

**TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
January 25, 2024**

PLANNING BOARD MEMBERS

Raymond Phoenix – Chairman (Present) (6:48 p.m.)
Christopher Coelho – Vice Chairman (Present)
Joseph Queiroga (Present)
Joshua Carpenter (Present)
Joel Silva (Present)
Kathleen Houle, Associate Member (Absent)

The meeting began at 6:46 p.m. in the Selectmen’s Conference Room.

Mr. Coelho acted as Chairman until Mr. Phoenix arrived at 6:48 p.m.

**ANR – Alyse Enderle – 164 & 0 Lyon Street (Assessors’ Map 24, Parcels 39A & 39B)
(Combine existing Parcels A & B into new Parcel F as shown on plan)**

Ken Conley was present for the appointment.

Mr. Conley explained that he wants to build a barn in the back area, so he needs to join the two lots together.

Mr. Stefancik commented that everything was taken care of on the plan.

Mr. Coelho: I **MOVE** to endorse the ANR for Miss Enderle at 164 & 0 Lyon Street to combine existing parcels A & B into new Parcel F as shown on the plan.

SECOND Mr. Carpenter.

5-0 in Favor.

Documents included: Master application; Plan of Land 164 Lyon Street, Parcel B Lyon Street Ludlow, MA – owned by Alyse Enderle (11/7/2023)

**Armand Deslauriers – Extension of Development Agreement (Hundred Acre Wood Phase III)
Release of Covenant – Lot 69 Hundred Acre Wood Phase III**

Armand Deslauriers was present for the appointment.

Mr. Deslauriers commented that when he started the project, he couldn’t get supplies, which pushed back the start of the project a year later. He noted that he would like an extension of agreement along with a waiver of the fee, and that he would like a release of covenant for two lots (Lot 69 & 71).

Mr. Phoenix remarked that the initial date of expiration shows October 14, 2023, and that this would push it out to November 14, 2025.

Mr. Phoenix: So, we have a request to extend the development agreement out to November 14, 2025, and also to release Lot 69 & 71 from Hundred Acre Wood Phase III. Is there a motion on either of those?

Mr. Queiroga: I make a **MOTION** to approve.
SECOND Mr. Carpenter.
5-0 in Favor.

Mr. Coelho: I'll make a **MOTION** to waive the fee.
SECOND Mr. Carpenter.

Mr. Phoenix: Just before I call for a vote, can we add on to the fee waiver that it's because there was no development done on the property, and this is also due to the delay from COVID.

Mr. Coelho: As amended.
Mr. Carpenter: **SECOND** as amended.
5-0 in Favor.

Documents included: Extension of Development Agreement; Form K Release of Covenant; Items remaining to finish Phase III Hundred Acre Wood for completion from Armand Deslauriers; Hundred Acre Wood Flyer/covenant lots – Coldwell Banker Realty; Email from Doug Stefancik to Jim Goodreau re: Remaining work Hundred Acre Woods Phase III (January 25, 2024)

**PUBLIC HEARING – Special Permit/Estate Lot – Craig Authier – 0 Kendall Street
(Assessors' Map 11B, Parcel 100) (estate lot)**

SEE SEPARATE MINUTES

**PUBLIC HEARING – Special Permit/Home Occupation – Mehmet Siperoglu –
140 Paulding Road (Assessors' Map 17D, Parcel 93) (home office for limo/transportation business)**

SEE SEPARATE MINUTES

**Board of Selectmen/Town Administrator – Discussion – 63 Chestnut Street & 54 Winsor Street
(Mail item #02 included)**

Marc Strange was present for the appointment.

Mr. Phoenix read Mail Item #02- Memo from Marc Strange, Town Administrator re: 63 Chestnut Street and 54 Winsor Street Zoning, which asked the Planning Board to review the current zoning on those properties to determine the best possible uses.

Mr. Strange explained the buildings are currently vacant and that they've had discussions with a few potential developers. He said that there have been ongoing problems with the heating systems, and that they are looking for ideas on the highest and best use for the properties that are currently zoned Residential A. Mr. Stefancik stated that the surrounding zones are Business A & B, and that the properties are located in the 40R Zone.

Mr. Phoenix voiced his concerns about the lack of parking in the area and that perhaps the properties could be made into a parking lot.

Mr. Strange noted that they would like to do an RFP or auction off the properties in the near future.

Mr. Coelho asked if the properties were sold, could the money be held by the town to purchase land for parking in an area such as in the East Street corridor. He suggested that the Selectmen submit the paperwork for the zone change so that it can be on the May Town Meeting warrant. Mr. Phoenix said that he would rather wait until fall.

Documents included: Mail Item #02 - Memo from Marc Strange, Town Administrator re: 63 Chestnut Street and 54 Winsor Street Zoning

PUBLIC HEARING – Site Plan – Boomerang Realty, LLC c/o Mr. Scott George -190 Moody Street (Assessors’ Map 3, Parcel 98) (reuse existing building for moving business and warehousing with associated site improvements to include striping and handicap improvements to the western parking lot)

SEE SEPARATE MINUTES

Mr. Phoenix: I was gonna actually ask for a motion to have a brief five minute or so recess.

Mr. Carpenter: **SO MOVED.**

SECOND Mr. Coelho.

5-0 in Favor.

The Board took a recess from 8:35 p.m. until 8:40 p.m.

RESCHEDULED PUBLIC HEARING – Waiver of Frontage – David Beauregard – 601 Center Street (Assessors’ Map 16B, Parcel 96) (Divide an existing parcel into two new lots, each containing an existing residential structure, as per submitted plans. Lot 11-2 will require a waiver of frontage from 140 feet to 93.90 feet, and Lot 11-1 will require a waiver of frontage from 140 feet to 12.50 feet.)

SEE SEPARATE MINUTES

**ANR – David Beauregard – 601 Center Street (Assessors’ Map 16B, Parcel 96)
(Separate existing parcel with two structures into two separate lots)**

David and Maureen Beauregard were present for the appointment.

Mr. Phoenix remarked that the ANR goes along with the Waiver of Frontage that was just approved.

Mr. Stefancik said that everything looked good on the plan.

Mr. Coelho: I **MOVE** to approve the ANR as submitted.

Mr. Phoenix: Endorse?

Mr. Coelho: Endorse, endorse, I'm sorry.

SECOND Mr. Queiroga.

5-0 in Favor.

Documents included: Master application; Approval Not Required Plan of Land - Center Street Ludlow, MA - Owned by Maureen L. & David Beauregard and Timothy J. & Sandra Donnelly (December 07, 2023)

RESCHEDULED PUBLIC HEARING – Site Plan – Marco Vieira (V & V Properties LLC) – 20-56 East Street (Assessors’ Map 13C, Parcel 58) (update site plan for gym and café)

SEE SEPARATE MINUTES

RESCHEDULED PUBLIC HEARING – Site Plan – PREM, LLC – 21 Harding Avenue (Assessors’ Map 12C, Parcel 70) (approval for an all-alcohol package store) (Request to withdraw site plan application from Joshua Y. Levine, Esq.)

SEE SEPARATE MINUTES

CONSENT AGENDA:

The Board approved the Consent Agenda under unanimous consent excluding the Change of Occupancy for Jared Duff, 40 East Street which was addressed with the Site Plan for 20-56 East Street.

- ◆ FILE Mail Item 01. - Legal Notices from surrounding communities
 - ◆ APPROVE/SIGN Minutes of December 14, 2023 & January 11, 2024
 - ◆ APPROVE Change of Occupancies:
 - Yordany Kelly Vanderhorst (Details Cars1 Collision) – 37 Letourneau Lane #3 (change of ownership – existing body shop)
 - Jared Duff (Compass) – 40 East Street (from rehab facility to home remodeling showroom)
 - Awais Kamran Mir (USave Food Store LLC) – 546 Center Street (change of ownership – existing convenience store) *(see letter from Leslie Ward, Building Commissioner)*
 - ◆ SIGN Special Permit:
 - Taylor Trask – 732 Fuller Street (cottage bakery)
-

File Mail Item 03 - Legal Notice – Zoning Board of Appeals – 696 Center Street (Assessors’ Map 17D, Parcel 33)

File Mail Item 04 - Legal Notice – Conservation Commission – 40 Westover Road (Assessors’ Map 3, Parcel 110)

File Mail Item 05 - Pioneer Valley Planning Commission (PVPC) 2025-2029 Transportation Improvement Program (TIP)

File Mail Item 06 - Legal Notice – Conservation Commission – 0 Sportsmen’s Road (Assessors’ Map 26, Parcel 1A)

Annual Town Report

Mr. Phoenix: I’ll entertain a MOTION to send the drafted verbiage for the annual town report over to the Selectmen by February 2nd with any minor updates that are deemed necessary and found between now and then.

Mr. Carpenter: **SO MOVED.**

SECOND Mr. Queiroga.

5-0 in Favor.

Documents included: Planning Board Draft 2024 Annual Town Report

Battery Storage Bylaw

Mr. Stefancik provided the board with copies of the approved battery storage bylaws for the towns of Medway and Ware. Mr. Phoenix suggested that a bylaw be put together for the fall town meeting and that town counsel be contacted for their opinion on putting together a bylaw.

Documents included: Letter from Office of the Attorney General re: Ware Annual Town Meeting of May 8, 2023 – Case #11085, Warrant Article #20 (Zoning)(December 11, 2023); Article 20 – Battery Energy Storage Systems (Ware, MA); Letter from Office of the Attorney General re: Medway Special Town Meeting of November 14, 2022 – Case #10779, Warrant Articles #15, 16, 17, 18, 19, 20, 22 and 23 (Zoning) Warrant Articles #13 and 14 (General)(May 17, 2023); Town of Medway Zoning Bylaw as amended – November 13, 2023 - Table 1: Schedule of Uses; 8.12. Battery Energy Storage Systems

Housing Production Plan

Mr. Stefancik explained that the current Housing Production Plan will expire in March, and that a scope of services was received from Karen Sunnarborg to update the plan. He also asked the Board if they would like to request 40R funds to update the plan. Mr. Phoenix asked if updating the plan will help secure additional grant money or do something for the town other than being an updated plan. The board requested that the consultant come in for a discussion.

Documents included: Letter & Quote to Prepare a Housing Production Plan for the Town of Ludlow, Massachusetts from Karen Sunnarborg Consulting (November 21, 2023)

Center Street Overlay District

The Board reviewed the map showing the abutting properties at 100, 150, and 200 feet.

Mr. Coelho: I’ll make a MOTION to accept the map in the teal color shade of green that accepts the parcels within 150 feet of Center Street to be included in the new zoning overlay district.

SECOND Mr. Queiroga.

5-0 in Favor.

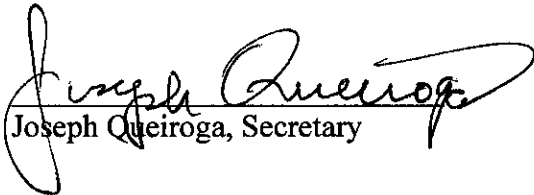
The Center Street Overlay District conversation will be continued to a future meeting.

Documents included: Map: Town of Ludlow Center Street Overlay Abutters Within 100, 150 & 200 Feet; Center Street Overlay Abutters Within 100 Feet

Mr. Carpenter: **MOTION to adjourn.**
SECOND Mr. Coelho.
5-0 in Favor.

Meeting adjourned at 10:06 p.m.

APPROVED:


Joseph Queiroga, Secretary

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

**TOWN OF LUDLOW PLANNING BOARD
PUBLIC HEARING – SPECIAL PERMIT/ESTATE LOT
0 Kendall Street (Assessors' Map 11B, Parcel 100)
Craig Authier
(estate lot)
January 25, 2024**

PLANNING BOARD MEMBERS

Raymond Phoenix – Chairman (Present)
Christopher Coelho – Vice Chairman (Present)
Joseph Queiroga (Present)
Joshua Carpenter (Present)
Joel Silva (Present)
Kathleen Houle, Associate Member (Absent)

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

In attendance: Paul Smith – Paul S. Smith Land Surveying, attendees

Mr. Phoenix read the legal notice, advised the public that the hearing is being recorded, and gave the applicant a copy of the Turley Publications invoice. The legal notice included the description of: estate lot.

Mr. Phoenix: As far as comments that we've gotten back from other boards. I have the building department has no issues with the proposed house placement with the information provided. From our own office we have that two waivers will be needed from the board; 2. the estate lot shall have a minimum street frontage of not less than 50 feet and access width of not less than 50 feet from the front lot line to the principal structure. The front lot shall meet all the zoning dimensional requirements normally required in the district. The access width between the pins is only 25 feet. And also, 9. the driveway is to be located constructed and maintained a distance of no closer than ten feet to any abutting property line. The driveway is five feet from each of the pins. From Department of Public Works we have no comments. From Board of Health we have no comments/concerns. From Fire Department (*see file*). From the Assessors we have no comments. We also do have a waiver request. Unsurprisingly, that is the two items that were called out by our office; 2. being the width of 50 feet being required, and 9. the driveway being located, constructed, maintained a distance of no closer than ten feet to any abutting property line. So, that's what I have to kind of get us started. Would you care to explain for us what we're looking at tonight?

Mr. Smith: I'm Paul Smith, the land surveyor and represent the applicant Mr. Authier. We're looking at a proposed estate lot here. Sits on 2.37 acres of land which in excess of the required amount. There is 66 feet of frontage here. I'm not sure about the second waiver for the 50-foot width. I didn't ask for that.

Mr. Stefancik: The driveway goes through the area and it's only 25 feet. That's what I was picking up.

Mr. Smith: Oh, ok. So, that's the waiver, I guess. We're looking at the driveway coming in through our, we have two frontages actually as you can see on the print. There's a 60-foot frontage and then a major 66 foot frontage on the west side. So, the driveway we're proposing would come in to service the house, and there's an narrow section that's left with the property. It is possible to fit the driveway and keep it ten feet from those property lines, but it makes an awful 90-degree bend to follow that bend of the property line which I think for any kind of vehicle travelling, be impractical for a fire truck or a delivery truck or a concrete truck to make that s-type turn. So, we did request that waiver in order to straighten the driveway out to a more usable shape there and a safer situation and easier access up to the lot for everybody including the fire department. The plan shows an approximate proposed house location. The lot is plenty big. I showed the required side yards, front yard setbacks. I've got the width of the lot at over 140 feet wide and that's basically it. It's a very steep lot coming up from the road. That's why that bend in the driveway would be awful awkward to maintain. So, other than that, if you had any questions of me, I'm happy to answer.

Mr. Phoenix: So, just for the benefit of anyone that wasn't quite following that, we're basically looking at a proposal to add one house behind the existing piece of property there and it would have 50 feet of frontage at the roadway where the driveway's coming in. It just kind of gets narrow as it's coming around that corner then it opens up to 140.5 before it gets back to where the house would be going. And it's a fairly sizeable piece of property. It would end up with one residential dwelling on it, correct?

Mr. Smith: Yes.

Mr. ---: I got a question.

Mr. Phoenix: There will be a time for questions.

Mr. ---: Ok.

Mr. Phoenix: Does anyone from the board have any comments or questions at this time?

Mr. Silva: So pretty much the layout of the driveway is just pretty much to accommodate emergency vehicles because to comply you'll have to make a turn a more accentuated turn on it?

Mr. Smith: Yes. We have to follow that right angle of the property.

Mr. Silva: So, this is just for bigger vehicles, emergency vehicles pretty much, yeah?

Mr. Smith: --- vehicle.

Mr. Phoenix: Anything else Joel?

Mr. Silva: No.

Mr. Phoenix: Anything Josh?

Mr. Carpenter: I'm good Mr. Chairman.

Mr. Phoenix: Chris?

Public Hearing – Authier
January 25, 2024

Mr. Coelho: No, looks like the intended use of the bylaw.

Mr. Phoenix: And Joe, anything at this time?

Mr. Queiroga: No.

Mr. Phoenix: So, I will open this up to comments, questions, and concerns from the public at this time. I would ask that if you do have something that you state your name and address for the record. One person speaking at a time. I'll call on people, try and give everybody a chance to speak as they see fit. And whatever you have, if we can try and keep everything addressed through myself as chairman. If you have questions, I'll try to get you the answers that you need, but we'll try and avoid having direct cross talk because that tends to get a little bit rough sometimes. So, is there anyone that would care to speak at this time?

Ms. O'Connor: I'm at 51 Kendall, Gail O'Connor.

Mr. Phoenix: Ok.

Ms. O'Connor: And that house right in the middle of everything. That is a very road to go into new development, so my question would be how many feet on each side of the road if was allowed to do the s-turn, how many feet on each side of the road would it be, or the access.

Mr. Phoenix: Well, they might be able to squeak out the ten feet on each side of the driveway there, 'cause it's more of a driveway than a road really. But the concern would be if they do that, then if a fire truck or an ambulance needed to get up there, they would have a harder time to get up.

Ms. O'Connor: Yeah, I understand.

Mr. Phoenix: So, that's the bigger concern here is making sure that emergency vehicles have access to it.

Ms. O'Connor: So, if that were the case, how many feet on each side if they have to extend the driveway? It would be pretty close to my property line.

Mr. Phoenix: Well, they can't really move it that much 'cause if they move it further from your property line, it's gonna get closer to the Martel property. So, it's in the Hernandez properties, those come to a corner there. So, one way or another it's close. So, we got right now, 5.5 on each side, looks like the closest dimension.

Ms. O'Connor: With the s?

Mr. Phoenix: With the s, I don't have a drawing of it in front of me. Could you get the ten?

Mr. Smith: Yes, I could.

Mr. Silva: Will it change that much, the distance even if you do the s, because the width of the road?

Mr. Smith: It's not really the distance, it's more the, can I go up to the board and show.

Mr. Silva: Between the pins.

Mr. Smith: --- I did it actually first time, come through here and, you know, stay ten here and stay here. It does work but it's an awful s for a vehicle to make. That's the reason that we've asked for the waiver.

Ms. O'Connor: --- what's up there is what you're...

Mr. Smith: Proposing, yes.

Ms. O'Connor: Proposing, ok.

Mr. Smith: Because it's centered between that opening. That opening's actually about 30 feet wide, but with the angle and everything I put it in the middle, roughly 5 ½ feet on each side.

Mr. Phoenix: Anything else? Sir.

Mr. Ganhao: Helder Ganhao at 71 Kendall Street on the east side up against Kendall. To build such a driveway this lady would be most...

Ms. O'Connor: Affected.

Mr. Ganhao: ...affected ok because in order for him to build such a driveway, he would probably have to put up a very high retaining wall to hold the topography of the grade. The problem is, is that land slopes too much no matter what. For them to put a driveway up there in that corner it would require some serious grade retention to be able to keep everything from tilting, ending up on her property because a vehicle, a heavy vehicle, a fire truck, depending on the kind of vehicle that would be required to go up and down that driveway, you could probably tip a vehicle because of the topography and the slope of the land. So, there would have to be a lot of grade retention. I already had to do grade retention because of that lot alone on my property to hold back, ok, the problems that I've had over the years with water runoff and soil runoff from that land as well. So, I understand the point of requiring some substantial grade retention walls somehow keeping the land level in order to be able to put a reasonable driveway up in that direction.

Mr. Phoenix: I think that's a reasonable point. I mean, it looks like, I don't have a scale out to measure, but you said that it's about thirty feet across pin to pin on that corner?

Mr. Smith: Correct.

Mr. Phoenix: So, if that's about thirty, it looks like nine feet of rise over that because you're at about the 200 line toward the back of the O'Connor property and between the 208 and 210 line, looks like at that other pin. So that is a fair amount of rise over that area where it's gonna be either trying to s-turn or go diagonal up there. Are there any concerns that have been taken into account as far as how to make sure that vehicles aren't necessarily gonna be sliding off that in the winter and coming across the property?

Mr. Smith: We haven't designed the driveway at this point, I would do that before a building permit is issued. That's required for a building permit to have our proposed grading and topography and driveway grading done before any building permits could be issued.

Ms. O'Connor: So that's for another time to be decided?

Mr. Phoenix: Well, we can take that into account now as to whether that's something that we want to use as grounds for a denial, whether that's something we need to put additional restrictions on the property to take care of, put conditions on there.

Mr. O'Connor: So, you would be able to put restrictions right now on ---?

Mr. Phoenix: The actions that we can take coming out of tonight would be either to continue to another meeting, to deny outright, to approve outright, or to approve with conditions. So, those are the options that we have right now on this particular item. Is there anyone else? Sir?

Mr. Rodrigues: The driveway that...

Mr. Phoenix: Can I just get your name and address please?

Mr. Rodrigues: Oh yeah, I'm sorry. Jimmy Rodrigues at 38 Michael Street.

Mr. Phoenix: Ok.

Mr. Rodrigues: And so, my first question is how long is that private way to the structure? Do you have a definitive?

Mr. Smith: From the road?

Mr. Phoenix: You're talking from the road?

Mr. Rodrigues: It's a driveway, right? It's not a road.

Mr. Phoenix: Right.

(multiple people talking)

Mr. Phoenix: You're talking about from Kendall to the house?

Mr. Rodrigues: Yes, of course.

Mr. Smith: 360 feet, approximately.

Mr. Phoenix: 360 feet.

Mr. Rodrigues: 360 you said?

Mr. Phoenix: 360.

Mr. Rodrigues: And the other question I have is, the proposed residence what square footage would that be? Is that, like what's shown there? That's not the actual?

Mr. Phoenix: Well, they're showing a proposed location. It's not showing the actual proposed detail of the house. The main thing is that they're showing us the window of where that house would be buildable. I don't know if you've, if that's gonna be locked in as the ---.

Mr. Smith: --- 40 x 70. Just shows the potential. It can go slide up or down anywhere.

Mr. Rodrigues: The other question I have, the proposed residence, it's not decided yet the size, but most of us as abutters we don't really have big houses. We all have 1,000 feet, 1,100 square feet. So, my question is if you have a huge house there at 2,000 square feet, it's gonna affect the value of that whole area. I know it's gonna be a big hulk there standing out, you know. It's just a concern that I have as an abutter. I don't know if anybody else does, but. You know, if you look all around that area, it's all pretty much medium-sized houses.

Mr. Phoenix: Yeah.

Mr. Rodrigues: If you look at each one.

Mr. Phoenix: Yeah, all of like Kendall, Skyridge, Michael Street, they're all similar size.

Mr. Rodrigues: They're all 1,000 feet, 1,100. So, my concern is if I have this big huge hulk in back of me, so.

Mr. Phoenix: Understood.

Ms. O'Connor: Also, on that hill ---

Mr. Phoenix: Yeah, if we were to assume that this is gonna be exactly where that is, it looks like the lowest point is at the 222 elevation. So, it's about 22 feet above the back of your property for height difference. Anything else from the public at this time?

Mr. Ganhao: Has this property been sold already and bought?

Mr. Phoenix: Has it been bought by the? No.

Mr. Ganhao: Right now, this is still a lot for sale? It has not been, as I say, it doesn't have a private owner or a taxpayer?

Mr. Phoenix: I mean everything's got a taxpayer. Somebody's paying the bill on that.

Ms. ---: It's on the market.

Mr. Ganhao: It's on the market ok, still no one has bought the land?

Mr. Phoenix: That sounds to be the case.

Mr. Smith: Yeah.

Mr. Ganhao: There is also supposedly a zoning problem with the lot?

Mr. Phoenix: A zoning problem?

Mr. Ganhao: Well, this land was, I moved into the area back in 1985 and at that time ok, it was considered agricultural and in order to be buildable as a building lot it would have to go through a zoning change.

Mr. Phoenix: You can build residences in agricultural zoning. They require larger lot sizes, higher amounts of frontage, but agricultural land you can absolutely have a residence. They have different things that are allowable in that district, but a single-family home is certainly allowable there. And it is Residence A.

Mr. Smith: Residence A-1.

Mr. Phoenix: Ok.

Mr. Rodrigues: According to what I read it's already zoned as residential.

Mr. Smith: That's what he was just saying. It's Residence A-1 for the lot.

Mr. Rodrigues: --- cleared or?

Mr. Phoenix: I don't know if we have a record of when it would have become that zoning?

Mr. Rodrigues: Because none of us were informed that it would be.

Mr. Phoenix: If it was changed, if it was Agriculture at one point changed to Residence A, that would have required legal notice, going to town meeting, town getting voting on it, getting approval there. So, if it was changed there'd be all of that that would have gone out.

Mr. Formeister: So, I live at 69 Overlook, right. My name is Autur Formeister. That's my question, how that happened that all of a sudden that farmland or whatever you call it, the one owner separate and divide the whole land into a building, I mean a house then created this estate lot which I wasn't informed at all about any meetings. Can you do that?

Mr. Phoenix: Well, they're trying to make an estate lot now.

Mr. Formeister: ---

Mr. Phoenix: If somebody wants to separate their property they can do that. That's similar to what we had before. Before this came in and we had somebody combining two pieces of property, they can separate it using that same process as long as they have adequate frontage on an adequate way, or they get a waiver of frontage approved or if it's stamped as not intended as a building lot.

Mr. Formeister: So, at this moment this lot, it's not buildable.

Mr. Phoenix: Well, this lot right here can't do what they're looking for without getting the approval and it doesn't meet the requirements for building it under the regular zoning any other

way because it doesn't have sufficient frontage and placement and everything on there. So that's why this is looking to come in as an estate lot so that it would be able to be built. But if that's A-1, I mean looking at the properties along the Michael Street side, those are all A-1. The stuff on the Overlook side is all A. I would, if I had to guess, hopefully Doug can find an answer as far as when that happened. But I would say it probably got changed at the same time as the abutting parcels on Michael Street. That'd be the most logical thing, but it doesn't mean that that's when that did happen.

Mr. Formeister: So that gets approved right, the new homeowners, how long he's gonna live in that house?

Mr. Phoenix: As long as any other homeowner? Could be a week, could be 50 years.

Mr. Formeister: So, we don't know who's gonna get the neighbors.

Mr. Phoenix: No.

Mr. Coelho: Unfortunately, the government doesn't have control over that yet. Or fortunately the government doesn't have control over that yet.

Mr. Phoenix: So, while Doug's looking that up, is there anything else from the public at this time? Sir?

Mr. Rodrigues: When the area was first built, first planned, that was planned not to be built on this so-called estate lot. Like he said, that was the original plan.

Mr. Formeister: ---

Mr. Phoenix: One person at a time please.

Mr. Rodrigues: So, I was putting it out there, that's all.

Mr. Coelho: Mr. Chairman.

Mr. Phoenix: Mr. Coelho.

Mr. Coelho: So, we made an estate lot bylaw in order to facilitate projects like this and make the lands more usable and developable.

Mr. Phoenix: Well, in a lot of cases what that was really intended for and this kind of works, sort of for the same thing, it's not just to make these lots buildable, a lot of the idea of that was there were lots in town that have, you know, two houses that are on the same lot and you can cut out part of that, put a driveway to the back house and have that all on one parcel and separate that out so that one of those can be conveyed to a different family member or conveyed out, things along that nature, or if a family has a house and they've got it near the front of the lot, they've got a son or a daughter that they want to convey part of their property to near the back so that they can have a house. They could end up carving out enough space in the back to do that and have access through a driveway to get there. So, that's a big part of where this bylaw came from, and I don't know exactly what year we put that in, but it's been a little bit now.

Mr. Coelho: Sixteen maybe, seventeen?

Mr. Phoenix: Probably sometime around there if I had to guess.

Mr. Rodrigues: Could I just add a comment to what you were saying? I'd just like to throw something out there, you said somebody could build something behind them for a family member, correct?

Mr. Phoenix: Well, that's usually the scenario most people think of. It doesn't have to be that.

Mr. Rodrigues: But you specifically made the bylaw for that right?

Mr. Phoenix: We made the bylaw to make some of these landlocked parcels more doable and to make people to be able to create parcels for family, friends, or other development.

Mr. Rodrigues: Right. I can see that, but in this case here, whoever's building that, they don't have an original lot there. They don't live in this area. They don't live on Overlook, and they don't live on Michael Street or even on Kendall. This is what's circling this whole area. So, what you're talking about the intent of having that lot behind is not applying to this person. So, that's something to think about.

Mr. Phoenix: But that's not a requirement.

Mr. Rodrigues: The bylaw was written for that fact.

Mr. Phoenix: But that's not a requirement of the bylaw. So, what we're looking at is does this meet the requirements of the bylaw and, you know, if it comes close are things that we can do as conditions to make it be satisfactory. As part of this, they're requesting waivers to be able to have that driveway go through there at all, because even if that is 30 feet, the bylaw that we have says that it needs to be 50 feet across at a minimum. So, even if he can take care of the part where they're asking for five instead of ten feet between the driveway and the side of the property, it's still not gonna fix the 50-foot issue. So, this property as-is does not meet the requirements without us deciding that it warrants us waiving part of that bylaw. So, that's part of what we have to decide as we're looking at this, is does it make sense to waive that, and that's, I'm not gonna speak on behalf of the board until we've taken a vote on that and discussed it, but that's a big part of what we're looking at tonight. Yes.

Mr. Smith: In terms of the lot width, I don't know that I agree with you. The width would be the width across the lot here, and the width here is well in excess of 50 feet, and the width across here is well in excess, it's the --- I agree, but the width.

Mr. Phoenix: The access width of not less than 50 feet from the front lot line to the principal structure.

Mr. Smith: Ok.

Mr. Phoenix: So, the access is less than 50 feet at that point. So, it doesn't, that's why it needs that waiver.

Mr. Smith: Ok.

Mr. Phoenix: While Doug is continuing to look into that other question does anybody from the board have anything at this time?

Mr. Smith: Can I make another point?

Mr. Phoenix: If nobody on this side has anything, sure.

Mr. Smith: The establishment of the estate lots when I was around and you guys did some of these. And I was actually at some meetings where they were discussed before the bylaw came in, an advantage of is they preserve open space as well. 'Cause you have properties like this that are larger parcels somebody owns and somebody's gonna do something with, and once they're, maybe not in this case with this width, but in other cases you would have a 50-foot width going into 30 acres and have one house as opposed to a subdivision or a project, a condominium project or some other type of project, so it does preserve open space. We are preserving, you know you have four or five abutting houses on each side of that amount of space, so we're preserving a lot of open space when somebody could theoretically come in and a parcel like this and do types of projects.

Mr. Phoenix: No, I mean, that's fair. I mean, the size of the parcel that we're looking at here, it says on here there's 2.37 acres, so it's nothing to sneeze at size wise for that neighborhood certainly. I think that's well taken, but again, I don't know that a parcel where we've got this kind of slope going throughout it is easy under any circumstances. And as far as preserving open space, I don't know that there's enough width there to be able to try and put a subdivision in either.

Mr. Smith: In general ---.

Mr. Phoenix: In this case, that's where some of those come in like we've seen some on Lyon Street where...

Mr. Smith: Exactly.

Mr. Phoenix: ...you get one house instead of maybe three or four.

Mr. Smith: Or a whole subdivision perhaps. It does have an effect to preserve open space for sure.

Mr. Phoenix: So, gentlemen, do we have anything that we want to talk about on the issue itself, on the waivers? Do we want some time to let Doug look up the answer that the public is looking for? Maybe continue this to another meeting and have that answer at that time. What's the board's pleasure?

Mr. Coelho: I think at this point we do need to continue it so we can take into account some of the idiosyncrasies on this project. I think rushing a vote now would probably be irresponsible.

Mr. Phoenix: So, Sue, what do we have available to continue to?

Ms. Urban: We have February 8th and at 7:00 we have the East Street Overlay, so I'm not sure how much time you want to give that.

Mr. Phoenix: 7:30?

Mr. Coelho: Yeah, the East Street Overlay's gonna be a discussion.

Mr. Phoenix: So, I would entertain a MOTION at this time to continue until February 8th at 7:30.

Mr. Carpenter: **SO MOVED.**

SECOND Mr. Coelho.

Mr. Phoenix: Just one addition, and if for some reason the continuation to the 8th doesn't work, to have it be on the 22nd at the same time. Does that work Sue?

Ms. Urban: Yup.

Mr. Carpenter: As amended.

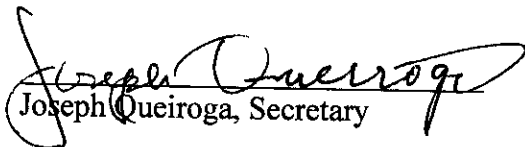
Mr. Phoenix: Is that good too?

Mr. Coelho: Yes.

5-0 in Favor.

The public hearing was continued until February 8, 2024, at 7:30 p.m.

APPROVED:


Joseph Queiroga, Secretary

SU

Documents: Master application; Comments from town boards/departments; Estate Lot Plan – Kendall Street Ludlow, MA owned by Brenda K. Mirkin, Trustee (December 27, 2023)

(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 – SPECIAL PERMIT/HOME OCCUPATION
140 Paulding Road (Assessors' Map 17D, Parcel 93)
Mehmet Siperoglu
(home office for limo/transportation business)
January 25, 2024**

PLANNING BOARD MEMBERS

Raymond Phoenix – Chairman (Present)
Christopher Coelho – Vice Chairman (Present)
Joseph Queiroga (Present)
Joshua Carpenter (Present)
Joel Silva (Present)
Kathleen Houle, Associate Member (Absent)

The public hearing began at 7:31 p.m. in the Selectmen's Conference Room.

In attendance: Mr. Siperoglu (applicant's son), attendees

Mr. Phoenix read the legal notice and gave the applicant a copy of the Turley Publications invoice. The legal notice included the description of: home office for limo/transportation business.

Mr. Phoenix: From the application, we have the name of the business is gonna be Alpha Transportation LLC. The total area of home and other buildings housing the occupation is 1,840; area to be used for the home occupation is a room 10 x 10, 100 square feet; number of nonresident employees, zero. No planned signage, no customers at the house, no deliveries unlike those of a normal residence, no changes that would make the site look less residential, and the vehicle used in connection with the business is gonna be a 2021 Volvo CX90 with a gross vehicle weight of 3,200 which is certainly below 10,000. We also do have a signed request of a waiver from the full site plan down to a sketch and photos as prepared by the applicant. And as was mentioned in the legal notice, the description is home office for a limo/transportation business. We do have the signed certification of ownership/authority as well and signed copies of the checklists indicating that the applicant is aware of the 26 different criteria that apply to special permit/home occupation. So, with all that said, would you care to explain for us what you're looking to do at the property?

Mr. Siperoglu: So, we're doing Uber Black in Boston at the airports and to do Uber Black in Boston we need to get a Mass DOT number, and to get that I need to get a certification...

Mr. Phoenix: Can you speak up a little bit? The people in the room can't hear you.

Mr. Siperoglu: I'm sorry, so we're doing Uber Black in Boston Airport and we need to get a Mass DOT number, and to get that Mass DOT requires a certification from the town because my business address is listed as my home address. That's why I'm here.

Mr. Phoenix: Ok, so, you're just looking to do Uber Black with the one vehicle. You're not looking to have like a multi-vehicle limo operation, just that one that's gonna be attached to the business?

Mr. Siperoglu: Not at the moment. Right now, we're starting with one car and we're gonna see.

Mr. Phoenix: So, you do understand that at the property you're only allowed to have one vehicle in connection with the business.

Mr. Siperoglu: Yeah, of course, yeah.

Mr. Phoenix: So, if you do grow to a point where you have other vehicles or if there's a vehicle that exceeds that 10,000 gross vehicle weight that replaces that one, that would be a problem. You need to find somewhere off site to be able to garage those vehicles. They wouldn't be able to be stored at this location, correct?

Mr. Siperoglu: Correct.

Mr. Phoenix: And as was covered in here, I'll kind of cover them again, you're not looking to have any employees that don't live at the house, you're not looking to have anybody come into the house at all, no deliveries, no anything like that, no signage, just an office to be able to run that operation out of, to be able to drive people around.

Mr. Siperoglu: Correct.

Mr. Phoenix: That takes care of my questions. Does anybody on the board have anything before I open it up to the public?

Mr. Carpenter: I had one, but the applicant answered it while he was going through everything.

Mr. Phoenix: Anything from you Joel?

Mr. Silva: Nothing. Pretty straight forward.

Mr. Phoenix: Chris, Joe?

Mr. Coelho: No sir.

Mr. Carpenter: Just as long as we're not storing vehicles there, that was my ---

Mr. Queiroga: ---?

Mr. Phoenix: The vehicle's 3,200 Gross Vehicle Weight. It's a Volvo CX90. If there's nothing else from the board at this time, I will open this up to the public for any comments, questions, or concerns. If you do have anything, I would ask that you state your name and address for the record. I'll pick people out one at a time and address anything that you do have through myself as chairman so we don't have too much cross talk and we can keep everything straight in the minutes. With that said, is there anyone, sir.

Mr. Robitaille: Yeah, Robert Robitaille, 243 Clover Road. All the criteria that you listed answers all my questions. As an abutter, what is our remedy if that criteria is, you know, if he exceeds any of that criteria? Who do we go to? What's our path?

Mr. Phoenix: Sure, first of all, just for your own awareness. I kind of maybe glossed over it a little bit, but there's actually 26 different criteria that we have to be able to do a special permit for home occupation that's 13 for the special permit, 13 for the home occupation. Those criteria range to cover a whole host of different possible things. So, some of them have to do with buoyant materials, all kinds of things that don't necessarily apply to this kind of operation. I think Doug's scrolling through some of it on the big screen over there. And those are part of our bylaw that you can look at. We can give you copies of those as well, so it's not just those specific items that we talked about. If we were to approve this the same way that we generally do for a home office, all 26 of those things have to be taken care of at all times. If those aren't being taken care of, that would be a zoning enforcement issue where you could report that to the zoning enforcement officer, right now our building commissioner, and they'd be able to look into that and take care of whatever needs to be done.

Mr. Robitaille: Ok.

Mr. Phoenix: And as a last resort, if people aren't really complying with what they're supposed to be doing, we could look at revoking the special permit, doing things like that. Usually, it doesn't come to that but that's an option that's out there if absolutely necessary.

Mr. Robitaille: Ok thank you.

Mr. Phoenix: Yes.

Ms. Monette-Currie: Laura Monette-Currie, I live at 139 Paulding Road, across the street.

Mr. Phoenix: Sure.

Ms. Monette-Currie: You don't anticipate any additional traffic coming in, as our driveways are really close together? I just want to clarify that.

Mr. Phoenix: I would think, correct me if I'm wrong, but it sounds like if you're just doing that one vehicle...

Mr. Siperoglu: Yeah.

Mr. Phoenix: ...you're probably gonna be leaving and then coming back just when you have stuff you're looking to do. If you're looking to drive out in Boston for the most part, you're probably not gonna be in and out all day, it's gonna be.

Mr. Siperoglu: No.

Ms. Monette-Currie: I just wanted to clarify no additional traffic.

Mr. Phoenix: Absolutely. No, the criteria basically, we've got it structured so that it can't seem like it's not still a residential operation. That's kind of the general nature of what those things line up to.

Mr. Queiroga: Just for people to know, the Town of Ludlow has somewhere in the vicinity of over 400 homes, in these types of situations to allow people to make a living without changing their neighborhood, so we do look at it pretty good.

Mr. Phoenix: And they kind of range ---, some are home offices, some are home based like bakery things or people that are doing like photography studios. There's all kinds of odds and ends that people are doing. We've had people teaching craft classes out of their house, and then if they've got too many people coming, they have to have people carpool so that they're not going above the, 'cause you can only have not more than two extra vehicles during business hours than during non-business hours. So, for those people that becomes an issue sometimes, but it's all to allow people to have the flexibility to do some things with their property but still make sure that the neighbors are protected as well.

Mr. Desmarais: Richard Desmarais, 62 Edgewood Road. I'm concerned about where these cars are gonna park.

Mr. Phoenix: Well, it's just one car.

Mr. Desmarais: But they had five cars parked there yesterday. They were registered cars. The driveway was full, four cars in the driveway, one parked behind them. Now where are you gonna put the limo?

Mr. Coelho: There's no limo.

Mr. Desmarais: I know it's a...

Mr. Siperoglu: So, there's four cars total at my house and they are all our cars. Only one of them is registered under business. So, the other cars are personal cars that I use, my father uses, and my brother uses. It's a big family house.

Mr. Phoenix: So, those are all, those are cars that are there normally. That's not anything new.

Mr. Siperoglu: Nothing related with the business, only the Volvo is related with the business. The cars are personal, our personal cars ---.

Mr. Desmarais: That still doesn't answer my question.

Mr. Phoenix: Well, if they're the family's personal cars, they'd be there regardless.

Mr. Desmarais: The way they were parked was four cars, and at the end on Paulding was a car parked going with the traffic at the end of the driveway. It wasn't in the driveway; it was on the road.

Mr. Siperoglu: Sometimes when my family members visit us, when the driveway is full there's nowhere to park and that's why they're parking on the street.

Mr. Phoenix: I don't believe there's any signage for no on street parking there, correct?

Mr. Desmarais: No, there's not.

Mr. Robitaille: Is there any limitation as to what is an allowable amount of registered vehicles on a residential property?

Mr. Phoenix: Registered? Not that I'm aware of.

Mr. Robitaille: Nothing in writing? No?

Ms. Robitaille: And the Volvo's already there. The livery is already there. It's one of the four cars.

Mr. Phoenix: Ma'am, can I just?

Ms. Robitaille: Sorry.

Mr. Phoenix: Just name and address so we can keep it straight in the record?

Ms. Robitaille: 243 Clover, Robitaille. The Volvo was already there. It's been there for quite a while with the livery plates on it.

Mr. Siperoglu: Yes, I can't operate right now.

Ms. Robitaille: No, I'm saying, but he's asking if there's four cars already, where's the other, the car, it's already one of the four cars.

Mr. Phoenix: So, I'm unclear. Has the business been running at all yet, or no?

Mr. Siperoglu: We can't start yet because we need a Mass DOT number for the vehicle.

Mr. Phoenix: Ok.

Mr. Siperoglu: I cannot operate the vehicle until I get that.

Mr. Coelho: So, you got the livery plate but he's not getting his DOT number.

Mr. Phoenix: Ok.

Mr. Coelho: And Lyft won't let him drive without his DOT number.

Mr. Phoenix: Okey Dokey.

Mr. Silva: All the cars that the family owns, can you park all the cars in the driveway at all times?

Mr. Siperoglu: Yes.

Mr. Silva: Everything fits at all times? --- car? --- only one that visits, right?

Mr. Siperoglu: Correct. When there's visitors, they also park into my land, not on the street actually. I have a big land.

Mr. Phoenix: Anything else from the public?

Ms. ---: I do have one other question because I couldn't hear at the beginning. Who's the actual applicant? Is it?

Mr. Siperoglu: My father.

Ms. ---: Your father?

Mr. Siperoglu: Yes.

Ms. ---: Ok.

Mr. Siperoglu: And he doesn't speak English, that's why I'm here on behalf of him.

Ms. ---: Ok. I didn't hear it right at the beginning, I'm sorry.

Mr. Phoenix: That's fair. No, the, and the way that these work is that the special permit, assuming that we grant one, would end up running with the applicant as long as they're the ones doing that same business at that same property. So, if the property were to change hands, they would need to come in and the new owner would have to get another special permit or would have to discontinue operating there. Back in the day, I think probably stopped doing it in the ---, maybe even the late 90's. We used to have it run with the property, so if you got a home office, you could actually list the house as having been approved for having a home office in it, but we stopped doing that because there's too many issues where somebody's doing one kind of home office and then somebody else comes in, they're doing something different. So, we made it so that that runs as long as it's the same people doing the same business at that same place. Anything else? One more time, anything from the board? So, we do have the waiver request from the full site plan down to the sketch and photos that we have on file, and we do need to make a finding as well, and then we can look at any particular motion that we care to make on the office.

Mr. Coelho: Mr. Chairman.

Mr. Phoenix: Mr. Coelho.

Mr. Coelho: I **MOVE** to find that the one car livery Lyft business as described by the applicant is suitable for a home occupation under the bylaw.

SECOND Mr. Carpenter.

5-0 in Favor.

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

Mr. Coelho: Mr. Chairman.

Mr. Phoenix: Mr. Coelho.

Mr. Coelho: I make a **MOTION** to waive the full site plan for Mehmet Siperoglu at 140 Paulding Road in favor of a sketch and photos as prepared by the applicant since this is in Public Hearing – Siperoglu
January 25, 2024

relation to a home occupation, and not doing so is consistent with the purpose and intent of the zoning bylaw.

SECOND Mr. Carpenter.

5-0 in Favor.

Mr. Coelho: Mr. Chairman.

Mr. Phoenix: Mr. Coelho.

Mr. Coelho: May I explain that waiver to the public please?

Mr. Phoenix: Sure.

Mr. Coelho: So, basically to start a business in town you have to do this very elaborate site plan. Because this isn't an elaborate business, and it's a home-based occupation, we waive that requirement. And because they're following all of these rules, or the intention is for them to follow these rules, allows us to waive that without being worried about it. So, I can see some look of confusion on people's faces, but.

Mr. Phoenix: It saves them from having to hire anybody to go out and do a survey of the property, show where every single thing is and all that because they're not changing the nature of the house it really doesn't make sense to make them elaborate where it is beyond a sketch and give us a photo showing what the property looks like currently so we have something to compare it to in the future. So, on the matter itself is there a motion?

Mr. Coelho: Mr. Chairman.

Mr. Phoenix: Mr. Coelho.

Mr. Coelho: I **MOVE** to approve the Special Permit under 7.0.4 a-m and the Home Occupation under Section 6.2.1 thru 6.2.13 for Mr. Siperoglu at 140 Paulding Road with the restriction that this permit will run with the applicant and not with the property and I just want to reenforce that the most he can have, the most vehicles he can have combined with the business are two more than that are normally stored there.

Mr. Phoenix: Well, that's for like that are there but only one for the business.

Mr. Coelho: Ok, with only one for the business.

SECOND Mr. Queiroga.

5-0 in Favor

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

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

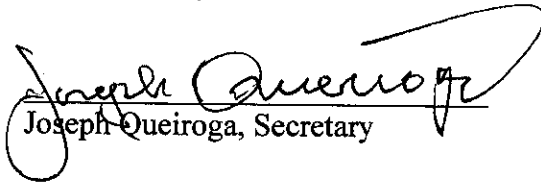
Mr. Carpenter: **SO MOVED.**

SECOND Mr. Coelho.

5-0 in Favor.

The public hearing was closed at 7:47 p.m.

APPROVED:


Joseph Queiroga, Secretary

su

Documents: Master application

(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
190 Moody Street (Assessors' Map 3, Parcel 98)
Boomerang Realty, LLC c/o Mr. Scott George
(reuse existing building for moving business and warehousing with associated site
improvements to include striping and handicap improvements to the western parking lot)
January 25, 2024**

PLANNING BOARD MEMBERS

Raymond Phoenix – Chairman (Present)
Christopher Coelho – Vice Chairman (Present)
Joseph Queiroga (Present)
Joshua Carpenter (Present)
Joel Silva (Present)
Kathleen Houle, Associate Member (Absent)

The public hearing began at 8:08 p.m. in the Selectmen's Conference Room.

In attendance: Scott George, John Masik – R Levesque Associates, attendees

Mr. Phoenix read the legal notice and gave the applicant a copy of the Turley Publications invoice. The legal notice included the description of: Reuse existing building for moving business and warehousing with associated site improvements to include striping and handicap improvements to the western parking lot.

Mr. Phoenix: As far as additional stuff in here, I have a response letter (*Mr. Phoenix read the response letter from Nina Fazio, R Levesque Associates, Inc. dated January 23, 2024 – see file*). We do have a waiver request for 1. The 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; 5. Traffic study. From Building we have, the change of use of the building has been addressed with a code review by the owner. The building department has no issues with the site plan with the understanding that a building permit for the change of use and any alterations addressed in the code review are addressed. And I believe, let's see, the one from Doug has much more black text now, just mentions the waiver of o. 1, 2, 3 & 5. Board of Health; no comments or concerns. Public Works reviewed the site plan dated January 5th had the following comments. I think those are the ones that we just looked at, yup. Fire Department, that looks like those are the ones that were already in the response letter. So that's what I have in front of me. So, I would ask, number one, for an explanation of what the proposal is, and number two, why we got plans that were missing the chart, missing the space for signing, some pretty obvious things that's not typical and I think it requires some explanation how that would've happened because that's not something we normally see come in very often like that.

Mr. Masik: If I may, my name is John Masik. I'm here from R Levesque Associates on behalf of our client Boomerang Realty LLC. Scott George is here with me tonight. I will endeavor to speak to the site plan portion of the plans being presented as far as the internal usage of the building and for operations I will certainly defer to the owner, our client, in that regard. As

mentioned, you know, this is a site it's industrially zoned on the easterly side of Moody Street, on the southerly of Westover Road. As mentioned, it's a roughly 32,000 square foot industrial building. It has loading docks. We are proposing minimal changes to the site. It's essentially a turnkey operation. In order to bring it into compliance with, you know, particularly parking, we are showing, currently there's large parking areas and there's a passenger car area to the front of the building on the westerly side. There's essentially no parking striping on the site. We're going to bring it into compliance as noted with thirteen spaces total including the two handicap spaces which will provide in excess of three spaces from what's required. You know, I'm not sure of the age of the building. It has been there. This is just essentially a reuse for warehousing and storage. Outside of that, it's serviced by all required utilities. As far as the deficiencies in the plan, I think what was originally submitted, the intent, and I can speak to this, I did draft the plan in front of you this evening. That was something that I did. I was not aware of the level of improvements that, or the lack of improvements that were going to be shown on the site. I mean, I created what was essentially an existing conditions plan. I did not realize at the time that it was going to be submitted for site plan approval. I think it may have been, other people in my office may have jumped the gun if you will and carried it further than it should have been, but I certainly agree with you that it's housekeeping measures, none of them were difficult, you know, me adding a chart to the plan is pretty basic stuff. I cannot argue with you on that. It was deficient in lacking some very simple and basic items which it probably took me less than half an hour to bring it into compliance once I had that information in front of me. I have no good defense other than to tell you that that's the short description of what happened. It was not intentionally submitted to try and be evasive or to.

Mr. Phoenix: That makes sense. If it was drawn for a different purpose and then it was submitted. That makes sense.

Mr. Masik: That's my short and brief explanation of how that came to be. Like I said, there's...

Mr. Queiroga: Can I ask you?

Mr. Masik: Yes.

Mr. Queiroga: How long has this building been vacant?

Mr. George: I can answer that. It was, we moved in in October, bought the building in August.

Mr. Queiroga: This past October?

Mr. George: This past October, yeah, yup.

Mr. Queiroga: So, it hasn't been closed that long.

Mr. George: Yeah, it was a pretty quick turn around when the old owner who had a tenant in there, he moved out and we moved in.

Mr. Stefancik: It was Overhead Door.

Mr. George: Overhead Door was there, correct, and I think he moved out in the end of July, I think. And then it took us a few months to get over there.

Mr. Coelho: Did the code review require much change to the building for your new purpose?

Mr. George: No, no it didn't. It's a lot of cleaning to do. It was a metal door company that was there, so. Other than that, though, the reason I bought it was because it didn't take a whole lot to serve our purpose.

Mr. Coelho: And will there be the addition of more bays or anything like that?

Mr. George: No, just internally, we just have steel racks that we have up and we assemble as we get busier and busier.

Mr. Queiroga: You may have said this, but what is your business?

Mr. George: So, we started out and still are very much a business that services college and boarding school students. That's what Boomerang Storage is. If you go to our website, and so as students leave for the months of May and June going home from college or boarding school, they, a lot of students that are from international locations or from, they need a plane ticket to get to this area to go to school, don't have a way to store their items on campus and campuses are less and less likely now providing storage. So that's what we do. We offer a service where our crews go there to the dorm rooms, pick up the items that are pre-boxed, and we bring it back with our crews and load up our warehouse with their stuff. That's mostly what we're using the warehouse for.

Mr. Queiroga: How many employees do you think you'll have?

Mr. George: I mean, right now we have eight of us, and then we swell up to roughly around twenty, I'd say.

Mr. Coelho: How many trucks?

Mr. George: Right now, we have three. And then we'll rent additional trucks.

Mr. Coelho: What's the build out of the business look like?

Mr. George: What do you mean?

Mr. Coelho: Well, you got three trucks now, you thinking in five years you're gonna have twelve or four, you know?

Mr. George: Well, I've been in business for since, you know, I started this business in 2008. We had one truck; we have three right now.

Mr. Coelho: It's controlled growth it sounds like.

Mr. George: It's very controlled growth. In fact, we're using less trucks now because of the way we do business. And what I mean by that is, there was a time where we were picking up by appointment and we needed a lot of trucks to cover a lot of ground. Now, we're working with schools and they're letting us pick up students' belongings after they leave. So, we can send a 26-foot box truck or a couple and pick up in bulk. So, it's actually, our rental bills or invoices are way down compared to even our earlier years.

Mr. Phoenix: So, kind of going to the stuff on the waiver, the lighting plan with luminaire schedule prepared by an engineer. There's no narrative here, so I'm gonna make some suppositions, and please correct me if I'm wrong, the reason why you would think that we wouldn't be interested in that is that you're not changing any existing lighting at the site. Is that correct?

Mr. George: Correct.

Mr. Phoenix: The elevations showing the front, rear, and sides of the building design. Again, you're not looking to change anything from what's existing, correct?

Mr. George: Correct.

Mr. Phoenix: Signage design with dimensions and locations. Again, not changing the type and location.

Mr. George: Correct.

Mr. Phoenix: And the traffic study, I think that's one where we could talk about it. Whether we think that one would be required. But I'm interested in what the thinking is for requesting the waiver on that one.

Mr. George: I'm not exactly sure what that is. I'm gonna be honest. I'm a first time building owner, so there's a lot I don't know here including what was omitted. Had no idea. If it's pertaining to the traffic flow impacts?

Mr. Phoenix: Generally, it would be the flow. So, a lot of the time when we're seeing those requests come in, people are gonna request the waiver fairly frequently anyway, but the most common ones are if a business is swapping out like for like, so there's not gonna really be a expected change in the amount of parking, the amount of traffic that's generated, or if it's two similar businesses at least. I don't know, personally, I don't want to speak for anybody other than myself, I don't know what this would be like. I wouldn't expect that it's gonna be a huge imposition as far as number of trips based on what you're describing for the business 'cause you're looking to get the stuff there, keep it there, and then get it all out in it sounds like as short a window as possible. You're gonna have short periods of intensity and then long periods of not a whole lot going on there.

Mr. George: From like May 1st to early June is when we, you know, we're busiest and then again from probably the first week of August, second week of August and then it's even quicker, by like September 7th, something like that. What I can say is that, you know, I don't anticipate it being that busy. I mean, we operate all year round. We do residential moving and so forth, so we have, and it's a small operation. So, we'll be going all year round, but the amount of, and it's not a lot of people from the Overhead Door that was coming, using that parking lot. They didn't have a lot of customer traffic. They had more customer traffic than we ever anticipate having. And we know that just because we haven't had a sign up there and so people are coming thinking that we're Overhead Door and we're not. So, we're fielding a lot of inquiries and it's not that heavy even with them. It's not a Dunkin Donuts or anything like that and I don't anticipate us. We're bringing the storage of what we have to our facility. It's not where customers are coming and dropping things off. It's not a self-storage facility by any means.

Mr. Coelho: How many shifts do you run when you're at your busiest?

Mr. George: Just one.

Mr. Phoenix: Do I have any other comments, questions, or concerns from the board before I open it up to the public?

Mr. Carpenter: So, what's the average length of time that someone stores something in your facility?

Mr. George: Four months.

Mr. Carpenter: Is there anything, any guidelines on what you can or cannot store there?

Mr. George: We have our guidelines. Anything hazardous. You know, anything flammable, lighters, things like that, gasoline or aerosols, things like that. But it's mostly just household items or anything that, furnishings that students store in dorms. Whether it's clothing, luggage, chairs, futons, dorm fridges, things of that nature.

Mr. Carpenter: And the other thing is, if I had moved, like I was moving my house and I stored my stuff with you am I able to go at any time of day to get it or do I have to make an appointment with you?

Mr. George: Make an appointment.

Mr. Carpenter: Ok. And what are your hours of operation gonna be?

Mr. George: Well, right now it's 8:30 to 4:30. And then once we expand our season, we'll start our shifts at 7:00, probably 7:00 to 7:00 at the latest.

Mr. Carpenter: I'm good Mr. Chairman.

Mr. Phoenix: I think you actually asked one of the ones I was thinking of slightly differently but close enough. I think it got my answer. You got anything Joel?

Mr. Silva: Nothing. I think you got all the questions.

Mr. Phoenix: I know you had already asked a couple things Chris, anything else?

Mr. Queiroga: I'm all set.

Mr. Phoenix: With nothing else from this side of the table for now, I will open it up to comments, questions, or concerns from the public. If you do have anything, I would ask that you do state your name for the record and address anything that you have through myself as chairman. I'll do my best to get you any information that you need. With that said, does anybody have anything at this time? I see a hand.

Ms. Skaza: Hi. I'm Lorene Skaza at 177 Moody Street. I'm directly across from the business. And I don't know if this is appropriate here or not Mr. Chairman. It was existing before they

arrived. So, it's not like just a question that I have. There's some lighting, I don't know if it's LED's or what they are, but exterior lighting that were put up probably three or four years ago, and I haven't had a chance to address it, but with my house being right across the street they're actually really bright at night. I was just wondering if there's any way that that could be changed or toned down. My house really glows, and I do have the blackout shades and I close my curtains and even that it's still quite bright at night.

Mr. Phoenix: So, I know part of the waiver request is that you're not really changing the lighting plan, but if we were still willing to move forward, assuming that we were looking to grant that waiver, would you be willing to look at shielding that light so it's not going across?

Mr. George: Yeah.

Ms. Skaza: It's the new one that, the new one on the big parking lot there, that far light. That one didn't even exist; they just had the one facing away from the road. They put up that and that one's pretty bright and by the front door there's one that's bright, but other than that I have no problems.

Mr. George: We have cameras that we installed recently, so we do want the cameras to catch whatever.

Ms. Skala: And I will tell you all those years I've been there, I've been there 28 years, there's never been any funny business over there.

Mr. George: Yeah. I almost didn't put we're a storage company so --- cameras.

Ms. Skala: Yeah, I don't blame you.

Mr. George: But yeah, we'd be willing to definitely work with you.

Ms. Skala: Alright, thank you.

Mr. Phoenix: Because normally when people come in, the plan that we normally ask for, they have a lighting engineer put together, ok, we're gonna have this light that's gonna be facing this direction with kind of intensity, so that's gonna carry over, it's gonna be this many lumens in this area, this much here, this one's overlapped so that's gonna do this here. And the general idea is you want to try and shield the stuff so that it doesn't bleed over past the end of the property. So, that's usually what we're looking for from people. That's what that lighting plan's normally for. And like I said, they're asking for us to waive because they weren't planning on changing it but I think we can...

Ms. Skala: Well, it was there before.

Mr. Phoenix: ...we can work with them on that.

Ms. Skala: I appreciate that.

Mr. George: Yeah, you can stop by, and we can talk.

Ms. Skala: Thank you. Like I said, I wish I could've brought it up back when the other people --

Mr. George: And I had no idea.

Ms. Skala: No, of course, why would you? Most people aren't there at night to see but my house kind of glows.

Mr. Masik: And there are certain shielding options that, you know, even with the same fixtures that they can alleviate some of the spill off from the site, so I suspect that there's a pretty simple solution for.

Mr. George: ---

Mr. Masik: Yes.

Mr. Phoenix: Anything else from the public? I want to make sure I'm not missing anybody. Ok, so I mean, the thing that I had had was basically just trying to figure out customer traffic to the site which sounds like that's gonna be pretty controlled. I would just maybe ask a little bit more probing as far as generally volume of customer traffic going directly to you 'cause it sounds like your operation, you try and do as much as you going to people as possible. How much do you normally see or expect to see people coming to you?

Mr. George: Rarely ever come to us. We operated in Open Square in Holyoke if you know where that is.

Mr. Phoenix: I actually worked at Open Square for a while.

Mr. George: And yeah, we never had customers ever come, once in a while you have a parent or a student come by to drop off something, some boxes or whatnot, but we, our intent is to fetch the storage and bring it back. So, it is much less than the Overhead Door's customer traffic I'll tell you that.

Mr. Phoenix: 'Cause now that you said that, I think I may have actually seen your sign when I was going in and out to work. Because I was over in 4 Open Square. I was working for Baytech/GPMF/V---

Mr. George: We were at 110 right on that first floor.

Mr. Phoenix: Ok.

Mr. George: It's just, we're just not that type of a business where customers have a need to come to us, you know? Just moving and storage and ---.

Mr. Masik: They're out of the country.

Mr. George: Yeah, we do residential moves sometimes somebody might be renovating a part of a house and we'll store some of their stuff and somebody might drop by to pick up something, but our whole, the whole business idea from the start was to fetch the storage, bring it back to our facility and then deliver it. That's what the whole concept has been.

Mr. Phoenix: Ok, I think that works for me. So, unless there's anything else from the board, I'd like to start looking at the waiver requests. And to kind of keep things moving, I'm gonna ask, let's see, I'll entertain a MOTION to approve the waiver request for 7.1.5.o 1, 2, 3, and 5 given the nature of the proposed usage and the fact that no changes are being contemplated, however, with the condition that the lighting that's spilling over to the neighboring property across the street be addressed so that that's no longer a concern for the neighbor.

Mr. Carpenter: **SO MOVED.**
SECOND Mr. Coelho.
5-0 in Favor.

Mr. Phoenix: So, on the plan itself is there a motion?

Mr. Coelho: Mr. Chairman.

Mr. Phoenix: Mr. Coelho.

Mr. Coelho: I have to run for re-election.

Mr. Phoenix: You know I did write those so you could say I make a motion in the standard form.

Mr. Coelho: I make a **MOTION** to approve and sign the site plan for Boomerang Realty LLC c/o Mr. Scott George on 190 Moody Street, Assessors' Map 3, Parcel 98.

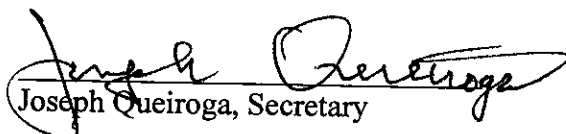
SECOND Mr. Carpenter.
5-0 in Favor.

Mr. Phoenix: I'll entertain a MOTION to close the public hearing.

Mr. Carpenter: **SO MOVED.**
SECOND Mr. Coelho.
5-0 in Favor.

The public hearing was closed at 8:35 p.m.

APPROVED:


Joseph Queiroga, Secretary

su

Documents: Site Plan Approval Application – Proposed Building Reuse – Moving & Warehousing (Boomerang Realty, LLC) (January 5, 2024); Response Letter – Site Plan Review Application, 190 Moody Street – from Nina Fazio, R Levesque Associates, Inc. (January 23, 2024); Waiver request; Comments from town boards/departments; Site Plan – 190 Moody Street – Map 3 Lot 98 Ludlow, Mass. (Revision B. 01-23-24)

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

**TOWN OF LUDLOW PLANNING BOARD
RESCHEDULED PUBLIC HEARING – WAIVER OF FRONTAGE
601 Center Street (Assessors' Map 16B, Parcel 96)
David Beauregard**

**(Divide an existing parcel into two new lots, each containing an existing residential structure, as per submitted plans. Lot 11-2 will require a waiver of frontage from 140 feet to 93.90 feet, and Lot 11-1 will require a waiver of frontage from 140 feet to 12.50 feet.)
January 25, 2024**

PLANNING BOARD MEMBERS

Raymond Phoenix – Chairman (Present)
Christopher Coelho – Vice Chairman (Present)
Joseph Queiroga (Present)
Joshua Carpenter (Present)
Joel Silva (Present)
Kathleen Houle, Associate Member (Absent)

The public hearing began at 8:40 p.m. in the Selectmen's Conference Room.

In attendance: David and Maureen Beauregard, attendees

Mr. Phoenix read the legal notice, advised the public that the cameras are recording, and gave the applicant a copy of the Turley Publications invoice. The legal notice included the description of: Divide an existing parcel into two new lots, each containing an existing residential structure, as per submitted plans. Lot 11-2 will require a waiver of frontage from 140 feet to 93.90 feet, and Lot 11-1 will require a waiver of frontage from 140 feet to 12.50 feet.

Mr. Phoenix: So, we do also have some paperwork in here as far as the rescheduling, I don't think you have to readvertise and I believe what you've done is enough. You don't even need to send the abutters notices, but it doesn't hurt. I treat these like snow days if the board cannot/is unable to meet and was scheduled to hold a public hearing. That hearing gets automatically kicked over to the next meeting. There's nothing in the open meeting law/zoning act covering this but that's the general practice. And I don't think you here were early enough in the evening for it, but we did have an issue that we continued earlier this evening, and I think the way that we did that might be our best move going forward anyway, when we continue have a backup date just as a failsafe.

Mr. Coelho: Yeah.

Mr. Phoenix: And that way there, people understand ahead of time too if it's two weeks out or if it's three weeks out depending on the way the calendar works or what's going on. As far as comments, Fire Department has no comments in regards to dividing an existing parcel located at 601 Center Street. From ConsCom we have no wetlands. I feel like I'm missing a page. Assessors no comments. Public Works no comments. From Board of Health, more information on septic system. From our office, the applicant is looking to separate a parcel with two homes into two separate parcels. The applicant received a special permit from the Zoning Board of Appeals for the reduction of frontage and square footage and associated setbacks. See attached

ZBA Notice of Decision. The Waiver of Frontage will need to be recorded, if approved by the Planning Board. We also have Building Commissioner, no comments. And here's the language from the Board of Appeals as the Planner mentioned. (*Mr. Phoenix read the Notice of Decision from the Board of Appeals – see file.*) And I have another piece of correspondence here. This is when Doug was considering that it may have only had three voting members here which is not the case tonight, so it's not strictly relevant. However, for people's future notice, yes a waiver only requires a majority vote, but 81R applies to subdivision rules and regulations – not the dimensional frontage requirements within a zoning bylaw. Cites some relevant case law. I think they need a variance. And Doug responded saying that they already got that from the ZBA. And town counsel responded, I got it, I was wondering if that was the case, great. So that's where we're at on that. I do have some copies of some of those comments for your perusal. I know I've read in a little bit of what's going on, but if you wouldn't mind explaining for the board what, in regular English what's going on, yeah.

Ms. Beauregard: Why we're doing this? I'm Maureen Beauregard. And my brother and his wife and my husband and I inherited my parents' house. The front house was the actual person that built the house, and the back house was for the children of the front house, but they didn't live there so it's always been rented. For a short time, my brother lived in there. So, we're separating it because in the future, you know, your family and everything but when we pass, we don't want to have our kids in a situation, not that they're going to, but you never know. It's for the future. We felt we should do it now.

Mr. Beauregard: Basically, what it is now, we have four people. We each own two half houses. You know, we own half of each house.

Ms. Beauregard: Yeah.

Mr. Beauregard: So, we'd like to get it separated. He wants the back house; we want the front house and then we're gonna split the property ---.

Ms. Beauregard: He lives in Arizona for the winter. It's for the future, making sure that everything is straightened out.

Mr. Beauregard: When we pass that the kids don't have a problem.

Ms. Beauregard: Not that we're thinking they will, you know.

Mr. Phoenix: It's good to be proactive on this kind of thing.

Ms. Beauregard: That's what we do. We're very much like that. We've all decided, the four of us.

Mr. Phoenix: Ok. So, with that, does the board have any questions, comments, anything at this time?

Mr. Coelho: No, I don't.

Mr. Carpenter: It's pretty straight forward here.

Mr. Coelho: Will that, I do. Will they have to do an estate lot at some point?

Mr. Stefancik: No.

Mr. Coelho: No, ok.

Ms. Beauregard: --- my brother, then him, then I got into it.

Mr. Coelho: There's a lot to learn when it comes to this kind of stuff.

Ms. Beauregard: --- before he left.

Mr. Beauregard: --- Then he went to Arizona --- cold weather.

Mr. Carpenter: We don't have anything, it's not a shared driveway, is it?

Ms. Beauregard: We have our own driveway.

Mr. Carpenter: ---

Mr. Beauregard: The way we showed the Appeals Board is what we did was, we have the driveway up to ours, we share it up to ours, the first house and then where the line comes in, where Paul Smith separated it, they're gonna own the other part of the driveway, but we're just gonna share the beginning of it.

Mr. Coelho: There's not really much you can do here to make it...

Mr. Phoenix: Yeah.

Mr. Coelho: ...some sort of organized you know?

Mr. Phoenix: Yeah.

Mr. Beauregard: That's what we're trying to do.

Ms. Beauregard: And our house is 1929 and the neighbor had already been separated a long time ago.

Mr. Beauregard: Yeah, we have neighbors that have two houses that were on the same property at one time and years ago they actually got it separated.

Ms. Beauregard: Yeah, they brought that up at...

Mr. Beauregard: They did it ---.

Mr. Coelho: And I suppose the deeds are gonna have some sort of legal mechanism describing that driveway and access, yeah, you're gonna have to, right? And that's out of our hands anyway.

Ms. Beauregard: Oh definitely ---.

Mr. Beauregard: Yeah, we talked about that.

Ms. Beauregard: Dot the I, cross the T.

Mr. Phoenix: If there's nothing else from the board at the moment, it is a public hearing so I will ask if there's anybody who's here this evening who has any comments, questions, or concerns. If you do have something, please state your name and address for the record, and address everything through myself and I'll try and get you any information that you need. Does anybody have anything that they'd like to add or ask at this time? Ok, hearing nothing, I'll ask the board one last time if they have anything. I will just make sure I pass that all the way over to you so I don't get in trouble for not doing it.

Mr. Beauregard: --- check for that.

Mr. Phoenix: I think Doug or Sue could take that from you.

Mr. Beauregard: Ok.

Mr. Phoenix: And then if we don't have anything, I'd ask for a motion on the matter and a motion on the public hearing.

Mr. Coelho: Mr. Chairman, I make a **MOTION** to waive the frontage for David Beauregard at 601 Center Street, Assessors' Map 16B, Parcel 96 to divide an existing parcel into two lots each containing a residential structure as per submitted plans. Lot 11-2 will require a waiver of frontage down from 140 feet to 93.90 feet, and Lot 11-1 will require a waiver of frontage from 140 feet to 12.50 feet.

SECOND Mr. Carpenter.

5-0 in Favor.

Mr. Phoenix: I'll ask for a **MOTION** on the public hearing and then we can look at the ANR that goes along with this.

Mr. Carpenter: **MOTION** to close the public hearing.

Mr. Coelho: Do we need roll call?

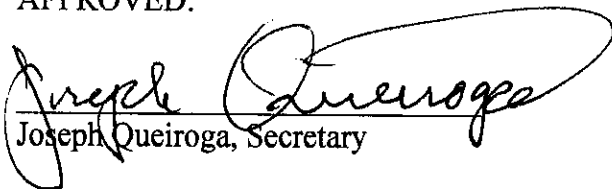
Mr. Phoenix: No, because it wasn't a special permit.

Mr. Coelho: Ok, **SECOND**.

5-0 in Favor.

The public hearing was closed at 8:52 p.m.

APPROVED:


Joseph Queiroga, Secretary

su

Documents: Master application; Comments from Town Departments/Boards; Email from Brian Winner to Douglas Stefancik RE: Legal Notice (January 12, 2024); Email from Brian Winner to Douglas Stefancik RE: Waiver of Frontage (January 11, 2024); Notice of Decision – Zoning Board of Appeals – 601 Center Street; Approval Not Required Plan of Land – Center Street Ludlow, MA – owned by Maureen L. & David Beauregard and Timothy J. & Sandra Donnelly (December 7, 2023)

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

**TOWN OF LUDLOW PLANNING BOARD
RESCHEDULED PUBLIC HEARING – SITE PLAN
20-56 East Street (Assessors' Map 13C, Parcel 58)
Marco Vieira (V & V Properties LLC)
(update site plan for gym and café)
January 25, 2024**

PLANNING BOARD MEMBERS

Raymond Phoenix – Chairman (Present)
Christopher Coelho – Vice Chairman (Present)
Joseph Queiroga (Present)
Joshua Carpenter (Present)
Joel Silva (Present)
Kathleen Houle, Associate Member (Absent)

The public hearing began at 8:56 p.m. in the Selectmen's Conference Room.

In attendance: Marco Vieira, attendees

Mr. Phoenix read the legal notice and gave the applicant a copy of the Turley Publications invoice. The legal notice included the description of: update site plan for gym and café.

Mr. Phoenix: As far as comments, we have from Building Commissioner; floor plans & construction control required for permitting. Fire Department (*see file*). ConsCom; no wetlands, Assistant Town Engineer; no comments, Board of Health; proper permits for café and gym, plan review – first step for the café. From our own office running through the checklist, I see nothing until o. 1, 2, 3 & 5 needing a waiver. Here is your copy of those things. With that done, I'd ask if you could just describe for us what you're looking to do.

Mr. Vieira: Well, for the gym we'd like to have a little more parking. So, our concern also was that you guys might want us or might need us to have more parking throughout the whole plaza, so there's a few spots in the back, where we're adding a few parking spots and for the gym we're hoping to get seven more parking spots, I believe, which is to the right of the handicapped. So, there's four in the back, I'm sorry, so it would be eight. So, there'd be four in the back and four to the right of the handicapped. And that's for that matter. As for the coffee shop, I mean there's nothing set in stone yet, it's just we've had a few inquiries about putting a coffee shop there and both inquiries were asking about a drive-thru which it's not feasible for the plaza. But for a drive-up window, a service window, where you could order ahead and just pick it up at the service window would be ideal for a coffee shop. So, the idea was to create an app, where they can go in, they can put in an order, then they just pull up and pick it up.

Mr. Silva: Where would that window be?

Mr. Vieira: So, there's a bump out.

Mr. Stefancik: Is it a walk up or is it a drive-up?

Mr. Phoenix: He just said drive up.

Mr. Vieira: Drive up. Right now, there's a drop box, a walk up, where the old bank used to be and that's where the drive-up window would be.

Mr. Stefancik: 'Cause a drive-thru is gonna have to have a special permit.

Mr. Vieira: Would that be considered a drive-thru though?

Mr. Stefancik: Walk-thru.

Mr. Phoenix: That's why I'm pulling up the bylaws so I can look at the definition of things.

Mr. Vieira: 'Cause a drive-thru, I mean, we're not ordering things, we're not.

Mr. Stefancik: It wasn't configured to be a drive-thru either. It was just a ---.

Mr. Phoenix: I mean, if it were a drive-up.

Mr. Vieira: --- a service window.

Mr. Phoenix: Right, but again, like if you were to look at those traffic arrows, you've got traffic going to the right past there, which would end up putting somebody's passenger window up against the building which wouldn't really make sense, so then you'd have to figure out what's that traffic flow actually look like, where are those cars going because you've got a one way arrow behind the other building and I don't believe you have any directional arrows behind on the other side. You got, looks like there's one that might be blending in with the other line there. Let me get that definition. Helps when you actually connect to the WiFi.

Mr. Coelho: So, would you be removing the sidewalk that's there so people could drive their car closer to the building?

Mr. Vieira: No, because it's already, I'll show you guys.

Mr. Stefancik: Drive-thru service, a feature or structure that allows commerce service or other similar activity while a customer or client is able to remain in his or her vehicle this does not include uses limited to full service gas stations.

Mr. Phoenix: Yes, you're about twelve seconds ahead of me there.

Mr. Coelho: --- analog too.

Mr. Phoenix: Well, that's why it was faster.

Mr. Vieira: So, we have a sidewalk here. There's a bump out here and the roof actually comes out with it, so essentially, you'd just be driving right up to the window over here which we'd have to enclose that. Like I said, the roof is already there.

Mr. Phoenix: When I was looking at this originally prior to the meeting that didn't work out, my understanding that that was probably gonna be for a walk up, and I tried to reach out to the board

to express that concern if I wasn't gonna be here because there's no real protection for pedestrians there to try and do a walk-up service window unlike when Friendlies in town had the walkup window. There was the definition of the curb, there were the curb stops that were there in front of those spaces. I can't remember if they actually had the poles there as well. Eventually they ended up having tables that were kind of in the way. They had the enclosed structure that was there. It was clearly a pedestrian area. Cars weren't going to be going there. It's not the case with the existing infrastructure at the site and I really didn't see much calling out for that. If the intention is for cars to go through there, I can see why you wouldn't have stuff there to stop cars from going through there, but the plan doesn't show what I would consider to be a logical way for a car to pull up to there because you're not really gonna do a drive-up business through a passenger window I wouldn't think. But at the end of the day if the intention is for that to be used for any kind of drive-up window, we can't approve that in this hearing tonight because that's not what the application was for. That would require a special permit which is a different process.

Mr. Vieira: Ok.

Mr. Phoenix: So, we can look at this as is or if the intentionality is for there to be a drive-thru there or drive-up or whatever language you want to use under our definition that's a drive thru, if that's the intentionality, I don't know if maybe you might be better served having us hold off on reviewing this, have the plan updated to show how that's gonna be taken into account and have us reviewing it for a special permit at a hearing at the same time. That might be the cleanest way to get you to a decent end goal. I don't know how those conversations are gonna go, but as is we can't approve this ---.

Mr. Queiroga: Pictures would be helpful.

Mr. Phoenix: You can go on Google Maps and see pictures.

Mr. Vieira: Yeah, the reason for this was, actually it all started because Leslie needed a plot plan for the gym and then they had told me if I wanted to do anything in the future to do it all now, so.

Mr. Phoenix: But I mean, even if that were a drive up, and depending on how that is, there's not really any cueing distance there unless you're wrapping around the building by the fire lane. It's already kind of tight for those cars to back out of there. Like the handicapped ones have the stops in front of them so you can't put through those even if there were an empty space across from you. When they end up with, like the armored cars and stuff parking where they're not supposed to in the hashed off area, makes it hard for cars to get in and out. I've definitely seen people honking their horns angrily at them before.

Mr. Vieira: Right.

Mr. Phoenix: So, I think there's gonna have to be conversations had about how that's gonna be managed to keep traffic flow safe. 'Cause I don't think there's any reality where you're just gonna get one person coming up at a time and not have a second or third car trying to pick stuff up.

Mr. Vieira: Ok.

Mr. Coelho: Unless it's lousy coffee. That's not the point.

Mr. Phoenix: Or free. Coffee can be, you know. I don't know, but it, so I don't know. It's up to you. Do you want us to look at this as the site plan that was submitted, or do you want to?

Mr. Vieira: No, I'll just get a different drawing explaining exactly how it's gonna flow.

Mr. Stefancik: Do you need this approved though for things going through for Building Department?

Mr. Vieira: No, because we're not doing anything with the space yet. This is just for future potential tenants who want.

Mr. Stefancik: What about the gym? 'Cause she was holding up permitting on the gym with wanting an approved site plan for the property.

Mr. Vieira: For the parking, yes. I would need some kind of approval today.

Mr. Stefancik: Then you should have this approved and then come back and update the site plan and do a special permit.

Mr. Phoenix: I can't speak for any other board members, but I'm not approving that plan tonight because it's got stuff showing a service window that's not gonna actually be a service window. I wouldn't be approving that as a walk up or a drive-thru either way. So, that plan would require modification before getting approved.

Mr. Vieira: Oh, so you can't approve the parking spots today?

Mr. Phoenix: Like I said, I can only speak on behalf of myself, there's four other people here with their own minds. They can make motions however they want, but I'm telling you that I could not in clear conscience approve a plan tonight that's got stuff on it that isn't correct. So, at the very least you'd have to go out and have something done with that.

Mr. Vieira: So, that should've been separate, a separate plan.

Mr. Queiroga: Marco, which parking spots have you added?

Mr. Vieira: I haven't added any yet.

Mr. Queiroga: You haven't added any?

Mr. Vieira: No.

Mr. Queiroga: How many would you like to add?

Mr. Vieira: Mind zooming out a little bit?

Mr. Queiroga: Those down by the river?

Mr. Vieira: Right, four here. --- these four right here. I believe he was adding more here to just give --- amount of parking for the plaza itself.

Mr. Silva: Is it seven on the bottom Marco? Next to the river, you say you have the seven proposed spots right there and two in front of Pieroways and four on the top corner? There's two on the corner, seven.

Mr. Vieira: Seven here, and then four here.

Mr. Silva: Then two over there on that side. You got two over there in front of Pieroways. I think that's Pieroways.

Mr. Vieira: Yeah, I remember he added more to Pieroways.

Mr. Silva: See where the two arrows are in front of the Pieroways store?

Mr. Vieira: I don't see it.

Mr. Silva: Subway whatever, I can't even remember what's over there.

Mr. Vieira: Right over here, yes.

Mr. Silva: Right there. So that makes the total that he came here for.

Mr. Vieira: So that'll be thirteen. Seven, four.

Mr. Silva: Yes, I believe so, yeah.

Mr. Vieira: --- improving the parking lot by adding more parking spots.

Mr. Queiroga: You're asking us to...

Mr. Vieira: To approve.

Mr. Queiroga: Just approve the parking spots at this point.

Mr. Vieira: Yeah, just approve the additional parking spots. I don't know if that needs to be on a separate plan.

Mr. Coelho: Do you have any, is this an addendum already to your existing site plan? This is all brand new, right?

Mr. Phoenix: I believe it's brand new.

Mr. Stefancik: It's a new site plan. Could it be approved without the approval of any service window? That just needs to be, he needs to come back with a plan showing no service window.

Mr. Coelho: That would be an addendum.

Mr. Stefancik: No, if it gets approved with the condition that there's no service window there, then he would need to come back to do a new plan or an amended plan showing the service

window and a drive-thru and any changes to parking or the drive-thru location and how that will look would be separate public hearing altogether.

Mr. Phoenix: I mean, we can do conditional approvals, but we generally don't. And that was originally under advice of town counsel because those can end up sometimes a little bit funky. I mean, the plan that we've got in front of us has words on it that need to be crossed out at the very least. But then if we're looking at this later on, if it's coming back and we're gonna be adding in a drive-thru, and then we need to change the circulation arrows and we need to look at other issues, I don't know that that all falls under a site sketch especially since usually we get a, at least a request to waive the public hearing on those. We'd still need one for the special permit. Just, it gets muddy.

Mr. Coelho: If he wants a service window, he would have to do another site plan with a special permit and have it designed properly. Why don't we, Mr. Chairman if it's your pleasure, see what the public has to say about this and.

Mr. Phoenix: We can certainly do that. I don't know if the people that are in the room are here on this issue, but if they are and have anything to add or ask at this time I just ask that you state your name and address for the record.

Ms. ---: I'm not here for that.

Mr. Phoenix: I had a feeling at least some of the people were here for the next one but just giving people the opportunity.

Mr. Coelho: I don't have a problem making a conditional approval as long as all mention of the service window or drive-thru are removed from this plan and resubmitted at least congruently with Leslie issuing any kind of permit. She's not gonna issue, she'll be able to issue a permit after we approve, correct?

Mr. Phoenix: I think that's up to her, but probably. I mean I, if we make the motion conditioned on that being removed, then the motion doesn't technically really take effect until it's been removed, and we have a plan that's signable without that on there. So, depending on how Leslie wants to act on it, she could act as soon as the motion's done, or she could wait until the plan's been updated to be correct to match the motion.

Mr. Queiroga: Ok, so this whole thing inside here, proposed café, 28 seats, 2,000 square feet with service window. That would you'd need to, until you got it approved, you'd need to take this out.

Mr. Coelho: I think just the service window he'd need to take out.

Mr. Phoenix: Well, he'd need to take the service window out, but we also need to figure out other things if we are evaluating this site plan, we'd then need to look at what is that doing to the property. Like the last thing that was in there was a bank. Is the parking and the traffic that's gonna be generated by a café going to be different and require a traffic study or is it gonna be different and require something different on the property? We're gonna have to have those conversations if we're approving it for the café. Same as any time that something's changed the nature of the business.

Mr. Queiroga: --- eliminate anything here even if he has to redo it and come back to us, but the fact that he wants to put in these parking spots to me is a non-issue.

Mr. Phoenix: It would be except for what's on the plan.

Mr. Queiroga: Right, except this.

Mr. Phoenix: I think I can probably be on board with doing a conditional approval if we at least come to agreement on what the additional submission's gonna have to be. Is that gonna be that it needs to come in to get that to be a café, is that going to require full site plan again? Is that gonna be a sketch? What is that gonna look like?

Mr. Coelho: Without a drive-thru he's not gonna need a special permit so without a drive-thru that could almost be a Change of Occupancy.

Mr. Phoenix: Well, no, because Change of Occupancy's like for like and there's never been a café there.

Mr. Coelho: --- ok.

Mr. Phoenix: Then you're gonna tell me that a café does the same volume of business as SIS used to? Because I'm pretty sure the café's gonna have more and it's gonna be at different times of day.

Mr. Vieira: Which is another reason why we added more parking.

Mr. Phoenix: Yeah.

Mr. Queiroga: So --- approval and let you do more homework on the other part. Try to figure out how to do it without opening up areas that don't need to be opened.

Mr. Phoenix: The cleanest way is to just figure out what he wants to have on that plan, put it all together and have it be something that we can actually review, have it be under special permit, advertise it as such and do it all in one shot. If we're trying to rush to be able to meet the needs of a business that wants to go in there, we're creating more steps, we're creating more points of obfuscation as far as what's going on and more opportunities for things to fall through the cracks. My interest is generally in trying to keep things clean and sensible and make sure that we're doing things the right way more so than trying to expedite one particular business or another.

Mr. Coelho: Ok.

Mr. Phoenix: I don't think we're gonna gain that much time having this revised, come back, and then get signed over having this revised, advertised for what he actually wants to do and just do it once and be done with it.

Mr. Coelho: That's fine, however, other developers come in front of us with similar then they have spots like vacant where they have buildouts that they, they're not showing us what's going there yet. They get approvals.

Mr. Phoenix: They get approval without knowing what those things are because they'll usually give us an approximation of what's gonna be there and then when it goes in they need to come back in for approval through us.

Mr. Coelho: What vehicle do they use for that?

Mr. Phoenix: I think on most of those, those are coming in as, probably as amendments, but it depends on the thing that's going in there and how many have changed.

Mr. Queiroga: This one is still vacant, correct?

Mr. Vieira: It is, but I also filed for a change of use for that space as well.

Mr. Stefancik: Yeah, we have a Change of Occupancy for the vacant retail. That came in after the plan came in and that's for a home improvement center under Change of Occupancy.

Mr. Queiroga: You used Paul Smith?

Mr. Vieira: I did.

Mr. Queiroga: You know he could do it up quick.

Mr. Vieira: Change of use, so for the change of use I need to put that on this plan as well?

Mr. Queiroga: If that's what you're giving us.

Mr. Stefancik: It could fit under vacant retail because it does serve that retail umbrella.

Mr. Phoenix: And which one is that, Doug? From rehab facility to home remodeling showroom. I don't even know how that's a Change of Occupancy. That sounds like at least a site sketch if not site plan because that's not a like for like. That's not an appropriate ---.

Mr. Stefancik: It would be in the vacant retail area.

Mr. Phoenix: From ok, but whether it was a rehab facility, vacant retail or a shoe shine shop, it wasn't a home remodeling showroom and it didn't have the kind of traffic generation or customer base that a home remodeling showroom would, so it doesn't belong under a Change of Occ. Change of Occ is like for like.

Mr. Stefancik: Vacant retail space they have is requiring 14 parking spaces. It isn't like for like but it's utilizing at least 14 parking spaces.

Mr. Phoenix: Right, but it doesn't belong as a Change of Occupancy.

Mr. Stefancik: And it could go in...

Mr. Phoenix: It's not retail to retail; it's not service to service. It's apples to oranges. I would just say put everything on one stinking plan and just be done with it. I don't know why we're overcomplicating this.

Mr. Vieira: But if I do that, then you guys deny the drive up window, that means you have to deny the whole plan, right?

Mr. Phoenix: Not necessarily.

Mr. Vieira: Isn't that the case right now?

Mr. Phoenix: No, if you at least, if you're applying for it, we can deny it and have it be a condition of approval or say that you need to get it amended before we can approve it. There's a number of ways we can go from there. But, right now, that plan doesn't indicate what you would be looking to do with it. It doesn't indicate reality. And the other submission of the Change of Occupancy wasn't the right application in the first place. I'd be willing to, you know, have that one go back out and waive the fee and whatever on that because that never should have come in that way. That's not right. That should've been either on here or on a sketch that amends this.

Mr. Vieira: I was told that this is the application for a change of use.

Mr. Phoenix: It doesn't make sense for that.

Mr. Coelho: I just want to make sure we're treating the small developer that same way the big developer gets treated. And it's not our fault the big developers are a little more sophisticated and they hold their cards a little closer to their vest, you know, that's what I'm trying to, I just want to make sure.

Mr. Phoenix: I don't know where that's coming from Chris.

Mr. Coelho: Where that's coming from is that when the big developers are planning stuff like this, they don't give us this kind of detail usually.

Mr. Phoenix: If they didn't give us this detail, we'd tell them that they'd have to. Requirements say that they have to have arrows for the traffic flow on the plan.

Mr. Coelho: That's fine, but I'm talking about specifically calling out, they would say vacant retail here.

Mr. Queiroga: What was the bank that was here or was that ---?

Mr. Coelho: That wasn't a bank, it was a rehab facility.

Mr. Queiroga: That was a rehab?

Mr. Phoenix: The bank was on the...

Mr. Queiroga: It was a Portuguese bank.

Mr. Coelho: Dude, I don't know.

Mr. Vieira: Before the rehab it was a Portuguese bank but the most latest was the rehab place.

Mr. Queiroga: Are they still there?

Mr. Vieira: No, they're not there.

Mr. Queiroga: Well, we got to make a decision here. I'm late for breakfast.

Mr. Coelho: That's not a reason we have to make a decision.

Mr. Queiroga: Yeah, I know. Got any suggestions Mr. Chairman?

Mr. Phoenix: Well, I've made my suggestions. My suggestion is give him back his money for the Change of Occupancy that never should have been turned in and have him apply for the special permit and have that be heard at the same time as a revised version of this plan that shows us what we need in order to be able to approve the thing. That's my suggestion. Do the other work so we can do it once and do it right. Have that other stuff that was tried to be put in as Change of Occupancy shown on here. One plan that shows what he's looking to do and we go from there.

Mr. Vieira: Are you ok with that?

Mr. Phoenix: That's, that's.

Mr. Queiroga: I mean, we're trying to help you.

Mr. Vieira: Yeah, that's fine. I can update the plans.

Mr. Queiroga: Paul was here today.

Mr. Vieira: I'm sure he's here a lot. Alright, so Doug, I'll come in and fill out whatever application I need to change or fill out to change the use.

Mr. Coelho: Can we continue this hearing to another time?

Mr. Phoenix: That's what I was trying to think.

Mr. Silva: It's very confusing because he still doesn't know how to move forward from this. He doesn't know what to do. He's gonna leave here and doesn't know...

Mr. Phoenix: Well, we can't tell him what to do. We legally cannot tell him what to do.

Mr. Coelho: That being said, in an effort to streamline this for the applicant who is trying to do his best can we continue this hearing and add a special permit for the drive thru in, let's say, speak with Paul Smith in quickly he can help you or how quickly this can get done, but I'd rather you have more time to do it right than less time. So, your seven parking spots for your gym aren't gonna cause you to shut your doors right now, are they?

Mr. Vieira: No, and I wouldn't put the lines in till the spring anyways.

Mr. Coelho: Ok. That being said, I want to make a motion to continue this public hearing...

Mr. Phoenix: What are you thinking, like give a month so that we have time to get the paperwork, to get it, get the paperwork put together, and...

Mr. Coelho: And how long does he have to notify for the special permit?

Mr. Stefancik: We need two weeks to advertise. So, you're talking probably the second February meeting.

Mr. Phoenix: Or do you want to give a little bit more buffer for the...

Mr. Coelho: A little bit more buffer 'cause this is complicated.

Mr. Vieira: But is this gonna be treated as a drive-thru?

Mr. Coelho: Yes.

Mr. Phoenix: Yes, if you submit it to have that be a drive-up service window, then yes, it meets the definition of drive-thru window for the Town of Ludlow.

Mr. Vieira: So, I might not even apply for that then because...

Mr. Coelho: Then that's gonna make it a little bit easier then for you. So, we can continue this hearing so you can get this updated to indicate what's going there and your parking spots. That can be a lot quicker, I think.

Mr. Phoenix: Yes.

Mr. Carpenter: And that would be the removal of the window, proposed service window.

Mr. Phoenix: Remove the window and put in that other business that was trying to come in as a Change of Occupancy. Just add that to the table and everything and we can look at that at the same time.

Mr. Coelho: And then when you figure out for here, I would also put, if your café isn't gonna, if the drive-up window isn't a deal breaker for your café, go to vacant retail here. So, there's something there.

Mr. Phoenix: Well, I'm not gonna get into that. I would say bring it in, if he doesn't want to do the drive-up window for now, then take that off, put on the things that he wants to have there, and we look at it again.

Mr. Coelho: Ok.

Mr. Phoenix: Let me just ask, in fairness to the applicant, I know we're gonna have more time to look at it if there's revisions to the plan. We're gonna look at it with slightly different eyes, all that standard caveats of stuff, but at the moment, aside from the drive-up window, does anybody see anything that's a deal breaker for them on this plan? I don't think I do. I don't know about anyone else.

Mr. Coelho: He's gotta neaten it up anyways. There's missing spots where there should be spots. He's formalizing these down here which aren't gonna make a difference to anybody other than who goes to the gym ok? 'Cause nobody that goes to Subway is parking here unless they're going to walk there as their warmup, get their sub, and then go to the gym.

Mr. Phoenix: 99% of people aren't even gonna know there's parking spots back there.

Mr. Coelho: Exactly.

Mr. Silva: You can start something back there.

(multiple people talking)

Mr. Coelho: So, I don't think the parking spots make a big difference. It adds a little more versatility to the plan as a whole. Over here, that's not affecting traffic, over here they're not affecting traffic.

Mr. Phoenix: So, if we're taking out the complexity of the drive-up, continue it for one month? Give him two meetings so the drawings can get done and then we take a look at them?

Mr. Coelho: The 22nd of February.

Mr. Phoenix: I know we just did a 7:30 on that one.

Ms. Urban: We can do 7:00.

Mr. Phoenix: Ok, so 7:00 on the 22nd of February with a back up of whatever 14 days after that is, I guess.

Mr. Urban: March 14th.

Mr. Phoenix: Pi day.

Mr. Vieira: So, basically just changing the wording where the showroom's gonna go.

Mr. Coelho: This is going from not being a Change of Occupancy to putting what you got going there. And this one's getting rid of anything about drive-thru café and making it look like that looks like now, vacant.

Mr. Phoenix: Well vacant, or it could be café.

Mr. Coelho: Well, if he's gonna have the café in there. What if the café says oh, you're not giving me my window, I don't want to be there and somebody else comes down the road.

Mr. Phoenix: Then he finds a different café, or he comes in. 'Cause if he does vacant retail, it's still gotta come in to finalize what's going in there in some fashion anyway.

Mr. Vieira: I got some white out. I can just.

Mr. Queiroga: Talk to Paul.

Mr. Vieira: I will.

Mr. Phoenix: So, we've heard the dates February 22nd with a backup of March 14th at 8:00. Is there a MOTION to continue until those times and dates?

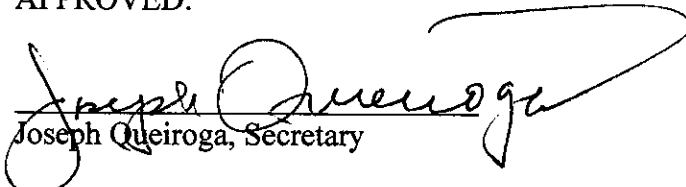
Mr. Coelho: **SO MOVED.**
SECOND Mr. Carpenter.
5-0 in Favor.

Mr. Phoenix: I'll entertain a MOTION to refund the fee for the Change of Occupancy that was erroneously submitted.

Mr. Coelho: **SO MOVED.**
SECOND Mr. Carpenter.
5-0 in Favor.

The public hearing was continued until February 22, 2024, at 7:00 p.m.

APPROVED:


Joseph Queiroga, Secretary
su

Documents: Master application; comments from town boards/departments; waiver request; Site Plan – 20-56 East Street Ludlow, MA owned by V & V Properties, LLC (November 27, 2023); Change of Occupancy for Jared Duff, 40 East Street

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

**TOWN OF LUDLOW PLANNING BOARD
CONTINUED PUBLIC HEARING – SITE PLAN
21 Harding Avenue (Assessors' Map 12C, Parcel 70)
PREM, LLC
(approval for an all-alcohol package store)
January 25, 2024**

PLANNING BOARD MEMBERS

Raymond Phoenix – Chairman (Present)
Christopher Coelho – Vice Chairman (Present)
Joseph Queiroga (Present)
Joshua Carpenter (Present)
Joel Silva (Present)
Kathleen Houle, Associate Member (Absent)

The continued public hearing began at 9:32 p.m. in the Selectmen's Conference Room.

In attendance: attendees

Mr. Phoenix: Ok, so this is a continuation of an existing public hearing. The continuation was then rescheduled to tonight. This was again due to health issues of board members and their family. We do have two copies of what appears to be the same letter but stamped in on different dates which is weird.

Mr. Stefancik: One was emailed, and the other went via mail.

Mr. Phoenix: That'll do it, ok. But the January 5th letter, whenever it was received, from the applicant: *Dear Chairman Phoenix, My client PREM, LLC respectfully requests that the site plan application for the proposed project at 21 Harding Street be withdrawn without prejudice. Thank you for your attention to this matter. Sincerely yours, Joshua Y. Levine.* And I don't believe we have anything further, just the letter requesting to withdraw.

Mr. Stefancik: Yes, that's correct.

Mr. Phoenix: So, for anyone playing the home game, to make sure people are caught up, this would be the application that we had gotten in for a liquor store in the Ludlow Linoleum, Deanna's Day Spa building over by CVS that we had been discussing at some length previously. So, it appears that the applicant would like to withdraw that application at this time and not go forward with their proposal. Does anyone from the board have anything to say? Hearing nothing, I'm gonna, just as a formality, I am gonna ask the public if they have anything that they'd like to contribute before we take action on the request to withdraw. If you do have something, I know who, at least, some of these faces are here by now, but I just need your name and address for the record.

Mr. Fields: David Fields, 47 Harding Avenue. I have a letter from the Neto family. They were not able to be here because of health issues. Do you want this letter?

Mr. Phoenix: Sure.

Mr. Fields: I don't want their voice to be unheard.

Mr. Phoenix: Thank you. *Mr. Phoenix read the letter from Carlos J & Maria C Neto (see file).* So, we have that, which I think kind of goes along with the tone of the conversations we had already had pretty solidly. With that, the current request is to withdraw. Does anyone have a motion on that?

Mr. Carpenter: Mr. Chairman, I make a **MOTION** to accept PREM, LLC's site plan application at 21 Harding Street to be withdrawn without prejudice.

SECOND Mr. Queiroga.

5-0 in Favor.

Mr. Phoenix: And I'll entertain a **MOTION** to close the public hearing.

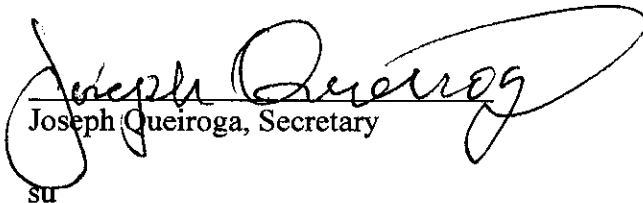
Mr. Carpenter: **SO MOVED.**

SECOND Mr. Coelho.

5-0 in Favor.

The public hearing was closed at 9:36 p.m.

APPROVED:


Joseph Queiroga, Secretary
su

Documents: Master application; Comments from Town Departments/Boards; Email from Christine Bray re: Proposed use of 21 Harding Ave. (September 21, 2023); Existing Conditions Site Plan – 21 Harding Street Ludlow, MA – Owned by KMAC, Inc. (8/16/2023); Email from Joshua Y. Levine to Doug Stefancik (November 3, 2023); Request for continuance from Joshua Y. Levine (November 7, 2023); Proposal for Traffic Engineering Services – Peer Review from McMahon (October 30, 2023); Letter from Carlos J & Maria C Neto (January 25, 2024); Withdrawal letter from Joshua Y. Levine (January 5, 2024)

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