mr. Gagnon: We actually moved the plantings so that we actually have a row, where actually all the plantings are now on the outside of the fence.

Mr. Minnie: Ok.

Mr. Gagnon: And what that's gonna do, is it's actually gonna screen the fence as well. So, you'll just be looking at vegetation. And in addition to that, we provided, at the request of an abutter, we've added some plantings on Angela Dos's property here, as shown here, subject to coordination...

Mr. Minnie: Sure.

Mr. Gagnon: ...during construction, so that, you know, final placement to be determined. Otherwise, the southerly line, and the northerly line are very similar to...

Ms. Voisine-Shea: The northerly line, I think, ---.

Mr. Gagnon: Actually, yeah, I take that back. What we did on the northerly line, because as you recall, as a result of the survey, which is, the property line is now actually right along the stone wall. What we did, because we lost panels here, what we did is we moved, we actually added a row up here, so now we're back to showing the, you know, the forty foot rear yard as we had before.

Mr. Minnie: Yup. Yeah, the abutter actually contacted me and we had a discussion about it.

Mr. Gagnon: Right. So those, you know, those are essentially the major changes to the plan.

Mr. Minnie: So how much additionally further back from where you were to here?

Ms. Voisine-Shea: It's 80 feet.

Mr. Gagnon: About 80 feet.

Mr. Minnie: Another 80 feet?

Ms. Voisine-Shea: It's 80 feet further, yeah.

Mr. Minnie: 80 feet further away from...

Ms. Voisine-Shea: Americo.

Mr. Minnie: ... Americo, ok.

Ms. Voisine-Shea: Yup.

Mr. Coelho: Did that shift the solar panels on the east side of the site?

Mr. Gagnon: We did not change the panels on the east, no, because the reason being, we had to maintain a separation distance from the stormwater management basin that's here. So, this line is identical, if you look, it's identical to the previous.

Mr. Coelho: And the easterly fence is against the bushes at the bottom of the, that contour?

Ms. Voisine-Shea: Yeah, it's behind them now, instead of in front of them.

Mr. Coelho: Ok.

Mr. Gagnon: So what we did is, we adjusted the plantings so that, you know, we're screening the fence as well.

Mr. Minnie: Ok, any comments or questions? Ok.

Ms. Voisine-Shea: The only thing that did come up in meeting with the, I met with the abutters on Americo on 5/10 to talk to them about the change, just so that nobody was surprised, and one of the questions that came up was, well, since it's further away now, what if we decide that we don't want the plantings in our backyard? So, they're on the site plan, which is approved, so.

Mr. Minnie: Once you build it, they can cut them down.

Ms. Voisine-Shea: Well, yeah. So I came up with a thought that we would just maybe have them sign something that said that they agree to waive the one time planting if they choose. I don't know what your thoughts are ---.

Mr. Coelho: I think that's between you and them, to be honest with you.

Ms. Voisine-Shea: But I guess, my question, I understand that on Reynolds Street, because they're not on our, not part of the project plan, I'm just worried that if somebody says I didn't build it the way...

Mr. Minnie: I guess my position is we expect you to build it as shown.

Ms. Voisine-Shea: Yup.

Mr. Minnie: You know, if they don't want them...

Ms. ---: We'll take them.

Mr. Minnie: Yeah, so, just put the trees out in the street, put a sign that says free trees. They won't be there three minutes, so.

Mr. Queiroga: Amy, if I may?

Mr. Voisine-Shea: Yup.

Mr. Queiroga: On the side of the, on the side of your plan here facing Americo Street...

Ms. Voisine-Shea: Yup.

Mr. Queiroga: ... what are these here?

Ms. Voisine-Shea: Those are the cypress trees. We already had a row of trees planted on the fence line, and then there's the one that's in the backyards.

Mr. Queiroga: Ok, what size are they?

Ms. Voisine-Shea: The ones in the backyards? I think those are firs, frasier firs.

Mr. Queiroga: I mean, how ...

Ms. Voisine-Shea: How tall are they? I think those are six to eight.

Mr. Gagnon: Six to eight I think, yeah.

Mr. Queiroga: Six to eight.

Mr. Gagnon: It's on the planting schedule...

Ms. Voisine-Shea: It's on the second page.

Mr. Gagnon: I believe, yeah, Sheet LD.

Ms. Voisine-Shea: --- upside down.

Mr. Minnie: Just for technical reasons, so, as with the original site plan, you will keep and maintain the vegetation in perpetuity.

Ms. Voisine-Shea: The ones that are on our property. The ones that are on other people's property...

Mr. Minnie: I understand. ---

Ms. Voisine-Shea: --- and it's noted on the plan that there's a separate agreement for that.

Mr. Minnie: --- yup. So...

Mr. Gagnon: I think it's right here in the planting notes actually.

Mr. Minnie: Ok, great.

Mr. Gagnon: It's maintained.

Mr. Minnie: Yup, no worries, I just, after everything we've been through.

Ms. Houle: ---

Mr. Minnie: Ok, I was just gonna ask, did the Town Planner have any comments or questions?

Mr. Stefancik: No.

Mr. Minnie: All set? Well, happy people, that's what we like. The system's working.

Ms. Houle: They got those other trees.

Mr. Minnie: Have you started work up there yet, or?

Ms. Voisine-Shea: Just, I think, they started doing Geotech, and, I think, clearing will be coming soon.

Mr. Minnie: Ok.

Ms. Voisine-Shea: So yeah, they did put out ---

Mr. Minnie: Ok, well you have an existing site plan, so.

Ms. Voisine-Shea: --- we put up door hangers that construction was starting, just to notify the people as well.

Mr. Minnie: Ok. And so, we need a motion for the, oh, I got to do a checklist. I'm gonna do it.

Ms. Houle: He picks the short one.

Mr. Coelho: Hey, better than nothing.

Mr. Minnie: One of my college professors said always pick the religion with the most holidays. He was very wise. Ok. Name of project, Eversource Energy of Chapin Street.

*Mr. Minnie read the Requirements for Site Sketch checklist:*

\_\_\_\_\_ *Area of lot*

Mr. Minnie: Is it there?

Ms. Houle: Joe's flipping pages.

Mr. Gagnon: Go to survey plan, right?

Mr. Minnie: Yup.

\_\_\_\_\_ *Area & size of buildings*

Mr. Coelho: Not applicable.

\_\_\_\_\_ *Number of parking spaces required for intended use based on Section 6.4*

Mr. Minnie: Here's one.

Mr. Gagnon: Yeah, we did.

Mr. Minnie: Yup.

Mr. Gagnon: One.

\_\_\_\_\_ *Number of parking spaces existing at the site (including street parking adjacent to the site.*

Mr. Minnie: Yup.

\_\_\_\_\_ *Maximum area of building to be used for selling, offices, business, industrial or other uses.*

Mr. Minnie: N/A

\_\_\_\_\_ *Maximum number of employees where applicable.*

Mr. Minnie: N/A

\_\_\_\_\_ *Maximum seating capacity where applicable.*

Mr. Minnie: N/A

\_\_\_\_\_ *Maximum sleeping capacity where applicable.*

Mr. Minnie: N/A. And hearing nothing further, can we have a motion on the site sketch for 0 Chapin Street, Eversource Energy?

Mr. Coelho: Mr. Chairman?

Mr. Minnie: Mr. Coelho.

Mr. Coelho: I'll **MOVE** to accept the site plan addendum as submitted by Eversource Energy for 0 Chapin Street, Assessors' Map 27, Parcel 40.

**SECOND** Ms. Houle.



**3-0-1 in Favor.** (Mr. Queiroga)

**Roll call vote: Mr. Queiroga – abstain; Mr. Coelho - yes; Ms. Houle – yes; Mr. Minnie – yes.**

Mr. Minnie: MOTION to close the public hearing?

Mr. Stefancik: You just need to do a waiver from full site plan to a site plan addendum.

Mr. Minnie: Ok.

Mr. Coelho: Mr. Chairman?

Mr. Minnie: Mr. Coelho.

Mr. Coelho: I'll **MOVE** to waive the full site plan in lieu of the site plan addendum because they've already been through the entire full site plan, and this is just a minor change, and it's in the best interest of the Town.

Mr. Minnie: And our addendum is virtually a full site plan anyways.

Mr. Stefancik: Correct.

**SECOND Ms. Houle,  
4-0 in Favor.**

Mr. Minnie: 4-0 on the waiver, and now it's on the ...

Ms. Houle: We just went backwards, so.

Mr. Minnie: Ok. And it was 3-0-1 on the plan.

Mr. Queiroga: Yes.

Mr. Minnie: Plug it in.

Mr. Gagnon: Thank you very much.

Ms. Voisine-Shea: Thank you.

Mr. Minnie: Government at work.

Ms. Houle: Slow.

Mr. Minnie: Wasn't so bad.

Mr. Stefancik: Oh, did you do the motion to close?

Ms. Houle: Yes.

Mr. Minnie: MOTION to close the public hearing.

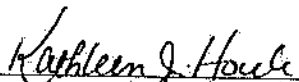
Mr. Coelho: **SO MOVED.**

**SECOND** Ms. Houle.

**4-0 in Favor.**

*Hearing ended 7:28 p.m.*

APPROVED:

  
\_\_\_\_\_  
Kathleen Houle, Secretary

su

Documents: Master application; abutters list; request for waivers; comments from Town Departments/Boards; Eversource Solar – Site 72, Chapin Street Ludlow, Massachusetts, Permit Drawings, MMI Project No.- 5615-12. (January 20, 2017)(Revision No.5 – May 5, 2017)

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