

**TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
August 22, 2024**

PLANNING BOARD MEMBERS

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

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2024 SEP 13 A 10:15
TOWN OF LUDLOW

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

PUBLIC HEARING – Special Permit/Home Occupation – Lukasz Wolanczyk – 218 Lyon Street (Assessors' Map 24, Parcel 36) (office for landscaping business)

SEE SEPARATE MINUTES

PUBLIC HEARING – Special Permit/Home Occupation – Ken Conley – 164 Lyon Street (Assessors' Map 24, Parcel 39B) (office for welding business)

SEE SEPARATE MINUTES

CONSENT AGENDA:

The Board approved the Consent Agenda under unanimous consent.

- ◆ FILE Mail Item 57. - Legal Notices from surrounding communities
- ◆ APPROVE/SIGN Minutes of August 8, 2024
- ◆ APPROVE Change of Occupancy:
 - Oceanna Bracci (Lair O'Lilith LLC) 123 Center Street (from hair salon to hair salon)
- ◆ SIGN Special Permits:
 - Kalee Kenney – 126 Winsor Street (vehicle graphic installation)
 - Kevin Silva – 41 Crest Street (landscaping business & real estate investment company)

Ms. Houle left the meeting at 7:15 p.m.

Ali Bulut – Traffic/parking concerns at 4-8 White Street

Ali Bulut and two other gentlemen were present for the appointment.

Mr. Phoenix said that there have been several issues in the neighborhood with parking and with the way people are driving in and out of the site. He said that cars have been parked two to three deep, and there have been cars coming in and out of Sewall Street not watching where they're going. He said that if there needs to be traffic controls in place to stop people from backing up without looking such as a curb cut being put in, that's up to the property owner to figure out how to make that safe. Mr. Phoenix commented that the business is relatively quiet, but it's the parking that is an issue. He said there have been cars parked on the street and on the lawn, and that parking needs to follow what's on the approved site plan. Mr. Bulut agreed that the parking problems need to be fixed. Mr. Phoenix suggested that maybe they could talk to the neighboring businesses to see if the patrons could possibly park in their lots after hours to alleviate some of the traffic/parking concerns. One of the gentlemen in attendance said that they may be looking for a larger location for the club.

Zoning Bylaws

The Board Members reviewed the following proposed zoning bylaws:

ARTICLE: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow, **Section 3.2.2 TABLE 1 LUDLOW TABLE OF PRINCIPAL USES, LAND USE CLASSIFICATION/BUSINESS USES** by adding **Site Plan Approval from the Administrative Review Committee (ASPA)** to WINERY, MICRO-WINERY & NANO-WINERY in the Mill Redevelopment District (MRD) and to amend Table 1 to reflect this change.

Explanation: The owner of Iron Duke Brewery would like to produce wine products and amending the zoning bylaw in the Mill Redevelopment District would allow the use.

ARTICLE: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow by removing and replacing in its entirety, **SECTION IV DIMENSIONAL AND DENSITY REGULATIONS 4.4 MILL REDEVELOPMENT DISTRICT (MRD) Bylaw 4.4.10 Site Plan Approval Process b.** by changing six members to five members.

Current Section:

A quorum for a meeting of the Administrative Review Committee shall be six members and approval of a site plan shall require the affirmative vote of a majority of those present.

New Section to read as:

b. A quorum for a meeting of the Administrative Review Committee shall be five members and approval of a site plan shall require the affirmative vote of a majority of those present.

Explanation: The Public Works membership on the Administrative Review Committee was reduced to one member, the quorum for a nine-member committee would be five members.

ARTICLE: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow, **SECTION VI: SPECIAL LAND USE REGULATIONS:** by adding **6.13 BATTERY ENERGY STORAGE SYSTEMS (BESS).**

6.13 BATTERY ENERGY STORAGE SYSTEMS (BESS)

A. Purpose

The purpose of this bylaw is to provide for the construction and operation of Battery Energy Storage Systems (BESS) and to provide standards for the placement, design, construction, monitoring, modification and removal of energy storage systems that address public safety, protection of the Town and private drinking water supply, minimize impacts on scenic, natural and historic resources of the Town of Ludlow, and provide adequate financial assurance for decommissioning. The provisions set forth in this section shall take precedence over all other sections when considering applications related to the construction, operation, and/or repair of Battery Energy Storage Systems.
(see Draft Zoning Bylaws for Definitions, etc.)

Explanation: The purpose of this bylaw is to provide for the construction and operation of Battery Energy Storage Systems (BESS) and to provide standards for the placement, design, construction, monitoring, modification and removal of energy storage systems that address public safety, protection of the Town and private drinking water supply, minimize impacts on scenic, natural and historic resources of the Town of Ludlow, and provide adequate financial assurance for decommissioning. The provisions set forth in this section shall take precedence over all other sections when considering applications related to the construction, operation, and/or repair of Battery Energy Storage Systems.

ARTICLE: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow, Section 3.2.2 TABLE 1 LUDLOW TABLE OF PRINCIPAL USES, LAND USE CLASSIFICATION/GENERAL USES by adding Battery Energy Storage System associated with Large Scale Solar Facility, Tier 1 Residential Battery Energy Storage System, Tier 2 Battery Energy Storage System, and Tier 3 and Tier 4 Battery Energy Storage System (Stand-Alone) with the associated uses to the Table of Principal Uses and to amend Table 1 to reflect these change, as follows:

LAND USE CLASSIFICATION	STANDARDS & CONDITIONS	RA-1	RA	RB	BA	BB	A	AMD	IA	IC	MRD
GENERAL USES											
Battery Energy Storage System associated with Large Scale Solar Facility		N	N	N	N	N	SPA	SPA	SPA	SPA	N
Tier 1 Residential Battery Energy Storage System		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Tier 2 Battery Energy Storage System		N	N	N	N	N	SPA/SPPB	SPA/SPPB	SPA/SPPB	SPA/SPPB	N

Tier 3 and Tier 4 Battery Energy Storage System (Stand-Alone)		N	N	N	N	N	SPA/ SPPB	SPA/ SPPB	SPA/ SPPB	SPA/ SPPB	N
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Explanation: With the approval of the Battery Energy Storage Systems Bylaw the location of These uses need to be established in the Table of Principal Uses.

ARTICLE: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow, **Section 3.2.2 TABLE 1 LUDLOW TABLE OF PRINCIPAL USES**, by adding Special Permit from the Planning Board Required (SPPB) to the following uses under Land Use Classification Business A and Business B.

Explanation: The addition of the special permit process to the Business A and Business B zoned areas, allows for greater oversight from the Planning Board. The special permit is intended to provide detailed review of certain uses and structures which may have substantial impacts upon traffic, utility systems and the character of the Town, among other things. The special permit review process is intended to ensure a harmonious relationship between proposed development and its surroundings, and ensure that proposals are consistent with the purpose and intent of this bylaw.

Mr. Phoenix: I'll entertain a MOTION to use that list with the noted modifications (*grammatical corrections*) along with whatever comes out of that meeting with Fire as what we're gonna be looking to codify submit for inclusion on the warrant --- and all that other fun stuff.

Mr. Carpenter: **SO MOVED.**
SECOND Mr. Queiroga.
4-0 in Favor.

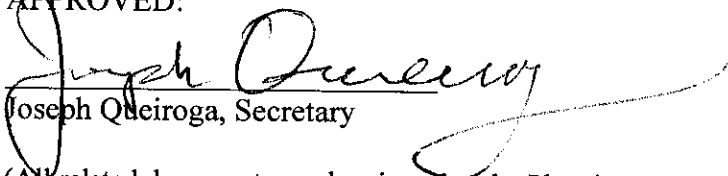
Documents: Draft Zoning Bylaws

Mr. Phoenix remarked that the Charter will be discussed at the upcoming October Town Meeting, and that he wanted to get the Board's thoughts as he will be voting as the Chairman of the Planning Board.

Mr. Carpenter: **MOTION** to adjourn Mr. Chairman.
SECOND Mr. Queiroga.
4-0 in Favor.

Meeting adjourned at 8:05 p.m.

APPROVED:


 Joseph Queiroga, Secretary

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

Minutes of August 22, 2024

2024 SEP 13 AM 11:15

**TOWN OF LUDLOW PLANNING BOARD
PUBLIC HEARING – SPECIAL PERMIT/HOME OCCUPATION
218 Lyon Street (Assessors' Map 24, Parcel 36)
Lukasz Wolanczyk
(office for landscaping business)
August 22, 2024**

PLANNING BOARD MEMBERS

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

The public hearing began at 7:01 p.m. in the Selectmen's Conference Room.

In attendance: Lukasz Wolanczyk, 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: I do have the application in front of me and the supplement sheet says that you're looking to, well, that's gotta be a mistake. You're looking to use 320 square feet of zero square feet. Do you know what the total area of the home and other buildings housing the occupation would be? How big is the house?

Mr. Wolanczyk: House is 1,300 square feet. Maybe a little bit more.

Mr. Phoenix: We'll put plus or minus.

Mr. Stefancik: 1,777.

Mr. Wolanczyk: Okay.

Mr. Phoenix: 1,777. That's, that'll work. Can you just do me a favor and before I go forward, can you just initial next to where I put that on there for you? Thank you. So, that's 320 out of that, no non-resident employees, nothing as far as planned signage at the house, no customers to the house, no unusual deliveries, no changes that would make it look less residential. Commercial vehicle is right at 10,000 pounds GVW according to what you've given to us, it's a Chevy 3,500. Did we get a copy of the door jamb just to make sure?

Mr. Stefancik: No.

Mr. Phoenix: Does anybody have any concern about that weight before we go forward? Okay. Because you do understand that is the, the upper threshold on that.

Mr. Wolanczyk: Gotcha. Yep.

Mr. Phoenix: And we also do have a signed request for the waiver of the full site plan in favor of the sketch and the photo that I have. And we got a photo of the desk as well. Just kinda showing what he's doing. If anybody wants those, I can pass those around. So, I've read all that stuff off. I'm gonna give you a chance to just kinda explain what you're looking to do.

Mr. Wolanczyk: Basically, just a small business. I'm a one man show. Like I said, it's not, I mean we moved here a couple years ago. Beautiful little town, nice and quiet. My kids go to school here. It just, like I said, just wanna come home at night, park the truck at night. That's it. Do my thing. Nice and simple. Yeah.

Mr. Phoenix: Okay. Any questions from the Board about that? Okay. Hearing nothing from the board, this is a public hearing. I will open it up to the public for any comments, questions, or concerns that you might have at this time. Does anyone from the public have anything that they would like to add or ask at this time? Hearing nothing. The first thing that I would be looking for would be a finding on whether this is a suitable home occupation. And that could possibly be paired with a decision on the waiver as requested. Or those could be handled separately depending on what the board would please. And in fact, that could also be paired nicely with a decision yes or no, and a motion to close the public hearing, if one were so inclined to do four things at once. I'll leave that up to the mover to decide.

Mr. Carpenter: Mr. Chairman?

Mr. Phoenix: Yes.

Mr. Carpenter: I **MOVE** to find that the office for the landscaping business for Mr. Wolanczyk at 218 Lyon Street is a suitable home occupation under the bylaw and further move to waive the full site plan in favor of a sketch
SECOND Mr. Queiroga.

Mr. Phoenix: Okay, so we'll stick with those two for now. Is that good with everybody?

Mr. Carpenter: I had 'em all. I had 'em all and I paused.

Mr. Phoenix: We're good for now. So, let's take those. So, we've got the finding and the waiver on those. All in favor?

5-0 in Favor.

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

Mr. Phoenix: On the matter itself?

Mr. Carpenter: Mr. Chairman, I move to approve the special permit in the standard form and close the public hearing.

SECOND Mr. Silva.

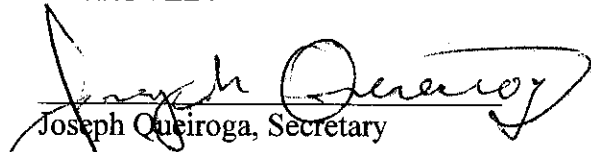
5-0 in Favor.

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

Public Hearing – Wolanczyk
August 22, 2024

The public hearing was closed at 7:07 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 – SPECIAL PERMIT/HOME OCCUPATION
164 Lyon Street (Assessors' Map 24, Parcel 39B)
Ken Conley
(office for welding business)
August 22, 2024**

PLANNING BOARD MEMBERS

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

The public hearing began at 7:10 p.m. in the Selectmen's Conference Room.

In attendance: Ken Conley, attendees

Mr. Phoenix read the legal notice and advised the public that the hearing was being recorded. The legal notice included the description of: office for welding business.

Mr. Phoenix: Kind of just going over that supplement sheet as far as the information you've already provided to us. So, I think we have a similar issue here, is you've got 300 square feet as the total area of the home. I think that comes down over here. Doug, do you have the total area of the home and other buildings for this one?

Mr. Stefancik: Yeah.

Mr. Phoenix: But essentially, you're looking to use one bay of the garage, right?

Mr. Conley: Yeah.

Mr. Phoenix: Okay.

Mr. Stefancik: 2,400 square feet.

Mr. Phoenix: As I throw paperwork at Josh. Can I just get you to initial up there for me? Thank you, sir. As far as the other things on here, you're not looking to have anybody as a non-resident employee at the house. You are looking to put up a sign at the residence for the business?

Mr. Conley: Yep.

Mr. Phoenix: And you're aware that that can't be more than two square feet, cannot be lighted and requires a permit, correct?

Mr. Conley: Yep.

Mr. Phoenix: Okay. As far as customers at the house, no; deliveries unlike a normal residence, no; no changes to the site that would make it look less residential; and no commercial vehicle. And then as far as the waiver, you've requested that we waive the full plan in favor of a sketch and photos as you've prepared for us as well. Beyond that, is there anything you'd care to say about what you're looking to do?

Mr. Conley: I just do a little welding on the side. I work for a municipality and this kind of supplements my income.

Mr. Phoenix: Okay.

Mr. Conley: So, other than that I'm mobile. I don't do anything at home. I'm always out, other sites.

Mr. Phoenix: Okey-dokey. Any questions or comments from the board?

Mr. Carpenter: Mr. Chairman? No deliveries of materials? They would go to the job site?

Mr. Conley: No, it goes to the job site.

Mr. Carpenter: Okay.

Mr. Phoenix: He's getting a lot of I-beams straight to his house.

Mr. Carpenter: Why not?

Mr. Conley: Small stuff. It fits in my pickup.

Mr. Phoenix: Nah, he's doing it Industrial.

Mr. Carpenter: I'm all set Mr. Chairman.

Mr. Phoenix: Okay. Anything else?

Mr. Silva: No.

Mr. Phoenix: Okay, hearing nothing from the board, I don't see anyone else in the room, but I will formally open this up in case anybody does have any comments, questions, or concerns at this time, hearing nothing, I will entertain motions as the board sees fit to make, including the finding, the waiver, action on the item itself, and the status of the hearing.

Mr. Carpenter: Mr. Chairman, I move to find that the office for the welding business for Mr. Conley is a suitable one under the bylaw and further move to waive the full site plan in favor of a sketch, and furthermore, move to approve the special permit under...

Mr. Phoenix: The standard form.

Mr. Carpenter: Yeah, under the standard form, and lastly, close the public hearing.
SECOND Ms. Houle.

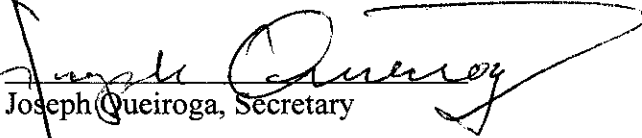
Mr. Phoenix: So, motion's been made and seconded to do all four things to make the finding grant the waiver, approve the item requested, and to close the public hearing. If that's everyone's understanding of the motions as they stand, I will ask for all those in favor.

5-0 in Favor.

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

The public hearing was closed at 7:23 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).