TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
October 14, 2021

PLANNING BOARD MEMBERS

Christopher Coelho – Chairman (Present)
Joseph Queiroga – Vice Chairman (Present)
Raymond Phoenix (Present)
Kathleen Houle (Present)
Joshua Carpenter (Present)

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

APPOINTMENT – Wendy's Restaurant – 484/488 Center Street
(re: letter of concerns from Antonio & Joan Braz *(Mail Item #32 from 9/9/21 meeting)*

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Cindy Delvalle was present for the discussion via telephone.

Antonio & Joan Braz had previously sent a letter to the Planning Board regarding concerns about the volume of the drive thru speaker, people cutting through their yard, water runoff, and delivery and trash pickup times.

Ms. Delvalle explained that the volume on the drive thru speaker has been lowered, the fence has been extended to help prevent people cutting through the yard of Mr. & Mrs. Braz, the trash delivery schedule has been changed to a later time (after 11:00 a.m.), and are in the process of changing the time of the food deliveries which can be adjusted to after 7:00 a.m. Ms. Delvalle said that the only thing they didn't address was the water runoff because they have an underground stormwater detention and didn't see an issue with it. Mr. Coelho agreed that perhaps any water issues were because of the excessive rainfall this past summer.

Mr. Phoenix questioned whether the hours of operation were noted on the Special Permit due to the fact that Wendy's was not serving breakfast at the time the application was submitted. Mr. Stefancik said that there was no restriction of hours on the Special Permit. Mr. Phoenix said that he is inclined to say that unless somebody lodges a complaint, that the new hours should be fine.

Ms. Delvalle will send a summary letter to the Planning Board explaining the actions that have been taken.

PUBLIC HEARING - SITE SKETCH – 1 Moody Street (Assessors' Map 3, Parcel 45)
Lyon Offices, LLC (changing the existing medical offices to a group home for up to 22 children (Institutional I-1 Use Classification. See 780 CMR 308.2) to provide educational services on a short-term basis for youth experiencing behavioral health challenges.)

SEE ATTACHED MINUTES

SITE SKETCH – 336 Poole Street (Map 31, Parcel 107) Dish Wireless, LLC

(Darryl Gresham, Agent) (collocation of antennas & equipment on existing tower and ground equipment installed in existing lease area)

Darryl Gresham was present for the discussion via telephone.

Mr. Stefancik explained that the applicant is just adding a carrier onto the existing tower and that there is

Mr. Gresham said Dish Wireless wants to co-locate on an existing tower by attaching three antennas with associated equipment located on the tower and on the ground.

Mr. Coelho read the comments from the Town Boards and Departments in which there were no concerns.

Mr. Carpenter: I **MOVE** that we waive a full site plan in favor of a sketch for the current existing tower located at 336 Poole Street because there is already an existing approved site plan on file that is less than 25 years old and that has not been modified more than twice and in doing so is consistent with the purpose and intent of the zoning bylaw, and further move to approve the waiver of a public hearing for the same location.
SECOND Mr. Queiroga.
5-0 in Favor
Roll call vote: Mr. Queiroga – yes; Mr. Phoenix – yes; Mr. Carpenter – yes; Ms. Houle – yes; Mr. Coelho – yes.

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Ms. Houle: I **MOVE** to approve the site sketch for 336 Poole Street.
SECOND Mr. Carpenter.
5-0 in Favor
Roll call vote: Mr. Queiroga – yes; Mr. Phoenix – yes; Mr. Carpenter – yes; Ms. Houle – yes; Mr. Coelho – yes.

Documents included: Master Application; Request for Waivers; Comments from Town Boards/Departments; American Tower Corporation Structural Analysis Report (June 28, 2021); Plans/Construction Documents: Dish Wireless L.L.C. Project Information BOBDL00165A 336 Poole Street Ludlow, MA 01056 (9/28/21)

Meeting schedule for November & December 2021

Mr. Stefancik explained that November 11th is Veterans Day and on November 25th is Thanksgiving, so the Town Hall is closed both of those meeting days. He suggested that the Planning Board meet on November 18th instead. He also informed the Board that the December 23rd meeting is close to Christmas.

Mr. Carpenter: I make a **MOTION** that we hold our meetings on November 18th, December 9th, and we are cancelling the 23rd of December and Christmas and Veterans Day.

Ms. Houle: And Thanksgiving.

Mr. Carpenter: That too, yes.

SECOND Ms. Houle.

5-0 in Favor
Roll call vote: Mr. Phoenix – yes; Mr. Queiroga – yes; Mr. Carpenter – yes; Ms. Houle – yes; Mr. Coelho – yes.

Associate Planning Board Member Position

Mr. Stefancik said that he will get the position advertised and post it on social media and the Town of Ludlow Website.

File Mail Item #44 – Reorganization of Ludlow Council on Aging

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File Mail Item #45 – Appointment of Joshua Carpenter to the Planning Board from Ellie Villano, Town Administrator

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Consent Agenda:

The Board approved the Consent Agenda under unanimous consent.

- FILE Mail Item 43. - Legal Notices from surrounding communities
- APPROVE/SIGN Minutes of September 23, 2021
- APPROVE Change of Occupancy:
  - Don Cameron – 291-293 Moody Street (from office/storage to office/storage)
  - Melissa McArdle – 287 East Street (from retail store to cosmetic tattooing)
- APPROVE/SIGN Bills – Amazon Business (office supplies)
  – Postmaster (stamps)

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Mr. Carpenter **MOVED** to adjourn at 8:25.
SECOND Ms. Houle.
5-0 in Favor.
Roll call vote: Mr. Queiroga – yes; Mr. Phoenix – yes; Mr. Carpenter – yes; Ms. Houle – yes; Mr. Coelho – yes.

Meeting adjourned at 8:25 p.m.

APPROVED:

Kathleen J. Houle
Kathleen Houle, Secretary

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(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 – SITE SKETCH
1 Moody Street (Assessors' Map 3, Parcel 45)
Lyon Offices, LLC
(changing the existing medical offices to a group home for up to 22 children (Institutional I-1 Use Classification. See 780 CMR 308.2) to provide educational services on a short-term basis for youth experiencing behavioral health challenges.)
October 14, 2021

PLANNING BOARD MEMBERS

Christopher Coelho – Chairman (Present)
Joseph Queiroga – Vice Chairman (Present) *(via telephone)*
Raymond Phoenix (Present) *(via Zoom)*
Kathleen Houle (Present)
Joshua Carpenter (Present)

The hearing began at 7:17 p.m. in the Selectmen's Conference Room.

Mr. Phoenix abstained from the public hearing.

In attendance: Benjamin Fierro – Lynch & Fierro LLP, Brendan Greeley – R.J. Greeley Company, Bill Keavany – Pearson, Michelle Michaelian – Behavioral Health Network, Andrew Henshon – Pearson, attendees

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Mr. Coelho read the legal notice which included the description of: Changing the existing medical offices to a group home for up to 22 children (Institutional I-1 Use Classification. See 780 CMR 308.2) to provide educational services on a short-term basis for youth experiencing behavioral health challenges.

Mr. Coelho: Ok so, this public hearing is open. Gentlemen, why don't you go ahead and give us a brief description of what's going on here? I have to tell everybody that we're being recorded audio and visual for this hearing. And we have an invoice for you guys for Turley Publications for the advertisement. If you could get a check for that, that would be great. Ok, and we'll go ahead. We'll start with you. I'm gonna go to comments from other boards. We're gonna do questions from our board and then we're gonna open it up to the public.

Mr. Fierro: Excellent. Thank you, Mr. Chairman and Members of the Board. My name is Ben Fierro. I'm an attorney with the firm of Lynch & Fierro, and it's my pleasure to be here with you this evening. I represent Behavioral Health Network Inc. BHN is one of the largest and most acclaimed providers of behavioral health services in Massachusetts, a nonprofit corporation that provides mental health and other services to the public and in this instance, particularly focused on adolescents. The property which you're familiar with at 1 Moody Street was formerly medical offices. My client is leasing, intends to lease the property from Lyon Offices LLC, the property owner and we have representatives of that entity here with us this evening also. To my left is Brendan Greeley. He is a principal at R.J. Greeley Company which is a real estate development and brokerage firm also representing the property owner. So, Mr. Chairman, what's happening here is my client BHN seeks to open up a licensed program through the Department of Early Education and Care. It's an educational residential program for 22 children.

They run a similar program in Springfield. It is subject to the regulations of the Department of Early Education. It is, as I said, a residential program. Students come, they stay there, could be a matter of days to a matter of a few weeks. They receive typical classroom academic instruction as they would in a public or any other private school. The difference is that after they're done with their academic studies between 9 and 3, and classroom studies, they so are given instruction and education and coping skills. How to cope with and manage their behavior and their emotions. And that's the therapeutic aspect that we try to address though the instruction. As I said, it's a residential program, so of course, there's a sleeping quarters, there's a kitchen because there's dining facilities, and it has proven to be a very successful program for youth who are experiencing very severe challenges as well as their families. The hope, of course, is that they're able to develop these skills and then go back into their regular school. The program works in conjunction with their teachers and their curriculum at their regular schools. It is an educational use, and as I'm sure members of this board know, nonprofit educational uses are exempt from zoning under the Dover Amendment. Of course, I have corresponded with by Zoom and telephone with the Building Commissioner, Justin Larivee, who, of course, agrees there are no changes to the exterior of the building, no additions.

(conversation regarding people on the telephone interrupting the hearing)

Mr. Fierro: I have to remember where I was Mr. Chairman. Oh yes, all of the modifications and alterations to the building are in the interior, obviously, but it's well suited to be converted into the classroom space and dining space and so on. We are here because, of course, we're seeking approval of a site sketch because of some of the minor modifications that we're doing to the site. Mr. Greeley's prepared to review them with you. And I know we have it up on the screen, but we also brought larger drawings for you. As you'll see when we review the site sketch and site plan, we're essentially creating some outdoor space for these children because most of the day they will be indoors. But, like any other school, kids need a little bit of time outside for recreation, get some fresh air. And some modifications in terms of some of the fencing, and of course, a security gate. I am aware of the comments from the Fire Chief and I believe we've amended the plan to address his needs. If you'd like, Mr. Chairman, I can turn it over to Mr. Greeley.

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Mr. Coelho: Sure.

Mr. Fierro: Thank you. Brendan?

Mr. Greeley: Thank you Attorney Fierro. Good evening everybody. Thank you for having me here. So, we have started with a pre-existing one-acre parcel of land improved by approximately 9,000 square foot medical office building with 52 parking spaces. The minor changes that we're making to the exterior are to essentially create some areas for some recreation for the students. And so, you can see along Moody Street we have fenced in an area which is not shown on this plan, but we have modified slightly, just to make that area a little smaller to give access for the fire department to go directly into a sprinkler room. But, it would be a grassed play area for kids and we have taken a portion of the existing parking lot. We'd be putting a fence up to create another area for some recreation. We'll be fencing in the site entirely. A portion of the site is fenced in already, but we'll be fencing in the other two sides to create a more secure environment for the students. The entrance will be equipped with a gate which, of course, will be able to be accessed by the emergency vehicles at the request of the fire department. That is pretty much all of the changes to the outside. We're providing 36, I believe, parking spaces at the guidance of the Town Planner, Doug Stefancik. We were required to have, to provide 23, and we anticipate

utilizing really about 20 or so at any given time. So, plenty of parking for it to meet the needs. Happy to take any questions if anybody has any questions.

Mr. Coelho: Ok, well that was a good presentation. Yeah, maybe we'll go through questions with the Board, then I'll read comments from the other boards, and then we'll go to the public. I have one question. As far as traffic flow, I'm assuming you're gonna have shift employees coming in at certain shifts and I am also assuming it's not gonna be like a traditional school where you'll have daily drop offs. Ok, 'cause that's been causing some, you know with schools, that's a problem, so we don't have a lot of students that are leaving campus every day?

Mr. Fierro: Absolutely not Mr. Chairman. It's a residential program. It's for intensive focused education and counseling. If the students were coming and going that wouldn't be effective. That's why they stay there, they don't come and go home at the end of the day like a typical school.

Mr. Coelho: And what about free time for the students? Is there time where they are allowed to just leave campus or? Well, let me start off, what are the ages again? I probably was reading something when you said that.

Mr. Fierro: If you'd like, Mr. Chairman, I have Michelle Michaelian who is the program director, so she's the expert. She is familiar with the program they run in Springfield. She can answer any questions that you have in that regard.

Ms. Michaelian: Good evening.

Mr. Coelho: Hi. What are the ages, typically, of the students?

Ms. Michaelian: So, we would be serving youth ages six to seventeen in this particular program.

Mr. Coelho: Ok.

Ms. (via phone): Six to seventeen?

Mr. Fierro: Correct.

Mr. Stefancik: I've been muting it and they're unmuting it.

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Mr. Coelho: Now, once you get past sixteen, like driving age, are those children allowed to leave and come back or?

Ms. Michaelian: They're not. So, this would be a secure facility that is staffed. The youth would always be supervised. There's never a time when they're unsupervised unless they're performing any kind of hygiene acts or something like that. You know, they're not allowed to leave the campus unless they're with a parent or guardian and there are not day passes where they are coming and going. It's a residential treatment center where they come, they stay, and when they leave, they're leaving, they're discharging from the program.

Mr. Coelho: And they're parking is good, right Doug?

Mr. Stefancik: Yes.

Mr. Coelho: All the drainage and everything else we were concerned with was handled on the original site plan for this. I have no more questions. Let me start with the people in the room here. Mr. Carpenter?

Mr. Carpenter: You guys mentioned you had a program in Springfield. What's the name of that program?

Ms. Michaelian: It's called the Village for Youth.

Mr. Carpenter: Ok. So, this program is staff secure?

Ms. Michaelian: It's staff secure.

Mr. Carpenter: So, it's not, I'm gonna bring up another program that I'm thinking of in Springfield that might be related or not related. There's a school on Old Acre Road called Mill Pond?

Ms. Michaelian: That's right.

Mr. Carpenter: Is the difference between this facility and Mill Pond, 'cause I went to Mill Pond years ago. I was driven in by a bus and I was allowed to leave at the end of the day but they had residential programs on the premises.

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Ms. Michaelian: Right, so, I'm sorry.

Mr. Carpenter: No, go ahead.

Ms. Michaelian: So, Mill Pond, you're right, so Mill Pond has dual use. So, they have a day program as well as the residential program. This is strictly the residential program. We would never be opening this up to day educational use.

Mr. Carpenter: Now, are the rooms…

Mr. Fierro: Excuse me, Mr. Carpenter, and that's subject to the license that they're getting from the Department of Early Childhood Education.

Mr. Carpenter: Ok. Now the rooms, are they gonna be like single beds, double beds?

Ms. Michaelian: Yeah, so 90% of the bedrooms are single use and we are leaving some room for double occupancy, but for the most part we're planning to use single rooms for the use to allow for privacy and to let them reach their treatment goals.

Mr. Carpenter: Ok, and my last question is, over my vast years of experience in programs and detention centers, I actually worked at the detention center in Chicopee at Gandara. Are the staff are forced to do like rounds and all that like they were? So, basically what we had to do were constant motion. The staff on third shift, had to walk and do room checks every so often. What are the guidelines for this program?

Ms. Michaelian: That's right. Yes, so again, the youth have to be supervised at all times due to the nature of the program. And so, we'll have cameras, you know, that are in the hallways, not in the bedrooms themselves, and then the staff will be sitting in the hallways and doing bed checks about every ten to fifteen minutes, and they'll document those bed checks to ensure that the youth are still in their beds and that they're safe.

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

Ms. Houle: I'm fine Chris.

Mr. Coelho: Mr. Queiroga do you have any questions for, oh, I'm sorry, did I cut you off?

Ms. Houle: Yes, you did Christopher. I was, because Josh had some experience with this, it was good to hear the questions he asked that, I think, provide information for us and for people in the area.

Mr. Coelho: Ok.

Ms. Houle: Now you can ask Joe.

Mr. Coelho: Mr. Queiroga, how about you? Mr. Queiroga? Oh, he's on mute.

Mr. Carpenter: Doug's gotta unmute him.

Mr. Queiroga: ---

Mr. Coelho: Mr. Queiroga we muted you so you're gonna have to start over.

Mr. Queiroga: Ok, is the maximum number of students that will be housed there 22?

Mr. Fierro: Maximum number of students, 22?

Ms. Michaelian: That's what we're planning at right now. We'll have room for 24, but we're not planning to go past 22 at this time.

Mr. Queiroga: Ok, would you have security both during the day and at night?

Ms. Michaelian: We will. So, all the youth will be supervised by staff, either at a three to one ratio or a one to one ratio depending on the need of the child. There will also be secured doors within the program, so that they'll need swipe cards to get through, so the youth won't be able to roam freely throughout. And then any outdoor space will also be fenced in and require some, you know, some sort of key to get out so that it will be a completely secure unit for the youth.

Mr. Queiroga: The other question I had, is did somebody say that the ages were varied from six to seventeen?

Ms. Michaelian: That's right.

Mr. Queiroga: Is that correct?

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Mr. Coelho: Yes, that's right Mr. Queiroga.

Mr. Queiroga: That's quite a wide age difference.

Ms. Michaelian: It is, and so, the way that we manage that right now, we're located in a bunch of smaller programs, so we're servicing youth ages ten to seventeen. And so, when a child is presented to us, we look at the milieu and look at the ages and the presentations at each of the kids and make a decision based on that. So, we would not, we take risk into account when we're allowing for admissions, so we'll never place a youth in an inappropriate situation. We also have enough bedrooms with enough distance between them to be able to separate cohorts of youth.

Mr. Queiroga: Ok, ---, correct?

Mr. Coelho: Repeat.

Mr. Queiroga: There will always be adults there, correct?

Ms. Michaelian: Always.

Mr. Coelho: Always, yup. And they make rounds every so often and, yup.

Mr. Queiroga: Ok, thank you.

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Mr. Coelho: You're welcome. Ok, with that being done, I'm gonna go ahead and start reading comments from other boards then I will open up to the public. We are past our allotted time here, so when I do open it to the public, I'm gonna ask everybody not to repeat questions that have already been answered and depending on how many people we have I'll have to divide up the time and give everybody equal time. That being said, I'm gonna start with the comments from other boards and town departments. This is from the Fire Department: To whom it may concern, the site sketch submitted to this office changing the existing medical offices to a group home for 22 children has been reviewed for compliance. The Ludlow Fire Department requires a fire alarm permit/plan review be submitted by the fire protection engineer to account for change in occupancy and accommodating new sleeping areas being created. Access gates to the facility must have the capability to be remotely opened by our emergency vehicle's radio frequency. Ambulance parking area island proposed on site plan must account for the turning radius of the ambulance backed up to the curb to allow for an unobstructed path for travel to the transporting unit. There must be a clear path of travel to access the sprinkler --- and access the fire department connection from Moody Street. Please note any omissions or missed items during this plan review do not relieve the owner or contractor from meeting --- codes, laws, or --- and standards as they apply to the construction or maintenance of this building. Feel free to contact this office if you have any questions or concerns. Respectfully, Seth Falconer, Fire Prevention Officer. From Douglas Stefancik: The plan meets the criteria for a site sketch. The Board of Health does not have nay comments. And that's signed by Andrea, I can't read her last name. I'm sorry Andrea. The Health Agent. Jim Goodreau, the Assistant Town Engineer from the DPW has no comments. And that is it from other boards. That being said, I'm now gonna open it up to the public. Are you in this for this meeting? Ok, so I have two in the room and are you also concerned public or?

Ms. Houle: They're with them.

Mr. Carpenter: I think they're with them.

Mr. Coelho: Ok, you guys are with the applicant. And how many people on the line do we have? Do we know?

Mr. Stefancik: Six or seven.

Ms. Palmer: I'm on the line, Christina Palmer.

Mr. Coelho: Ok, hold on Christina. We'll get to you. If you could just mute your phone until we get to you. I'm gonna give everybody two minutes. I'm gonna give everybody two minutes and I'll call on you. You guys all got to mute your phones until I call on you. You have two minutes and your questions will go through me the Chairman, and they will be answered by the applicant or by the Board. Again, please don't repeat questions or I'll ask you to move on. Thank you. And I'm gonna start with the people at the room, actually. Sir, if you want to state your name and address for the record.

Mr. McGregor: Eric McGregor, 49 Charles Street.

Mr. Coelho: Ok.

Mr. McGregor: It sounds like what I'm listening to is, they have a white fence around ---. And that's what they agreed to when they put that building in. I don't what kind of fence they're talking about that they're gonna put up for security wise because that white fence isn't a security and then to put a gate there. It's a residential. We live right around there. My property abuts that. You know, I have my grandson there. They're saying six to seventeen. It could be all seventeen-year old's and they can be bigger than all of us. You know, I'm totally against it, everybody in the neighborhood's against it. I'm surprised that there's not more people here. We can definitely get a petition signed with everybody in the neighborhood against it if you'd like. And then my other concern is, I pulled up that --- section, and if that doesn't work out, they can put any of these in there once you guys approve that, alcohol abuse, drug abuse. I don't know if you saw that, I mean, I pulled this off the legal site. You know what I'm saying? That's the problem, you know, you change something then anything can happen. Now there was quite a few people that wanted to come and couldn't make it tonight. I know on the Ludlow Forum there, they're talking about it too.

Mr. Coelho: --- group I1, includes alcohol and drug centers, assisted living facilities, congregate care facilities, convalescent facilities, group homes, halfway houses, residential board care facilities, and social rehabilitation facilities. Do you guys, does your business model allow you to venture out of what your specialty is?

Mr. Fierro: Well, let me respond. Our application for this board and our representation to the Building Inspector, in terms of the use, is exactly what it is in the legal notice. That is what they're obtaining a license from the Department of Early Education and Care. That's the program that they intend to run at this location, and that's what our application is for. Not for any other use, Mr. Chairman, if they were to change the use, they would have to come, obviously, back to this board, would have to go back to the Building Inspector, a determination would have to be made.

(multiple people talking)

Ms. Houle: Mr. Chairman, I believe --- licensing, if I'm not mistaken, I used to work at the Building Department for a long time, such things as drug rehabilitation, they all require approval from the state as well, just like you have to get approval from the state. So, you just could not come in and say, well tomorrow I'm gonna do this instead of this.

Mr. McGregor: I brought that up on the legal site.

Ms. Houle: That is what, those are the uses allowed in that type of building district. That doesn't mean they can just walk in and change it without getting other licenses and permits and that's why they had to get a license from the state for this program, approval from the state for this program. It's just not because they're listed, there's still another procedure for...

Mr. McGregor: --- but not be limited to the following.

Ms. Houle: It does say that, but they would still have to get approval from the state for other uses.

Mr. McGregor: ---

Ms. Houle: That type of use is allowed, but the program itself has to be approved. You just can't, it's like nursing homes, you just can't walk in and put a nursing home in.

Mr. McGregor: --- in there.

Mr. Coelho: A prison, I think a prison's a little dramatic term, but.

Mr. McGregor: --- I never go out Moody Street, I go out Lawton Street.

Mr. Coelho: Ok, Miss if you could state your name and address for the record please.

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Ms. Poirier: Debbie Poirier, 44 Clark Street. I'm against it also, but what type of things do the children do to get into this facility, like what's their ---? What are some examples?

Ms. Michaelian: Yeah, so it's not so much what they do, it's whether a behavioral health need necessitates a higher level of care. So, these are youth who are living in the community and may experience a mental health challenge, like many children are right now, and require a little bit more attention to treat a mental health challenge. So, they would come into the program, receive treatment for mental health challenges, just like they would go to an outpatient therapist. It's just a little bit more intensive. It's a very short-term program, and then they leave and go back into the community with their families.

Ms. Poirier: And to clarify, they stay in the facility, they aren't integrated into the public schools?

Ms. Michaelian: That's right, that's right. So, most of the children are attending public schools when they're not in our program, but while they're in our program it's self-contained and so they will not be integrated into the community during their stay.

Ms. Poirier: Well, it does sound like it's gonna be a little prison on the end of our little neighborhood. We have a lot of businesses down Moody Street. We moved there knowing that, but we're living there already, and I don't like the idea of having it at the end of the street and it's very hard to get out of our neighborhood. I would like to be able to do a petition also. I don't approve of it.

Mr. Coelho: And that's what this hearing is for.

Mr. Carpenter: Mr. Chairman, if I may. As I mentioned earlier, I worked at the detention center in Chicopee, and if you actually drove by that building, you wouldn't actually know it was a prison unless you saw the police officers dropping off the incarcerated individuals.

Ms. Poirier: What happens if there's a runaway?

Ms. Michaelian: So, we've taken some great measures to ensure that youth are, it's a very secure building, so it would be very challenging for youth to run away ---

Ms. Poirier: What if they ---?

Ms. Michaelian: I'm sorry.

Ms. Poirier: What if they did?

Ms. Michaelian: If they were to leave the program, we have really strict protocols. We don't let the children out of our sight. We access community supports. It doesn't happen very often. It's a very rare event. It would be…

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Ms. Poirier: But what if they did? Just for an example, I want to know if a dangerous child or something comes in our neighborhood, roams in our yards. What would happen?

Ms. Michaelian: So, what I'd like to do is just address the misconception that this is any kind of prison. There's no legal charges, there's no legal event that led any of the children. This is mental health related. So, if there were a youth that required some secure setting that was related to a legal challenge or a legal matter, they wouldn't be coming to our facility. That's a very different facility.

Mr. McGregor: Where are these kids coming from?

Ms. Michaelian: They're coming from the community.

Mr. McGregor: Not from Ludlow.

Ms. Michaelian: They're coming from, I will say…

Mr. McGregor: Not our community. What community are you talking about?

Ms. Michaelian: Ok, so what I'm saying is that any youth in the Western Mass or across the state who is experiencing a mental health challenge, they come from communities all across our state and they enter our facilities through, you know, through a referral, and they receive treatment and they go back and they live in their homes with their families.

Mr. Fierro: Mr. Chairman, if I might add, so these children, they're not committed to the program.

Ms. Michaelian: That's right.

Mr. Fierro: Families are desperate, in many instances, for help with their child in dealing with their emotional behavioral issues. And so, they seek programs like this, I don't want to say as a last resort, but to say that your child's gonna go to a residential program for two weeks, three weeks, or whatever it may be, is a major step. And I don't want to make this personal, but I recently found out that my nephew, my sister telling me, she discovered that he's been suffering from depression. She had no idea where this came from, doesn't know where to get help, she can't manage it, so they're looking at programs similar to this in eastern Massachusetts. So, it is the families, it's their primary care physicians, it's other counselors who are referring them to this program, saying if you're looking for help for your child, this is where you go. But they're not committed by the court. This is not youth committing crimes. These are families that are trying to struggle with ---.

Mr. McGregor: I've heard of other places that the officers are always there. There's always problems. There's one in Barre that there's always problems there that I was told about. Now, the other issue would be, what about the value of my house? I sell my house, I got a group home right around the corner. You're telling me the value of my house didn't go down?

Mr. Coelho: Ok, we have some people on the line that I'd like to hear from as well. So, we got to do this pretty orderly because this is a difficult thing. One person at a time and if you've called in please state your name and address for the record and again, let's try not to repeat any questions. We are well over time at this point. Is anybody on the line have any questions?

Mr. Bashaw: Yes.

Mr. Coelho: Name and address?

Mr. Bashaw: Michael Bashaw, and I live at 28 Moody Street.

Mr. Coelho: Ok.

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Mr. Bashaw: And my number one question right off the bat is, this facility is built to be a doctor's office not a school / rehab place. There is no place for these kids to play. The whole parking lot's blacktop.

Ms. ---: And it's not very big.

Mr. Coelho: Excuse me ma'am, you're gonna have to state your name and address for the record. Not very big isn't really our concern. They are renovating it to make it specific for their needs. As they indicate, they'll be putting a little play area outside, and the inside's gonna be changed quite significantly by adding a kitchen and I'm assuming converting some of those doctor's offices into the bedrooms ---.

Mr. Fierro: And creating classrooms and so on.

Mr. Coelho: Right, so the building is close to their needs. They wouldn't be investing in a building that they had to completely retrofit. I don't think that would fit their ---.

Mr. Bashaw: The thing is, they are gonna have to completely retrofit this. There's not enough bathrooms, and like I said, the building itself, there's no grass, it's all parking lot.

Mr. Coelho: They're gonna be putting in grass.

Mr. Fierro: Mr. Chairman…

Mr. Bashaw: I don't think this is a good place for it.

Mr. Coelho: Ok.

Ms. ---: And it's also gonna bring our property values down.

Mr. Coelho: Ma'am, if you would say your name and address for the record.

Ms. ---: --- it's not your property values.

Mr. Bashaw: And my other thing is, the fence, the existing fence that is in place is not secure for troubled youth. It's just a PVC fence. You still there?

Mr. Coelho: We're still here. They're gonna address the fence question.

Mr. Fierro: Brendan, if you could address the fence?

Mr. Greeley: Sure.

Mr. Coelho: So, here comes the answer to the fence question.

Mr. Greeley: So, the existing white vinyl fence is along…

Ms. Houle: The parking area, right?

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Mr. Greeley: …this boundary perpendicular to Holyoke Street and then perpendicular to Moody Street. And we will be fencing in from this corner at Moody Street with a gate across the entrance to the building to secure this whole area, and then continuing the fence along Holyoke Street to the building which we left this, the line of sight, from around the building so that it wouldn't impact with someone pulling out of Moody Street looking down Holyoke Street at oncoming traffic to the right. And then the fence will come from the building along to the property line on Moody Street down to meet the other fence on the other end of the building here.

Mr. Fierro: And this will be what type of fence?

Mr. Greeley: It'll be a privacy fence. You know, we intend on creating a visual barrier so that, you know, nobody can see into the facility.

Mr. Coelho: And it will be relatively sturdy as well?

Mr. Greeley: Yeah, oh yeah, of course.

Mr. Coelho: And then the design of fence, you're gonna keep in mind the quality of the neighborhood?

Mr. Greeley: Of course.

Mr. Bashaw: The vinyl fence in the back is not even quality. The wind, through the years since the doctor's office folded up, has blown it apart multiple times.

Mr. Coelho: Well, maybe they would commit to repairing that fence and making it consistent with the rest of the fence they're using.

Mr. Greeley: Of course, you know, the effort will be made to secure it and that is of the utmost concern of the applicant is the safety of the occupants of the building.

Mr. Coelho: Ok, is there anybody else on the line?

Ms. Palmer: Shelly Palmer.

Mr. Coelho: Address please Ms. Palmer?

Ms. Palmer: 522 Holyoke Street.

Mr. Coelho: Thank you. Go ahead.

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Ms. Palmer: Our property abuts that building. We have that white vinyl fence on our yard. One of my biggest concerns are, somebody was talking about a recreational area. There's no room for an adequate recreation area for youth for ages from 16 to 17 and knowing that is an important part of mental health. That's a small lot. That's not a large lot.

Mr. ---

Ms. Palmer: You can't play baseball. I mean, you can't run around ---.

Mr. Coelho: Would you like to address that from the program's perspective?

Ms. Palmer: --- another one is…

Ms. Michaelian: Sure.

Mr. Coelho: Ok, keep going.

Ms. Palmer: How would we know if there's an emergency over there that could spill out into the neighborhood? How do we get notified? It's bad enough you got to wait to get notified, you gotta wait or be concerned about being notified about the jail. Will you notify the community? We're right next door.

Mr. Coelho: Ok, is that the extent of your questions? We're about to address them.

Ms. Michaelian: So…

Mr. Coelho: Go ahead, yes please.

Ms. Michaelian: Thank you for your concern regarding our youth. I really appreciate your amount of thought that you've put into, you know, their recreational needs in relation to their mental health. And we've done quite a bit of, you know, evaluation of the space in considering that this is a pretty short term stay, and we'll have the youth out at different times and we have different areas for the younger youth versus the older youth. We can assure you that there will be adequate space to have basketball games and, you know, smaller games where they can run around. The younger youth will be on the other side, so they won't even be interacting with the older kids and we'll have plenty of playscape space and space to be able to run around back and forth. So, I really appreciate your concern about that and that was a concern of mine too. And, you know, that was a concern of mine too, and, you know, I've been assured as the vice president of Kid and Family Programs that my first concern is making sure that kids are getting what they need and I've been assured over and over again, now that I've seen the plans, that they will have adequate space, ample space to do their recreational activities.

(multiple people talking)

Mr. Coelho: Is there anybody else on the line that has questions that hasn't asked yet?

Ms. Palmer: Well, you haven't answered my second question --- with securi[illegible].

Mr. Coelho: Ok, we'll get to that.

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Ms. Palmer: 'Cause if you have them, if you have those youths fenced in, locked in, and gated in, if something were to spill out, how are we aware of that in the neighborhood? If one child, I don't care what child, gets out or leaves that facility unsupervised how do we know? How do we get a heads up because there's nowhere to walk here? You gotta get that, there is nowhere to walk here.

Mr. Coelho: Let me play devil's advocate, and how are you ever notified when one of your neighbor's children walks through your yard or gets out of their house?

Mr. Bashaw: That's besides the point? These are troubled youth.

Ms. Palmer: ---

Mr. Coelho: Well, neither are these, these aren't troubled youth either.

Mr. Fierro: Mr. Chairman.

Ms. Palmer: They are there because of behavior issues. They're not ---.

Ms. Houle: Mr. Chairman?

Mr. Coelho: Ms. Houle.

Ms. Houle: I would just like to ask one question. And I think I can understand people worrying about children in a facility. My feeling is that these kids are there not because they're a danger to someone else, they're a danger to themselves. And I have such compassion. We worry about these kids. We really want them to feel better, to be with their families. I don't think the big problem with them is worrying about them doing something to someone else as doing something to themselves and that's why they're in this type of program.

Mr. Coelho: Thank you.

Mr. Carpenter: I have to concur with you on this. Like I said, I was a student who went to a program similar to this and it was because I was expelled because I had a ADHD issue. So back then it was, oh you're troubled, you need to go here. You guys are taking that step and assisting kids to do productive things with their life later on like I have done. So, I appreciate and applaud your efforts.

Mr. Coelho: And now look at you Josh.

(multiple people talking)

Mr. Coelho: Is there anybody else on the line that wanted to ask a question? I'm trying my best here to give everybody equal opportunity.

Mr. Bashaw: What do you guys plan on doing --- because this is gonna drop our property values big time.

Mr. Coelho: I don't know that that's a situation. That is…

Mr. Bashaw: Now, not only, I mean, at least I had a doctor's office to look at. Now I have to look at a prison.

Mr. Coelho: Ok, thank you for your comment. Is there anybody else that has anything else to share?

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Mr. Bashaw: Can you answer that please?

Mr. Coelho: No, I don't control the economy. Maybe…

Mr. Bashaw: I've been in this town for 32 years. I'm a taxpayer of Ludlow. These people aren't here yet, ok? And my concern is, it's gonna drop my property value, and I am gonna have troubled youth around here.

Mr. Coelho: Ok, again, duly noted. Is there anybody else the line that has anything to say?

Ms. Palmer: Yes, Christina Palmer.

Mr. Coelho: Address please?

Ms. Houle: Right across the street.

Ms. Palmer: My address is 522 Holyoke Street.

Mr. Coelho: Ok.

Ms. Palmer: My full name is Dr. Christina Palmer. I'm a licensed marriage and family therapist. My mother's family has lived at 522 Holyoke Street for close to or well over 50 years. And what concerns me deeply as I'm listening to BHN has everyone convinced that this is a school. It is not just a school. These are not just students. These are students --- a wide range of them who are high risk, high risk to themselves or to others. So, let's get that right. The facility is small and the idea that you feel that the outside is large enough for them to exercise and help their well-being is not true. And it's concerning that these children and adolescents would be in a tight facility at a high-risk level and you have no way of notifying folks that they are struggling, if they leave. That's huge. The other thing is traffic because I'm not posing this as a question, just stating many things that other people have said. Traffic flow, cars coming and going. This is a quiet neighborhood. What you are talking about is not quiet. It is concerning that the play area continues to be something that you folks are saying is large.

Mr. Coelho: I don't know that they're saying it's large, but I think they're saying it's adequate for their needs and I am not in a position to judge the adequacy of their play areas, nor is anybody on this board.

Mr. Bashaw: Ok, so where do you plan on putting the cars besides the play area?

Mr. Coelho: They have adequate parking as indicated by our chart for this type of facility.

Mr. Bashaw: You said 36 spaces for cars, correct?

Mr. Coelho: Yes.

Mr. Bashaw: There's no way that parking lot is big enough for 36 spaces and a play area. What are you making a daycare here?

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Mr. Coelho: We have the plan in front of us and there --- 36 spaces. So, again, we have the plan right in front of us and they have to build it to that plan.

Mr. Bashaw: That's fine and dandy, a plan. You can look at a piece of paper all you want, but go look at the size of this place.

Mr. Coelho: Ok. Is there anybody else on the line with anything new to add?

Mr. Bashaw: Can you answer the doctor's questions first?

Mr. Coelho: I don't know that the doctor had any questions as much as she had opinions.

Mr. Bashaw: Well it was more of a question and an opinion.

Mr. Coelho: Ok. If the doctor would like to pose her question again, we'll get an answer for it.

Ms. Palmer: --- notified if there was an issue. --- How are you gonna notify us?

Mr. Coelho: Once again, go ahead. They're gonna answer your question for you right now.

Ms. Parker: --- if one of those adolescents…

Mr. Fierro: Mr. Chairman.

Ms. Parker: …is able to leave the facility...

Mr. Fierro: --- critical.

Ms. Parker: …and goes down to the neighborhood, now are you going to notify us? --- bringing high risk ---.

Mr. Coelho: Ok, you're getting an answer. So, I'm gonna have to interject here, and I don't want to use the gavel. They're about to address your concerns if you want to listen please.

Mr. Fierro: Mr. Chairman, a number of issues have been raised that are really clinical issues, which are far outside the jurisdiction of this board. That is the reason this program is licensed by the Commonwealth of Massachusetts. Extensive regulations, these programs are audited by the Department of Education, of Early Education. If there are issues that arise, the adolescents who are there, they have a right of privacy. That's dealt with between them, their parents, their physician, and so on. Again, these are not children committed to this program by the courts or by the state. So, I don't really know what the concern is. The likelihood that a child would leave the program and somehow get out of the building and pose some kind of threat really implies, frankly, prejudice and bias regarding these children. It's really not relevant. Obviously, if there's issues, the Ludlow Police, EMS, and so on, or course, would appropriately be notified. I want to go back to something else someone mentioned about bathrooms or whatever. This program is subject not only to the state building code for adequate facilities, bathrooms and so on and fire code, but also to the very specific regulations of the Commonwealth of Massachusetts like any other licensed program which has specific regulations regarding the facilities themselves. Let me make an analogy. You're familiar now, we have medical--excuse me, marijuana stores and so on, facilities. Before a program can, or operation can be opened up, they have to be licensed by the Commonwealth of Massachusetts and the facility has to be inspected to make sure it meets with all of the specifications before it can be opened. That, of course, is the same with this and any other licensed program. I don't know how else, Mr. Chairman to respond.

Mr. Coelho: There really is no other way. Is there anybody else?

Ms. Parker: I need to ask another question.

Ms. Coelho: No, the time is up. We are well over time on our agenda now. Could you please mute this?

Ms. Parker: I just want to know is there any documentation for other neighborhoods that have similar or alike programs.

Mr. Coelho: I'm sure they have plenty of programs all over the place.

Ms. Parker: I want to know how those neighborhoods have been affected.

Mr. Coelho: Ok. Did you, were you able just to mute that call? Is there anybody else that has, that hasn't spoken yet with anything new to add? Alright, once again, this is, I think I've provided enough time at this point. Have we covered as much as we can on the internet there?

Mr. Stefancik: Yeah.

Mr. Coelho: At this point we've heard all of the pros and cons to this situation and it's time for us to take a vote. So, I'd be willing to entertain a motion.

Ms. Houle: Mr. Chairman.

Mr. Coelho: Ms. Houle.

Mr. Stefancik: Waivers as well on this for the full site plan to a site sketch.

Ms. Houle: Waivers, where's the waivers? Ok, do you have a letter?

(conversation regarding the location of the waiver request)

Mr. Coelho: That's probably more elaborate. Let me read it into the record. This is to the Ludlow Planning Board from the Behavioral Health Networks Inc., Lyons Offices LLC dated October 14, 2020, request for waiver for site plan approval --- to Section 7.1.7 Ludlow Town Bylaw, acknowledgement of property located at 1 Moody Street prominent to application duly filed, dufed, dated, I'm sorry, August 31, 2021, signed Benjamin Fierro III with Lynch and Fierro LLP. So, they are looking for, that is in writing and that's official.

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Ms. Houle: So, Mr. Chairman.

Mr. Coelho: Ms. Houle.

Ms. Houle: I **MOVE** to waive a full site plan in favor of a sketch for the property at 1 Moody Street, Lyon Offices LLC since there is an existing approved site plan on file that is less than 25 years old and that has not been modified more than twice and in doing so is consistent with the intent and purposes of the Zoning Bylaw.
SECOND Mr. Carpenter.
4-0 in Favor
Roll call vote: Mr. Queiroga – yes; Mr. Carpenter – yes; Ms. Houle – yes; Mr. Coelho – yes.

Ms. Houle: Mr. Chairman.

Mr. Coelho: Ms. Houle.

Ms. Houle: I **MOVE** to approve and sign the site sketch for 1 Moody Street, Lyon Offices LLC. That's it, site sketch.
SECOND Mr. Carpenter.
4-0 in Favor
Roll call vote: Mr. Queiroga – yes; Mr. Carpenter – yes; Ms. Houle – yes; Mr. Coelho – yes.

Ms. Houle: Mr. Chairman, I **MOVE** to close the public hearing for 1 Moody Street.
SECOND Mr. Carpenter.
4-0 in Favor
Roll call vote: Mr. Queiroga – yes; Mr. Carpenter – yes; Ms. Houle – yes; Mr. Coelho – yes.

Hearing closed at 8:10 p.m.

APPROVED:

Kathleen J Houle
Kathleen Houle, Secretary

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Documents: Master Application; Waiver request; Comments from Town Departments/Boards; Proposed Site Plan/Proposed Modifications For: BHN – CBAT Program – 1 Moody Street Ludlow, MA 01056 (9/13/2021)

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