

Ludlow Zoning Board of Appeals Meeting

Date: May 13, 2026

Location: Ludlow Town Hall

Start Time: 6:00 PM (Pledge of Allegiance performed)

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TOWN OF LUDLOW

Board Members Present:

- Alan
- Mike
- Elaine
- Val

Hearing(s):

Applicant: Nicholas G. Goggins

Address: 40 Turning Leaf

Assessors Map/Parcel: Map 30, Parcel 272

Zoning: Agricultural

Request: Variance for front setback encroachment due to front porch and a portion of the home being constructed within the required **40-foot agricultural setback**.

Legal Notice was read into the record.

Applicant Presentation

- The applicant stated that **topography and soil conditions** made placement of the foundation difficult.
- The lot was originally **uncleared**, causing uncertainty in early measurements.
- Excavator moved the house forward to more stable ground.
- Initial survey appeared compliant; later survey showed setback encroachment.
- A **cold-storage foundation** under the porch was added at the suggestion of contractors, contributing to the setback conflict.
- The applicant presented a photo of a **garage foundation crack**, citing soil/topography issues.
- Applicant's current home has been sold; denial may cause substantial hardship.
- No abutters appeared in opposition.
- Developer had no objections.

Board Discussion:

Variance Criterion 1: Unique Circumstances / Topography

- The Board acknowledged the significant grade change (~19 feet) and confirmed topography contributed to foundation placement.

- The Board noted the porch foundation created most of the setback encroachment.
- Concerns were raised regarding precedent and possible plan-review oversight.

Variance Criterion 2: Hardship

- Hardship found due to topographic conditions causing foundation instability.
- The applicant's pending home sale and potential displacement were noted.
- Hardship was determined *not self-created*.

Variance Criterion 3: No Detriment to Public Good

- Encroachment is approx. **6 feet into the 40-foot setback** (~15%).
- The Board determined no substantial detriment to neighborhood character.
- No abutters objected.

Conditions of Approval

The Board agreed that approval must include the following conditions:

1. **Front porch must remain unenclosed**, permanently open-air.
2. Porch shall **not be converted into interior living space** in the future.
3. Approval is based on documented **topographic hardship** and foundation evidence.
4. Decision does **not** establish precedent for future variance requests.

Vote

Motion made and seconded to approve the variance **with conditions**.

Vote:

- Yes – 4
- No – 0

Variance APPROVED.

A 20-day appeal period applies.

Hearing Closure

Hearing for 40 Turning Leaf was closed at **6:54pm**.

Additional Board Business

- Approval of minutes from previous hearing-reviewed and signed

- Board reaffirmed the previous leadership.

Fee Schedule Review

Board reviewed ZBA fees from surrounding towns.

Motion passed to request raising the ZBA fee from \$75 to \$150, pending Selectmen approval.

Membership

Board discussed recruitment of regular and alternate members.

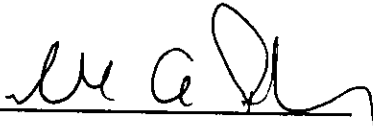
Meeting Adjourned: 7:06 PM

Motion made, seconded, and approved.

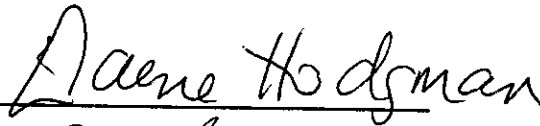
Alan Aubin



Mike Parker



Elaine Hodgeman



Val Rodrigues

