

**TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
March 22, 2018**

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PLANNING BOARD MEMBERS

Joseph Queiroga – Chairman (Present)
Raymond Phoenix – Vice Chairman (Present)
Christopher Coelho (Present)
Kathleen Houle (Absent)
Rafael Quiterio (Present)
John Pedro, Associate Member (Present)

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

**PUBLIC HEARING – SPECIAL PERMIT / HOME OCCUPATION –
Donald E. Marchand – 177 Chapin Street (Assessors' Map 28, Parcel 24)
(carpet & upholstery cleaning business – Ludlow Carpet & Upholstery Cleaning Co.)**

SEE ATTACHED MINUTES

**ANR – 0 Lyon Street (Assessors' Map 20, Parcel 18) – Estate of Anthony Grabowski
(c/o Michael Chernick, Esq.)(create one lot (Lot 9 containing 61.22 acres), and remaining
land (containing 5.97 acres))**

Attorney Silverman was present for the appointment.

Atty. Silverman explained that this parcel is part of a larger piece of property of the Grabowski Estate, and that they are splitting this land into building parcels. He said that all of the parcels were on tax title through the Town, and that all of the back taxes have been paid and discharged. Atty. Silverman noted that the larger piece (61.22 acres) is under contract right now, and that the smaller parcel (5.97 acres) is being separated out for future sale also.

Mr. Phoenix remarked that instead of having regular property corner monuments on the plan, there are a number of places where it shows pins to be set, but there are twelve other areas where it's being indicated as computed point. He questioned whether there's going to be anything that's going to be set at those points to indicate that those are relevant to the bounds of the property. Mr. Phoenix said that he's never seen this on a plan, and that it's always been shown as "found" or "to be set". He stated that he would like the triangles (computed points) on the plans be changed to circles (pins to be set).

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.*

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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.*

Mr. Phoenix said that if the Planning Board can get a surveyor to come in here and can say that that's a new standard that's acceptable for plan submission, and that it's not in conflict with the Town Bylaws, then the Board can probably go forward with computed points. He noted that the Board has never contemplated it, and he's not really interested in doing that on the fly without either Town Counsel or somebody coming in and advising him that that's the proper course of action.

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. Queiroga explained that the Board only has 21 days to act on the ANR. Mr. Phoenix said that he would be happy if the plan was brought back noting "pins to be set" (●) in place of "computed points" (▲) on the plan.

Mr. Phoenix: I'll make a **MOTION** to endorse the ANR mostly as submitted, with the approval being subject to a revised plan coming in that is identical to this one in all respects aside from the computed points being changed to pins to be set.

SECOND Mr. Coelho.

4-0 in Favor.

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

Documents included: Master application; Plan of Land in Ludlow, Massachusetts – Surveyed and mapped for The Estate of Anthony Grabowski (March 12, 2018)

APPOINTMENT – Karen Sunnarborg – Housing Production Plan

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Karen Sunnarborg was present for the appointment.

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Ms. Sunnarborg began the meeting by saying that she has made significant headway on the first major part of the Housing Production Plan, which is the housing needs assessment. She then explained the steps that are involved in the plan which include the initial meeting, and to gather more information and finish the housing needs assessment. She noted that an updated draft should be complete next week some time. Her proposal suggested that a first public meeting/public housing workshop be scheduled, where a presentation is done showing the highlights of the plan, and then if there's sufficient attendance, the people at the meeting will go into breakout groups to do group exercises to try and get the people's perceptions of the vision they have for housing in the future for Ludlow, and what some of the priority actions should be to address the needs that have been documented through the housing needs assessment. Ms. Sunnarborg said with that information, as well as the Board's continued input, she would embark on doing the next sections of the Housing Production Plan, which include a section on the challenges to producing affordable housing including infrastructure, environmental concerns, zoning, funding, school enrollments, etc.; housing strategies that the Town considers priorities to try to address the housing needs; and then annual housing production goals. Ms. Sunnarborg explained that the final steps include another meeting with the Planning Board to get input on the draft, and then another public meeting to present the package of strategies and goals. She then said that at some point, the Planning Board and the Board of Selectmen have to get together to approve the plan before it can be submitted to the State. Ms. Sunnarborg said the whole process would be complete in about six months, and that the first public forum should take place before the end of the school year, such as April or May. She said that she will draft additional sections during the summer, and then plan the second public meeting soon after Labor Day.

Mr. Coelho asked Ms. Sunnarborg if she would be able to help prepare some sort of press release and/or literature that explains what the plan is, and what we're trying to do, to distribute to the community or put on Facebook and the town cable site. She said that she would be happy to do that. Mr. Coelho also asked if after the plan is done and approved, how does the maintenance of the plan work, and would Ms. Sunnarborg be around to help with that. Ms. Sunnarborg noted that she does a fair amount of work with the implementation after the plans have been approved. She also explained that there will be some entity that will be accountable for the implementation of that particular strategy, such as the Planning Board, that would be in charge of the zoning aspects of the plan, and acquiring town owned property would be the Board of Selectmen's responsibility. Mr. Phoenix said that there is an affordable housing committee in place, but that they have never met. Ms. Sunnarborg commented that that should be addressed in this plan.

The Board members agreed to set up a meeting for May 17, 2018, for a public forum. Ms. Sunnarborg noted that she will send out a draft agenda for the public meeting.

Ms. Sunnarborg explained the Housing Production Plan to the Planning Board with a PowerPoint presentation. She remarked that the purpose of the Housing Production Plan is to obtain updated information on demographic, economic, and housing characteristics and trends; better understand the current housing market dynamic; document priority housing needs; identify strategies to

address identified needs and goals and strategically invest local resources; and create a road map for getting closer to the state's 10% affordability goal. Ms. Sunnarborg explained that HUD defines affordable housing as spending no more than 30% of income on housing costs. She remarked that in order for a unit to be affordable, it has to meet some major requirements: subsidized, deed restricted, affirmatively marketed, and available to households earning at or below 80% of area median income. She said that in many cases, under the affirmative marketing, that you can reserve 70% of the units for those who either live or work in the community, which is called local preferences.

Ms. Sunnarborg explained that of the 8,337 year round housing units in Ludlow, 293 or 3.51% are included in the Subsidized Housing Inventory (SHI), and there is a current gap of 541 units to meet the 10% state target without considering future growth. She also noted that all SHI units are rentals, with 88% of the units targeted to seniors and younger disabled persons. She showed the range SHI units of neighboring communities. She noted that she thinks it's a challenge for communities like Ludlow, but there are some comparable communities that are beyond the 10%.

An explanation of what Housing Production Plans are, was given by Ms. Sunnarborg, saying that state regulations under Chapter 40B offer communities greater local control over affordable housing development. She remarked that the first step is getting the Housing Plan approval from the state, and that the plan must include affordable housing production goals (42 units/year for Ludlow based on 0.5% of year-round housing units) and strategies to address identified local needs and meets these goals. She said that for each one-year or two-year goal met, the Town can apply for and receive state certification with a one, or two year period during which the ZBA can deny 40B projects without the developer's ability to appeal if they are determined to be inappropriate or not responsive to local needs.

Ms. Sunnarborg remarked that there has been little population growth since 2000, with 2016 census estimates indicating 21,352 residents. She stated that there have been some declines in children and adults up to age 55, with dramatic increases in 55-64 age group and those 65+. She also noted that projections indicate declines in population by 2030 with continuing losses of children and substantial gains in older residents, and that there will be a higher level of household growth than the population growth fueled by smaller households. Mr. Sunnarborg commented that school enrollments have also been declining.

She went on to explain the economic characteristics and trends of Ludlow: median household income of \$64,537 from \$47,000 in 2000, in line with inflationary trends; 1/3 of households earned more than \$100,000, with 26% of households earning less than \$35,000. Ms. Sunnarborg said that poverty is low, but it is increasing modestly for children and seniors from 2010 to 2016. She said that Ludlow's poverty level was 5.4% of all residents compared to 17.9% for the county, and 11.4% statewide. She mentioned that the average weekly wage for those working in Ludlow is \$868, or about \$45,310 annually.

Ms. Sunnarborg described the housing characteristics and trends as a high level of owner occupancy at 77%, with single family homes dominating the housing supply. She said that there have been some gains in rental units and multi-family housing, with some increases in vacancy rates. She stated that the rental units are a top need to continue to diversify the housing stock, and to target the needs of the most vulnerable residents. Ms. Sunnarborg mentioned that the

median income of renters is \$37,361, who can afford a rent of about \$734, with the median rent of \$868 requiring an income of \$42,720.

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Regarding the targeted housing needs in Ludlow, she went to say that in Ludlow there is a deficit of at least 760 affordable rental units, with 730 for those earning at or below 80% AMI. She noted that people with disabilities and special needs are also a priority with 15% of residents claiming a disability, 39% of which were seniors.

In closing, Ms. Sunnarborg reviewed the next steps involved in the Housing Production Plan: conduct a public forum; draft next sections of the plan; conduct another public forum; finalize plan; obtain Planning Board and Selectmen approval; and submit to the state for approval.

Mr. Phoenix **MOVED** that we schedule a meeting for 5/17, to start at our usual 7:00 time, preferably here in this room, assuming it's available, otherwise as Doug and Sue can put it together, to be able to have our first public outreach meeting as a dedicated meeting for that purpose.

Ms. Sunnarborg: I, can I just say something?

Mr. Phoenix: Sure.

Ms. Sunnarborg: I don't think this room's gonna work.

Mr. Phoenix: Ok.

Ms. Sunnarborg: Because if you're gonna do breakout groups, you kind of want to do round table settings where people are able to talk to each other. You know, I don't really want, if we have some adequate attendance to just be talking theater style at people and hoping they participate, it's much more fun and engaging if everybody gets to participate answering questions and voting on stuff, so...

Mr. Phoenix: So, I'll modify my motion to allow Doug and Sue the leeway to come up with the appropriate venue based on the availability of resources within the Town.

SECOND Mr. Coelho.

4-0 in Favor.

Documents included: Town of Ludlow Housing Production Plan March 2018

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**PUBLIC HEARING – SPECIAL PERMIT / HOME OCCUPATION – Kevin Brown –
16 Duke Street (Assessors' Map 14B, Parcel 221)
(flooring installation business – Kevin Brown's Flooring)**

SEE ATTACHED MINUTES

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**PUBLIC HEARING – SITE PLAN & SPECIAL PERMIT / DRIVE THRU –
Country Bank c/o Brett LoCicero – 64 Cherry Street (Assessors’ Map 12C, Parcel 82C)
(67 SF building entrance addition to an existing vacant branch bank to be used as branch
bank for Country Bank with a drive thru)**

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Mr. Stefancik asked Mr. Reed (from the Country Bank public hearing) about computed points on plans. Mr. Reed responded that in surveying, they work with a coordinate system, bearings and distances on plans. He said that a lot of times when a plan is done and there’s not a monument at the corner, sometimes some surveyors will use what is known as a computed point where mathematically the boundary line comes together to form a boundary line that mathematically closes. Mr. Reed noted that in some cases, it replaces the “pin to be set” where a pin or monument can’t be set. He said that is an acceptable practice for surveyors. Mr. Phoenix said that the question is whether it is acceptable under the bylaws.

**SITE PLAN ADDENDUM & CHANGE OF OCCUPANCY (2) – Armando M. Nunes,
Nx2, LLC – 658 Center Street (Assessors’ Map 16C, Parcel 13)(site sketch showing
existing & proposed modifications; Joyful Juice and Shakes; The Nunes Companies, Inc.)**

Armando Nunes was present for the appointment.

Mr. Nunes explained that he has modified the site plan based on the meeting with the Planning Board after he was issued the Cease & Desist order, when he was advised to bring the site plan into current, and to show and clarify any modifications that have been done since 2012. He confirmed that the Change of Occupancies are for his business office, in which there are two employees, and then the juice bar operation which would be an accessory to the existing uses that are currently there already.

Mr. Phoenix: Given the scope of changes and the discussions that we’ve had about this site, I think it would be appropriate to make a **MOTION** and find that a site sketch, as an addendum to the existing site plan, would be appropriate in this instance, instead of a full site plan.

SECOND Mr. Coelho.

4-0 in Favor.

Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Mr. Queiroga – yes.

Mr. Phoenix: In addition to that, with regard to the public hearing which we still could have on this, given the fact that largely this is being done to bring things to current with very minor modifications, in addition to that, I think it would be appropriate to make a **MOTION** to waive the public hearing in favor of just having the comments that we’ve received from other Boards and the discussion for tonight.

SECOND Mr. Coelho.

4-0 in Favor.

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Mr. Nunes remarked that he updated the site plan to show the future parking that he plans to put in at some point in the near future. He stated that he is required to have 57 parking spaces, and that he is showing 68 spaces, with 6 of those being handicapped.

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Mr. Nunes addressed the comments from the Building Inspector, stating that the conex containers will be removed per an agreement with the Selectmen, and that he will be having a contractor apply for permit and build a shed as replacement.

Mr. Stefancik mentioned that the cease and desist is by August 20, 2018. Mr. Nunes said that the violations will be taken care of by then. He also noted that he anticipates to be done with all of the work in about three years.

Mr. Phoenix remarked that there is another property in Town, with a site plan that's approximately 8 to 10 years old, where they said they were gonna be putting pavement down and doing work to connect it with an adjacent site, and to help with the flow of traffic on a congested street, and after the 8 to 10 years ago that it's been, that work still hasn't been done. He said that whatever the Board decides along those lines for a timeline to get the parking completed, that we aren't substantially more severe on this project and stricter on this project's timeline completion than we have been on other properties.

Mr. Phoenix 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: So, given that it meets the criteria for the approval of a site sketch, I would make a **MOTION** in our standard form to approve.

SECOND Mr. Coelho.

4-0 in Favor.

Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Mr. Queiroga – yes.

Mr. Phoenix: We already touched on that fact that it sounds like two employees for the office and the employees, as well as everything else, is going to be wrapped into the existing business

for the juice bar section, so with that in mind, I'll make a **MOTION** to approve both Changes of Occupancy at the site.

SECOND Mr. Coelho.

4-0 in Favor.

Roll call vote: Mr. Quiterio – ~~no~~; Mr. Phoenix – yes; Mr. Coelho – yes; Mr. Queiroga – yes.

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Documents included: Master application; comments from Town Departments. Plan of Land – 658 Center Street – Ludlow, MA – owned by NX2, LLC., prepared by Armando Nunes (03/20/18)

Mail Item #20 - Letter to Sgt. Brian Shameklis - Ludlow Police Dept., from Capt. Scott Kozak - Ludlow Fire Dept. re: parking concerns at 113 Center Street

The letter stated that Captain Kozak has concerns about a resident that has been parking on the sidewalk and blocking the exit/egress from the hallway door, and there is an illegal handicapped parking sign attached to the building where this paraplegic gentleman parks. It also read that he has a spot to park in the driveway that gives him easy access to his door. Captain Kozak's letter said that there was a car fire recently that was not put out quickly, and the whole apartment could have been up in flames. The tenant was told not to park there anymore, but is still parking there.

Mr. Stefancik remarked that Mr. Lavoie, the owner of the building, came in and picked up a copy of the letter.

Mr. Phoenix commented that since this letter was sent from Fire to Police, looking for no parking signs, which would be through Safety, none of which were the Planning Board. He noted that he thinks this is more of an informational issue for the Planning Board, and that the public safety officials should be handling this, at the moment.

File Mail Item #21 - Letter from KimberlyAnne Spusta/Gene Battistini re: unkempt property at 596 Center Street

Mail Item #22 - Memo from Kim Batista, Town Clerk - Reorganization after the Town Election (3/26/18)

The Planning Board will reorganize at their next meeting scheduled for April 12, 2018.

Mr. Phoenix talked about the Capital Planning Meeting, and that there is not any extra money in the Capital fund above and beyond what's already slotted for right now. He noted that some of the highlights are the emergency communications system, which will be quite costly; the library has some HVAC issues that need repair; the Fire Department want a car for the deputy chief; and the School Department wants to get some work done for air quality in the middle school.

Consent Agenda:

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The Board approved the Consent Agenda under unanimous consent.

- ◆ FILE Mail Item 23. - Legal Notices from surrounding communities
- ◆ APPROVE/SIGN Minutes of March 8, 2018
- ◆ APPROVE Change of Occupancies:
 - Deborah Peterson (booth rental – hair salon) – 300 West Avenue
 - Jorge S. Laires (Primavera Restaurant) – 257 East Street

Mr. Phoenix **MOVED** to adjourn.
SECOND Mr. Coelho.
4-0 in Favor.

Meeting adjourned at 9:31 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
PUBLIC HEARING – HOME OCCUPATION/SPECIAL PERMIT
177 Chapin Street – Donald E. Marchand
(carpet & upholstery cleaning business – Ludlow Carpet & Upholstery Cleaning Co.)
March 22, 2018

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PLANNING BOARD MEMBERS

Joseph Queiroga – Chairman (Present)
Raymond Phoenix – Vice Chairman (Present)
Christopher Coelho (Present)
Kathleen Houle (Absent)
Rafael Quiterio (Present)
John Pedro, Associate Member (Present)

Hearing began at 7:02 p.m. in the Selectmen's Conference Room.

In attendance: Donald Marchand, attendees

Mr. Queiroga: As I understand it, why don't you, rather than say that, why don't you tell what you want to do, and...

Mr. Marchand: Well, we're looking to run our business out of our home. So, we're looking for a business permit or a license to have a home office.

Mr. Queiroga: Ok.

Mr. Marchand: We've been in business for 30 years. We started here in Ludlow 30 years ago. As the kids got older, we moved out of town, but now we're back again, and we'd like to be legal.

Mr. Queiroga: You found your way back, huh?

Mr. Marchand: We did. We found our way home, and this is it.

Mr. Queiroga: Alright, this is, will this, it's Ludlow Carpet & Upholstery Cleaning Company?

Mr. Marchand: Yes.

Mr. Queiroga: Ok, I know somebody will ask you whether you're gonna keep any supplies in the home for the cleaning?

Mr. Marchand: I just keep --- on my truck, just for my daily work.

Mr. Queiroga: What kind of truck do you have?

Mr. Marchand: I have a Butler Truck --- system.

Mr. Queiroga: Ok, and what's ---.

Mr. Quiterio: ---

Mr. Marchand: It's a self-contained unit, yup.

Mr. Quiterio: I used to work at Butler ---.

Mr. Phoenix: Before we go too much further, while I was opening this up, did you read the legal notice already?

Mr. Queiroga: Not yet. Why don't I do that.

Mr. Queiroga read the legal notice and reviewed the application. The legal notice included the description of: Home Office – carpet & upholstery cleaning business (Ludlow Carpet & Upholstery Cleaning Co.).

Mr. Queiroga: Ok, so, as I understand it, we have pictures of your home, and if you want to pass these around. It also shows the little area that you're going to use right?

Mr. Marchand: It's about a 9 x 12.

Mr. Queiroga: We were talking about the kind of truck you have?

Mr. Marchand: It's a Butler System. It's, everything's self-contained. I carry the supplies, whatever I need on the truck. There's nothing, really, I store because I don't want to tie up my money. So, as I need it, I go get it. I'm right around the corner.

Mr. Coelho: What type of vehicle is it?

Mr. Marchand: It's a GMC.

Mr. Quiterio: It's a van, a GMC van.

Mr. Marchand: Yup, exactly, yup.

Mr. Phoenix: What's the gross vehicle weight?

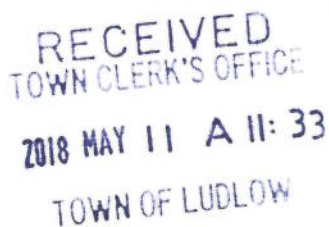
Mr. Marchand: It's 9,600 lbs. --- yeah.

Mr. Phoenix: I just had to ask, because it was a 10,000 lb. question mark.

Mr. Marchand: It's a one ton and most one tons are 10,000. But I did check the, I've got it. You can see it's right here. That's on the door.

(multiple people talking)

Mr. Marchand: Ok?



Mr. Queiroga: So, you were prepared. That's good.

Mr. Phoenix: Can we just get you to put that on the application, and just initial the update on there?

Mr. Marchand: Sure, yup.

Mr. Phoenix: It's right there.

Mr. Queiroga: ---

Mr. Phoenix: Now you're not looking at doing any signage or non-resident employees?

Mr. Marchand: No, it's just me. I only work 3 ½ days a week now. Cutting way back. And actually, I only work nine months out of the year. I'm usually down south from the middle of December to the middle of March.

Mr. Phoenix: Ok, and again, a lot of these are actually in our application, we're just making sure that they're in the record in case anybody wants to know these things too. No customers coming to the house, no deliveries unlike a regular residence, as far as your neighbors are concerned, it's still gonna look and feel just like it always has, as your residence?

Mr. Marchand: Yup, yup, the truck will be in the garage, yup.

Mr. Phoenix: Ok.

Mr. Queiroga: No signs?

Mr. Marchand: No signs.

Mr. Queiroga: Have you, did he already pay? Did you already pay the?

Mr. Marchand: For Turley? Yeah, no. I didn't know how much it was and...

Mr. Queiroga: That's fine. The blue one will be your copy. I don't know if that's the one you have.

Mr. Marchand: My wife will take care of that. You can read her signature better than mine.

Mr. Phoenix: To get us rolling, unless somebody has anything else they'd like to ask on the basic details of the outline of this business, I would make a **MOTION** to find that the home occupation, as described, is a suitable home one under the Bylaw.

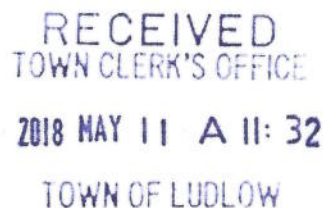
SECOND Mr. Coelho.

5-0 in Favor.

Mr. Phoenix: Also, we do have a waiver request signed for a full registered site plan in favor of a sketch and photos as prepared by the applicant. I would make a **MOTION** in our standard form, basically, to grant that waiver.

SECOND Mr. Coelho.

5-0 in Favor.



Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Mr. Pedro – yes; Mr. Queiroga – yes.

Mr. Queiroga: Ok, is there, want to open it up to the public, is there anybody here that would like to speak on this issue? They're jumping out of the woods here.

Mr. Phoenix: Want to start off with the home occ

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

SPECIAL PERMIT CRITERIA

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- 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. Coelho: Mr. Chairman?

Mr. Queiroga: Mr. Coelho.

Mr. Coelho: I **MOVE** to approve the Special Permit under 7.4.0 a-m, and the Home Occupation under Section 6.2.1–6.2.13 for Mr. Marchand at 177 Chapin Street, with the restriction that the permit run with the applicant and not with the property.

SECOND Mr. Phoenix.

5-0 in Favor.

Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho – yes; Mr. Pedro – yes; Mr. Queiroga – yes.

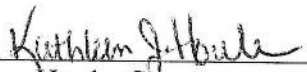
Mr. Phoenix: **MOVE** to close the public hearing.

SECOND Mr. Coelho.

5-0 in Favor.

Hearing ended 7:11 p.m.

APPROVED:



Kathleen Houle, Secretary

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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 – HOME OCCUPATION/SPECIAL PERMIT
16 Duke Street – Kevin Brown
(flooring installation business – Kevin Brown’s Flooring)
March 22, 2018**

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PLANNING BOARD MEMBERS

Joseph Queiroga – Chairman (Present)
Raymond Phoenix – Vice Chairman (Present)
Christopher Coelho (Present)
Kathleen Houle (Absent)
Rafael Quiterio (Present)
John Pedro, Associate Member (Present)

Hearing began at 8:25 p.m. in the Selectmen’s Conference Room.

In attendance: Kevin Brown, attendees

Mr. Queiroga read the legal notice and reviewed the application. The legal notice included the description of: Home Office – flooring installation business (Kevin Brown’s Flooring).

Mr. Queiroga: Ok, tell us what you’ve got in mind ---.

Mr. Brown: So basically, I have a work truck, a work van. You know, I wake up, get my work van, you know, I go to work, I come back, pretty much. I have a small little home office, at home.

Mr. Queiroga: Ok, is this your house?

Mr. Brown: Yes.

Mr. Queiroga: You’re the owner?

Mr. Brown: Yup.

Mr. Queiroga: Ok.

Mr. Phoenix: Mr. Chairman.

Mr. Queiroga: Mr. ...

Mr. Phoenix: I just wanted to...

Mr. Brown: I’m a subcontractor for flooring companies, like maybe you know Ludlow Linoleum. Someone like Walter would hire me and I’d go do a job for him. So, I mean, it’s not like a huge business at your house, per se, really.

Mr. Queiroga: What do you have for an automobile.

Mr. Brown: It's a work truck, 2006 cargo van, Chevy Cargo van.

Mr. Phoenix: And he's got 9,000 lbs. listed for it.

Mr. Queiroga: Ok.

Mr. Phoenix: On the application, one thing that I did notice when I was looking over this, I think it was yesterday, just a minor correction that we needed to make, and I just would like to ask you to initial the change. Basically, the area of the home and the area that you're using were reversed. So, you were gonna be using about five or six times the size of what you're listing for the house, which doesn't work too well. So, it's just those, I think it's the top two lines under there where you see the numbers are crossed out and switched.

Mr. Brown: Ok.

Mr. Phoenix: --- that that is, that that's appropriate. ---

Mr. Coelho: Do you keep a lot of stock?

Mr. Brown: No, not really. No, no, I don't keep carpet at my house, or anything like that. I'm not a floor store, so I won't, be like loads of carpet. I'm just the guy who comes and, you know...

Mr. Coelho: Gets it done.

Mr. Brown: ...puts it down, and yup. Pretty much, so that's...

Mr. Queiroga: You're not gonna have any signs on the house, or are you?

Mr. Brown: No, no. I don't even have a sign on my van. I have my own business cards and stuff, but, and I'm licensed and insured, workman's comp liability, all that stuff.

Mr. Queiroga: Ok. We need any...

Mr. Phoenix: Be right back. (8:29 p.m.)

Mr. Queiroga: We need any waivers or?

Mr. Phoenix: Yeah, we still need to do the finding and the waiver.

Mr. Coelho: Mr. Chairman.

Mr. Queiroga: Mr. Coelho.

Mr. Coelho: I **MOVE** to find that the carpet installation business as described by Mr. Brown at 16 Duke Street, is a suitable home occupation under the Bylaw.

SECOND Mr. Quiterio.

Public Hearing – Brown
March 22, 2018

4-0 in Favor. *(Mr. Phoenix was out of the room)*

Mr. Coelho: We need to, does he have a request for waivers for site plan? I'm sure he does.

Mr. Queiroga: ----

Mr. Coelho: Mr. Chairman, I'll make a **MOTION** to waive the full site plan for Mr. Brown at 16 Duke Street in favor of a sketch and or photos to be prepared by the applicant since this is in relation to a home occupation and in doing so is consistent with the purpose and intent of the Zoning Bylaw.

SECOND Mr. Quiterio.

4-0 in Favor. *(Mr. Phoenix was out of the room)*

Mr. Brown: Thank you.

Mr. Coelho: You're not done yet. Have a seat. Relax. Kick back.

Mr. Brown: No? Alright. Oh, right here? Ok.

Mr. Coelho: Want to open this up to the um?

Mr. Queiroga: ---. Is there anybody here that would like to comment on this application in front of us for 16 Duke Street? No, I guess not. So, we are...

Mr. Quiterio: Ready?

Mr. Queiroga: We can go through that check list, yes.

(Mr. Phoenix rejoined the meeting at 8:31 p.m.)

Mr. Quiterio 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.

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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. Queiroga: Ok, before we look for a motion, that's your bill. If you have a check you can leave it with Doug. If not, you can send it directly to Turley Publications.

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Mr. Brown: Ok.

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Mr. Queiroga: Ok, and that's your copy.

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Mr. Phoenix: And before we actually get into a motion and a vote, just to let you know before you try and do the count, I'm gonna be abstaining since I did leave the room for a couple minutes.

Mr. Coelho: Mr. Chairman.

Mr. Queiroga: Mr. Coelho.

Mr. Phoenix: I **MOVE** to approve the Special Permit under 7.0.4 a-m and the Home Occupation under 6.2.1-6.2.13 for Mr. Brown of 16 Duke Street with the restriction that the permit will run with the applicant and not with the property.

SECOND Mr. Quiterio.

4-0-1 in Favor. (Mr. Phoenix)

Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – abstain; Mr. Coelho – yes; Mr. Pedro – yes; Mr. Queiroga – yes.

Mr. Queiroga: Ok.

Mr. Phoenix: I will, however, **MOVE** to close the public hearing.

SECOND Mr. Coelho.

5-0 in Favor.

Hearing ended 8:37 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 & SPECIAL PERMIT / DRIVE THRU
64 Cherry Street (Assessors' Map 12C, Parcel 82C)**

**Country Bank c/o Brett LoCicero
(67 SF building entrance addition to an existing vacant branch bank to be used as branch
bank for Country Bank with a drive thru)**

March 22, 2018

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TOWN OF LUDLOW

PLANNING BOARD MEMBERS

Joseph Queiroga - Chairman (Present)
Raymond Phoenix - Vice Chairman (Present)
Christopher Coelho (Present)
Kathleen Houle (Absent)
Raphael Quiterio (Present)
John Pedro, Associate Member (Present)

Hearing began at 8:40 p.m. in the Selectmen's Conference Room.

In attendance: Mark Reed, Chris Kelly, attendees

Mr. Reed confirmed that the only changes made to the revised site plan and landscape plan were the mulch, and the water line connection.

Mr. Queiroga read the legal notice and reviewed the application. The legal notice included the description of: 67 SF building entrance addition to an existing vacant branch bank to be used as branch bank for Country Bank with a drive thru.

Mr. Reed: For the record, my name is Mark Reed from Heritage Surveys, representing People's Bank tonight. With me tonight is Chris Kelly, he's from Solidus...

Mr. Kelly: The GC.

Mr. Reed: ...the GC for the project. Unfortunately, Brett could not be here tonight. He's out of town for the project, in itself. So, as everyone knows, this building has been a long time branch bank, where Bank of Boston used to be, and they closed it down some, quite a few years ago, and it's been vacant all these years. So, People's, I'm sorry, Country Bank would like to put a branch bank in this location. The only change to the building itself, is a new entrance being in the front.

Mr. Kelly: Relocated. ---

Mr. Reed: Relocated. The existing entrance to the bank is here. There'll be a new air break, double door, entranceway, which is 67 square feet in size, and a new handicap ramp for accessibility under the ADA requirements for the bank. The site, there are no changes to the site. Currently, there's a two-way flow of traffic coming in to an existing parking field here with handicapped parking, and then a secondary entrance coming in with three parking spaces on

here, and the drive-up window, which is on the Turnpike side of the building, or south side of the building. Burger King is located over here, and Big Y Shopping Plaza to the north.

Mr. Queiroga: None of that parking spots. I'm sorry, the number of the parking spots does not change?

Mr. Reed: Correct.

Mr. Coelho: The drive-thru, is it a single drive-thru, or is it a double drive-thru?

Mr. Reed: No, it's a single.

Mr. Coelho: Ok.

Mr. Reed: So there's a, there is an ATM and a teller.

Mr. Coelho: So this far lane will be free for flow.

Mr. Reed: Yup, for flow, correct. Yes, there is no teller on that far lane.

Mr. Phoenix: Now, the existing vestibule, entryway, whatever you want to call the, what's been the entrance...

Mr. Reed: Yes.

Mr. Phoenix: ...now that was also in use for the ATM as well. Is that all gonna be shut off and just incorporated into the main part of the building, or is that still gonna be an ATM just separate from the ---?

Mr. Kelly: It's gonna be closed off and it's just gonna become an office.

Mr. Phoenix: Ok.

Mr. Kelly: There will be no ATM there.

Mr. Reed: We submitted building plans, interior building plans...

Mr. Phoenix: I'll be honest, I tend not to look at those too much 'cause I'm...

Mr. Kelly: ---

Mr. Reed: So, there'll be windows in our office here instead of the entrance.

Mr. Phoenix: Ok.

Mr. Coelho: This is almost one for one. This might be the easiest Change of Occupancy ---.

Mr. Phoenix: It's not quite a Change of Occupancy ---.

Mr. Coelho: I know, I know, but what I'm saying, we've had other Change of Occupancies that might have required a site plan.

Mr. Phoenix: Yeah ---.

Mr. Reed: The applicant is requesting a couple waivers, one is lighting plan, sign plan...

Mr. Phoenix: It's just under 7.0.5o, I believe, were the waivers, right?

Mr. Reed: Right. And then the traffic study.

Mr. Phoenix: And those are all not expected to change? You're not changing the lighting or the ---?

Mr. Reed: No, and the existing sign is gonna be the same. Actually, we have one less sign.

Mr. Kelly: Right, we're gonna remove the sign between Burger King.

Mr. Reed: --- pylon sign.

Mr. Kelly: There was a weird pylon just facing right there. They've taken it down.

Mr. Reed: --- it's gone.

Mr. Phoenix: Ok.

Mr. Reed: So, the existing sign in the front of the building is gonna stay the same here. And, you know, all the site lighting ---.

Mr. Kelly: There may be directional signage ---, but there'll go through their process of developing a plan for that and then submitting it for approval during construction.

Mr. Phoenix: Ok.

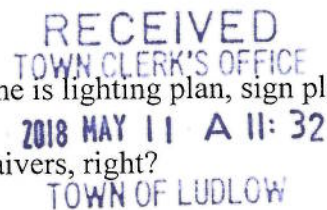
Mr. Queiroga: Ok.

Mr. Reed: So, as I mentioned, we have an existing landscape plan that was submitted, and a revised landscape plan that takes into consideration the comments from the Fire Department, to keep the mulch in the plant beds a minimum of 18 inches away from any wood structure, for fire hazard. So, the landscape plan has been changed, and the site plan and the landscape plan are both dated today.

Mr. Queiroga: Ok, let me, do you have copies of any comments from the other Boards?

Mr. Reed: Yes, I do. Doug provided them to us. The only comments we had were from Doug questioning the water line coming into the building, which we've added to the plan. The Fire Department and Police Department, I'm sorry, the Health...

Mr. Phoenix: Can I just interrupt for one second, just for my piece of mind?



Mr. Reed: Sure.

Mr. Phoenix: We probably did it, and I'm just not recalling it, and hopefully we did before we got this far in, but did you actually read the legal notice at any point?

Mr. Queiroga: Yes.

Mr. Reed: Yes.

Mr. Phoenix: Ok, thank you. I'm just being cautious.

Mr. Reed: So, the only other comment was no comment from the Assistant Town Engineer.

Mr. Queiroga: Conservation, Town Engineer ---?

Mr. Reed: No comment.

Mr. Kelly: ---

Mr. Stefancik: Conservation had a comment that just came in today. It was about...

Mr. Queiroga: About erosion controls? What?

Mr. Coelho: That's probably during construction, I'm sure their GC is up on their erosion controls --- 2018.

Mr. Reed: Our landscaper --- do that.

Mr. Queiroga: The Fire Department you've already read.

Mr. Reed: Right.

Mr. Queiroga: And Public Works, no comment from Mr. Jim Goodreau, Assistant Town Engineer.

Mr. Reed: Yes.

Mr. Queiroga: Ok.

Mr. Coelho: Get those haybales though, because they'll ---.

Mr. Kelly: You got it.

Mr. Queiroga: Ok.

Mr. Coelho: Not by me.

Mr. Queiroga: So, you mean, you have also the copies of the Inspectional Department?

Mr. Reed: Yes.

Mr. Queiroga: Ok.

Mr. Reed: Yes. That was part of our application. That was one of the first things that the bank met with inspectional services, and we have those.

Mr. Queiroga: And I think, I believe --- and let you work on the inside before, on the demo.

Mr. Kelly: Which right before we started, the pipes burst, and didn't allow us to ---.

Mr. Reed: So, the demo hasn't started yet.

Mr. Queiroga: This is the, you can either drop it off before you leave or send it in to Turley Publications, and that's your copy.

Mr. Reed: Ok.

Mr. Queiroga: Ok, questions from the Board while we're at it.

Mr. Phoenix: I don't have any questions. I don't think I see anybody in the audience with anything either. I'm sure we'll be officially asking that, but just to keep things moving in the right direction, since we do have a request under 7.1.5.o for a waiver, if you could just give me the three specific numbers. Yeah, that's the items, I'm just looking for the numbers.

Mr. Queiroga: Yeah, I don't, they don't even give me that. --- a copy anymore.

Mr. Phoenix: Is it 1, 3, and 5?

Mr. Stefancik: Look on my comments on the second page.

Mr. Phoenix: ---

Mr. Kelly: Yeah, 1, 3, and 5.

Mr. Phoenix: Ok, so I will make a **MOTION** to grant the waiver of 7.1.5.o 1, 3, and 5, specifically, the lighting plan with luminaire schedule, the sign design with dimensions and locations, and the traffic study, given that none of those things are expected to change with these new revisions to the site plan.

SECOND Mr. Coelho.

5-0 in Favor.

Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho - yes; Mr. Pedro – yes; Mr. Queiroga – yes.

Mr. Queiroga: Ok, next, we have two things here, first we have the site plan, and the special permit for the drive thru. Should we take them in that order?

Mr. Phoenix: Sure, we can do it together or separate.

Mr. Queiroga: It's, whatever's your pleasure. Any questions for our applicants at this point?

Mr. Quiterio: I don't have any questions.

Mr. Queiroga: Ok, ---.

Mr. Coelho: Yeah, I --- pretty cut and dry.

Mr. Queiroga: Yeah, ok, then let's deal with the...

Mr. Phoenix: Give me some reading material.

Mr. Queiroga: ---

Mr. Phoenix: You give me something, I'll do something.

Mr. Queiroga: They're being nice to you today, John.

Mr. Coelho: Well, we almost got it memorized. You want me to go with the?

Mr. Phoenix: Yeah, we should probably go with the site plan first.

Mr. Coelho: Should we open it up to the public before we go through the checklists, or does it matter?

Mr. Phoenix: I don't think it matters, it's just...

Mr. Coelho: Ok.

Mr. Coelho read the Required Site Plan Contents Checklist:

7.1.5 Required Site Plan Contents

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

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

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

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

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

(2) *Number of plants (if appropriate)*

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

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

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

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

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

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

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

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

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

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

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

l. *All existing and proposed sidewalks and curbing.*

m. *Landscaping Requirements*

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

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

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

(1) *Area of lot.*

(2) *Area and size of building.*

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

(4) *Maximum number of employees, where applicable.*

(5) *Maximum seating capacity, where applicable.*

(6) *Maximum sleeping capacity, where applicable.*

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

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

(9) *Number of trees and/or shrubs.*

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

o. Additional Requirements: All site plans need to have the following information unless waived by the Planning Board:

(1.) Lighting Plan with Luminaire Schedule, prepared by an engineer.

(2.) Elevations showing the front, rear, and sides of the building design.

(3.) Signage design with dimensions and locations.

(4.) Area where snow will be stored.

(5.) Traffic Study.

Mr. Coelho: And o. has been waived with the exception of the snow area.

Mr. Phoenix: No. We still need two and four, snow and...

Mr. Coelho: Oh two, I forgot, see, elevations of the front and rear of the building?

Mr. Phoenix: Which we have.

Mr. Coelho: Ok, so we don't. That's good. And then the snow area, I thought I saw it here.

Mr. Reed: Yes.

Mr. Phoenix: That's on there too. Now, you sure you don't want to list sleeping capacity as one for whoever's guarding the vault, right?

Mr. Reed: That might be us.

Mr. Queiroga: Ok, next one.

Mr. Phoenix read the Special Permit Criteria Checklist:

SPECIAL PERMIT CRITERIA

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- 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. Queiroga: Ok, I'm looking for an appropriate, I don't see anybody --- you want to, I mean Armand. Alright.

Mr. Phoenix: If there's nothing else, I will make a **MOTION** to grant approval of the special permit, using our standard form of our motion, and the site plan, again using our standard form motion, for this property, with the note that the concerns of ConsCom do need to be taken into account as they're moving forward.

Mr. Queiroga: Excuse me just for a second.

Mr. Phoenix: --- since they put it in a thing to us. I saw your look.

Mr. Queiroga: Was there something else we needed to waive?

Mr. Phoenix: We already did that.

Mr. Queiroga: Ok, 'cause I thought you brought up new ones.

Mr. Phoenix: Nope.

Mr. Queiroga: Nope. Ok, is there a second?

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TOWN OF LUDLOW

SECOND Mr. Coelho.

5-0 in Favor.

Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho - yes; Mr. Pedro – yes; Mr. Queiroga – yes.

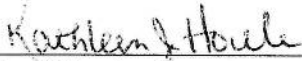
Mr. Phoenix: MOVE to close.

SECOND Mr. Coelho.

5-0 in Favor.

Hearing ended 8:57 p.m.

APPROVED:



Kathleen Houle, Secretary

su

Documents: Master application; abutters list; request for waivers; comments from Town Departments/Boards; Site Plan: Site Plan of Land in Ludlow, Massachusetts – surveyed for Country Bank (Revised: March 22, 2018); Existing Landscape Plan – Country Bank, Ludlow MA (Feb. 20, 2018); Landscape Plan – Country Bank, 64 Cherry Street, Ludlow MA (March 22, 2018); A1.1 Interior Renovation & Addition – 55 Cherry Street - Proposed Floor Plan (9.22.17); A4.0 Interior Renovation & Addition – 55 Cherry Street - Existing Exterior Elevations (9.22.17); A4.1 & A4.2 Interior Renovation & Addition – 55 Cherry Street - Proposed Exterior Elevations (9.22.17); A4.3 Interior Renovation & Addition – 55 Cherry Street - Exterior Canopy Details (9.22.17)

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