

**TOWN OF LUDLOW PLANNING BOARD  
MINUTES OF THE MEETING OF  
January 11, 2018**

**PLANNING BOARD MEMBERS**

Joseph Queiroga – Chairman (Present)  
Raymond Phoenix – Vice Chairman (Present)  
Christopher Coelho (Present)  
Kathleen Houle (Present)  
Rafael Quiterio (Present)

RECEIVED  
TOWN CLERK'S OFFICE  
11:04  
2018 FEB -9 A-8-41  
TOWN OF LUDLOW

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

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**SITE SKETCH & ANR – Colvest/Ludlow, LLC (CVS Pharmacy) – 451 Center Street (Assessors' Map 12-C, Parcel 75-1)(Join land acquired from Big Y to the approved site plan. Construct a retaining wall at the back of the property)**

*(The ANR was originally submittal at the December 7, 2017 meeting, and was denied)*

*Peter Lapointe, Atty. Ellen Freyman, and Frank Colaccino were present for the appointment.*

Mr. Lapointe explained that the parcel is 27,000 square feet of land at the back of the existing CVS site, located at 451 Center Street. He noted that it's called out of the 13 acre Big Y site. Mr. Lapointe remarked that after review by the attorneys, the ANR effectively creates the 27 acre parcel, and then eliminates the property line between the back of the existing CVS site and the new parcel, and creates a new property line across the back of the acquisition piece.

Mr. Queiroga stated that at the last meeting on December 7, 2017, the ANR was denied, and since that time the Town Attorney has been contacted. Mr. Queiroga read the comments from the Town Attorney: *After looking at the ANR plan, speaking with Doug Stefancik, and doing some research, I see a way forward that captures what the intent was with this plan. If the surveyor were to add the phrase "and it is not available as a site for a building" to the end of the first sentence of Note 2, the Plan then should be endorsed. That language would unequivocally and explicitly bring the plan under the principles announced in Bloom v. Planning Board of Brookline, 436 Mass. 278 (1963) and Cricones v. Planning Board of Dracut, 39 Mass. App. Ct. (1995). I would advise the planning board to endorse the plan with that language added. Michael S. Schneider.*

Mr. Phoenix remarked that one distinction that has been made this time, as opposed to the last meeting, was that Colvest acquired the property, which clears up the issue of the prior submission that had no indication from the owner of Parcel 1 that they were on board with the ANR happening (no signature from Big Y). Mr. Phoenix said that the best thing to do at this point is to endorse the ANR.

Mr. Lapointe said that they purchased the parcel because the opportunity presented itself, and that they may need that parcel in the future to satisfy the tenant's needs. He also noted that there are no plans at this time to redevelop that site.

Mr. Queiroga welcomed Mr. Quiterio as the newest member of the Planning Board.

*Ms. Houle 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. Phoenix: I will make a **MOTION** to act in accordance with the counsel that we've received from Town Counsel, and to endorse the ANR as submitted.

**SECOND** Mr. Coelho.

**5-0 in Favor.**

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

Mr. Lapointe noted that there was a request for a waiver of the fee for the ANR due to the fact that the full fee was paid with the original submittal of the ANR.

Mr. Coelho: Mr. Chairman, I'll make a **MOTION** to waive the fee,

**SECOND** Ms. Houle.

**4-1 in Favor.** (Mr. Phoenix)

**Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – no; Mr. Coelho - yes; Ms. Houle – yes; Mr. Queiroga – yes.**

Mr. Lapointe explained that the site sketch submitted is the approved site plan for 451 Center Street, and that they attached the Big Y acquisition parcel to the back of it, which was just created by the previously approved ANR. He also said that the proposed retaining wall is also shown on the plan. The site plan was originally approved in 1999, with no addendums that have been filed.

Mr. Coelho remarked that the curb cuts at the CVS parcel, along with other parcels at the Center Street intersection will have to change in the future due the heavy traffic in the area. Mr. Phoenix talked about the number of accidents that have occurred at the Starbucks and Friendly's sites. Mr. Phoenix also mentioned that since a site plan is coming in, that the applicant would need to be in compliance with all provisions that are current, such as a special permit for the drive-thru that exists on the site.

Mr. Colaccino explained that what they are here for tonight is just that piece of land with the retaining wall, and that they are not looking to build any buildings, or change the site plan at all. He added that they recognize that if the plans change in the future, that they will have to come in and develop plans, and go through site plan approval.

Mr. Queiroga read the comments from the Town Boards and Departments: Safety Committee - *recommend the closure of curb cut on Center Street closest to Cumberland Farms*; Conservation – *no comments*; DPW – *no comments*; Doug Stefancik, Town Planner – *The plan meets criteria for a site sketch.*

Mr. Phoenix said that there is a waiver request for the public hearing, and a waiver of the full registered site plan in favor of a sketch.

Mr. Phoenix: Mr. Chairman, since we're only looking to increase the area of the site that does not actually have impact on traffic, we're not increasing any impervious area, we're not increasing traffic flow, we're not increasing building size, we're not increasing anything that would be called out even in the table, I think at this time it would be appropriate to waive a full site plan down to a sketch. I'll make that as a **MOTION**.

**SECOND** Ms. Houle.

**5-0 in Favor.**

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

Ms. Houle: Mr. Chairman, **I MOVE** that we waive the need for a public hearing on the site sketch for Colvest.

**SECOND** Mr. Quiterio.

Mr. Phoenix: I was gonna try and have a discussion on it, but.

Mr. Queiroga: Go ahead.

Mr. Phoenix: I was just, given the nature of this site, is it appropriate to waive the public hearing? Does waiving the public hearing serve the interest of the Town? Does waiving the public hearing create the illusion that maybe there's something being hidden here, or does it just serve to expedite the process? What end is really being reached by waiving the public hearing?

Mr. Queiroga: You have in front of you what's being created, and...

Mr. Coelho: I really, really have a gut feeling that the public is gonna get their input on this site sooner rather than later.

Mr. Phoenix: For reasons that we've already discussed?

Mr. Coelho: No, for reasons that we don't even know about yet. It's just a gut feeling. That was what would incline me to waive the public hearing on this particular one, and I think we're gonna be seeing this site again. I don't know. I'm a gambling man. I'd bet on it.

Mr. Queiroga: There's, was that a motion to ...

Mr. Phoenix: Well, there was a motion, but I was trying to have a discussion. If that's, ok.

Mr. Quiterio: I mean, in my opinion, I think it's cut and dry. Colvest mentioned to us it's not doing anything, and if they do need to do anything, they need to come in front of us for whatever they need to do to the property, but at this time there will be no parking, there'll be nothing.

Mr. Coelho: That's why I don't mind waiving the public hearing right now.

Mr. Phoenix: And I asked the question not...

Mr. Quiterio: Nothing can be done unless they come in front of the Board.

Mr. Phoenix: I asked the question not because I disagree, but because I actually wanted to hear people's thoughts. Because on this, I agree that it's not changing anything that's on the plan, which is why we waived it down to a sketch, but it's also at one of the busiest intersections in town, and there is a reluctance to waive the ability of the public to come in and express their opinions on anything that's in that area. I think if there were ever parcels in town that deserve to have the additional oversight of having people see it in the paper, be able to come in and express their comments, it's probably the parcels surrounding that intersection. But, if the majority of the Board seems to think that we'll be ok on it, I'm not convinced that we won't be, so I'm good with it.

Mr. Coelho: We're never ok on any decision we make. Half the people are happy with us, half the people aren't.

Mr. Quiterio: The way I mentioned that is, like you said, nothing's gonna change where CVS is, no more, no less cars are coming in. Nothing's gonna change.

Mr. Phoenix: And that's why we waived it down to a sketch, but they don't have to go hand in hand.

Mr. Coelho: We've got a motion and a second, so.

**5-0 in Favor.**

**Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – no; Mr. Coelho - yes; Ms. Houle – yes; Mr. Queiroga – yes.**

*Mr. Coelho 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. Phoenix noted that the only outstanding issue is the comment from Safety on the curb cut, and whether or not this should have a special permit attached to it since there is a drive thru.

Mr. Queiroga remarked that there is nothing being done to the property that affects traffic, and that properties such as McDonald's and Burger King were required to get a special permit when renovations to the properties were done. He advised the applicants that they will need to get a special permit if and when they ever come back to improve the (CVS) building. Ms. Houle, Mr. Coelho, and Mr. Quiterio agreed that a special permit is not required for the drive thru at this time;

Ms. Houle **MOVED** to approve and sign the site sketch for Colvest/Ludlow, LLC at 451 Center Street.

**SECOND** Mr. Coelho.

**4-1 in Favor.** (Mr. Phoenix)

**Roll call vote: Mr. Phoenix – no; Mr. Quiterio – yes; Mr. Coelho - yes; Ms. Houle – yes; Mr. Queiroga – yes.**

*Documents included: Master application; Plan of Land in Ludlow, Massachusetts, surveyed for Colvest/Ludlow, LLC, owner: Big Y Foods, Inc. (Date: October 5, 2017, Revised: December 19, 2017); Proposed Retail Harding @ Center St. – Ludlow, MA, Proposed Layout & Landscape Plan (4/6/99, Revised 10/27/17); Request for waiver; emails to/from Doug Stefancik and Michael S. Schneider (1/11/18); Comments from Town Departments/Boards*

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**PUBLIC HEARING – SITE PLAN ADDENDUM – Eversource Energy –  
0 Chapin Street (Assessors’ Map 27, Parcels 40 & 41)(site plan amendment for revised  
location of service interconnection from photovoltaic solar facility to point of  
interconnection at existing overhead electrical distribution service along Chapin Street)**

**SEE ATTACHED MINUTES**

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**APPOINTMENT – John Diotalevi – Polish American Citizens Club – 355 East Street  
(smoking area)**

*Ms. Houle recused herself from the discussion as she is an officer of the Polish American Citizens Club.*

*John Diotalevi was present for the appointment.*

Mr. Diotalevi explained that in April, the Polish American Club implemented a no smoking policy in response to the Board of Health’s request. He noted that it has had an adverse effect on their business, and that they are trying to come up with a way to accommodate their smoking patrons. Mr. Diotalevi said that due to the elevations to the club, the only place that there could be access to the bar area is the window to the right hand side of the front door. He noted that their plans are to replace that window with a door, and put in a small (approximately 10 foot) fenced in area so that people can go outside with a drink. Mr. Diotalevi brought in an old site plan for the Board to review. Mr. Stefancik said that there are currently no site plans on file for the property.

Mr. Coelho remarked that the Town should help out organizations such as this that are charitable to the community. Mr. Queiroga questioned whether the Board could waive the fees. Mr. Phoenix read an excerpt from the Bylaws regarding site plan approval waiver: *Projects that may seek to waive site plan approval; no permit for any of the following uses and no others shall be granted by the Town of Ludlow Building Inspector until a determination is made by the Town of Ludlow Planning Board that the change involved will not create an additional parking or traffic problem and/or site hazard to the exterior alteration, addition, occupancy, or change in use of any existing construction or premises and/or any new construction that constitutes less than 25% of the gross floor area of an individual existing building.* Mr. Phoenix said that going back under the old rules using the 25% guideline, he thinks that it can be taken as a site sketch. He also noted that it’s certainly a deviation from the rule that the Planning Board only does sketches as addendums to existing site plans, but he thinks given the minimal nature of this change paired with the community spirit exhibited by the organization, as well as the gain to the community of hopefully keeping the business as non smoking, which a health benefit to the town, that the

Planning Board should allow site sketch as long as it's not gonna be a bigger change than what was presented at tonight's meeting. Mr. Phoenix remarked that the waiver of the fee can also be looked at, but that the fee on a site sketch is considerably less than that of a site plan.

Mr. Coelho: I **MOVE** to find that this project as described meets our 25% square footage threshold rule, and will not require a full site plan, but instead a site sketch.

Mr. Phoenix: **SECOND** for discussion.

Mr. Queiroga: Please.

Mr. Phoenix: I would ask the mover to add to the motion that the waiver is being granted because we believe it is in the best interest of the Town from a public health standpoint as well as from a standpoint of the amount that this organization gives to the community.

Mr. Coelho: Make it so. --- Robert's Rules.

Mr. Queiroga: That being said, did I hear a second?

Mr. Phoenix: Yeah.

**4-0-1 in Favor. (Ms. Houle)**

The Board advised Mr. Diotalevi on the information that the site sketch and chart should include:

Mr. Phoenix: Given the small nature of this, I will make a **MOTION** to waive a public hearing on the site sketch for the Polish Club.

**SECOND** Mr. Coelho.

**4-0-1 in Favor. (Ms. Houle)**

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#### **Discussion – Committee Assignments (Cemetery Committee)**

Mr. Phoenix **MOVED** to nominate our newest member, Ralph Quiterio, as a, our designee for the Cemetery Committee.

**SECOND** Ms. Houle.

Mr. Queiroga: What you call him? Quiterio?

Mr. Quiterio: He said it right.

Mr. Queiroga: Did he say it right?

Ms. Houle: Good.

Mr. Phoenix: You're making me doubt myself.

Mr. Queiroga: Yeah, I just, I have a lot of problems with the Polish names. Is there a second?

Ms. Houle: **SECOND.**  
**5-0 in Favor.**

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**Discussion – Housing Production Plan**

Mr. Stefancik distributed a copy of the *Request for Written Quotes – Project Name: Ludlow Housing Production Plan* to all of the Board Members. He noted that the requests were sent out last week to eight prospective entities, with a deadline of January 25, 2018.

*Documents included: Request for Written Quotes – Project Name: Ludlow Housing Production Plan*

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**Discussion – Town Meeting – January 22, 2018**

Mr. Stefancik remarked that the agenda of the Town Meeting, scheduled for January 22, 2018, include the proposed senior center and school. He said that the Planning Board does have a vote from the Chairman at that meeting.

Mr. Phoenix said that he attended the Capital Planning Committee Meeting, and that he learned that both the senior center and schools are in disrepair, and that it would be more cost effective to build new rather than repair the existing buildings.

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**Discussion – Center Street Traffic**

Mr. Phoenix mentioned that the Planning Board needs to take a hard look at the traffic on Center Street, especially around the intersection with the turnpike. He said that it is the busiest and most dangerous intersection in Ludlow. Mr. Phoenix discussed concerns at the Starbucks location, with the possible solution of moving the curb cut further away from the intersection. He also mentioned possibly closing and/or moving curb cuts at the other properties near the intersection such as CVS, and Friendly's. In addition, Mr. Phoenix questioned whether these problems should be fixed before or after the Center Street reconstruction project commences.

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**Mail Item #01 - Articles for the May 14, 2018 Annual Town Meeting Warrant and Annual Town Report - from Ellie Villano, Town Administrator**

Mr. Stefancik said that the Planning Department does not have anything for that Town Meeting.

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**File Mail Item #02 – Distribution and Request for Comments/Feedback on Important PVPC Planning Documents – Pioneer Valley Planning Commission**

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**Mail Item #03 - Solicitation of District Local Technical Assistance (DLTA) Programs Projects for FY2018 - Pioneer Valley Planning Commission**

Mr. Stefancik said that he is already working with them on a couple of things already, including the Joint Land Use Study, The Stormwater Bylaw, Green Communities, but that he has not heard from them regarding those projects. He mentioned that he has received grant funding with them to work on model bylaws for subdivision rules and regs.

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**Mail Item #04 - Commonwealth of Massachusetts Division of Standards – Motor Vehicle and Glass Repair Shops**

Mr. Stefancik said that the Selectmen’s Office forwarded this to the Planning Office. He explained that the Massachusetts Division of Standards is basically looking to have the office hand out the applications for the State, to anyone who is doing repair shops and glass repair.

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**Mail Item #05 - Concerns regarding site obstruction at Lyon Street/Center Street intersection due to cars at Roy’s Auto Body – Sergeant Michael Gilrein**

Mr. Coelho said that it was discussed at today’s Safety Committee Meeting. He remarked that there seems to be an ebb and flow of vehicles at the property, and that the police have been taking note of the situation, and that it seems that the lot has been free and clear.

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**File Mail Item #06 - Letter from Eunice Pellerin re: Senior Center**

Mr. Stefancik: Do you want that letter sent over to the Selectmen? Because she’s sent us letters before, but I think the Selectmen should get a copy of that.

Mr. Queiroga: Why don’t you forward that? Do we need a MOTION to that effect?

Mr. Coelho: **SO MOVED.**

**SECOND** Mr. Phoenix.

**5-0 in Favor.**

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***Consent Agenda:***

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

- ◆ FILE Mail Item 07. - Legal Notices from surrounding communities
- ◆ APPROVE Change of Occupancies:

- Stephen M. McQueen (Butler Carpet Cleaners) – 23 Cady Street
- Joe Santos (International Produce) – 4-6 White Street
- Angel Figueroa (barber shop) – 207 Winsor Street
- Jawad Hamdan (Jay's Auto Body Inc.) – 240 West Street

◆ SIGN Special Permits:

- John Garcia – 720 Chapin Street (Operating limousine business in AGMD District)
- Stephen P. Nodurf – 7 Circuit Avenue (Home office – paperwork for self defense business)

◆ APPROVE/SIGN Form K Release of Covenant – Hundred Acre Wood Phase II –  
Whitetail Wreks LLC c/o Armand Deslauriers

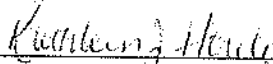
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Mr. Phoenix: Seeing nothing else on the agenda, I will make a **MOTION** to adjourn.

**SECOND** Mr. Coelho.

**5-0 in Favor.**

Meeting adjourned at 9:02 p.m.

APPROVED:

  
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Kathleen Houle, Secretary

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(All related documents can be viewed at 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, Parcels 40 & 41)  
(site plan amendment for revised location of service interconnection from  
photovoltaic solar facility to point of interconnection at existing overhead  
electrical distribution service along Chapin Street.)  
January 11, 2018**

**PLANNING BOARD MEMBERS**

Joseph Queiroga – Chairman (Present)  
Raymond Phoenix – Vice Chairman (Present)  
Christopher Coelho (Present)  
Kathleen Houle (Present)  
Rafael Quiterio (Present)

*Hearing began at 7:56 p.m. in the Selectmen's Conference Room.*

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*In attendance: Mike Gagnon – Milone & McBroom, William Blanchard – Project Manager - Eversource Energy, Mark Kasinskas – Burns & McDonnell, & Christopher Reino – Burns & McDonnell were present for the appointment.*

Mr. Queiroga read the legal notice, gave the applicants a copy of the invoice from Turley Publications, and also reviewed the application. The legal notice included the description of: site plan amendment for revised location of service interconnection from photovoltaic solar facility to point of interconnection at existing overhead electrical distribution service along Chapin Street.

Mr. Coelho: Am I having déjà-vu, or didn't we already do this?

Mr. Kasinskas: We had a discussion about it last month.

Mr. Coelho: Oh, dry run, now we're doing the real thing.

Mr. Kasinskas: It was informal.

Mr. Coelho: Ok.

Mr. Queiroga: Yes, and --- read Milone and McBroom's letter into the record: *On behalf of Eversource Energy, this letter is to request a waiver for the full site plan review in favor of a site sketch filing. The site sketch amends the approved site plan to revise the location of the electrical interconnection for the photovoltaic solar facility as shown on the revised permit plans. Signed Michael Gagnon, P.E., Senior Project Specialist. Planning Board: The plan meets the criteria for a site sketch. Department of Public Works: No comments. Board of Health: No comments. So, you're asking for some waivers on this?*

Mr. Gagnon: It's an amendment to the approved site plan.

Mr. Queiroga: Site plan.

Mr. Gagnon: Right.

Mr. Kasinskas: I don't think there are any new waiver requests.

Mr. Queiroga: Ok, why don't you ...

Mr. Gagnon: We're good to go.

Mr. Queiroga: You're good to go.

Mr. Gagnon: Ok, again, for the record, Mike Gagnon with Milone & McBroom.

Mr. Phoenix: Just, before you do that, going back to the Chairman's question, site sketch, we'd need to find that it meets the criteria for a site sketch, which I can't remember if we made that motion or not, but if, no, I think that's the only part. Did we do that already?

Mr. Stefancik: I think we did, but I know they didn't put a letter in ---.

Mr. Phoenix: Not to derail you, but just to ...

Mr. Queiroga: I don't remember either.

Mr. Coelho: Do we have minutes?

Mr. Stefancik: ---

Mr. Phoenix: On behalf of Eversource Energy, this letter is to request a waiver for the full site plan review in favor of a site sketch filing. The site sketch amends the approved site plan to revise the location of the electrical interconnection for the photovoltaic solar facility as shown on the revised permit plans. Do not hesitate to contact me should you have any questions.

Mr. Queiroga: What was the date of that?

Mr. Phoenix: December 14<sup>th</sup>.

Mr. Queiroga: December 14<sup>th</sup>, when did we have our meeting?

Mr. Phoenix: Received date is the 15<sup>th</sup>.

Ms. Houle: Here it is.

Mr. Gagnon: The meeting was on December 7<sup>th</sup>.

Mr. Phoenix: Yeah, but this came in after, so.

Mr. Queiroga: Ok.

Mr. Phoenix: Just to take care of things, since we have looked at this informally already, and, or do we want to hear the pitch and then make the decision?

Ms. Houle: Can I just read you this? This is from the minutes. I just got a copy of these minutes from our last meeting. Mr. Phoenix moved to waive a full registered site plan in favor of an amendment that would be submitted, however, we will not be waiving the public hearing on this matter. Second Mr. Coelho. 4-0 in favor.

Mr. Phoenix: Fantastic.

Ms. Houle: So we did waive it.

Mr. Queiroga: Which is ---.

Mr. Phoenix: Ok, so you're all set.

Mr. Gagnon: Good to go?

Mr. Queiroga: Go.

Mr. Gagnon: Ok. Ok, again, Mike Gagnon, Milone & McBroom. As we had informally presented at the December 7<sup>th</sup> meeting, essentially, we are here before you this evening to amend the approved site plan for the Eversource photovoltaic project off of Chapin Street. And specifically, this amendment addresses the revised interconnection from Chapin Street up to the photovoltaic facility, which is located up in this area here. And what I'd like to focus on this evening is the existing transmission right of way, Chapin Street, and I'm focusing here on this ortho photo, Chapin Street is off to the left here. This is the existing transmission right of way which currently has high voltage overhead wires in this area now. And the facility is just off the page here, is located up in this area. Originally, with the original application for site plan approval, we had shown the interconnection up in this area, or essentially along the westerly side of the right of way. However, Eversource transmission engineers had deemed that because of the dog like, what happens is, is the existing transmission wires run essentially parallel with the right of way, but then it does kind of like a dog like, as across Chapin Street and goes off into the golf course area. There was gonna be a conflict with those overhead wires, and I understand from code that that can't occur. So, we're looking, we looked at the alternative of going onto the opposite side of the right of way, which is presented this evening. And that interconnection line, or that pole line, is gonna run along the easterly side as shown here on the drawing. And essentially, are gonna utilize a couple of existing utility poles that are part of overhead wires that kind of run down in this area, and then --- make the interconnection down on Chapin Street. The work that's gonna be required in order to put the pole line in, obviously there's gonna be some additional clearing that will be required, and that's represented by the tree line that we're showing here. There is gonna be additional sediment and erosion controls that will be installed as well. Those will be essentially installed right along the clearing limits of the works limits of this aspect of the project. The clearing, however, is not gonna go all the way to Eversource's right of way, which is down in this area. We are essentially leaving about a 30 foot, plus or minus, buffer from the property line up to the limit of clearing. They're actually required to have a 20 foot clear zone underneath the, or from the center line -- the poles to the limits of the trees. So essentially, the abutters on Hill Terrace will still have a natural buffer in this area here, and that will be in the order of, you know, looking at these folks here, I believe, this is number 84

Hill Terrace. I scaled it off. This is about an 80 foot buffer when you measure it from the proposed clearing line to this corner here.

Mr. Coelho: Is that corner their property boundary or is that just their clearing?

Mr. Gagnon: Their property boundary is ---. I'm just referring to their clearing area.

Mr. Coelho: ---

Mr. Gagnon: Right. So that 30 foot is from our current boundary up to the ...

Mr. Coelho: Right, right, right, ok.

Mr. Gagnon: ...tree line, you know, which is this swath here. That is intended. So, there's gonna be no, as I had mentioned, there's gonna be no earth moving activities that will be associated with this project. The clearing will be, the trees will just be cut at ground level and the stumps will be left in place. So, you know, with that, I'd be happy to answer any questions --  
-

Mr. Queiroga: So, you're gonna have to cut to meet the regulations of clearing for the lines.

Mr. Gagnon: Right, correct.

Mr. Queiroga: You're gonna have to cut some of those trees going toward that Hilltop, correct?

Mr. Gagnon: Yes.

Mr. Queiroga: Ok, now, they still will have some trees, but will you propose to give them additional visual fencing, since you're gonna come that much closer?

Mr. Gagnon: Not, we don't, we're not anticipating that that's required because when you look at the amount of trees, a lot of the existing trees, particularly on, and I'm gonna point to this abutter here, a lot of conifers or pines in this area here, so there is quite a bit of natural screening there already. The amount of clearing that's gonna be required, varies. The existing tree line is about in this area here, and it varies, it's about 40 feet, 40 to 50 feet of clearing that's gonna be required, plus or minus depending on when you measure. But, to answer your question, there are no proposed mitigation plantings.

Mr. Queiroga: Have you reached out to those people that would be most affected? Do you plan to do it?

Mr. Blanchard: We sent them letters ---.

Ms. Gerstenberger: Yeah, I got a letter, right here in my pocket.

Mr. Coelho: I think that's half of the reason we're having a public hearing as well.

Mr. Phoenix: So basically, to kind of just summarize on the clearing issue, the, looks like for the most part, I mean, it's kind of using rougher numbers, but it looks like about maybe a third of the vegetation between, let's say that closest house there, yeah, the one you've been using as your

touch stone, between that one and the existing edge, you're gonna be losing about a third of that, more or less?

Mr. Queiroga: Give or take.

Mr. Gagnon: Give or take, yeah.

Mr. Coelho: --- most of the trees...

Mr. Gagnon: --- would be at, you know, at the corner.

Mr. Coelho: Looks like most of the trees in your clearing area are regular --- trees, too. So, they're probable already pretty thin out there, right?

Mr. Gagnon: Right. Yeah I believe there's a mixture of oaks and other trees that ---. Very similar to what was cleared out of the main site.

Mr. Phoenix: Now, refresh me on this, when we were looking at this on the opposite side, when it was closer to Americo, how did we approach that as far as the conversations with the neighbors in making sure that that was gonna be protected on that side? How did you go forward on that one?

Mr. Blanchard: In this direction, I don't think there were anybody that attended the meeting that had opposition to our plan, it was more on where the array is being built, in that area where we proposed to do some vegetation mitigation for them, post construction. But from, in, from where this picture is, I don't remember anybody on Americo really approaching, or asking us for visual mitigation.

Mr. Queiroga: We're still in a public hearing. Any more comments, questions from the Board?

Mr. Quiterio: My question is, what will be the alternative? I mean, it seems like we don't have a choice ---.

Mr. Queiroga: That's true, I mean, obviously you didn't see this problem at the beginning.

Mr. Phoenix: Ultimately, it's not up to us to find a solution for people, it's up to us to figure out if this is a solution that meets the needs of the Town and the Bylaws of the Town. So, if it does, great, we can give them thumbs up and they can go forward. If it's deficient, then they get to have the fun of going back and finding a different way to do it. I don't know that that's necessarily the path that we're going on. But that's ultimately it's not up to us to find the path forward for people. If we can, sometimes it's worth mentioning, but a lot of the time it opens us up to liability issues.

Mr. Queiroga: This is still a public hearing, I'd like to open it up to anybody in the audience that would like to speak on this issue.

Ms. Gerstenberger: We're all set.

Mr. Queiroga: You're all set?

Ms. Gerstenberger: We're all set. Thank you.

Mr. Queiroga: That doesn't happen often.

Mr. Coelho: Mr. Chairman.

Mr. Croteau: I've got a question.

Mr. Queiroga: Yes, Tom?

Mr. Croteau: I've got a question, Joe.

Mr. Queiroga: Go ahead.

Mr. Croteau: So, how much longer do you think it'll take, and when do you think it will be done?

Mr. Coelho: Name and address, public hearing.

Mr. Queiroga: He's a neighbor of mine. Tom used to work for the D-T. What's the number of your house?

Mr. Croteau: 77.0

Mr. Queiroga: 77 Americo. Ok.

Mr. Coelho: Ok, just dotting i's and cross the t's.

(multiple people talking)

Mr. Croteau: I was just wondering, you know, based on last season's experiences, you know, the noisiest part was the clearing, and so, it would be nice if we could have that done, if it's gonna be done that way, in the wintertime. You know, kind of wrap it up before summer so we don't have to go through another summer of construction.

Mr. Queiroga: Bill is biting at the bit to speak.

Mr. Blanchard: We've had Northern Tree Service out there. They're ready to do this ASAP, but obviously we didn't want to mobilize them until we had full Town permission. So, they're ready to go. So, we will do this, if everything goes well tonight, we'll talk to them tomorrow and find out what they're first availability is, and we're ready to get them out there.

Mr. Reino: Based on their estimate, they estimated two to three days to complete the cutting.

Mr. Blanchard: Yeah.

Mr. Queiroga: --- cutting ---.

Mr. Reino: They use major equipment to do this.



Mr. ---: How long to do this?

Mr. Reino: Two to three days of cutting.

Mr. Queiroga: Correct me if I'm wrong, it's actually wintertime when the ground is frozen, is one of the best times?

Mr. Reino: That's the preferential time.

(multiple people talking)

Mr. Queiroga: To do this kind of work, correct?

Mr. Blanchard: It's clear and frozen.

Mr. Phoenix: Are you sure it's been cold enough?

Ms. Gerstenberger: So when are you gonna start to plant the border and the other trees?

Mr. Queiroga: For my member here, would you identify yourself and your address?

Mr. Coelho: Sorry, Robert's Rules, you know.

Ms. Gerstenberger: --- Gerstenberger.

Mr. Queiroga: And where do you live?

Ms. Gerstenberger: 34 Hill Terrace.

Mr. Queiroga: Ok, go ahead.

Ms. Gerstenberger: I'm just curious when the other will start, 'cause as he said the noise last year, I mean, it was horrific. It was just horrific. So, when will the planting start, and how long will that take?

Mr. Reino: So, we tried to get those plantings in this fall, but the time, wasn't able to. We're gonna start plantings in April.

Ms. Gerstenberger: Ok.

Mr. Reino: We are currently, we'll be finalizing our selection of the contractor to do the landscaping within the next month or so, and then April will be the time frame for installation.

Ms. Gerstenberger: And will they be contacting the homeowners that they're working with?

Mr. Reino: Yes, we will contact the homeowners that we will be working with.

Ms. Gerstenberger: Thank you.

Mr. Queiroga: Any additional comments from anybody including the Board? Kathy?

Mr. Phoenix: See, now this, this is a chart.

Ms. Houle: Ray likes charts.

Mr. Phoenix: Well, when it...

Ms. Houle: Makes it easier.

Mr. Phoenix: But it also makes it kind of right. I think is a big part of it, 'cause the Bylaw talks about having a chart that contains the following information, and then it lays it out. So, it's not just being picky too much, it just that's the way that it says it in the law. Sorry.

Mr. Coelho: Are we ready for this chart?

Mr. Phoenix: Well, we were nice to them.

Mr. Coelho: Mr. Chairman?

Mr. Queiroga: Mr...

Mr. Coelho: I don't want to impede on your progress.

*Mr. Coelho 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. Coelho: Mr. Chairman?

Mr. Queiroga: Mr. Coelho.

Mr. Coelho: I **MOVE** to approve the site plan addendum provided by Eversource Energy for 0 Chapin Street, on the location of service interconnection from photovoltaic solar facility to the point of interconnection at existing overhead electrical distribution services along Chapin Street.

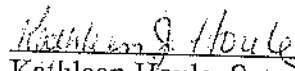
**SECOND Ms. Houle.**  
**5-0 in Favor.**

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

Mr. Phoenix: **MOVE** to close the public hearing.  
**SECOND Ms. Houle.**  
**5-0 in Favor.**

*Hearing ended 8:15 p.m.*

APPROVED:

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

su

Documents: Master application; abutters list; request for waivers; comments from Town Departments/Boards; Site Layout & Grading Plan – Eversource Solar - Ludlow 72 Solar Facility - Chapin Street Ludlow, Massachusetts (Sheets LA-1 & LA-2) (June 27, 2017)(Rev Interconnection Layout – 11/17/17)

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

