

**TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
September 12, 2024**

PLANNING BOARD MEMBERS

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

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

**Kishore Parmar, Pioneer Valley Hotels, Inc. (Holiday Inn Express) 321 Center Street –
Site plan discussion for EV Chargers**

Kishore Parmar and his brother were present for the appointment.

Mr. Phoenix explained that there were six EV Chargers added to the hotel property on Center Street, that they didn’t come in for any kind of site plan approval, and talked about some comments that were going around about the property. He noted that the site plan on file is from 2002, which is 22 years old, and that two amendments are allowed on a site plan as long as it’s under 20 years old. Mr. Phoenix said that the parking along Center Street does not match what’s shown on the site plan for number of spaces (15 spaces shown on plan, 13 currently exist). He also mentioned that the EV spaces that exist have signs specifying that those spaces are for EV only and only when charging. He said that if those spaces are limited to only electric vehicles while charging, they can’t really count toward the parking total for the hotel because most people can’t park there. Mr. Parmar said that they did apply for permits through the town that were permitted without Planning Board approval and that they probably wouldn’t have installed the new chargers if they knew that they needed to submit a new site plan. He also remarked that they will change the signage to allow all vehicles if needed. Mr. Phoenix explained the reasons for updating the site plan every 20 years. The Board discussed whether or not a new site plan is needed and the fees that will be charged.

Mr. Coelho **MOVED** to waive all of our fees, number one, provided the applicant submits a properly engineered site plan indicating what’s currently on the ground and I will waive the public hearing because this is already there and it’s already a hotel and we’re only adding some charging spots in there.
SECOND Mr. Queiroga.

Mr. Coelho: Additionally, I want to give the applicant, it’s very hard to obtain engineers for this and the quicker they need to move the more expensive they are. I’d like to put maybe a six month turn around on these drawings to be submitted. So, should I re-summarize my motion?

Mr. Phoenix: Let me see if I got it for you. So, as I understand it, the motion is to waive a full registered, no not to waive the full site plan, but to waive the fee associated with the full site plan in its entirety, the doubling and the regular fee, with the understanding that we will have the drawings within six months from tonight with the reasoning being that the applicant is not substantially changing the usage of the

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property and that the town through another one of its departments already gave them an indication that this might have been an okay thing to do. Is that a fair summary?

Mr. Coelho: Yes, and I'm gonna waive the public hearing too cause it's already there, the hotel's already there.

Mr. Phoenix: Ok, so the motion's to waive the fee and the public hearing for those reasons.

Mr. Carpenter: **SECOND** for discussion.

Mr. Phoenix: I heard discussion.

Mr. Carpenter: I didn't get to put in my two cents before the motion was made, sorry. We said that there's two spots missing on this plan compared to what is currently there?

Mr. Phoenix: Yes, I think in reverse though. There's two spots missing currently versus the plan.

Mr. Carpenter: So, this plan shows 91 and there's 89?

Mr. Phoenix: I would assume that's the correct totaling, I just counted the ones along the frontage.

Mr. Carpenter: Ok, and if the 89 is correct, they're under, are they in compliance with that?

Mr. Stefancik: Eighty-nine is in compliance.

Mr. Carpenter: Secondly, the signs. That was the big thing we had with Big Y, so I'd like those removed.

Mr. Phoenix: Well, the signs...

Mr. Carpenter: Or changed.

Mr. Phoenix: Yeah, changed.

Mr. Carpenter: My third part is, how many times have you come in for amendments during these 22 years?

Mr. Phoenix: I think they came in for an ANR and maybe one amendment, maybe?

Mr. Stefancik: There was one ANR and the Wendy's property and then Taco Bell.

Mr. ---: We did come in when we did our renovations too. Because we came with the sketches and elevations just to make sure that.

Mr. Parmar: We weren't doing anything with the site plan, it was more of just, again, informing the Planning Board at the time we were changing the façade and like I said.

Mr. ---: And some signage outside. So, that was roughly a little over a decade ago.

Mr. Parmar: It wasn't really anything, we weren't amending the site plan, we were just amending, just giving, informing the Planning Board what the changes are gonna be from esthetic standpoint.

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Mr. Carpenter: So, to summarize, you've only been in front of this board for the initial plan and then the ANR for the Wendy's, Taco Bell?

Mr. Parmar: Yeah.

Mr. Carpenter: My other thing involves the town, and I would hope that the, that Mr. Coelho would amend his motion for this, that any future building of any structure on a business should be referred to.

Mr. Phoenix: Well, I think that should be outside of the scope of the motion. I think that's a separate matter.

Mr. Carpenter: Okay. Because that is my big issue is that how long did you have this, did you apply and get, and what was the timeframe between applying and getting approval for the second permit?

Mr. Parmar: For the electrical permit?

Mr. Carpenter: Yeah. Was it a month, was it six months? Was it a week?

Mr. ---: Maybe a couple of weeks. I think. Couple weeks or a month at most. Yeah, I could find out from the vendor, but yeah, it wasn't, it wasn't that long.

Mr. Carpenter: So that, it may have been when the building department was in flux with Leslie leaving and whoever was coming in. But I would like to have anything for a permit, electrical or otherwise that is putting a structure on a property to at least be referred to us, especially if we're in the same building, much less the same hallway.

Mr. Phoenix: Yeah, I think, I think we can talk about that, but I think that's outside of the scope of this issue.

Mr. Carpenter: Okay. So, the motion is for, we're waiving all the fees and getting a full site plan in six months?

Mr. Coelho: And waiving the site, the public hearing.

Mr. Carpenter: And waiving public hearing.

Mr. Phoenix: So, they'd need to do the full plan. It would get the review from other departments and everything to make sure everything's still copacetic but no public hearing and no fee. Which I think especially, you know, I think you raised a good point Chris, about you know, since the town did waive its hands over it, it's, that's a tough one.

Mr. Coelho: Yeah, that's, that's the sticking point, really is, you know?

Mr. Carpenter: That's kind of where I'm a little perturbed by.

Mr. Coelho: It's a process thing and it's a communication thing so there's nothing we can do. We can't turn back the clock.

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Mr. Carpenter: Yeah.

Mr. Coelho: All we can do is make it better moving forward.

Mr. Phoenix: So, we've got a motion, we've got at least one if not two seconds. On the waiver. All those in favor?
4-0 in Favor.

Mr. Carpenter: I would like to make a **MOTION** for Doug and the Building Inspector/Zoning Enforcement Officer to have communication, especially on any type of permits, especially like these. So, if they have to be referred to Planning, this doesn't happen again.

Mr. Phoenix: I hear your motion, I have a haven't heard a second yet, so before we...
SECOND Mr. Queiroga.

Mr. Phoenix: Joe, discussion. Doug, do you feel that that's something that can be handled just informally between you and the Building Office or is that something that would need to come through Marc or the Board of Selectmen as a policy change for that department?

Mr. Stefancik: We can handle it through me and the office, but also the administrative staff over there needs to be aware that any structures do need site plan approval, and I don't think they've been aware of that.

Mr. Coelho: And what's our purview, traffic flow, drainage?

Mr. Phoenix: Depending on what's going on it changes, but if they're changing something on the site, it should be coming in at least for us to look it over and say is this a sketch, is this anything, is this a plan? 'Cause if it's changing it should be coming in. Kind of like traffic flow here at Town Hall --- changed.

Mr. Coelho: --- they're pulling permits for stuff inside the building.

Mr. Carpenter: Yeah, that's a completely different ---.

Mr. Phoenix: It's basically anything outside with the footprint of the building, any of the stuff we can call out on a site plan, if it's getting changed, it should come through here.

Mr. Carpenter: I think this all could have been avoided with that instead of --- waving their hands over it if Building knew that we needed it or?

Mr. Phoenix: Well, I was hopeful that Doug would say that yeah it could be handled just directly. I just wanted to not assume that than put that on Doug to. So, with that, the motion is to have the Town Planner reach out to the Building Department, specifically in relation to zoning enforcement and let them know that we do need to be aware of changes that are going on, on sites prior to things just moving forward and causing undo stress and burden on applicants. With that understanding, all those in favor?
4-0 in Favor.

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Mr. Phoenix commented that there currently isn't a policy or bylaw on electric vehicle charging stations and that possibly a bylaw could be put together for next October to make sure that they're being done in an intelligent way. Mr. Stefancik will work on putting together a proposed bylaw.

PUBLIC HEARING – Proposed zoning bylaw revisions to include the following: 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. SECTION VI: SPECIAL LAND USE REGULATIONS add 6.13 Battery Energy Storage Systems (BESS). SECTION III: GENERAL USE REGULATIONS 3.0 GENERAL REGULATIONS. SECTION 3.2.2 TABLE 1 LUDLOW TABLE OF PRINCIPLE USES. Add to Land Use Classification/ General Uses: 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 Systems (Stand -Alone) with their associated permitted use and zoning district.

Add special permit to the following uses under zoning district Business A (BA) and/or Business B (BB) in TABLE 1 LUDLOW TABLE OF PRINCIPAL USES, Room Rental, Amusement Parks, Automated Teller Machine (ATM), Automated Vending Kiosk, Banks, Bowling Alleys, Dining Establishments, Halls, Hotels/Inns, Motels, Office Buildings, Open Air Parking, Parking Garages, Retail, Roller Rinks, Services, Warehousing, Wholesale.

Add Site Plan Approval from the Administrative Review Committee (ASPA) under zoning district Mill Redevelopment District (MRD) for Land Use Classification: Winery, Micro-Winery & Nano-Winery.

SEE SEPARATE MINUTES

PUBLIC HEARING – Special Permit/Home Occupation – Russell Orcutt Jr. – 1087 Center Street (Assessors' Map 24, Parcel 69) (asbestos clerical office)

SEE SEPARATE MINUTES

ANR (2) – Dan O'Brien

Dan O'Brien was present for the appointment.

**0 & 45 Deroche Circle (Assessors' Map 11B, Parcels 29B & 65)
(create parcels A & B to be exchanged by Miccoli & Jendrysik)**

Mr. O'Brien explained that the property was previously divided into three lots which included one conforming lot and two estate lots. He said the lots were purchased and when the wetlands were mapped out, one of the lots had a minimal sized building envelope. The owners are purchasing a small portion of land from Jendrysik (Parcel B) to add frontage to the two lots, with a small parcel of land going back to Jendrysik (Parcel A).

Mr. Phoenix: I would entertain a MOTION to endorse the ANR as submitted in the standard form.

Mr. Carpenter: **SO MOVED.**

SECOND Mr. Coelho.

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4-0 in Favor.

Documents: Master application; Lot Reconfiguration Plan – Deroche Circle Ludlow, Mass. - Owned by Peter E. & Tamara J. Miccoli, Alex M. Jendrysik (August 5, 2024)

**0 Deroche Circle (Assessors' Map 11B, Parcels 29A & 29B)
(create parcels C & D to be exchanged by Miccoli & Akehurst Homes, LLC)**

Mr. O'Brien explained that the Mocoli parcel (Parcel C) will convey to Akehurst (Parcel D/Estate Lot 2) to provide them with conforming frontage on Deroche Circle.

Mr. Phoenix: I'll entertain a MOTION to endorse the ANR as submitted in the standard form.

Mr. Carpenter: **SO MOVED.**

SECOND Mr. Coelho.

4-0 in Favor.

Documents: Master application; Lot Reconfiguration Plan – Deroche Circle Ludlow, Mass. Owned by Peter E. & Tamara J. Miccoli, Akehurst Homes, LLC (August 5, 2024)

**ANR – Barry Linton – 0 West Street (Assessors' Map 3, Parcels 66N, 66P, 66G)
(combine three lots into one new parcel)**

Mr. Linton explained that he recently changed the zoning to Industrial on three lots on West Street, and now he would like to combine them into one large parcel.

Mr. Phoenix: I'll entertain a MOTION to endorse the ANR as submitted in the standard form.

Mr. Carpenter: **SO MOVED.**

SECOND Mr. Coelho.

4-0 in Favor.

Documents: Master application; Subdivision Approval Not Required Plan – West Street Ludlow, MA – Owned by Linton Holdings, LLC (September 5, 2024)

Walter Trusz – 401 West Street – Site plan for auto dealer license

Walter Trusz was present for the appointment.

Mr. Trusz told the Board that he wants to take the three employee parking spaces located to the right of the building and move them to make that parking area the display area. Mr. Phoenix commented that the most recent plan is from 1988. He told Mr. Trusz that the general rule is that if anyone is looking to make a change to the plan that is over twenty years old, a new site plan would be needed. Mr. Trusz said that he wants to get a vehicle dealer license but wanted to get Planning Board approval beforehand.

Documents: Site Plan Ludlow, Massachusetts – Prepared for Sally M. Trusz (Revised August 2, 1988)

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CONSENT AGENDA:

The Board approved the Consent Agenda under unanimous consent.

- ◆ FILE Mail Item 58. - Legal Notices from surrounding communities
- ◆ APPROVE/SIGN Minutes of August 22, 2024
- ◆ APPROVE Change of Occupancy:
 - Brianna Chabot (Fluff N Mutt) 85 East Street (change of ownership – dog grooming)
- ◆ SIGN Special Permits:
 - Brandon McCarthy – Lot 82 Turning Leaf Road (accessory apartment)
 - Matthew Nay – 186 Lyon Street (bounce house rental business)
 - Thomas Morin – 143 Parker Lane (roofing business)

File Mail Item 59 - Legal Notice – Ludlow Conservation Commission – 164 Lyon Street

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

Meeting adjourned at 8:37 p.m.

APPROVED:


Joseph Queiroga, Secretary

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

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**TOWN OF LUDLOW PLANNING BOARD
PUBLIC HEARING**

Proposed zoning bylaw revisions to include the following: 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. SECTION VI: SPECIAL LAND USE REGULATIONS add 6.13 Battery Energy Storage

Systems (BESS). SECTION III: GENERAL USE REGULATIONS 3.0 GENERAL REGULATIONS. SECTION 3.2.2 TABLE 1 LUDLOW TABLE OF PRINCIPLE USES.

Add to Land Use Classification/ General Uses: 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 Systems (Stand -Alone) with their associated permitted use and zoning district.

Add special permit to the following uses under zoning district Business A (BA) and/or Business B (BB) in TABLE 1 LUDLOW TABLE OF PRINCIPAL USES, Room Rental, Amusement Parks, Automated Teller Machine (ATM), Automated Vending Kiosk, Banks, Bowling Alleys, Dining Establishments, Halls, Hotels/Inns, Motels, Office Buildings, Open Air Parking, Parking Garages, Retail, Roller Rinks, Services, Warehousing, Wholesale.

Add Site Plan Approval from the Administrative Review Committee (ASPA) under zoning district Mill Redevelopment District (MRD) for Land Use Classification: Winery, Micro-Winery & Nano-Winery.

September 12, 2024

PLANNING BOARD MEMBERS

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

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The public hearing began at 7:48 p.m. in the Selectmen's Conference Room.

In attendance: attendees

Mr. Phoenix read the legal notice and advised the public that the hearing was being recorded. The legal notice included the description of: Zoning Bylaw Proposed zoning bylaw revisions to include the following: 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. SECTION VI: SPECIAL LAND USE REGULATIONS add 6.13 Battery Energy Storage Systems (BESS). SECTION III: GENERAL USE REGULATIONS 3.0 GENERAL REGULATIONS. SECTION 3.2.2 TABLE 1 LUDLOW TABLE OF PRINCIPLE USES. Add to Land Use Classification/ General Uses: 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 Systems (Stand -Alone) with their associated permitted use and zoning district. Add special permit to the following uses under zoning district Business A (BA) and/or Business B (BB) in TABLE 1 LUDLOW TABLE OF PRINCIPAL USES, Room Rental, Amusement

Parks, Automated Teller Machine (ATM), Automated Vending Kiosk, Banks, Bowling Alleys, Dining Establishments, Halls, Hotels/Inns, Motels, Office Buildings, Open Air Parking, Parking Garages, Retail, Roller Rinks, Services, Warehousing, Wholesale.
Add Site Plan Approval from the Administrative Review Committee (ASPA) under zoning district Mill Redevelopment District (MRD) for Land Use Classification: Winery, Micro-Winery & Nano-Winery.

Mr. Phoenix: The Articles don't have numbers yet. I'm just gonna take them in order that they are in the packet. So, the first one here, 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 Principle Uses Land Use Classification/Business Uses by adding Site Plan Approval from the Administrative Review Committee, (ASPA) to Winery, Micro-Winery and Nano-Winery in the Mill Redevelopment District, and to amend Table 1 to reflect this change as follows, which is detailed on the sheet with an explanation of the Sole, the owner of Sole Syndicate winery, also known as Iron Duke would like to produce wine, wine products and amending the zoning bylaw in the Mill Redevelopment District would allow the use. The way I'm gonna handle these is I'm gonna ask the board for any comments, questions, concerns, then I'll ask the public and then if I have any one, two or three cents on it, I'll chime in at that point and then we will see where that leads us. We'll handle these one at a time and I will be asking for a motion on recommendation to Town Meeting. This is not us actually enacting anything tonight. It is simply on what we will be recommending to Town Meeting when that does come up in October. So, on this one, does anyone on the board have any comments, questions, or concerns? Hearing nothing, does anyone from the public have any comments, questions, or concerns? I would ask that if you do have anything, please state your name and address for the record so we can keep all that straight and just address anything that you have through myself as Chairman. Hearing nothing, my only concern, and it's a minor one, is in the explanation. Do we need to point out that this is specifically something that we're looking at because of Iron Duke? I think it's the right change to make regardless. I think it was just kind of these didn't get caught originally and Iron Duke/Sole Syndicate just happens to be the one that got caught up in it because they were in there. Should we leave them mentioned or pull them out?

Mr. Coelho: We don't need to mention specific businesses. This is good for the whole district. So this, the explanation should just say this will allow micro-winereries within the Mill Redevelopment District.

Mr. Phoenix: I could even see something about this would allow businesses like, or something like that. But to me this sounds like we're putting it in just because that's what they want and I, I think that they brought it up, but I think they made the case that it was the right decision to make for the district.

Mr. Carpenter: I agree with you Mr. Chairman. I think that the way it reads right now is that we're doing this specifically for them.

Mr. Phoenix: So, I would entertain a MOTION at this time to recommend approval to Town Meeting with altered language on the explanation to make it not come across as this is being done specifically for Iron Duke/Soul Syndicate.

Mr. Carpenter: **SO MOVED.**

SECOND Mr. Coelho.

4-0 in Favor.

Public Hearing – Town of Ludlow
September 12, 2024

Mr. Phoenix: On the next one, 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 4 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 majority of those present. New section to read as: 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. Anything from the board? Hearing nothing, anything from the public? I don't have anything else on that one. So, I would entertain a motion to recommend approval at Town Meeting.

Mr. Carpenter: Mr. Chairman, I **MOVE** to recommend approval to Town Meeting.
SECOND Mr. Queiroga.
4-0 in Favor.

Mr. Phoenix: Next up to see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow Section 6, Special Land Use Regulations by adding 6.13 Battery Energy Storage Systems (BESS). New section to read a whole bunch of stuff. We do have the text of this available in, in its entirety, but as it is the, let's see, page three through...

Mr. Carpenter: Thirteen, Mr. Chairman.

Mr. Phoenix: ...three thru thirteen. I don't think anybody wants me to read all of that. I will read the explanation though. 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.

Mr. Carpenter: Mr. Chairman, one question.

Mr. Phoenix: Sure.

Mr. Carpenter: This is just to protect us or not protect us, but I guess limit the impact of these as they are Dover protected.

Mr. Phoenix: I think that's a slight simplification, but largely yes 'cause it does fall under that general umbrella of stuff that we can't really, expressly forbid terribly well. But this gives us a way to control the way that those come into the town and whatever oversight we can put on those.

Mr. Carpenter: Thank you, Mr. Chairman.

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Mr. Phoenix: Not a problem. Anything else from the board? Anything from the public on this one? Hearing nothing, I would entertain a motion on this.

Mr. Carpenter: Mr. Chairman, I **MOVE** to recommend approval to Town Meeting.
SECOND Mr. Coelho.
4-0 in Favor.

Mr. Phoenix: Next up, 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 Principle Uses Land Use Classification, General Uses by adding Battery Energy Storage Systems 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. Oh yeah, 'cause it's and Tier 3 and Tier 4, it's 1, Tier 3 and Tier 4 Battery Energy Storage System stand alone. That is a mouthful. With the associated uses to the Table of Principle Uses and to amend Table 1 to reflect these changes as printed. Explanation: With the approval of Battery Energy Storage Systems Bylaw, the location of these uses needs to be established in the Table of Principal Uses. I imagine there's not a whole lot of discussion on this, but is there anything from the board?

Mr. Carpenter: Mr. Chairman, this is just creating the table and is only effective, only applicable if the previous article passes, correct?

Mr. Phoenix: Yes. And I'll get to that part in a second. But yes, this just takes what we just talked about and puts it into the Table of Uses. Essentially saying that these would be allowed. The Tier 1 residential allowed in all districts by right in the, the battery energy storage system with a large scale solar would be allowed with site plan approval in Industrial and in Agriculture and Agricultural Moderate Density. And then in those same districts with site plan approval and special permit through this board you'd be able to do the Tier 2 or the Tier 3 and Tier 4 stand-alone. So, it's just adding that in. Anything else from the board? Anything from the public? With this one, I don't have anything on the substance of it. However, I would ask for a compound motion. I would entertain a MOTION to recommend approval at town meeting as long as the prior article passes. However, if that article fails, I would ask that the, that we recommend postponement instead.

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

Mr. Phoenix: Next up the see of the Town will vote to amend the Zoning Bylaws of the Town of Ludlow, Section 3.2.2 Table 1, Ludlow Table of Principle Uses by adding Special Permit from the Planning Board (SPPB) to the following uses under Land Use Classification, Business A and/or Business B (room rental, amusement parks, automated teller machine, automated vending kiosk, banks, bowling alleys, dining establishments, halls, hotels/inns, motels, office buildings, open air parking, parking garages, retail roller rinks, services, warehousing and wholesale (other than agriculture)). And to amend Table 1 to reflect these changes as follows. And then it's a printed version of what I just said in tabular format with an 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

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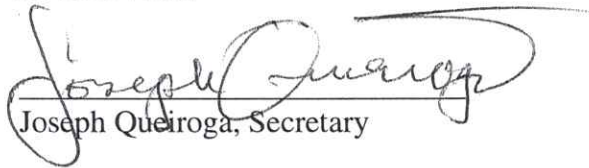
ensure the proposals are consistent with the purpose and intent of this bylaw. That's a handful of things. Anything from the board on this one? Hearing nothing, I'll turn to the public again. Anything on this article? Hearing nothing, I would entertain a motion on a recommendation to Town Meeting.

Mr. Carpenter: Mr. Chairman, I **MOVE** to recommend approval to Town Meeting.
SECOND Mr. Queiroga.
4-0 in Favor.

Mr. Phoenix: I would also ask for a **MOTION** to close the public hearing.
Mr. Carpenter: **SO MOVED.**
SECOND Mr. Coelho.
4-0 in Favor.

The public hearing was closed at 8:00 p.m.

APPROVED:


Joseph Queiroga, Secretary

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Documents: Draft Zoning Bylaw Amendments for October 2024 Town Meeting

(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
1087 Center Street (Assessors' Map 24, Parcel 69)
Russell Orcutt Jr.
(asbestos clerical office)
September 12, 2024**

PLANNING BOARD MEMBERS

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

The public hearing began at 8:01 p.m. in the Selectmen's Conference Room

In attendance: Russell Orcutt Jr., Marie Teixeira, 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: asbestos clerical office.

Mr. Phoenix: With that said, would you care to explain what you're looking to do?

Ms. Teixeira: We're looking to just move our clerical office from Palmer where we were established for the last couple years to our home office in Ludlow at 1087 Center Street. There would be no external changes to the property. There would be nothing that would be a notable difference, just using one area in the home for the office.

Mr. Phoenix: Okay.

Mr. Queiroga: What is your business, if you don't mind me asking?

Ms. Teixeira: An abatement, Top-Notch Abatement, an abatement company, mold remediation.

Mr. Queiroga: Do you have any employees?

Ms. Teixeira: We do, but they run out of our warehouse. They don't check in with the office every day.

Mr. Phoenix: From your application on the detailed description, you do have, to have an office for my service business at my personal residence. No work will be conducted at this location. It'd be weird if you're bringing other people's places to you to work on 'em. Vehicles and supplies are housed at our storage location in Palmer, asbestos clerical office. So, we have that from you on there. Hopefully that explains that one a little bit more for you. Then on the supplement sheet that we have specific to home occ, you're showing that you have 1,800 square feet of total area.

You're looking to use 250, which is certainly within our threshold. Number of non-resident employees, you're saying two.

Ms. Teixeira: Yep.

Mr. Phoenix: Planned signage at the site, no. Customers at the house, no. Also, no for deliveries, unlike a normal residence and to changes that would make it look less residential. One commercial vehicle in connection with the business; that's a Ford F-150 that you're showing as a GVW of 4,800.

Mr. Carpenter: Mr. Chairman?

Mr. Phoenix: Yes.

Mr. Carpenter: Just for clarification, two non-resident employees is allowable?

Mr. Phoenix: Yes.

Mr. Carpenter: Okay.

Mr. Phoenix: Up to.

Mr. Carpenter: It's always been one that I've seen, so.

Mr. Phoenix: And we do also have a signed request for the waiver of the full plan in favor of a sketch and photos as prepared by the applicant. So, we do have that on file as well. Anything else from the board? Hearing crickets on this side. Before I open it up to the public, I believe I saw, just double check, yeah, you've seen the, the checklists, the two 13 item checklists that we have. Looks like you signed off on those.

Ms. Teixeira: Yes.

Mr. Phoenix: So, those all kind of tell you in great detail the kinds of things that can't really change there, getting into buoyant materials and everything else. So, that should be all squared away. Does anyone from the public have anything to add or ask at this time? Hearing nothing, I would ask for a motion on one or more of the following, but I would entertain a motion to make a finding that the home occupation is suitable in the standard form, to approve the waiver in the standard form, to approve the special permit in the standard form, and to close the public hearing.

Mr. Carpenter: **SO MOVED.**

Mr. Queiroga: Yes.

Mr. Phoenix: Is that a SECOND?

Mr. Queiroga: Yes.

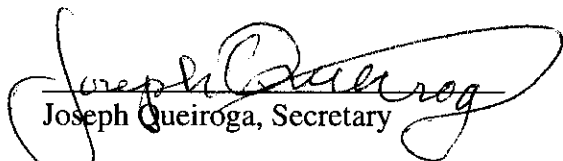
Mr. Phoenix: Okay. So, because this is a special permit, I'm gonna call the roll on that.
4-0 in Favor.

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

The public hearing was closed at 8:05 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).