

**TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
July 26, 2018**

PLANNING BOARD MEMBERS

Joseph Queiroga – Chairman (Present)
Raymond Phoenix – Vice Chairman (Present)
Christopher Coelho (Present)
Kathleen Houle (Present)
Rafael Quiterio (Present)

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TOWN OF LUDLOW

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

**PUBLIC HEARING – SPECIAL PERMIT / ACCESSORY APARTMENT –
Thomas & Kimberly Halgas – 148 Gamache Drive (Assessors' Map 2D, Parcel 109N)
(addition of a 547 sqft. accessory apartment)**

SEE ATTACHED MINUTES

**File Mail Item #43 - Letter from Cynthia Kawie, New England Pallets & Skids – re: 236
West Street - Tree planting in the Eversource Easement**

**Mail Item #44 - Ludlow Board of Health – Order to remove compost pile and cease
dumping – 236 West Street**

Mr. Phoenix questioned if seven days have gone by since the order to cease dumping was issued. Mr. Stefancik said that the Order was dated July 12, 2018, and that he thinks that the property owner is meeting with the Board of Health either last week or this week. Mr. Phoenix asked if any further complaints have been filed with the Town. Mr. Stefancik remarked that he hasn't heard of anything, but that a neighbor from 241 West Street came in today complaining about noise early in the morning coming from 236 West Street. Mr. Stefancik said that he advised him to file a complaint with the Building Department.

Consent Agenda:

Mr. Phoenix inquired as to whether the Housing Production Plan is in complete draft form as of yet. Mr. Stefancik explained that he has received the draft and will make comments, send it back to Ms. Sunnarborg, and then send it out to the Board after he receives it back from her. Mr. Stefancik also said that Ms. Sunnarborg wants to have another meeting with the Planning Board before the next public meeting which will include both the Planning Board and the Select Board.

The Board approved the Consent Agenda under unanimous consent.

- ◆ FILE Mail Item 46. - Legal Notices from surrounding communities
- ◆ APPROVE/SIGN Minutes of July 12, 2018
- ◆ APPROVE/SIGN Bills – Karen Sunnarborg Consulting (Housing Production Plan)

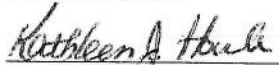
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Mail Item #45 - Memo from Ellie Villano, Town Administrator – Special Town Meeting Warrant

Mr. Stefancik explained that the Planning Board has a Zone Change for inclusion in the Town Meeting, at least three or four street acceptance articles, and a few bylaw changes. Regarding the bylaw changes, he said that those would include the Marijuana Moratorium which expired in June 2018, and possibly a change with the swimming pool bylaw in reference to the setbacks which are confusing (no nearer than 10 feet to the property line).

Ms. Houle **MOVED** to adjourn.
SECOND Mr. Coelho.
5-0 in Favor.

Meeting adjourned at 7:21 p.m.

APPROVED:


Kathleen Houle, Secretary

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

**TOWN OF LUDLOW PLANNING BOARD
PUBLIC HEARING – ACCESSORY APARTMENT/SPECIAL PERMIT
148 Gamache Drive – Thomas & Kimberly Halgas
(addition of 547 sqft. accessory apartment)
July 26, 2018**

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TOWN OF LUDLOW

PLANNING BOARD MEMBERS

Joseph Queiroga – Chairman (Present)
Raymond Phoenix – Vice Chairman (Present)
Christopher Coelho (Present)
Kathleen Houle (Present)
Rafael Quiterio (Present)

Hearing began at 7:01 p.m. in the Selectmen's Conference Room.

In attendance: Thomas Halgas, Kimberly Halgas, Timothy Youngs

Mr. Queiroga read the legal notice, gave Mr. Halgas a copy of the invoice from Turley Publications, and reviewed the application. The legal notice included the description of: addition of a 547 sqft. accessory apartment.

Mr. Queiroga: Ok...

Mr. Phoenix: Mr. Chairman.

Mr. Queiroga: Mr. Phoenix.

Mr. Phoenix: I've got the supplement sheet in front of me: the deed was recorded 6/29/18; the house is built in '89; total area 1868; the area of the apartment – 547; and this would be for mother and father; and signed and notarized as required.

Mr. Queiroga: Thank you. The, ok, there is some, ok, on the master application, is that what you were quoting from?

Mr. Phoenix: Yeah, well, I was on supplementary sheet, the one that would be specific to this. I think we do have some comments from other boards.

Mr. Queiroga: Yeah, that's what I was getting to. The comments from our Planning Board. The only highlighted items: The additional unit should only be occupied by family member. For the purpose of this article, family members shall be defined as one of the relatives of the homeowner or spouse as follows: mother, father.

Mr. Youngs: I don't know if this is the time to say so, but I'm basically the reason for this ---. I have terminal retinal cancer, and it would make it much easier for my daughter to take care of me. So, I could no longer handle my house anymore, so that's the whole point of it. Me and my wife would be the ones living there.

Mr. Queiroga: We're here to help within what the law allows, so we're glad to help you.

Mr. Youngs: I appreciate it. Thank you very much.

Mr. Queiroga: It's 547 square feet, as we said. You do have sewer...

Mr. Halgas: Yes.

Mr. Queiroga: ...on the property. And 1989 ---. Board of Health; no comments. That's always good. The Department of Public Works; no comments, Mr. Goodreau. And the Fire Department; smoke detector required in master bedroom, combo detector required within ten feet of a bedroom outside in hall. You know about that, right?

Mr. Halgas: Yes.

Mr. Queiroga: And not in the kitchen. If you knew my mother-in-law, you wouldn't put anybody ---. Ok.

Mr. Phoenix: Just, in going through the file...

Mr. Queiroga: Yes.

Mr. Phoenix: ...obviously, we've got the notes in here showing that Doug went through the Accessory Apartment Checklist. Did you go through the Special Permit Checklist also, Doug?

Mr. Stefancik: Yes.

Mr. Phoenix: Ok, and that was fine as well?

Mr. Stefancik: Yes.

Mr. Phoenix: And you saw both of those checklists, I believe, when you were doing your application, and you understand all of the conditions that were, and those all need to be followed?

Ms. Halgas: Yes.

Mr. Queiroga: Ok, you're gonna have to, they're gonna have to sign this. You've read it and no questions?

Mr. Halgas: No questions.

Mr. Phoenix: And if there were anyone in the room, which aside from the people at the table, I'll make a note that are not, we do have copies of the checklists available if anybody needed to take a look at those. They're also available online for anybody that's not here at the moment. But, this is kind of a new thing where we're not going through and verbally and reading all the checklists ---.

Mr. Queiroga: How about this public hearing checklist? Does that have to be read?

Mr. Phoenix: It doesn't have to be read. It's just kind of a...

Mr. Coelho: That's for you, that's. This is going off the back of the house?

Ms. Halgas: Yes.

Mr. Halgas: Yes.

Mr. Coelho: Ok.

Mr. Stefancik: I think the, check the other side to make sure that doesn't need to be signed ---.

Mr. Phoenix: Yeah, for a special permit?

Mr. Queiroga: That's why we pay you the big bucks.

Mr. Stefancik: Dot our I's, cross our T's.

Mr. Queiroga: When you get done with that...

Mr. Phoenix: I think we should double his annual bonus for that.

Mr. Coelho: I say triple it.

Mr. Stefancik: I'm --- on that.

Mr. Queiroga: Thank you. And there are some pictures for the other members of the Board --- want to take a look at them when they get passed down.

Mr. Coelho: They do have a copy of the things they just signed, right? 'Cause that's what you're basically being upheld to.

Mr. Queiroga: --- copy of this?

Ms. Halgas: Do we?

Mr. Stefancik: I can give them a copy.

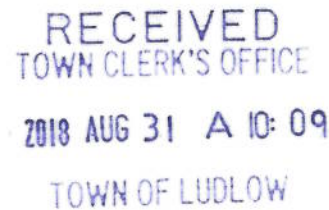
Ms. Halgas: I think we do.

Mr. Halgas: Yeah, I think Doug had given it to me months ago. Good to have another.

Mr. Phoenix: If...

Mr. Queiroga: Take a look if...

Mr. Phoenix: Unless anybody has anything that they'd like to add or ask, since we're not doing the checklists, that changes our flow a little bit. So, I just want to double check and make sure everyone's clear on what we're looking at tonight as far as the accessory apartment. This would



be specific to, you know, it's generally called an in-law apartment, but it's for a family member. If the circumstances changed, and somebody else were to be coming in, as long as there's still a family member, you'd be able to recertify for that family member. But it wouldn't be able to be used for people outside of the family, and there are conditions as far as dismantling and things like that, if there's nobody from the family using that space.

Ms. Halgas: Right.

Mr. Phoenix: That said, unless there's anything else from us or from you guys or since there's no one in the audience tonight, I would make a **MOTION** in the standard form to approve the special permit for accessory apartment as requested.

SECOND Mr. Coelho.

5-0 in Favor.

Roll call vote: Mr. Quiterio – yes; Mr. Phoenix – yes; Mr. Coelho - yes; Ms. Houle – yes; Mr. Queiroga – yes.

Mr. Phoenix: **MOVE** to close the public hearing.

SECOND Mr. Coelho.

5-0 in Favor.

Hearing ended at 7:20 p.m.

APPROVED:



Kathleen Houle, Secretary

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Documents: Master application; abutters list; Comments from Town Boards/Departments

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