

Ludlow Development Review Board
Meeting Minutes
November 13th, 2023
6:00 p.m.

Public Hearing

1. Call to Order:

The regular meeting of the Ludlow Development Review Board was called to order on Monday, November 13th, 2023 at 6:00 p.m. at the Ludlow Town Hall by Geoge Tucker.

Attendance:

Board:

George Tucker Jr.,
Douglas Sheehan,
Julie Nicoll,
Alan Couch,
Abigail Childs.

Public:

Eric Alden,
Glenn Heitsmith
David Del Tufo,
Lisa Del Tufo,
Alex Del Tufo,
Scott Baitz,
Liz Calabrese.

Board Absent:

John Boehrer,
Phil Carter

2. Recessed Public Hearing: Shaw's Supermarket

- Topic: Application to rebuild the interior of the Shaws Supermarket
- They are finalizing plans and will be here in person at the December meeting.
- Motion to recess this topic until the December meeting. All approved.

3. Recessed Public Hearing: Del Tufo Real Estate (Eight Oh Brew)

- Topic: Representatives to speak about the project application are in attendance (David Del Tufo)
- Asking to lift the stipulation of soundproofing for their permit. They believe it is an in-house issue and have been working on the soundproofing issue within The Mill. It became an issue in

December of last year and since then he has met with one of the upstairs neighbors and a soundproofing expert who specializes in mill-style buildings.

- They are working on a solution to perform work on the site and complete the ceilings.
- The Mill HOA hired an engineering consultant who would come in and analyze the different sounds by testing with speakers, etc., and taking readings throughout the Mill. He is also working on ideas for the group for soundproofing.
- Eight Oh Brew group is still working with “RSG” to get a final solution.
- They were supposed to meet in July, but due to the flood, it has been stalled. In September, they met again to review his ideas which the group thought were great. More analysis is being done and they are waiting for results. In the meantime, to solve parking lot issues they put no loitering signs so that nobody is allowed to stand outside. They must stand at the bottom of the stairs. They also hired a bouncer to help with this. Complaints about litter have been addressed by cleaning the lot and collecting the trash. They believe 95% of the trash is items they do not sell.
- They have lowered their speakers/radio from the ceiling and put soundproofing around them as suggested by a soundproofing estimate.
- They are turning off the lights on the sign so that people know they are not open at times.
- They want to soundproof the ceiling and do not want people complaining or worrying about patrons being too loud.
- Due to the flood, they are borrowing money to rebuild, only being open for a year and a half or so. Reopening is a struggle for them and they are scaling down some of the costs too.
- Ultimately, they are asking that this be lifted or put on a separate permit so that they can open. If they miss the winter season, there is a chance they will not open.
- George: We do not have the letter from Mr. Campbell. In order for us to issue a permit, we need that letter. The Mill has to come forth as well to show proof that they are owning that portion of the rebuild. They have been in communication with the planning department about who will submit this information regarding to the permit, it is a requirement no matter what.
 - If the overheard conversations being passed along are true that the Mill HOA is taking ownership, that may change things and the DRB needs that proof.
- There are sound levels that are acceptable under 550.1 regarding noise and lists tiers and limits of decibels.
 - George would like them to come up with a plan to propose to the DRB. David says they are working towards this. The board does not want to give a permit with arbitrary numbers. They need to agree with neighbors and if they accept, the DRB can review the permit issue.
 - Note: the conditional use that the bar is under was issued over 10 years ago. All permits are issued with a forlorn look.
- George asks if they will have answers for us next month. David says that they will hopefully have final solutions for the next meeting. They note that attaching this stipulation to the permit will likely kill their business. George says that he doesn't make the rules and it's with a sad heart that he has to enforce them.
- George motions to recess Del Tufo Real Estate (Eight Oh Brew) until the December meeting. All in favor.

4. Recessed Public Hearing: Eric Alden

- Topic: Application for reconstruction of the interior units caused by extensive flood damage.
- Through many discussions with the zoning office, he believes he still needs to receive a letter from Mr. Campbell (does not have the letter).

- **George Tucker Jr. motions to recess the public hearing for Eric Alden until the December meeting. Douglas Sheehan seconds. All in favor.**

5. Recessed Public Hearing: 31 Route 103 (aka Mr. Darcy's)

- Topic: Application to construct a two-storied porch for outside dining and a 100 sq foot platform for a freezer, in accordance with the Flood Hazard Regulations for floodways in Article 6.
- The person representing 31 Route 103 is Elizabeth Calabrese, Architect.
- Mrs. Calabrese is showing confusion on what the DRB needs to move forward. She notes that Troy has spoken to Jarrod and Rose regarding the base flood level needed on the drawings.
- George asks if Jarrod has the list from the Mr. Campbell letter.
- Jarrod notes everyone has to get reviewed by Mr. Campbell in compliance with Article 6 including proper building materials and building methods such as smart vents for water to flow under the structure unimpeded. He is also looking to get estimates of potential costs or receipts of costs that have already accrued. He weighs that info against the assessed value of the building by 50% and if all costs exceed the assessed value then it must be raised above base flood elevation.
- George notes the letter received from Alan and states it provides engineering site plans, elevations, location of electrical and mechanical, Ludlow zoning, flood plane management ordinance, damage, estimates, labor costs or estimates, any engineered plans, etc.
- George notes that Mr. Darcy's was originally deemed substantially damaged but no longer is. This changes some things but will still need the letter.
- Mr. Campbell is currently under violation and working toward rectifying this but no permit will be issued or considered until that is rectified.
- Elizabeth asks which violations they are and George notes that he can provide her the letter.
- George notes this was brought up at a previous DRB meeting. He notes that in good faith they can not allow a permit that is not in compliance. He notes she can speak to Jarrod and Rose for the documents needed etc.
- Elizabeth notes that she will work on this and hopes to have all of the information needed for the December meeting.
- Alan notes that this issue also includes the deck that he wants to build. He notes that the plans he saw in early 2023 had some issues with the egress. Elizabeth confirms it is limited to 50 people based on 15 sq. ft. per person. That was intentional knowing they would need a second form of egress.
- George needs an updated parking plan due to things brought up in the September meeting discussing how many vehicle parking spaces are taken up by the new porch/deck.
- Julie requests the plot/site plan to make sure the parking is not on another owner's land.
- Elizabeth asks about the parking and Jarrod notes there is a set number in the book to reference.
- Elizabeth notes that the undercover area is being removed and putting people on the deck instead, increasing by only 50 people vs. 100.
- Douglas asks about the two-level concept. Elizabeth says that the thought was they could take the seating on the parking lot and put it on the first floor of the structure and have the second floor as more seating to get people off of the parking lot.
- Jarrod notes for restaurants, there is 1 parking space for every 150 sq. ft. of the seating area. This would include any and all seating areas.
- **George motions to recess 31 Route 103, LLC for the December meeting. Julie Nicoll seconds. All in favor.**

6. Minutes

- Due to no documents submitted, there were no packets sent out, only emailed copies.

- **George Tucker Jr. would like to move the October minutes to next month as they are easier to read in person. George motions. All in favor.**

7. Other Business

- No other business

MEETING ADJOURNED

George motioned to adjourn the meeting. Douglas seconded the motion. The meeting was adjourned at 6:25 p.m. by George Tucker. The next general meeting will be at 6:00 p.m. on Monday, December 11th, 2023 at the Ludlow Town Hall.

Minutes submitted by: Abigail Childs

Minutes approved by: