

**TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
March 28, 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)

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

Board to Reorganize / Appoint Kathleen Houle as Associate Member

Mr. Phoenix: I would entertain a **MOTION** to reorganize at this time.

Mr. Coelho: **SO MOVED.**

SECOND Mr. Queiroga.

5-0 in Favor.

Mr. Coelho: Mr. Chairman, due to your flawless execution of the Pledge of Allegiance every week and your in-depth knowledge of not only the Town of Ludlow Zoning Bylaws, but Robert's Rules of Order, I would like to nominate you to continue to hold the gavel as Chairman.

SECOND Mr. Queiroga.

5-0 in Favor.

Mr. Coelho: In an effort to move some of the newer members up the ladder here and get them some experience I would like to nominate Joel Silva as Vice-Chairman.

SECOND Mr. Carpenter.

5-0 in Favor.

Mr. Coelho: Again, Mr. Queiroga's excellent signature and attention to detail is, makes sense to keep him in the Secretary position, so I'll make a **MOTION** to nominate Joe Queiroga as Secretary.

SECOND Mr. Carpenter.

5-0 in Favor.

Mr. Coelho: I'll make a **MOTION** to continue Kathy as Alternate. You know, she has good experience, she was one the Board, and it makes sense.

SECOND Mr. Carpenter.

5-0 in Favor.

The Planning Board Reorganized as follows:

Chairman: Raymond Phoenix

Vice Chairman: Joel Silva

Secretary: Joseph Queiroga

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Members: Joshua Carpenter, Christopher Coelho
Associate Member: Kathleen Houle

Planning Board Committee Assignments

Mr. Carpenter **MOVED** to continue with everyone's committee assignments.
SECOND Mr. Coelho.
5-0 in Favor.

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

SEE SEPARATE MINUTES

Discussion re: Zoning Bylaw Diagnostic with Ken Comia from Pioneer Valley Planning Commission

Ken Comia - PVPC was present for the appointment.

Mr. Comia explained his planning background to the Board Members. He noted that there is District Local Technical Assistance available until the end of the year to help with zoning bylaw updates or amendments. He said he has worked with Mr. Stefancik in the past with such things as Subdivision Regulations and that he would go through the zoning bylaw line by line to identify conflicts and inconsistencies and review those with the Town Planner, Planning Board and Building Department/Zoning Enforcement Officer to identify things that may have had question marks as far as administering the bylaw. Mr. Comia said that there have been several changes over the past couple of years to Chapter 40A (the State Zoning Act), particular to housing, battery energy storage, cannabis, and solar. He added that part of the process is also looking at best practices related to permitting, applications, fees, peer review, and site plans, etc., with the intention and goal of assisting with some additional grant funding to do even more such as community outreach, conversations with the Planning Board and town staff to figure out the best path forward after this diagnostic process. Mr. Comia said that he could also help with the Center Street Overlay District.

CONSENT AGENDA:

The Board approved the Consent Agenda under unanimous consent.

- ◆ FILE Mail Item 15. - Legal Notices from surrounding communities
- ◆ SIGN Special Permit:
 - Stephen M. Koziol – 259 Chapin Street (home improvement business)

**PUBLIC HEARING – Special Permit/Home Occupation – Daniel B. Moore – 77 Yale Street
(Assessors' Map 15D, Parcel 202) (office for landscaping business)**

SEE SEPARATE MINUTES

**PUBLIC HEARING – Special Permit/Home Occupation – Jan Wejick \$27 Poole Street
(Assessors' Map 41, Parcel 32-1) (home-based photography studio)**

SEE SEPARATE MINUTES

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**File Mail Item 16 - Legal Notice – Ludlow Conservation Commission – Request for Determination
– 1206 Lyon Street**

**File Mail Item 17 - Legal Notice – Ludlow Conservation Commission – Request for Determination
– 164 Higher Brook Drive**

**File Mail Item 18 - Legal Notice – Ludlow Zoning Board of Appeals – 0 Swan Avenue (Map 16A,
Parcels 8 & 7)**

**File Mail Item 19 – Legal Notice – Ludlow Zoning Board of Appeals – 0 Loopley Avenue (Map 11D,
Parcels 78D & 79)**

**File Mail Item 20 – Legal Notice – Ludlow Zoning Board of Appeals – 681 Center Street (Map 17D,
Parcel 1)**

**File Mail Item 21 – Legal Notice – Ludlow Zoning Board of Appeals – 53 White Street (Map 15B,
Parcel 33)**

**File Mail Item 22 – Legal Notice – Ludlow Zoning Board of Appeals – 76 Ravenwood Drive (Map
29, Parcel 41)**

**Mail Item 23 – Letter from Marc Strange, Town Administrator re: Alteration of Piney Lane
(Planning Board Report & recommendation to Board of Selectmen)**

Mr. Stefancik read the email from the town attorney Brian Winner which noted that: *The (Planning) Board simply needs to report that is considered the layout plan and recommends that that Selectmen layout the way as shown on the plan and pursue acceptance of same at Town Meeting.*

Mr. Phoenix: I would entertain a MOTION using that language.

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

Documents included: Email from Brian Winner to Douglas Stefancik re: ~~Pipe Lane (March 27, 2024)~~

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Planning application fees

TOWN OF LUDLOW

The Board reviewed the fees and changed several of the fees.

Mr. Carpenter: I make a **MOTION** to update our Planning Board fees to the amount that you just stated.
SECOND Mr. Queiroga.
5-0 in Favor.

The new fee schedule is below:

LUDLOW PLANNING BOARD FEES

Zone Change	
Less than 5 acres	\$250
More than 5 acres but less than 20 acres	\$500
20 or more acres	\$1,000
Waiver of Frontage	\$150
Change of Occupancy	\$100
ANR / 81P	\$125 per lot
Site Plan*	\$1,000 minimum and anything over is \$250 / acre + \$0.25 / S.F. of new footprint
Addendum*	\$500
Special Permit*	
Home Occupation	\$150
Accessory Apartment	\$250
Other	\$500
Gravel Bank	\$1,000
Wireless Communications Facilities	\$1,000
Research Facilities	\$1,000
Adult Care Facilities	\$1,000
Drive-Through Establishments	\$1,000
Subdivision*	
Preliminary Plan Review*	\$1 / linear foot of roadway + \$50 / lot
Definitive Plan Review*~	\$4 / linear foot of roadway + \$200 / lot
Engineering Inspection	\$.5 / linear foot of roadway, \$200 minimum
Performance Guarantee	

Reduction / Release	\$100
Type Substitution (e.g. Covenant > Bond)	\$100
Lot Substitution	\$100 / affected lot
Development Agreement Extension (6 months)	\$250 / lot
Resubmittal for Grading Change	The amount of affected linear footage to be regraded divided by the total linear footage times the original filing fee
Condominiums	\$100 per unit and \$50 per parking space
Legal Notice	Applicant is responsible for all publication fees
Photocopies	\$.50 per printed side
Town Publications	
Zoning Bylaws	\$15
Subdivision Rules & Regulations	\$15

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~ If a current (within 7 months), approved preliminary plan is on file, a discount of 25% shall be applied to this fee.

All consultant or third-party fees incurred by the Town of Ludlow relative to an application are the responsibility of the applicant.

* When filing for multiple processes (e.g. for Site Plan Review and a Special Permit), both fees do apply.


For Work Done Prior to Planning Board Approval- FEE DOUBLES

Documents included: Planning Permitting Fees – Community Comparison; Ludlow Planning Board Fees; Granby Planning Board Fee Schedule; City of Chicopee Department of Planning and Development Fee Schedule; Fee Schedule – Planning & Economic Development – Palmer, MA; Belchertown Planning Board Fees; Town of Wilbraham Planning Board Subdivision Fee Schedule

Mr. Carpenter **MOVED** to adjourn Mr. Chairman.
SECOND Mr. Coelho.
 Mr. Phoenix: Motion to adjourn is always in order and not debatable.
5-0 in Favor.

Meeting adjourned at 8:46 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
CONTINUED 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)
March 28, 2024**

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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 7:04 p.m. in the Selectmen's Conference Room.

In attendance: Marco Vieira, Selenia Cruz, attendees

Mr. Phoenix: So, I know, I just rewatched the last session of this to make sure I was still up to speed on it because it's been a little bit since we've seen you.

Mr. Vieira: I apologize for last month. I was under the impression that I had to get this in first before the next meeting. I didn't even know we finalized a date.

Mr. Phoenix: When we continue the public hearing we have to have a time and date certain and then we can always continue from there to another one, but we have to, in case anybody's here or at home that wants to be able to come in, they have to know when that's gonna be. Yeah so, we're back looking at the site plan for the Walgreens and Pieroways, etcetera plaza. Just to let everyone know again, because I get to feel foolish saying this, there are cameras and microphones doing the things that cameras and microphones do in case you couldn't figure that out. Beyond that, I do believe that we have an updated version of the site plan. Is that this one here?

Mr. Stefancik: That's correct.

Mr. Phoenix: You guys have small copies, or do you need the big ones out?

Mr. Coelho: I have a computer copy.

Mr. Phoenix: Ok, I'll put that over here for now. I think we've got the digital one up there for everybody as well. If you just want to explain for us to get us going, what may have changed on the plan between the last version that we saw, the version that we've got here tonight.

Mr. Vieira: Alright, so the main one was removing the drive-thru from that proposed café. The main thing is just adding additional parking, which on the plan he's asking for 14 more spots

which you can see over to the right in front of the gym and then we're gonna add two handicap spots in front of Pieroways.

Mr. Phoenix: Ok, so is this similar then to the plan last time, it just doesn't have the drive-thru thing for the café, is that the main difference between that one and this one or?

Mr. Vieira: That's the main difference. The other one is a proposed party venue Salania?

Ms. Cruz: Selenia.

Mr. Vieira: Selenia, she's looking for that space. And I know for parking for her space, they're only allowing 16 parking spots.

Mr. Phoenix: 'Cause I think I saw it was like 120 people, is what it was listing?

Mr. Vieira: Roughly 120 to 150.

Mr. Stefancik: 150 seats.

Mr. Vieira: 150 right?

Mr. Phoenix: 150, ok.

Mr. Vieira: 150 seats. So, they're calling for 31 parking spots. Pieroways has so many parking spots and we all know they don't get 31 parking spots, and the party venue is usually around 5:00 or 6:00 which is after hours anyways. It's only on weekends, so we're hoping we can ---.

Mr. Phoenix: Ok, does anybody have any concerns with that? I mean, ultimately the bylaw calls for what it calls for and then it just becomes a question of making sure that the site is safe and maintained which is largely in your best interest, more so even than the town's. I mean we want to keep people safe everywhere. But the part where they're maneuvering on your site is really usually of most importance to the property owner. So, as long as you provide what we're requiring for parking, I think we're satisfied unless anybody has any surprises for me on that.

Mr. Carpenter: What, the party venue, that's gonna be like an event, like you're gonna have events there?

Mr. Vieira: Right.

Mr. Carpenter: Or is it? Ok.

Mr. Vieira: Mostly weddings.

Ms. Cruz: I'm a party planner now. Full time I'm a police officer in Springfield. And my part-time job I do party planning, wedding planning. I plan anniversaries, reunions. I also live in Ludlow. My kids go to school in Ludlow. They're always looking for places to do their banquets, things like that. So that's kind of like, I just want to offer one stop shopping so I can stay put in one place rather than traveling how I'm doing now.

Mr. Phoenix: Ok.

Mr. Vieira: Walgreens also calls for fifty-something parking spots and a third of Walgreens is just a warehouse where they store stuff.

Mr. Phoenix: I think too, and we touched on this last time, like the parking spots in the back, most people aren't super aware that those ones are there. They count toward your total. They're not necessarily gonna help you eliminate congestion where everybody's parking 'cause most people aren't gonna park back there to go to Walgreens or to go to wherever. But having those there, maybe if it does get busy that's a decent thing where people actually say oh yeah there are parking spots back here and be able to make use of those.

Mr. Vieira: For her venue, I imagine you have someone kind of lining people up where to park.

Ms. Cruz: Yeah, we can. We can tell, 'cause normally what we do is we have either the bride or somebody's contracting us, so I can let them know ahead of time to let their people that are coming, their guests know that there is parking in the rear so that it doesn't become a problem.

Mr. Phoenix: Ok.

Mr. Silva: --- signage too in front of the building to remind people ---.

Mr. Phoenix: Right, that or it's also possible that some of the spaces back there, I don't think, especially behind the Walgreens, that it's gonna cover everything for those spaces, but you can always let people know too. Have your employees park in the back. I don't tend to go over there too much when it's dark, so I don't know what the lighting's like in the back of the property for, you know, employees leaving when it's dark out, or anything like that. But that's always an option as well to try and shift that stuff back there.

Mr. Vieira: Yeah, we have a 16-inch light that faces back there.

Mr. Phoenix: 'Cause I know working overnights for me it was in Holyoke, which is a whole other ball of wax, especially the section I was working in, but yeah, I can sympathize with people getting out in those hours.

Mr. Vieira: Sure.

Mr. Phoenix: I do have a couple things to read in for correspondence. This one is from Safety, specifically from Sargeant Shameklis: *Doug, I don't have anything to add to this proposal. This seems like a good use for the old bank space.* From Mr. Goodreau over at Public Works, we have: *Doug, we are all set with the plan. Fire Safety: Good morning, Doug, looking at the updated site plan for 20-56 East Street. It shows a party venue listed on the site plan and I am assuming that is the event space business that was added. What is the occupancy of this space? I believe if it is over a certain number of people a monitored fire alarm system is required. I would like Eric's input from Building Department.*

Mr. Vieira: --- already has it.

Mr. Phoenix: Ok. And then I think it's just the copy of the plan, the small one. I believe that's all that we have for new correspondence and from my rewatch of the meeting the main concern was just getting the drive-thru taken off and kind of figuring out what was gonna be going in

where, so that you had that nailed down. Does anybody else have any comments, questions, or concerns on this plan at this point?

Mr. Silva: Nothing.

Mr. Carpenter: Mr. Chairman, were there any waivers requested on this or anything?

Mr. Phoenix: I think probably o, 1, 2, 3, & 5 if I recall correctly.

Mr. Carpenter: We voted at the last meeting?

Mr. Phoenix: I don't recall the waiver vote. I think we just talked about it, and we wanted to make sure. 'Cause we talked mainly about those specific issues and then I think toward the end I had asked does anybody have anything else that we're really super concerned with, so that he doesn't go away, redraw the plan, come back in, and then get another surprise when he comes back in.

Mr. Vieira: One thing, Doug, which one, can you zoom out? I want to see which one he has because I think he gave two plans. Just want to make sure the right one gets approved. The one with the 31 spots for the venue. It is, ok.

Mr. Phoenix: Yeah, there's a note here, the applicant signed the waiver request for o. 1, 2, 3, and 5, so yay, I remembered. And for anyone playing the home game, o. 1, 2, 3, and 5 are very often waived. They are for a traffic study, which we can talk about whether we think that this project needs one, the lighting and luminaire schedule prepared by a professional, which you're not changing the outside lighting.

Mr. Vieira: No.

Mr. Phoenix: The signage proposal, which I don't believe you're changing any of the location and type of signage really on the property, correct?

Mr. Vieira: No, she would just be adding, I'm assuming you're gonna add a sign or something out front?

Ms. Cruz: A sign in the front, yeah.

Mr. Phoenix: And then what's the other, 'cause I think four is the snow storage. What's the one I'm missing?

Mr. Carpenter: Elevation of the building or something?

Mr. Coelho: Snow storage, lighting.

Mr. Carpenter: Traffic.

Mr. Phoenix: Well, one is the lighting, yeah, elevations showing the front, rear, and sides of the building design, which you're not changing the building design. So, I think that would be our reason for waiving is that you're not changing the building design, you're not changing the lighting, you're not changing the signage, and then it's just a question of whether we think

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there's a traffic study needed. Does anybody feel there's a traffic study needed for the proposal that we have in front of us tonight?

Mr. Carpenter: I don't believe so. I mean we already know what the traffic's like in that area, you're not really gonna add too much I don't think with the party venue being after hours so less congestion there and I'm sure the café will have other hours that aren't prime times.

Mr. Phoenix: Ok, with that, I'm gonna open it up to comments, questions, and concerns from the public. If anyone does have anything, please state your name and address for the record and address anything that you have through myself as Chair, and I'll do my best to get you any information that you need. Does anybody have anything that they would like to add or ask at this time? Hearing nothing, to begin with, on the request for the waiver of o. 1, 2, 3, and 5, is there any motion?

Mr. Coelho: Mr. Chairman.

Mr. Phoenix: Mr. Coelho.

Mr. Coelho: I'll make a **MOTION** to waive Sections, what's the actual?

Mr. Phoenix: 7.1.5 o. 1, 2, 3, and 5.

Mr. Coelho: 7.1.5 o. 1, 2, 3, and 5.

SECOND Mr. Queiroga.

5-0 in Favor.

Mr. Phoenix: On the subject itself, and possibly also on the subject of the hearing itself, is there a motion?

Mr. Coelho: Mr. Chairman.

Mr. Phoenix: Mr. Coelho. They're coming for us.

Mr. Coelho: I **MOVE** to approve and sign the site plan for Marco Vieira of V & V Properties LLC, 20-56 East Street.

SECOND Mr. Carpenter.

Mr. Phoenix: And to close the public hearing?

Mr. Coelho: And to close the public hearing.

Mr. Carpenter: **SECOND** as amended.

5-0 in Favor.

The public hearing was closed at 7:16 p.m.

APPROVED:



Joseph Queiroga, Secretary

Public Hearing – Vieira
March 28, 2024

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Documents: Master application; Site Plan 20-56 East Street Ludlow, MA -- owned by V & V Properties, LLC (March 25, 2024); comments from Town Boards/Departments

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

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**TOWN OF LUDLOW PLANNING BOARD
PUBLIC HEARING – SPECIAL PERMIT/HOME OCCUPATION
77 Yale Street (Assessors' Map 15D, Parcel 202)**

**Daniel B. Moore
(office for landscaping business)
March 28, 2024**

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PLANNING BOARD MEMBERS

TOWN OF LUDLOW

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 7:43 p.m. in the Selectmen's Conference Room.

In attendance: Daniel Moore, attendees

Mr. Phoenix read the legal notice, advised the public that the hearing was being recorded, and gave the applicant a copy of the Turley Publications invoice. The legal notice included the description of: office for landscaping business.

Mr. Phoenix: So, the application in front of us here, as I said, is for 77 Yale Street. Detailed proposal, home office for landscaping business. We have a signed certification of ownership and authority. On the home application, the home occupation supplement sheet, I have, total area of the home and other buildings housing the occupation at 816 square feet, total area being used is 175, zero nonresident employees. I have a bunch of no's going straight down the line for planned signage, customers at the house, deliveries unlike a normal residence, or changes that make the site look less residential. There is a vehicle listed, a Honda CRV 2011, GVW shows on here as 3,400, which is certainly below our 10,000 threshold. I do also have a signed request for the waiver on the full plan, the full sketch in favor of, full plan in favor of a sketch. And I do also have the criteria checklist sheets signed off saying that the applicant's had a chance to see all of our marvelous 26 lines of criteria and knows what they are but in summary that the proposal won't really change the nature of the neighborhood. With that said. That's enough for me, would you care to explain for us what you're looking to do?

Mr. Moore: I just need to have an office for a landscaping business.

Mr. Phoenix: Ok.

Mr. Moore: Basically, what I do is just install gardens for people and I get everything delivered on site and then I just do it there. So, I don't really have any equipment except for like small stuff rakes, shovels, wheelbarrow, stuff that'll fit in the shed and yeah, so.

Mr. Phoenix: Ok.

Mr. Moore: It's pretty simple. It's just for an office.

Mr. Phoenix: Ok, it does sound pretty straight forward to me. Does the Board have any questions or comments?

Mr. Silva: Vehicles? You don't have a?

Mr. Moore: I do have a truck, but it's less than 10,000.

Mr. Silva: I'm sorry, don't mind me asking, where do you park that right now? Because of the idea of a landscaping business there's always like equipment involved with it.

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Mr. Moore: Right, yeah. I don't have any trailers or anything. I have a pickup truck but it's a Honda Ridgeline 2022. It's pretty small, so. If I do ever need to rent equipment, I go to U-Haul, I get a trailer and do everything that day and that's it. I never have anything on site that I store.

Mr. Phoenix: Any other comments or questions.

Mr. Silva: It's a very lean way to conduct a business, the overhead is.

Mr. Moore: Yeah, I don't really like to, you know, having to deal with big mowers and that kind of thing. It's just too much. I like the niche, get in there, install a few gardens and it's a lot easier that way.

Mr. Silva: ---

Mr. Phoenix: Anything else? Hearing nothing, I will open it up to the public for any comments, questions, or concerns that people might have. If you do have anything, please state your name and address for the record and address anything through myself as Chair, and I'll do my best to get you any information that you need. Does anybody have anything that they would like to add or ask at this time? Hearing nothing, I would ask for a motion on first, a finding, secondly on a waiver, and possibly thirdly on the matter at hand and fourthly on the hearing itself. If somebody wants to make those separately or all together, I would be delighted.

Mr. Coelho: Mr. Chairman.

Mr. Phoenix: Mr. Coelho.

Mr. Coelho: Mr. Chairman, I **MOVE** to find that the home office for the landscaping business as described by Mr. Moore at 77 Yale Street is a suitable home occupation under the bylaw, furthermore I **MOVE** to waive the full site plan for Mr. Moore at 77 Yale Street in favor of a sketch and photos he's provided and prepared in relation to the home occupation and doing so is consistent with the purpose and intent of the zoning bylaw. Furthermore, I **MOVE** to approve the Special Permit under 7.0.4 a-m, and the Home Occupation under 6.2.1 thru 6.2.13 for Mr. Moore at 77 Yale Street with the restriction that the permit run with the applicant and not with the property.

SECOND Mr. Queiroga.

Mr. Phoenix: Motion's made and seconded to number one, make a finding that this is a suitable home occupation under the bylaw, number two to grant the waiver of the full plan in favor of a Public Hearing – Moore
March 28, 2024

sketch and photos as prepared by the applicant, and number three, to approve the special permit as requested. This is a special permit, so I will call the roll.

5-0 in Favor.

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

Mr. Phoenix: Is there a MOTION on the hearing?

Mr. Carpenter: **SO MOVED.**
SECOND Mr. Coelho.

Mr. Phoenix: So, moved to what?

Mr. Carpenter: **MOTION** to close the public hearing.
SECOND Mr. Coelho.
5-0 in Favor.

The public hearing was closed at 7:49 p.m.

APPROVED:



Joseph Queiroga, Secretary

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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 – SPECIAL PERMIT/HOME OCCUPATION
827 Poole Street (Assessors' Map 41, Parcel 32-1)**

**Jan Wojcik
(home-based photography studio)
March 28, 2024**

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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 7:51 p.m. in the Selectmen's Conference Room.

In attendance: Jan Wojcik

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-based photography studio.

Mr. Phoenix: Since there's nobody else really in the room, I don't think I need to tell anybody else about the cameras and microphones. I will say, however, that the application says home-based photo studio, photo sessions with customers, meetings and consultations with the customers. We do have a signed certification of ownership and authority. On the supplement sheet, we have total area of the home and other buildings housing the occupation 1,800 square feet, area to be used for the home occupation 100 square feet, no non-resident employees, no planned signage for the business, yes to customers at the house, no deliveries made unlike a normal residence, no changes to the site that will make it less residential, yes to one commercial vehicle which is listed as a Chevy Silverado Mercedes ML, and it says 6,400 pounds. We do have a signed request for the waiver of the full plan in favor of a sketch and photos. And I do also have the checklists 1-13 and a-m signed by the applicant saying that he's aware of the criteria, essentially limiting the business to make sure that it stays residential in the neighborhood and not really changing anything. A whole lot of language about buoyant materials and everything, but that's what it boils down to. So, with that, if you don't mind, could you explain for us what you're looking to do?

Mr. Wojcik: So, yes of course. So, lady and gentlemen, good evening. So I do photography for a very long time. --- was asked for people --- photograph to like some business cards --- I didn't. So, I decided to it like officially and open like a small, small business, home base business. So, many times I went to the customer, it's just like for the family photography like senior pictures, stuff like that, but many times I was asked do I have like a studio. And I said actually not. That was probably like the reason that I decide to open a home-based photo studio and just do like my service from home and eventually I can different locations ---.

Mr. Phoenix: Ok. Now you did say that you are gonna have customers coming to the house which makes sense since you're gonna have a studio. I would be weird to have the studio and have people remote. You do understand that with the way that the bylaw's written, you're limited to not more than two vehicles showing up more than what you'd have during non-business hours. So, I don't know how much customer traffic you're expecting, but it does have to stay at a fairly moderate pace.

Mr. Wojcik: Yes, based on appointment, there would be just one customer at a time, not more than that. So, --- just one vehicle. I don't think more than two.

Mr. Phoenix: Yeah, 'cause that was the main thing I was thinking is like if you do have, let's say a family getting together, maybe you've got mom and dad coming with the kids, you got the two sets of grandparents, that could be three vehicles. Realistically people aren't going out and checking to make sure it's the right number of cars all the time, as long as you're staying in harmony with your neighbors, it's not usually a big deal. But just be aware that that is one of the limitations on the special permit is that you can't have more than two vehicles when you're in operation than you would when you're not, so. Just make sure that you're mindful of that. Beyond that, does anybody have any comments, questions concerns?

Mr. Coelho: I'm gonna assume in 2024, you're not gonna need a dark room and chemicals to develop photos?

Mr. Wojcik: No. Everything is of course digital ---.

Mr. Coelho: I just wanted to put it out there.

Mr. Phoenix: No, good catch. Could've been 35-millimeter or something.

Mr. Queiroga: Do you have any, you don't plan to have any employees?

Mr. Wojcik: No, no. Just myself.

Mr. Phoenix: Could just be sitting there using the Canon A1 going to town. No, I am gonna go through the formality of even though there's no one in the room, I will ask if anybody has anything that they would like to add or ask at this time. Hearing nothing, I would ask if there is anything else from the Board, and if not, if there's a motion on the finding, a motion on the waiver, a motion on the application, and a motion on the hearing together or separately.

Mr. Carpenter: Mr. Chairman, I **MOVE** to find that a home-based photography studio as described by Mr. Wojcik is a suitable one under the bylaw, furthermore I **MOVE** to waive the full plan in favor of a sketch, furthermore, I **MOVE** to approve the Special Permit in the standard form, and furthermore I make a **MOTION** to close the public hearing.

SECOND Mr. Coelho.

Mr. Phoenix: Motion's made and seconded to do all four of those things, to say that it is a suitable home occupation under the bylaw, grant the waiver of the full plan down to a sketch, approve the application, and close the public hearing. With that understanding this is a special permit so I am gonna call the roll.

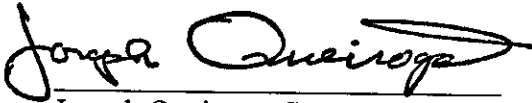
5-0 in Favor.

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

Public Hearing – Wojcik
March 28, 2024

The public hearing was closed at 7:57 p.m.

APPROVED:



Joseph Queiroga, Secretary

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Documents: Master application

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