

**TOWN OF LUDLOW PLANNING BOARD  
MINUTES OF THE MEETING OF  
April 11, 2019**

RECEIVED  
TOWN CLERK'S OFFICE  
2019 MAY 10 A 10:50  
TOWN OF LUDLOW

**PLANNING BOARD MEMBERS**

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

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

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**Board Reorganization / Committee Assignments**

Mr. Coelho: I'll make a **MOTION** to nominate Ray Phoenix as Chairman.  
**SECOND** Ms. Houle.  
**4-0-1 in Favor. (Mr. Phoenix)**

Mr. Quiterio: I'll make a **MOTION** to nominate Chris Coelho as the Vice-Chairman.  
**SECOND** Ms. Houle.  
**4-0-1 in Favor. (Mr. Coelho)**

*The Planning Board Reorganized as follows:*

Chairman: Raymond Phoenix

Vice Chairman: Christopher Coelho

Secretary: Kathy Houle

Members: Joseph Queiroga, Rafael Quiterio

Associate Member: John Pedro

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**PUBLIC HEARING – SPECIAL PERMIT & SITE PLAN – Joe Salvador -  
185 Miller Street (Assessors' Map 30, Parcel 42)(update site plan to allow business office,  
storage, and repair in an Agricultural Moderate Density Overlay District)  
(Engineering & Land Solutions, Inc. & Hotside Equipment Repair)**

**SEE ATTACHED MINUTES**

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***Consent Agenda:***

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

◆ FILE Mail Item 29. - Legal Notices from surrounding communities

◆ APPROVE/SIGN Minutes of March 14, 2019

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### **Committee Assignments**

The Board agreed to keep the committee assignments as they remain and were voted on at the last meeting (3/28/19).

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### **Memo from Kim Collins, Town Accountant – Payroll/Bills Authorization Form** *(Mail item #21 tabled from 3/28/19)*

Mr. Phoenix: While we're still waiting, can I get a MOTION to reappoint Kathy as our designated signer for payroll and bills.

Mr. Queiroga: **SO MOVED.**

**SECOND** Mr. Coelho.

**5-0 in Favor.**

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### **PUBLIC HEARING – SPECIAL PERMIT / HOME OCCUPATION – Chad Fraga – 25 Essex Street (concrete work)**

**SEE ATTACHED MINUTES**

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### **File Mail Item #28 – Town of Ludlow Board Reorganizations**

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#### **Housing Production Plan**

Mr. Stefancik mentioned that plans will be coming in for a replacement of a four-family home with an eight-unit property on Lower Whitney Street under the Smart Growth District. He said that possibly the builder could do a deed restriction for 30-50 years so that all eight units could count towards the subsidized housing inventory. Mr. Stefancik also commented that if the Planning Board is looking at doing any new overlay districts, that affordable housing is considered in that bylaw as well. In addition, he said that a way to compel people to do this would be to start changing the bylaws or to set up an affordable housing trust. Mr. Coelho suggested doing tax deferrals as an incentive also.

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Mr. Phoenix: Hearing nothing, is there a MOTION to adjourn?

Mr. Coelho: **SO MOVED.**

**SECOND** Mr. Queiroga.


Mr. Phoenix: Always in order and not debatable.

**5-0 in Favor.**

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Meeting adjourned at 7:26 p.m.

APPROVED:

  
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Kathleen Houle, Secretary

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



**TOWN OF LUDLOW PLANNING BOARD  
PUBLIC HEARING – SPECIAL PERMIT & SITE PLAN  
185 Miller Street (Assessors' Map 30, Parcel 42)**

**Joe Salvador**

**(update site plan to allow business office, storage, and repair in an  
Agricultural Moderate Density Overlay District)  
(Engineering & Land Solutions, Inc. & Hotside Equipment Repair)**

**April 11, 2019**

RECEIVED  
2019 MAR 16 10:05 AM  
TOWN OF LUDLOW

**PLANNING BOARD MEMBERS**

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

*The public hearing began at 7:04 p.m. in the Selectmen's Conference Room.*

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*In attendance: Michael Pietras – Engineering & Land Solutions Inc.*

Mr. Phoenix read the legal notice, gave Mr. Pietras a copy of the invoice from Turley Publications, and reviewed the application. The legal notice included the description of: update site plan to allow business office, storage, and repair in an Agricultural Moderate Density Overlay District)(Engineering & Land Solutions, Inc. & Hotside Equipment Repair)

Mr. Phoenix: So, that's where we're at. Before we go any further, do you want to just explain what's going on?

Mr. Pietras: Sure. Probably about a year ago and a few months, about a year and four months ago, you guys seen this site plan, a similar site plan, slight modifications to it, to allow the yoga shop originally. It's a business that's functioning at the property. There's a second floor office space that was disclosed in the chart last time. We're in there for Engineering and Land Solutions, my company, and downstairs is Hotside Equipment. He is a company from Wilbraham that repairs, like, Dunkin Donuts equipment, kitchen equipment, not for Dunkin Donuts in Ludlow, but the others he has a contract. Mainly service offsite; it would not be much onsite according to him. That's the background of it. The fortunate part, it's kind of a mixed-use development, in a sense, that the yoga shop, their primary clientele come after 5:00, and the Hotside and myself normally would be leaving before 5:00, so there shouldn't be much overlap. They do have a morning class, but I believe it's at, there's one at 6:00 and one at 9:00.

Mr. Phoenix: Ok, and let's see what we have for comments here. From our own office, Doug's run through things and we have a question as far as the electric: *Does the electric go to the building in the back? It stops at a utility pole? And with the chart, number 7, it says 7 spaces are required for services not 3; change 28 to 32.*

Mr. Pietras: Yup, we have made that change.

Mr. Phoenix: We have a waiver request for items 1 and 5, under 7.1.5.o. Looks that has not been signed yet.

Mr. Stefancik: Right here.

Mr. Pietras: I gave that to Doug earlier today, or, I mean, before this meeting, so.

Mr. Phoenix: And from Fire: *Dear Mr. Chairman, the Ludlow Fire Department has reviewed the site plan as presented. At this time the Ludlow Fire Department has no additional comments. We do however expect all applicable federal, state, and local codes to be followed during the course of construction on this project. From Public Works; no comments. And from Board of Health; no comments.* So, aside from a couple of relatively small things that it sounds like you already took care of, not a whole lot for feedback on there.

Mr. Pietras: Yeah, and to just address, there is power that goes to the utility pole. That's when the previous owner had propane tanks there; it was an electrical service for a little covered, I wouldn't even say Quonset hut, but a little covered area for propane. So, that still exists. But you'll see, just one thing I'd want to point out, on the northern side of the property, which would be, the way you guys are holding, to your right side, you'll see there's two sewer lines and two water lines. That work has been done, it's not hooked up to the building yet. But, it's to separate the utilities from the house because currently the water came through the house connection, so that's all being corrected. That's why when you look at it, you'll see two water services to the building. The ones on the northern side will be the permanent ones, so.

Mr. Coelho: So, does the owner of Capital Design & Development own that house?

Mr. Pietras: Yes.

Mr. Coelho: And reside in that house?

Mr. Pietras: No. Eventually that probably will be coming before you guys sometime to try and split the house from the property. That's why the utilities are trying to be separated now. But, that's down in the road in the future, nothing planned immediately.

Mr. Queiroga: On your particular one, Mike, what do you have for employees?

Mr. Pietras: Right now one, basically, full time, two part-time, but they draft out of their homes. They'd rarely be in the office. They draft at night mainly.

Mr. Queiroga: And the one downstairs?

Mr. Pietras: He would be, first thing in the morning, he load his trucks, or would load, and then he's gone for the day. Occasionally, he'll drop off equipment or swap out for parts.

Mr. Queiroga: Ok.

Mr. Phoenix: Anything else from the Board at this time?

Mr. Quiterio: Nope, no comments from me.

Mr. Phoenix: Ok, so before we go to the public, just to clear up the remaining things that I see on this side, we do have a request for a waiver of 7.1.5.o 1 & 5, which are the lighting plan with luminaire schedule and the traffic study. Now to those points, you're not changing any existing lighting with this?

Mr. Pietras: Nope, there has been some lighting changes, but it physically is in the same spot; they changed them from metal halide to LED.

Mr. Phoenix: Ok.

Mr. Pietras: So, that's ---

Mr. Phoenix: Same directionality on them and everything is...

Mr. Pietras: Same exact ---.

Mr. Phoenix: The traffic study, it's not really a huge deal on this one I don't think either. So, is there a motion on the waiver or any comments on it?

Mr. Coelho: I'll **MOVE** to waive Section 7.1.5.o 1 & 5?

Mr. Phoenix: Yes.

**SECOND** Mr. Queiroga.

**5-0 in Favor.**

Mr. Phoenix: Ok, so we do have someone who's in the audience, I'm not sure that he's here for this, but I will open this up for public comments and questions, and standard boiler plate is that if you do have anything that you'd like to add, please address it through myself as Chairman, and state your name and address for the record. Hearing nothing, I'll ask if there's a motion at this time.

Mr. Queiroga: Mr. Chairman.

Mr. Phoenix: Mr. Queiroga.

Mr. Queiroga: On this special permit and site plan...

Mr. Phoenix: I should also just stipulate that we did go through the, the Town Planner did go through the checklists, since we're not going through those. Sorry about that.

Mr. Queiroga: So, special permit and site plan, correct?

Mr. Phoenix: Special permit and yes.

Mr. Queiroga: So, I make a **MOTION**, to approve the, to approve and sign the site plan, and to approve and sign the special permit in the usual format.

**SECOND** Mr. Coelho.

**5-0 in Favor.**

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

Mr. Phoenix: Is there a MOTION to close the public hearing?


**SO MOVED** Mr. Coelho.

**SECOND** Ms. Houle.

**5-0 in Favor.**

*Hearing closed at 7:12 p.m.*

APPROVED:

  
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Kathleen Houle, Secretary

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Documents: Master application; abutters list; Comments from Town Departments/Boards; Site Plan – 185 Miller Street Ludlow, MA – owned by Capital Design & Development, LLC (2/1/2019); Exterior Elevations & Proposed Sign for Capital Design & Development, LLC – Preliminary Plans (February 7, 2019)

*(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  
25 Essex Street – Chad Fraga  
(concrete work)**

RECEIVED  
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TOWN CLERK'S OFFICE

2019 MAY 10 A 10:50

TOWN OF LUDLOW

**PLANNING BOARD MEMBERS**

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

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

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*In attendance: Chad Fraga*

Mr. Phoenix read the legal notice, gave Mr. Fraga a copy of the invoice from Turley Publications, and reviewed the application. The legal notice included the description of: Home Office – concrete work.

Mr. Phoenix: Again, it's kind of silly because there's nobody in the room, but just to cover our bases, the cameras are rolling, this is going on to public access tv and the inter-webs. So be aware. So, would you like to describe for us what you're looking to do at the property?

Mr. Fraga: Honestly, it's just an office as it's stated.

Mr. Phoenix: Ok.

Mr. Fraga: Check emails. I look at blueprints and that's about it.

Mr. Phoenix: And I believe in here, you had said there's no non-resident employees...

Mr. Fraga: No.

Mr. Phoenix: ...no signage, no customers coming, no deliveries, no any changes, and the vehicle you'd be looking to use is a, GVW is 8,000 lbs.

Mr. Fraga: Yes, a regular pickup truck.

Mr. Phoenix: Ok, we do have a signed request for the waiver of the full site plan in favor of a sketch and photos, and we have not yet made a finding on this either.

Mr. Coelho: Mr. Chairman?

Mr. Phoenix: Mr. Coelho.

Mr. Coelho: I'll make a finding that the business as described, I'll find that Mr. Chad Fraga's concrete work office only business is suitable under the home office occupation bylaw.

**SECOND** Mr. Queiroga.

**5-0 in Favor.**

Mr. Phoenix: Is there a motion on the waiver that was requested?

Mr. Coelho: Mr. Chairman.

Mr. Phoenix: Mr. Coelho.

Mr. Coelho: I will make a **MOTION** to waive the full plan in favor of a site sketch for the 25 Essex Street, Chad Fraga concrete home office property.

**SECOND** Ms. Houle.

**5-0 in Favor.**

Mr. Phoenix: Do we have any comments or questions from this side of the table?

Mr. Queiroga: No, you own the house, I'm assuming, Chad?

Mr. Fraga: It's in the family, it's a homestead.

Mr. Queiroga: Do you have a ---?

Mr. Fraga: Address there, yeah.

Mr. Queiroga: Oh, ok.

Mr. Fraga: Yeah.

Mr. Queiroga: It's fine.

Mr. Phoenix: We've got the...

Mr. Queiroga: Ok. I have no other...

Mr. Phoenix: And there's nobody in the audience again, but if there were they'd be more than welcome to voice any comments or questions at this time. Ok, hearing nothing, we've already had, I believe, the Town Planner has looked at the checklists. You're aware of them? You've signed off on those. So, you've got those 26 things you have to make sure that you maintain that all, essentially mean that it all keeps looking like a regular residence.

Mr. Fraga: Yes.

Mr. Phoenix: Ok, do we have a motion?

Mr. Coelho: Mr. Chairman. Go ahead, let somebody else.

Mr. Queiroga: No, no, that's fine.

Public Hearing – Fraga

April 11, 2019

Mr. Coelho: I'll **MOVE** to approve the Special Permit under 7.0.4 a-m and the Home Occupation under Section 6.1.2 thru, 6.2.13 for Mr. Chad Fraga at 25 Essex Street for the home office for concrete work, where was I there, with the restriction that this permit run with the applicant and not the property.

**SECOND** Mr. Queiroga.

**5-0 in Favor.**

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

Mr. Phoenix: Is there a **MOTION** to close the public hearing?


Mr. Queiroga: **SO MOVED.**

**SECOND** Mr. Coelho.

**5-0 in Favor.**

*Hearing ended 7:20 p.m.*

APPROVED:

  
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Kathleen Houle, Secretary

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2019 MAY 10 A 10:51  
TOWN OF LEBRON

Documents: Master application; abutters list

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

