

**TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
October 25, 2018**

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2019 JAN 25 P 12:06
TOWN OF LUDLOW

PLANNING BOARD MEMBERS

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

The meeting began at 6:45 p.m. in the Selectmen's Conference Room.

CONTINUED PUBLIC HEARING – SITE PLAN – 14 Chestnut Place (Assessors' Map 13C, Parcel 54) & 58 Sewall Street (Assessors' Map 14B, Parcel 9-1) – Mid America Properties, LLC (updating site plan to include existing conditions and minor proposed additions to improve traffic flow around building and improvements to the accessible parking spaces)

SEE ATTACHED MINUTES

Cancel meetings of November 22, 2018 & December 27, 2018

Mr. Phoenix: We currently have meetings scheduled for November 22nd and December 27th, I would **MOVE** that we cancel both of those meetings.

SECOND Mr. Coelho.

4-0 in Favor.

Consent Agenda:

The Board approved the Consent Agenda under unanimous consent.

- ◆ FILE Mail Item 61. - Legal Notices from surrounding communities
- ◆ APPROVE/SIGN Minutes of September 27, 2018
- ◆ SIGN Special Permits:
 - Tammy Batch – 443 Moore Street (sign language interpreting)
- ◆ APPROVE Change of Occupancies:
 - Serco, Inc. – (new ownership) – 15 Westover Road
- ◆ APPROVE/SIGN Bills – D. Stefancik (reimbursement for mileage & conference)(2 invoices)

Housing Production Plan

Karen Sunnarborg was present for the appointment.

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Ms. Sunnarborg reviewed the demographic and economic profiles, economic trends, and housing statistics for the Town of Ludlow and the surrounding areas. She also discussed Ludlow's current subsidized housing inventory, and the advantages of having a housing production plan in place. Ms. Sunnarborg talked about the environmental challenges that present obstacles to new development such as conservation issues, and about the various districts in town which include the East Street Revitalization Overlay District, Smart Growth Overlay District, 188 Fuller Street, the Mill Redevelopment District. She also described the targeted housing needs which indicated that there are significant local needs for affordable housing. Some of the strategies would include private property mixed-uses, public property development, and accessory dwelling rental units, and consisted of continuing to conduct community outreach and education, securing financial resources for affordable housing which will include adopting the Community Preservation Act and other state and federal subsidies, establishing an affordable housing trust fund, restoring the Fair Housing Committee, using zoning and regulatory strategies, expanding mixed-use redevelopment areas, allowing more diverse housing types in more areas, encouraging flexible zoning or open space development that incorporates affordable housing, allowing affordable development on non-conforming lots, inclusionary zoning, making suitable public property available for affordable housing, partnering with developers on privately owned sites, and introducing a housing rehabilitation program.

Finally, Ms. Sunnarborg explained that the final steps of the Housing Production Plan include finalizing the plan, obtaining approval from the Planning Board and the Board of Selectmen, and then submitting it to the state for approval.

Documents included: Town of Ludlow, Massachusetts Housing Production Plan (September 2018)

CONTINUED PUBLIC HEARING – SPECIAL PERMIT / HOME OCCUPATION & SITE PLAN – 38 Lyon Street (Assessors' Map 24, Parcel 42) – Kenneth Butts (Home Office – processing firewood, and Site Plan – firewood processor)

SEE ATTACHED MINUTES

Manny Silva, Board of Selectmen (liaison to Planning Board) – discuss zoning enforcement issues

Manny Silva, Board of Selectmen was present for the appointment.

The Board discussed with Mr. Silva, various matters regarding the Building Inspector not attending Planning Board meetings when zoning and Bylaw issues are involved, and inaction on several zoning enforcement issues.

The Planning Board and Mr. Silva agreed that for future meetings requesting the Building Inspector to attend, the request should be in writing with a copy going to the Selectmen. Mr. Silva said that he will discuss the current situation with the Board of Selectmen at their next meeting.

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Mr. Silva suggested that perhaps the Board of Selectmen could appoint someone else as zoning enforcement officer if the Building Inspector is too busy to do the job. He also suggested that if the Planning Board has any recommendations, they could submit them in writing to the Selectmen.

SITE SKETCH – 62 Nash Hill Road (Assessors’ Map 9, Parcel 36A) – Lupa Game Farm Inc. (add 30’ x 34’ feed storage shed)(continued from October 11, 2018)

Mr. Coelho **MOVED** to waive the full plan down to a site sketch, as discussed at our prior meeting.

SECOND Ms. Houle.

4-0 in Favor.

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

Mr. Phoenix: I would also **MOVE** that we waive the public hearing.

SECOND Mr. Coelho.

4-0 in Favor.

Mr. Phoenix: On the issue itself, I think he was fine with everything that was on the chart, so that said, I will **MOVE** to approve the site sketch as submitted in the standard form.

SECOND Ms. Houle.

4-0 in Favor.

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

Documents included: Master application; Proposed Site Plan for storage shed, 62 Nash Hill Road Ludlow, MA for Lupa Zoo (9/27/2018)

Mr. Phoenix **MOVED** to adjourn.

SECOND Mr. Coelho.

4-0 in Favor.

Meeting adjourned at 8:31 p.m.

APPROVED:


Kathleen Houle, Secretary

su

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

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**TOWN OF LUDLOW PLANNING BOARD
CONTINUED PUBLIC HEARING – SITE PLAN
14 Chestnut Place (Assessors' Map 13C, Parcel 54) &
58 Sewall Street (Assessors' Map 14B, Parcel 9-1)
Mid America Properties, LLC**

**(updating site plan to include existing conditions and minor proposed additions to improve
traffic flow around building and improvements to the accessible parking spaces)**

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PLANNING BOARD MEMBERS

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

Hearing began at 6:46 p.m. in the Selectmen's Conference Room.

The public hearing was continued from October 11, 2018.

In attendance: Michael Liu – Berkshire Design Group, attendees

Mr. Phoenix: I believe on this one, the major hold up was that we didn't have the four regular members for the waivers, but we also had the question about the call out in the table as far as the usage of the remainder of the building.

Mr. Liu: Yes, and I have to apologize, I'm not the one working on this project, I'm the delivery person tonight. But, my understanding is that the table here was updated to include information about future offices, future employees, etcetera. So, a couple of lines have been added to the use table. We have four copies of each of Sheet L001, L002, and a mylar of L002, I assume for signature and approval, final action.

Mr. Phoenix: I'm most interested in 002, if you could pass one of those this way.

Mr. Liu: Oh sure. I'll give you one of these paper copies.

Mr. Phoenix: That's a lot easier than trying to stare through a mylar.

Mr. Coelho: Maybe another one for this side of the table.

Mr. Liu: I'm sorry ---.

(multiple people talking)

Ms. Houle: Thank you.

Mr. Coelho: We're good at sharing.

Mr. Liu: But, the table's big enough if you all need one, I guess.

Mr. Queiroga: ---

Mr. Phoenix: Well the, I can't remember if we actually ran through the checklist itself. I think we did, right? And it was just the waivers, the 7., the a-m, the ---.

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Mr. Stefancik: That chart, ---

Ms. Houle: The chart and the waivers.

Mr. Stefancik: It was the use of the space and what would be occupying what isn't currently used.

Mr. Phoenix: Right.

Mr. Stefancik: And I talked to the engineer today and they were gonna put that on the plan and add additional employees, calling out the space, and parking to fix that all up.

Mr. Phoenix: Right, and that's all on there, and procedurally, I think the only thing that was missing though was the waiver on o., some of the items at least in 1-5?

Mr. Stefancik: Correct, and it should be in the file what they asked for a waiver on.

Mr. Phoenix: 'Cause I know they were asking for a waiver on the lighting plan, the elevations, I believe the signage also. I think you guys were showing the area of snow storage, so I don't think you were looking for a waiver on that one.

Mr. Queiroga: 1-3 and 5.

Mr. Phoenix: 1-3 and 5. Yeah so, 4 was probably snow storage then, 'cause 5 is traffic study, right?

Mr. Stefancik: Yeah, 4 is snow storage, 5 traffic study.

Mr. Phoenix: So, what was the one that I was missing?

Mr. Stefancik: Lighting schedule, the elevations, and the signage.

Mr. Phoenix: Ok, and again, none of that's changing from existing. Since there's no change from the existing on those items and the traffic study would certainly be for less intense than what this building's been used for in the past, and it seems to be in the Town's best interest as well as the best interest of this particular area, I would MOVE that we waive items o.1, 2, 3, & 5 as requested by the applicant.

SECOND Ms. Houle.

4-0 in Favor.

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

Mr. Queiroga: Ok, that takes care of that. What else we need? By the way, I assume the public hearing is continued.

Mr. Phoenix: Yes. We're still on the hearing. We have a massive audience. I would say unless anybody has anything new, we're probably ready for a motion on the site plan itself. So, I will make a hesitantly, make a **MOTION** in the standard form to approve the site plan.

SECOND Mr. Coelho.

4-0 in Favor.

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

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

SECOND Mr. Coelho.

4-0 in Favor.

Hearing ended 6:51 p.m.

APPROVED:



Kathleen Houle, Secretary

su

Documents: Master application; abutters list; request for waivers; comments from Town Departments/Boards; Site Plan – Mid America Properties, LLC, 14 Chestnut Place Ludlow, MA – Photo Site Plan L001 & Updated Site Plan L002 (08.03.2018)(Revisions 10.25.2018)

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

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**TOWN OF LUDLOW PLANNING BOARD
CONTINUED PUBLIC HEARING – SPECIAL PERMIT / HOME OCCUPATION &
SITE PLAN**

38 Lyon Street (Assessors' Map 24, Parcel 42)

Kenneth Butts

(Home Office – processing firewood, and Site Plan – firewood processor)

October 25, 2018

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PLANNING BOARD MEMBERS

Joseph Queiroga - Chairman (Present)

Raymond Phoenix - Vice Chairman (Present)

Christopher Coelho (Present)

Kathleen Houle (Present)

Raphael Quiterio (Absent)

Hearing began at 7:53 p.m. in the Selectmen's Conference Room.

The public hearing was continued from October 11, 2018.

In attendance: Kenneth Butts, attendees

Mr. Queiroga: I caught up with what went on at the last meeting, why don't, where were we in terms of getting to the crucial issue of, as I think we told you the very first time...

Mr. Butts: So, can I just interrupt you for one second? I just want to apologize to everybody here. Last meeting it didn't end well for me. I had an unfortunate situation prior to me coming here at the meeting, I should have postponed the meeting. In hindsight, I would've. I don't think my head was in it, so I apologize to everybody. That was very unprofessional on my part, and it won't happen again.

Mr. Phoenix: Ok. I think, basically, where we left off was similar to a couple other things, we just didn't have the four to do the waivers. I don't recall if we ran through the site plan checklist itself, and just failed on the waivers or if we knew we were gonna fail on the waivers. You've got the checklist right here. I see a signature on that side and on that side. So, it must be just with the, nope that's, ok. But as far as o., you were looking for the waiver, I think, of all five of them? Is that correct?

Mr. Stefancik: Correct.

Mr. Phoenix: So, that would be the lighting plan with luminaire schedule, the elevation view of what you're doing, the signage design, the snow storage, and the traffic study. So, looking at those, the lighting plan, I believe the discussion on that was that you aren't going to be adding any additional lighting, and your neighbors haven't had any real issue with the lighting being thrown off of your property or anything like that.

Mr. Butts: Correct.

Mr. Phoenix: I think the only issue with things coming off of your property was potentially the noise situation, not the lighting. The signage, you were talking about just using like an A-frame firewood sign, which you may or may not need to have a permit from the Building Inspector for the sign, but that's a separate issue. I don't think we need drawings of that. The elevations of the buildings, you're not doing any new buildings that we need to contemplate. Snow storage, I think you got room on your property for some snow. And traffic study, we talked about the number of trips that you have. You don't have customers coming to the property. You're not gonna be using employees on site at the property, that you'd be having your deliveries come in, and then you'd be taking materials out and there was a relatively small number of trips per week, but variable depending on primarily at the time of year, I think. Is that?

Mr. Butts: It was discussed at the last meeting in regards to having two nonresidents.

Mr. Phoenix: Ok.

Mr. Butts: --- on that property.

Mr. Phoenix: So, you'd be looking to have some help then?

Mr. Butts: Right, 'cause these are guys that are affiliated with my construction company. They're subs to me, what have you.

Mr. Phoenix: Ok.

Mr. Butts: Typically, guys that are just looking for extra work. One of them actually being a relative of mine once in a while, so --- being, excuse me, family, friends, what have you, so. I think we had discussed, I think, up to two people of nonresident.

Mr. Phoenix: Yeah, up to two nonresident. I just, 'cause I listened again to the meeting, I like to go back over things.

Mr. Butts: Yup.

Mr. Phoenix: So, I, kind of like last meeting, I had listened to the one before. Right before coming into today I went back, and I redid the last meeting that we just had, and I don't recall hearing you say that you were gonna be using a nonresident employee, so I thought maybe you weren't, but if you are, that's still certainly within the scope of the special permit that you're applying for. So, with that in mind, I don't think there's any adverse effect on the neighborhood or total town in granting those particular waivers. So, I would **MOVE** to grant the waiver of o. 1, 2, 3, 4, & 5.

SECOND Mr. Coelho.

4-0 in Favor.

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

Mr. Queiroga: Ok, we have one major issue yet to be, and I don't know how that was approached at the last meeting on this issue, and that's the issue of putting hours of operation on the special permit.

Mr. Phoenix: Well, you had said you weren't looking to operate on Sundays?

Mr. Butts: Correct. Not operate, just deliveries. Again, being that this is seasonal, typically weekends are an ideal for customer base, not operate, you know...

Mr. Phoenix: So, there wouldn't be equipment running, it would be...

Mr. Butts: --- it would not be produced on Sunday. It would typically just be a piece of equipment to load and then leave it offsite, so.

Mr. Phoenix: And again, just to make sure that we kept all of this upfront, you know, although the equipment has been there improperly up until now, you've indicated that the equipment that you now use is actually quieter than the equipment...

Mr. Butts: Correct.

Mr. Phoenix: ...when you started doing it, so you've moved toward quieter for yourself and the neighbors. So, I don't live there. I don't know what that actually sounds like living next to it, but we've heard a number of things from the neighbors, some thumbs up, some not so much. So, I don't know what the sound is, the sound level is when you're actually running that equipment either.

Mr. Butts: If I had to guess, it's probably narrowed down to specifically to a chain saw. That's probably the most disruptive. They're loud, you know, I'm not gonna downplay it.

Mr. Jacobs: May I say something please?

Mr. Butts: You know, it's loud. Maybe it's other pieces of equipment, but I think that would probably be the biggest one that I could see.

Mr. Queiroga: Ok, the, we're not questioning whether it's allowed or not, we're just questioning at what times and what days you can use it.

Mr. Butts: Right.

Mr. Queiroga: Ok, because you can't just willy-nilly allow you to operate twelve hours a day, seven days a week. So, all we're trying to do is looking for conditions on this special permit that will make you not 100% happy and will not make your neighbors 100% happy. And...

Mr. Phoenix: We just want to make everybody a little bit unhappy.

Mr. Queiroga: Yes. You wanted to say something? And please identify, I know you from the meeting, you were here the first time.

Mr. Jacobs: Rick Jacobs, 951 Center Street.

Mr. Queiroga: Ok.

Mr. Jacobs: I would like to point out that it is not just one saw at a time, there are two to three saws running, and we're talking all day long when he's out there. And I'm hoping that you guys take that into consideration when you give him hours, that they should be business hours, not after 5:00 at night when we're trying to enjoy your yard after work.

Mr. Phoenix: Well, I believe the description of what the applicant was looking to do, was essentially be doing this operation after working the regular job. Is that?

Mr. Butts: Correct, to a certain extent.

Mr. Phoenix: 'Cause you were talking about not really running past, I think it was 8:00, was your normal?

Mr. Butts: Right, and to be honest with you, I don't even see that ever happening anymore. I'm getting too old for this. You know, I've been doing this for a long time. I'm tired. Me being out there at 8:00 is not realistic. Running this equipment...

Mr. Queiroga: Especially in the winter --- it gets dark at 5:00.

Mr. Butts: Right, exactly. So, if anything was to take place, I would have to say maybe after 5:00, 5:30 it would be either loading something up so I can leave, you know, leave the next morning, getting something ready for the next morning, what have you, but I'm hoping to...

Mr. Phoenix: So, if we were to say something like no processing after 6:00p.m., and no operating after 8:00 p.m. that would be agreeable?

Mr. Butts: Perfect, absolutely.

Mr. Jacobs: 6:00 is kind of pushing it for me. We want to go out and enjoy our yard after I get home from work. I have a three-year old who wants to go out and enjoy. He's driving around with headphones on, cutting wood, bringing that big lull around, they all have head phones on. Are we supposed to sit in our yard with headphones on, so we can go out and enjoy ourselves after working nine hours?

Mr. Phoenix: I mean I...

Mr. Jacobs: I think it should end at 5:00.

Mr. Butts: Excuse me.

Mr. Phoenix: I have some sympathy for you, but I also live directly across the street from the Turnpike, so I walk outside my house and I can't hear a cell phone conversation anymore.

Mr. Jacobs: But you bought your house knowing the pike was there. This wasn't there when I bought my house.

Mr. Butts: It was, it was.

Mr. Jacobs: That building was built three years ago.

Mr. Phoenix: But, my point is, there are levels of inconvenience. You're talking about when you get out of work, that's gonna vary from person to person. It might vary throughout the course of the rest of your working career. So, if somebody gets out of work at 3:00 p.m., I don't know that means that we're gonna tell their neighbors you have to stop making noise at 3:00

p.m. There have been times over the course of my life, where I've been working overnight shifts, and I've had people doing work during normal daytime hours, and it's been disruptive with my sleep schedule. You know, there are inconveniences to everybody. I think what we're trying to do is find something that's agreeable, as the Chairman said, more or less to everybody, but nobody's gonna walk away 100% happy here. You know, unless we tell Mr. Butts that he can do everything that he wants to without regard for people, or unless we tell you that he can't do anything, I don't think either one of you is gonna leave completely happy unless one of those things happens.

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Mr. Butts: Can I ask what are we looking at in regards to Saturday and Sunday, because that will make a big difference in regards to my time frame?

Mr. Coelho: I think Saturdays and Sundays are the days I'm most concerned about, especially Sundays.

Mr. Phoenix: Well on Sunday he said he's not looking to process.

Mr. Butts: No.

Mr. Coelho: Well that's good.

Mr. Butts: Alright so, can I make a suggestion? Is it doable where if I operate, say, from 7:00 in the morning 'till 5:00 at night Monday thru Saturday, or you know, I take that back, 7:00 in the morning 'till 5:00 at night Monday thru Friday; 7:00 in the morning 'till 1:00 in the afternoon on Saturday; deliveries only until maybe 6:00 on Saturday, and 'till 5:00 or 6:00 on Sunday. Deliveries are relatively quiet. If the beeping is a problem, I'll nix the beeper on the machine. I don't have to have it on ---.

Mr. Jacobs: The chainsaw's the biggest problem.

Mr. Butts: So, we just solved it then.

Mr. Coelho: --- put toggle switches on back up alarms too.

Mr. Butts: 7:00 to 5:00 Monday thru Friday, 7:00 to 1:00 operating on Saturday, 7:00 to 5:00 delivering on Saturday, and whatever you guys want to do on Sunday.

Mr. Coelho: Operating --- be processing?

Mr. Butts: On Saturday, processing till 1:00, but I have the option to go till 5:00 if delivering, you know, give or take. If I'm in the middle of something, just finish it up and I'm done.

Mr. Coelho: Yeah, right, right.

Mr. Butts: And then...

Mr. Coelho: Are we saying chainsaws at 7:00 in the morning on Saturday?

Mr. Butts: I would like to put that on paper, but I can guarantee you nobody would be out there until 8:00 because it's not what we do. It's disruptive to the entire neighborhood. I understand that, you know.

Mr. Coelho: So 8:00 on Saturday, ok?

Mr. Butts: Sure, absolutely. And then something on Sunday to be able to put these orders together and get them delivered.

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Mr. Queiroga: You said that this is seasonal right? So...

Mr. Butts: So, it's seasonal in regards to them being delivered. It's year round in regards to being able to produce this.

Mr. Queiroga: Ok, but this time of the year is when you get a lot of deliveries.

Mr. Butts: Correct, correct. I know it doesn't matter, but in three months this has cost me about \$15,000 already, already.

Mr. Queiroga: Ok. You understand that wasn't the purpose.

Mr. Butts: I understand.

Mr. Queiroga: ...doing what ---.

Mr. Butts: I understand that. It is what it is, and I'll move on from that.

Mr. Queiroga: Ok, so 7:00 to 1:00 Monday thru Friday?

Mr. Phoenix: It was 7:00 – 5:00 processing.

Mr. Queiroga: 7:00 – 5:00 processing.

Mr. Phoenix: And then processing on Saturday 8:00 – 1:00.

Mr. Jacobs: I prefer no processing on the weekends.

Mr. Coelho: I don't know that you're gonna get that.

Mr. Queiroga: But 8:00 to 1:00 is...

Mr. Coelho: You know what, he could process his own firewood --- his own house all day long on Saturday.

Mr. Jacobs: And that's what he used to do.

Mr. Coelho: So, I think, at this time, you know, 'cause that's what I would do. I would process all my own wood on Saturday. I could be wrong.

Mr. Phoenix: And I would also point out, that this is, that the processing of the firewood is an agricultural use on an agriculturally zoned piece of property.

Mr. Queiroga: Of substantial acres.

Mr. Phoenix: Yeah. So, there are other protections that can come into play also, but ultimately, it's an agricultural use on agricultural property. The problem is, it's not, it's also a residential neighborhood because there are residences in an agricultural district. You know, and there are some agricultural uses that are substantially quieter than others. But that's that's.

Mr. Butts: And it's safe to say that I'm in a relatively moderately busy agricultural area. You know, I have multiple gravel pits, I have Haluch's, I have Contemporary Structures, I have Roy's garage on the corner, Chenier's down the other end, you know. I'm not the only...

Mr. Phoenix: And I'm not gonna lie, I think one of the things that has really kind of colored the way that I look at this situation, is I really do feel for the neighbors with the noise issue, especially since this is a preexisting thing that wasn't approved. But, there have been a large number of your neighbors that have come in and said that they haven't had a problem with the noise, and that has substantially colored the way that I look at this. 'Cause I think it's been 80 or 90% of the people that have spoken about the noise and it hasn't been an issue for them, and that, you know, that's gonna vary depending on exactly the terrain...

Mr. Butts: And they're right in my backyard.

Mr. Phoenix: So, that has really made a difference in the way I look at this. If that percentage were shifted in the other direction, I think we'd be having a different discussion entirely. So...

Mr. Queiroga: We are getting close to making up a proposal that we can vote on.

Mr. Phoenix: I think so, because if we've run through the checklists and all that's left is doing the approvals.

Mr. Jacobs: Is there any way we can do some kind of a sound block on that side of the building that faces my house? --- noise.

Mr. Coelho: You can put up whatever you like. If you wanted to put arborvitaes up on the...

Mr. Jacobs: It's really not gonna stop the noise from coming through.

Mr. Coelho: Sometimes they do. I don't know. I'm not a noise guy, but I'm sure you can put whatever you want up.

Mr. Jacobs: --- tree not gonna do. What do I do, put up a wall or a fence?

Mr. Coelho: I don't know what you can do ---.

Mr. Jacobs: --- comes right at my house, you know?

Mr. Coelho: I don't know what you can do. You can explore that.

Mr. Jacobs: --- wall on one side that would bounce the noise back into the state forest instead of coming ---.

Mr. Coelho: I'm not a sound engineer, I don't know what you can. I'm sure you can engage with somebody to try and figure it out, if that's, if you're so compelled to. I mean, I don't know, I don't know what...

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Mr. Queiroga: Are you moderately ok with the hours?

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Mr. Jacobs: I don't care for a Saturday cutting, but at least it's done by 5:00 during the week.

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Mr. Queiroga: It's actually done by 1:00.

Mr. Jacobs: Well on Saturdays.

Ms. Houle: On Saturdays.

(multiple people talking)

Mr. Queiroga: ---. Well, we need to move forward here.

Mr. Phoenix: So, on the two issues to begin with, I suppose the first thing that we should work on is the site plan, and as far as the site plan itself, I would **MOVE** that we approve the site plan in our standard method.

SECOND Mr. Coelho.

4-0 in Favor.

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

Mr. Phoenix: And on the special permit, I would **MOVE** we approve it in the standard form, with the additional conditions that processing take place only between 7:00 p.m. and, 7:00 a.m. and 5:00 p.m. Monday thru Friday, and 8:00 a.m. to 1:00 p.m. on Saturday, and that deliveries would also be allowed from 7:00 to 5:00 on Saturday, and from 7:00 to 5:00 on Sunday.

SECOND Mr. Coelho.

4-0 in Favor.

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


Mr. Phoenix **MOVED** to close the public hearing.

SECOND Mr. Coelho.

4-0 in Favor.

Hearing ended 8:12 p.m.

APPROVED:



Kathleen Houle, Secretary

su

Documents: Master application; abutters list; comments from Town Departments/Boards; Site Plan: 38 Lyon Street Ludlow, MA owned by Kenneth A. Butts (August 7, 2018); Letter from Gregory Asadoorian re: 38 Lyon Street (9/5/2018); photos of 38 Lyon Street submitted by Jamie & Rick Jacobs; Special Permit #347 and associated paperwork

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

