

**TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
December 13, 2018**

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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)

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

**PUBLIC HEARING – SPECIAL PERMIT / SITE PLAN – Vanished Valley Brewing Co. –
782 Center Street (Assessors' Map 17, Parcel 120)
(to allow expansion/addition to existing building usage & microbrewery)**

SEE ATTACHED MINUTES

**ANR – Ralph Berry – 697 Moore Street (Assessors' Map 33, Parcel 56)
(Lot division plan for Lot 9 on the westerly side of Moore Street)**

Paul Marta was present for the appointment.

Mr. Marta explained that the ANR was submitted to create Lot 9 to sell as a building lot.

Ms. Houle read the ANR checklist:

1. *Property owner's name, date of plan, and scale of plan.*
2. *A space for endorsement by the Planning Board.*
3. *The names of all abutters.*
4. *The lines of existing streets, ways, property lines, and easements. Indicate whether streets and ways are public or private.*
5. *The approximate distance from the property to the nearest street intersection, town line, or other definable physical feature.*
6. *Sufficient data to determine the location and length of every property boundary line in the new parcel and to establish these lines on the ground. Indicate the area of the new parcel.*
7. *The location of all property corner monuments and whether they were found or set.*
8. *The location, frontage, and area of the land remaining in the original parcel*

after establishing the new parcel.

9. *The north arrow for bearing system used on the plan and whether it is true, magnetic, or assumed north.*
10. *The location of all existing buildings and the distance from the existing buildings to the new property lines.*
11. *If a building lot is intended, the frontage requirement at the setback line must be shown.*

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

Mr. Phoenix remarked that the following items were missing from the plan: the names of abutters on the old parcel; 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 (on the original parcel); and the location of all property corner monuments and whether they were found or set.

Mr. Phoenix **MOVED** now to find that if this comes in within a month of that deadline for the resubmission, that we waive the fee on the new submission.

SECOND Ms. Houle.

4-0 in Favor.

Mr. Marta requested to withdraw the ANR.

Mr. Phoenix: I'm gonna go out on a limb and say that I believe Doug's writing what he's writing, so with that in mind, I'll make a **MOTION** to accept the request for withdrawal on the ANR at this time.

SECOND Mr. Coelho.

4-0 in Favor.

Documents included: Master application; Plan of Land in Ludlow, MA prepared for Ralph L. Berry (owner) (10/05/2018)

**ANR – Eric Nelson (Westmass Area Development Corp.) – State Street
(Assessors' Map 14B, Parcel 130)
(ANR plan approval for Municipal Senior Center Land Purchase)**

Eric Nelson, Ron Abdow were present for the appointment.

Mr. Phoenix remarked that he believes that the Planning Board did officially make a finding previously that regarding to this larger piece of property, we don't require the ANR's to show the entire thing on each individual ANR for this district.

Mr. Nelson explained that the Town has entered into Purchase & Sale for this piece of property for the future senior center.

Mr. Coelho read the ANR checklist:

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

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

Mr. Phoenix: I'll make a **MOTION** in the standard form to endorse the ANR.

SECOND Ms. Houle.

4-0 in Favor.

Mr. Abdow reviewed the background information of the Ludlow Mills, and the Ludlow Mills preservation & redevelopment benefits to the Town of Ludlow, while Mr. Nelson passed out the corresponding literature to the Board Members.

Mr. Nelson went over the current development and funding status of the Ludlow Mills.

Documents included: Master application; Plan of Land in Ludlow, Massachusetts surveyed for Westmass Area Development Corporation (August 30, 2018); Ludlow Mills Preservation & Redevelopment Benefits to the Town of Ludlow & Its Citizens 12/13/18; Ludlow Mills Preservation and Redevelopment Background Information 12/13/18

Release of Covenant – Whitetail Wreks, LLC – Lots 22, 23, 28, 30 & 31 Hundred Acre Wood

Mr. Stefancik: You have to release it because the subdivision was accepted at Town Meeting, and these were the five lots that he had covenants on.

Mr. Queiroga: Ok, could I hear a MOTION to the same?

Mr. Phoenix: **SO MOVED.**

SECOND Mr. Coelho.

4-0 in Favor.

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Release of Bond – Baystate Developers, Inc. – Cislak Drive – Northerly of Cislak Drive (Sunset Ridge Subdivision)

Mr. Stefancik noted that this was also accepted at the October 2018 Town Meeting, and needs to be released by the Planning Board.

Ms. Houle **MOVED** to release the bond for Baystate Developers on Cislak Drive.

SECOND Mr. Phoenix.

4-0 in Favor.

Housing Production Plan meeting with Board of Selectmen (1/8/19 @ 6:30 p.m.)

Mr. Stefancik said that a joint public hearing will be held with the Board of Selectmen on January 8, 2019 at 6:30 p.m. He explained that the public hearing will be advertised in the Register as a legal notice for two weeks and with three weeks of block ads, along with additional advertising on the town website and Facebook page, and LCTV.

Mail Item #64 - Signature requirements for subdivision plans from Kelly Cavanaugh-Kelly, Acting Register of Deeds

The letter requested that all board members and individuals authorized to sign subdivision plans for submission to their office for recording, submit their printed name and signature to them.

Mr. Phoenix remarked that he wants to know why they need that information, how they're going to be filing it, and what purpose there is. Mr. Stefancik will inquire with the Registry of Deeds regarding those questions.

File Mail Item #65 - Notice of Decision – Board of Appeals – 347 Ventura Street

File Mail Item #67 - Tax Lien Complaint – Commonwealth of Massachusetts Land Court – 193 Southwood Drive

Consent Agenda:

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The Board approved the Consent Agenda under unanimous consent.

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- ◆ FILE Mail Item 66. - Legal Notices from surrounding communities
- ◆ APPROVE Change of Occupancies:
 - Ana Serrazina (Millside Studio) – 222 Winsor Street (micro-blading/makeup)
 - Tia Fortier (Nails by Tia Lynn) – 131 Center Street (nail services)
 - Barry J. Linton (A & B Classic Cars) – 409 West Street, Unit A (used car sales)
- ◆ SIGN Special Permits:
 - Kenneth Butts – 38 Lyon Street (firewood processing)
 - Barbara Capuano – Center Street (Bonds ville Road & Piney Lane) (2 estate lots)
- ◆ APPROVE/SIGN Bills – Ink Products (office supplies)

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Mr. Phoenix **MOVED** to adjourn.

SECOND Mr. Coelho.

4-0 in Favor.

Meeting adjourned at 8:15 p.m.

APPROVED:



Kathleen Houle, Secretary

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

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TOWN OF LUDLOW PLANNING BOARD
PUBLIC HEARING – SPECIAL PERMIT & SITE PLAN – MICROBREWERY
782 CENTER STREET
(Assessors' Map 17, Parcel 120)
Vanished Valley Brewery, Inc.
December 13, 2018

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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 7:01 p.m. in the Selectmen's Conference Room.

In attendance: Joshua Britton, Michael Rodrigues, Michael Pietras – ELS, Inc.

Mr. Queiroga gave the applicants a copy of the invoice from Turley Publications, and read the legal notice which included the description of: to allow expansion/addition to existing building usage & microbrewery.

Mr. Queiroga: Ok, I think my cohorts here are looking at the plans as.

(conversation regarding plan distribution)

Mr. Phoenix: Want to read the comments first?

Mr. Queiroga: Alright, just tell us what the plan is. As I understand it, and correct me if I'm wrong, right now you own, you have a macro-brewing permit at your place which has a maximum of 6,000 gallons, correct? And you're asking for a micro-brewery permit, which has a maximum of 15,000.

Mr. Phoenix: That sounds like maybe those should be reversed.

Mr. Stefancik: Nano-brewery, nano, they're looking to do a micro-brewery.

Mr. Phoenix: Right, that sounds ---.

(multiple people talking)

Mr. Queiroga: And the micro allows you to do more gallons as I understand it, when you break it down to its simplest. Ok, so why don't you tell us what the plan is.

Mr. Pietras: Sure, good evening, Vanished Valley Brewery has a good problem. We were before you guys just about a year and a half ago to open up the nano-brewery. Business has been well for them, they're looking to expand the operations by the plans you see in front of you. The production is similar, well, production will go up, but that size or quantity is the same. You're looking for four tanks.

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Mr. Rodrigues: ---.

Mr. Pietras: This is the layout, just to, I don't know if you guys had this in your paperwork, but this is the conceptuals, and just a --- of what the floor plan would be. You're seeing just a large open area that would be the brewery itself. The brewhouse is proposed to project into the existing restaurant with a portion of the second floor being removed. This is kind of a perspective. To your left side of that perspective is a viewing glass for people to look over and see the brewing operation taking place. It'll be a very nice feature.

Mr. Queiroga: So, the actual buildings will be joined?

Mr. Pietras: They will be connected. And you guys will see from the comments, the fire department mentioned with that mass, we'll have to sprinkler the buildings.

Mr. Queiroga: Ok. Let me, while we're at this point, let me read those comments into the record. The Fire Department Captain Seth Falconer; *The Ludlow Fire Department has reviewed the site plan as presented. At this time the Ludlow Fire Department comments are that the Vanished Valley Brewery must comply with Chapter 148 of the Massachusetts General Laws Section 26 "automatic sprinkler systems required for buildings and structures totaling more than 7,500 gross square feet". Comply with NFPA 13 "installation of sprinkler systems". Comply with 527 CMR 1.00 Massachusetts Comprehensive Fire Safety Code and all other applicable codes.* You have a copy of this?

Mr. Pietras: Yes.

Mr. Queiroga: Ok, Mike. The Board of Health has no comments. The Ludlow Planning Board has a couple of comments that they put in red; *If there to be seating in the new addition, that will need to be factored into the number of parking spaces.*

Mr. Pietras: Nope.

Mr. Queiroga: There is no seating?

Mr. Pietras: No, other than, I mean, we show outdoor tables just in the conceptual, but there is no seating within the brewery, that's just gonna be a production area similar to ---.

Mr. Phoenix: --- going to be outdoor tables?

Mr. Pietras: Well, during a function they probably will put, as this perspective shows, there's gonna be kind of a covered porch area, per se, and...

Mr. Phoenix: What is the total seating that would be on site?

Mr. Pietras: As we presented.

Mr. Phoenix: Ok, and that includes those additional seats?

Mr. Pietras: We actually, I believe, we've kept the restaurant the way it was, and we're gonna be losing half the dining room to equate for it.

Mr. Rodrigues: --- seating for 80, so you're looking at like taking away like 30 to 40 seats out of that dining area.

Mr. Phoenix: --- you're saying 80 first, 90 second floor, so that's your total including the exterior seats.

Mr. Pietras: Yes, we're definitely, like I mentioned, I didn't discount the seating prior, but if you look at the upper floor plan, we're removing all this dining area, so we're definitely in the bonus on the seating.

Mr. Queiroga: You mean, it's actually, the total number of seats are going down?

Mr. Pietras: Should be less, yes. We just kept it at 80 to show that we, you know, if he does have an outside function or even seating along here, he has permissible, you know, with it.

Mr. Queiroga: Could we actually get a number, you think, Mike, even if we...

Mr. Pietras: I could give you a revised number, ---

Mr. Phoenix: Well, if they're gonna give us a number that's above what they're gonna have, I'm fine with that, 'cause that makes them need to have more parking, not the other way around. I'm never gonna argue with somebody giving us extra parking spaces unless they're being ridiculously gratuitous, in which case maybe a tree here or there would be nice, but a couple extra spaces isn't gonna hurt.

Mr. Queiroga: Ok, the other thing noted from the, from our Planning Board was; *Is the addition of 4,240 square feet or 7,690 square feet? Is 7,690 the total?*

Mr. Pietras: Nope, yeah, the total of the building is 7,690.

Mr. Queiroga: Ok, and so the addition is about 4,200?

Mr. Pietras: Yup, as we called out on the site plan, it's 4,240 to be exact.

Mr. Queiroga: Ok, which is what is here.

Mr. Pietras: Yup.

Mr. Queiroga: And will there be seating in the new addition ---?

Mr. Pietras: Other than what we just described, underneath the porch area.

Mr. Queiroga: Ok, but the overall number of seating is going down?

Mr. Pietras: Yes.

Mr. Queiroga: Or not up?

Mr. Pietras: Nope.

Mr. Queiroga: The Conservation Commission said that we need to file *With Conservation*; which you're probably aware of. And the Department of Public Works; *We reviewed the site plan for the Vanished Valley Brewery prepared by Engineering and Land Solutions dated October 22nd and have the following comments, contractor must obtain a construction within the public way permit for the underground utilities within the public way including, but not limited to, sanitary sewer, storm drainage, water and gas service.*

Mr. Pietras: Yup, we spoke to Jim Goodreau on that.

Mr. Phoenix: Just to jump back for one second though, as far as the area of the building, in the chart, I'm just trying to make sure there's, I'm not sure this is as clear as it could be, you've got area of building, upper level 3,385, and then you call out in the upper level restaurant is 3,385. So, that appears to be that that first line is giving the total, the second is breaking it down. Then area of building lower level, you've got a total of 7,690, and then below that you have 785, 2,665, and 440, which certainly don't sum to 7,690. So, it looks like maybe there's a line item missing for, without doing the math, about maybe 4,000.

Mr. Pietras: Yeah, I was gonna say it's the 4,000 add on.

Mr. Phoenix: Ok. So that, that should probably be included in the chart.

Mr. Queiroga: So, the total is about eleven and change?

Mr. Pietras: Nope, the total of the building is just shy of 7,700.

Mr. Phoenix: I think he's talking about the upper plus lower square foot comes out to about eleven cause 7,690 plus 3,385.

Mr. Pietras: Yup.

Mr. Queiroga: Ok.

Mr. Phoenix: Is that what you were talking about Joe?

Mr. Queiroga: Yeah, it was. Ok, *so sanitary sewer connection fees will be established by the Board of Public Works which is \$2,120 plus a \$50 inspection fee.* Which I'm sure you guys are just dying to pay.

Mr. Pietras: Yeah.

Mr. Queiroga: Ok. *Verify all new water connections with the Springfield Water and Sewer Commission, if needed, ok?*

Mr. Pietras: Yeah, the sprinkler service we would need to bring a new line in.

Mr. Queiroga: Ok, well I don't see a lot of people in the audience, but members of the Board, questions?

Mr. Coelho: So, this entire addition's gonna be dedicated to production?

Mr. Rodrigues: Correct.

Mr. Coelho: And it's two floors?

Mr. Rodrigues: It's one floor.

Mr. Britton: The addition is just one floor.

Mr. Queiroga: So, is that the red part?

Mr. Rodrigues: High ceilings.

Mr. Britton: High ceilings, yeah.

Mr. Coelho: Ok.

Mr. Pietras: The red part's the existing building, yup.

Mr. Queiroga: Yeah.

Mr. Pietras: And then the...

Mr. Coelho: What's the increase in production compared to what you currently got going on?

Mr. Britton: It'll triple almost.

Mr. Rodrigues: Triple.

Mr. Coelho: Triple? Which still isn't that big of a volume.

Mr. Britton: No, we're doing about 1,000, we're built for about 1,000 barrels a year now. This'll bring us to just under 3,000 which is not a lot.

Mr. Coelho: --- micro, nano, all these terms are kind of tough to. So, in all reality, this isn't...

Mr. Queiroga: An ---.

Mr. Coelho: ...large scale brewing still, you're still niche brewing, yeah.

Mr. Rodrigues: Still micro-brewery.

Mr. Coelho: Ok, well that's ---.

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Mr. Stefancik: If they did over 15,000, that would be just a straight brewery, but that's only allowed in Industrial A.

Mr. Coelho: Right, ok.

Mr. Stefancik: So, they can go up to 15,000 barrels.

Mr. Queiroga: Without coming back to us?

Mr. Stefancik: Yeah.

Mr. Coelho: What about...

Mr. Phoenix: Unless we make that part of the conditions on the special permit, but.

Mr. Coelho: What about, I mean, I have to assume waste water isn't good when you're brewing beer, right?

Mr. Britton: Depends on the water, but not all of it is. Some of it can be taxing, some of it is not taxing at all to a system.

Mr. Coelho: Ok. And I'm hoping the DPW probably asked those questions, but, I mean, nowadays production of anything you try and limit as much waste as you can, so whatever you would be using for water which would probably be some minimal wash water, all the rest of the water would be going into your product.

Mr. Rodrigues: Right, and we're gonna try and reuse water for our --- tank and stuff like that.

Mr. Britton: Yeah, right now, yeah, our efficiencies will be ten times better than what we're doing now. We're not brewing so much --- level where we're just, it's not as bad, but as our volume increases we're going to watch it more, so we'll be recapturing a lot of water.

Mr. Coelho: That's good.

Mr. Britton: Yeah.

Mr. Coelho: It's not like the old days where they built a production facility and you didn't think about things like power and water. Now...

Mr. Britton: Yeah, you have to.

Mr. Coelho: Yeah, now you have to.

Mr. Rodrigues: Cost wise you have to.

Mr. Britton: Especially in a facility like this, especially in brewing.

Mr. Coelho: Right, right.

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Mr. Phoenix: With the increase in capacity, you looking at starting trucking stuff out, or is it still gonna be distribution on site?

Mr. Rodrigues: On site.

Mr. Britton: On site to begin with.

Mr. Rodrigues: If need be, if we can't move it there, we'll reach out, but I mean, we're not gonna have a ton to reach out with.

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Mr. Coelho: 3,000 gallons still isn't, I mean, it's not tractor trailers worth.

Mr. Rodrigues: No. ---

Mr. Coelho: Yeah right, yeah.

Mr. Rodrigues: ---

Mr. Britton: No, we haven't completely ruled that out 'cause we'd be shooting ourselves in the foot if we did, right? If we can't move it, and we can move it locally, then we got to get rid of it to maintain the freshness of it, then we're gonna explore that.

Mr. Phoenix: The main reason I ask is, 'cause obviously I was working at a store that you'd stop by occasionally. We used to get a lot of people coming in asking for your product.

Mr. Rodrigues: Right.

Mr. Phoenix: So, I know there's definitely a demand for people to be able to get it on a regular basis.

Mr. Rodrigues: ---

Mr. Phoenix: --- if you were gonna try and supply that or if that's just down the road.

Mr. Rodrigues: It's down the road if we find the necessity that we can't, we're not moving it on location, then we'll reach out to local stores and stuff and move some there.

Mr. Britton: It's like baby steps. We're gonna see what happens locally first.

Mr. Rodrigues: It's not tractor trailers ---.

Mr. Phoenix: --- gonna get a fleet to start with, and then get a ---.

Mr. Coelho: I like it.

Mr. Queiroga: The one thing, just so I'm straight on this, on a macro-brewery...

Mr. Phoenix: Micro-brewery.

Mr. Queiroga: ...you can go up to 6,000 gallons. That's correct?

Mr. Britton: I think it's 16.

Mr. Stefancik: I believe it's 15.

Ms. Houle: Micro, 15.

Mr. Britton: Micro's 15, I think macro's up to 16,000.

Mr. Stefancik: Nano is up to 6,000.

Mr. Queiroga: ---, nano is up to six, right? Which you have a nano permit now, correct?

Mr. Britton: Yes.

Ms. Houle: Yes.

Mr. Britton: Correct. We're considered nano.

Mr. Stefancik: Micro is more than 15,000, nano-brewery is not more than 6,000 barrels.

Mr. Britton: We're considered that.

Mr. Stefancik: A full out brewery is 15,000 plus.

Mr. Queiroga: So, but you do want the, your request for special permit is for a micro, it's for a micro right?

Mr. Britton: Right.

Mr. Rodrigues: Shy of 15.

Mr. Queiroga: You don't have to come back here.

(multiple people talking)

Mr. Phoenix: They have also requested waivers for o. 1, 3, and 5, which are the lighting plan, the signage design with dimensions and locations, and the traffic study. Which would leave them doing the elevations showing the front, rear, and sides of the building which I think we've got a number of those, and the area where snow will be stored. So, as far as lighting goes, are you proposing any additional lighting on the site above what's currently there?

Mr. Pietras: There'll be soffit lighting within the porch area, you know, and then code requirements by the --- door, stuff like that, but there won't be any over the edge. You know, currently we have --- lighting on the columns, which is a nice look, but nothing is filtering through to the streets, it's directional lighting. And I would imagine you'd keep it the same.

Mr. Phoenix: And signage is gonna remain more or less the same?

Mr. Pietras: Same signage.

Mr. Phoenix: Ok, so I mean there might be some increase in traffic overall, especially on the days that you guys have events to say, hey we got something special coming out, but overall the...

Mr. Rodrigues: I think right now, combined with the restaurant, the banquet room, and sales all in one day, I think the traffic's actually not even gonna hit like, like on a Saturday, I might have 100 people upstairs in the banquet room, packed house upstairs in the dining room, and doing sales, and selling like 80 cases on a Saturday at a limit of 2 four packs per person, you got 500-600 people coming through just to buy beer, never mind the ones. So, I think, in the end, there'll actually be less traffic 'cause now you're gonna take away that banquet room. You're gonna take away, you're losing the banquet room, you're losing some of the dining room, so.

Mr. Phoenix: Ok.

Mr. Rodrigues: ---

Mr. Coelho: You'll have more circulating traffic, but less sitting traffic.

Mr. Rodrigues: But not as much sitting traffic, yeah.

Mr. Coelho: So, you're getting rid of the banquet room too?

(multiple people talking)

Mr. Phoenix: I'm not a traffic engineer, but I'll buy that argument.

Mr. Rodrigues: Also alleviate some parking too.

Mr. Coelho: Yeah, certainly.

Mr. Phoenix: So, to that end, I will make a **MOTION** to grant the waiver of o. 1, 3, and 5 as requested by the applicant.

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've got a couple of lists to go through, we open it up to the...

Mr. Phoenix: At least, as far as the site plan checklist, unless the Board wants to actually revisit anything in particular, since Doug's already gone through there, and we've already addressed the comments that he has, I would make a **MOTION** to find that regarding the site plan that we have, that we are going to go with Doug's discretion on that checklist.

SECOND Ms. Houle.

4-0 in Favor.

Mr. Queiroga: Have you signed this already?

Mr. Rodrigues: I don't think so, no.

Mr. Queiroga: ---

Mr. Phoenix: That's the criteria for the special permit, they haven't changed since you got the last one.

Mr. Queiroga: When you sign that then we'll hold your feet to the fire.

Mr. Coelho: Throw a date on there.

Mr. Phoenix: I don't believe Doug's gone through that one yet, so I think we probably still have to run through that checklist.

Mr. Rodrigues: 13th?

Mr. Pietras: 13th, yup.

Mr. Queiroga: You're gonna get this one. Ok, so who's volunteering? Ray?

Mr. Phoenix: I just saved us from doing the other one. Oh, you hand me the one that I just saved us from doing. We don't need to do that one.

Mr. Queiroga: Really? Which one? This one is signed for.

Mr. Phoenix 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;

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- 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.

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Mr. Phoenix: I'll also just mention that I'm kind of surprised with the way the room is tonight 'cause I'm sure you remember what it was like when you were here not that long ago.

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Mr. Rodrigues: Yeah, well the neighbors actually came over and asked us what the plans, we reviewed it with them and they were fine with it.

Mr. Coelho: I think that just speaks to how they're operating now as being good neighbors, really.

Mr. Phoenix: And that's the thing, I was concerned that I was gonna come in tonight and sit down and be hearing a lot of people with every gripe that they might have about anything that's happened in the past, what's it been, year and a half? And the fact that nobody's in here raising any complaints, I think, does definitely send a message. So, I just wanted to make note of that, that it's not gone unobserved.

Mr. Britton: Thank you.

Mr. Queiroga: Mike, one of the, what I did, we just got this tonight.

Mr. Pietras: What's that?

Mr. Queiroga: Do you have the comments from the Safety Committee?

Mr. Pietras: No.

Mr. Queiroga: Ok. Concerns about access of safety and emergency vehicles around the building. Do you?

Mr. Pietras: Well there's no, I mean, there's no current restriction. If you look at the overlay of the site plan, that traffic flow, as it exists now, will exist then. We're actually taking internal parking spaces ---.

Mr. Phoenix: Yeah, it looks like you have pavement surrounding the building, except for the landscaped area toward the front corner for the most part.

Mr. Pietras: Yup, we're not narrowing ---.

Mr. Rodrigues: ---

Mr. Coelho: And fire would have specifically said something in their comments, wouldn't they have?

Mr. Queiroga: Yeah, and they didn't.

Mr. Coelho: Yeah, 'cause if fire has a problem getting a truck in some place, they let us know.

Mr. Queiroga: This was from your chairman.

Mr. Coelho: I couldn't attend that meeting this afternoon, so I can't speak to anything that's written on that piece of paper.

Mr. Phoenix: The only thing that I see where this really might create much additional as far as restriction on traffic flow would be the, let me find the compass rose here for a second, the actual compass rose is up and down, go figure, the northeasterly section, kind of the north corner of the new addition, kind of punches into that traffic flow a little bit, but.

Mr. Pietras: Well, it actually doesn't hit the existing pavement line.

Mr. Phoenix: It doesn't? Maybe I need to zoom in a little more.

Mr. Rodrigues: Yeah, there's landscaping right there.

Mr. Pietras: Yeah, we're just taking up, essentially, the edge of pavement.

Mr. Rodrigues: The landscaping island ---.

Mr. Phoenix: I was gonna say that really didn't look like that really changed any radius or major width either, so.

Mr. Pietras: No.

Mr. Queiroga: Ok, let me, as a matter of complete service, open up the meeting to anybody who has any comments. Doesn't look like we have a lot of people in the audience.

Mr. Phoenix: Maybe Sue has something she wants to say.

Mr. Coelho: Mr. Chairman.

Mr. Queiroga: Yes, Mr. Coelho.

Mr. Coelho: I **MOVE** to approve the site plan for Vanished Valley Brewing Company at 782 Center Street.

SECOND Mr. Phoenix.

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.

Mr. Queiroga: Pardon?

Mr. Phoenix: We need to have a motion on the special permit.

Mr. Coelho: Mr. Chairman, I **MOVE** to approve the special permit for Vanished Valley Brewing Company at 782 Center Street under 7.0.4 a-m, with the condition that the special permit will run with the applicant and not with the property.

SECOND Ms. Houle.

4-0 in Favor.

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

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

SECOND Mr. Coelho.

4-0 in Favor.

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Hearing ended at 7:27 p.m.

APPROVED:



Kathleen Houle, Secretary

su

Documents included: Master Application; Comments from Town Depts./Boards; Plot Plan w/Existing & Proposed Conditions, 782 Center Street Ludlow, MA 01056 for Vital Inc LLC (10/22/2018); Brewery Expansion, Vanished Valley Brewing Co., 782-790 Center Street Ludlow, MA

(Documents pertaining to this hearing are available for viewing in the Planning Board Office located in the Town Hall)

