



NOTICE OF PLANNING BOARD HEARING
Relative to
PROPOSED ZONING BYLAW AMENDMENTS
Pursuant to G.L. c. 40A, § 5

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TOWN OF LUDLOW

LEGAL NOTICE – ZONING BYLAW

The Planning Board of the Town of Ludlow will hold a public hearing to discuss proposed amendments to the town's zoning bylaw. The public hearing will be held as follows:

Place: Ludlow Town Hall, Selectmen's Conference Room, 3rd fl.
Date: Thursday, January 23, 2025 *
Time: 7:00 PM
Applicant: Planning Board
Location: 488 Chapin Street, Ludlow, MA

*If for any reason this hearing is cancelled, it will be rescheduled to the Thursday, February 13, 2025 Planning Board meeting, as the last hearing.

The subject matter of the proposed amendments is as indicated below. The complete text relative to the proposed amendments is available for inspection on the Planning Board web site: <https://www.ludlow.ma.us/243/Documents-for-Review> and in the Planning Department Office and Town Clerk's Office during regular business hours. Proposed zoning bylaw revisions are in draft form and are subject to change.

Proposed zoning bylaw revisions to include the following: SECTION VI: SPECIAL LAND USE REGULATIONS: by removing Section 6.6 Accessory Apartment Bylaw in its entirety and adding in its place Section 6.6 Accessory Dwelling Units with associated texts. SECTION VII: LAND USE REVIEW METHODS 7.1 SITE PLAN APPROVAL 7.1.2 Projects Requiring Site Plan Approval; by adding (d.) A single Accessory Dwelling Unit (ADU) . (An additional Accessory Dwelling Unit ADU will require both site plan and special permit approval from the Planning Board.) And 7.1.3 Exemptions From Site Plan Approval adding to (a.) (unless an Accessory Dwelling Unit ADU is included) SECTION III: GENERAL USE REGULATIONS 3.0 GENERAL REGULATIONS. SECTION 3.2.2 TABLE 1 LUDLOW TABLE OF PRINCIPLE USES. Remove Accessory Apartment and replace with Accessory Dwelling Unit (ADU). Add Accessory Dwelling Units over 900 SQ FT and Additional Accessory Dwelling Units.

Raymond Phoenix
Chairman

Register - Please publish as a legal notice in the 1/8/25 & 1/15/25 editions.



CC: Town Clerk – Please post,
PVPC, Surrounding Communities, DHCD,
Assessors, Board of Health, Board of Selectmen, Building Department, Conservation
Commission, DPW, Fire Department & Safety Committee

Article ____: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow,
SECTION VI: SPECIAL LAND USE REGULATIONS: by removing in its entirety **Section 6.6 Accessory Apartment Bylaw** and adding in its place **Section 6.6 Accessory Dwelling Units** as follows:

6.6 ACCESSORY DWELLING UNITS

6.6.1 Definition. An Accessory Dwelling Unit ("ADU") is an attached or detached Dwelling Unit that is accessory to a principal single-family Dwelling Unit and is otherwise defined in accordance with the provisions of G.L. c. 40A, §1A, as may be amended.

6.6.2 Use Schedule.

1. ADUs are allowed as a matter of right in the RA-1, RA, RB, A, and AMD Zoning Districts, subject to the requirements of this Section.
2. Only one ADU is allowed as a matter of right on any property. A second ADU may only be allowed with the issuance of a Special Permit by the Planning Board. Limited to no more than two ADUs per property.
3. ADUs may not be used as Short-Term Rentals, as such term is defined in G.L. c. 64G, §1 or otherwise rented for a period shorter than thirty-one (31) days.

6.6.3 Dimensional Requirements.

1. An ADU may be no larger in gross floor area than one half of the gross floor area of the principal Dwelling Unit on the property or 900 square feet, whichever is less. An ADU over 900 square feet will require a special permit from the Planning Board.
2. ADUs shall comply with any and all lot area, frontage, setback, height and lot coverage requirements, as may be applicable to single-family homes in the zoning district in which it is located, as contained in Table 2, Table of Dimensional Regulations.
3. ADUs are limited to a maximum of two stories.

6.6.4 Parking.

1. At least one (1) off-street parking space must be provided for all ADUs. Parking may be in a driveway or a garage.

2. The construction of a new garage to provide parking for the ADU shall require a building permit and comply with Section 3.3 ACCESSORY USE REGULATIONS 3.3.1 General Accessory Regulations b. Accessory Buildings.

6.6.5 Site Plan Approval. All ADUs are required to obtain Site Plan Approval from the Planning Board pursuant to the procedures in Section 7.1.1-7.1.7 Site Plan Approval of this Zoning Bylaw, provided that the Site Plan Review criteria under 7.1.5 shall include the following:

1. The ADU should minimize tree, vegetation and soil removal and grade changes.
2. Architectural style should be compatible with the existing principal dwelling on the subject property.
3. The ADU shall be serviced with adequate water supply and sewer or septic service. For ADUs to be served by on-site septic systems, the owner must obtain a letter from the Board of Health that the existing sewage disposal system is adequate for the proposed ADU.
4. The Plan shall demonstrate adequate parking, as required hereunder and shall maximize convenience and safety for vehicular and pedestrian movement within the property and in relation to adjacent ways.
5. The Planning Board may waive strict compliance from 7.1.5 Required Site Plan Contents under 7.1 Site Plan Approval or the purpose of the requirements of this ADU bylaw. Any applicant may submit a written request for a waiver. Such a request shall be accompanied by an explanation or documentation supporting the waiver request. The waiver request will be discussed at the time of the public hearing. Additionally, the Planning Board may waive strict compliance to 6.6 Accessory Dwelling Units.

To maximize compliance with the above, the Planning Board may request reasonable plan modifications of the Site Plan for an ADU and may impose reasonable conditions that are not inconsistent with this bylaw or the provisions of G.L. c. 40A, §3.

6.6.6 Relationship to non-conformities. If an ADU is proposed for a pre-existing, non-conforming primary residence, the requirements of Sections 3.4 Non-Conforming Use and Building Regulations of this Zoning Bylaw shall apply provided that no special permit may consider the ADU use or impose conditions on such use.

Explanation: With changes to Massachusetts law, through the Affordable Homes Act, specifically the allowance of accessory dwelling units (ADUs) as a matter of right, the Town's zoning bylaw for Accessory Apartments will need to be compliant with the state zoning regulations. ADUs will be subject to reasonable regulations. They will be allowed in all Residential zoning districts through site plan approval from the Planning Board. A special permit will no longer be required.

Article ____: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow, **SECTION VII: 7.1 SITE PLAN APPROVAL:** by inserting section (d.) to 7.1.2 Projects Requiring Site Plan Approval and amending (a.) 7.1.3. Exemptions From Site Plan Approval regarding Accessory Dwelling Unit (ADU) language.

7.1.2 Projects Requiring Site Plan Approval

Within all districts, no special permit or building permit shall be issued and no application for such permits shall be accepted for any of the following uses:

- a. The construction or occupancy of a new building;
- b. Additions over twenty-five percent (25%) to the gross floor area of an existing building;
- c. Any exterior alteration, addition, occupancy, or change in use of an existing construction or premises whose site sketch did not receive the Town of Ludlow Planning Board waiver;
- d. A single Accessory Dwelling Unit ADU. (An additional Accessory Dwelling Unit ADU will require both site plan and special permit approval from the Planning Board.)

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****Unless a site plan has been endorsed by the Planning Board after consultation with other boards, including but not limited to the following: Fire Department, Department of Public Works, Building Office and/or Town Engineer, Conservation Commission, and Board of Health.**

7.1.3 Exemption From Site Plan Approval

Site plan approval shall not be required for:

- a. The construction or enlargement of any single family dwelling (unless an Accessory Dwelling Unit ADU is included-); or
- b. any building used exclusively for agriculture, horticulture, or floriculture.
- c. No site plan approval shall be required in those instances where a lawful occupancy change is proposed, and no physical changes (other than signs) will occur to the site or building exterior, and where no new or additional requirements of the Zoning Bylaw must be met for the proposed occupancy. In the above case (c. only) the Planning Board will only require a "Change of Occupancy" application with the application fee in force at the time. (Added 10/7/96) The application will require a sign-off from the Building Commissioner to ensure that the change will comply with the Massachusetts State Building Code. (Amended 10/2/23 STM)

Explanation: Accessory Dwelling Units (ADUs) will require site plan approval and it needs to be mentioned in the Site Plan Approval section to keep the bylaw consistent with the new Accessory Dwelling Unit bylaw.

ARTICLE: 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 PRINCIPAL USES, LAND USE CLASSIFICATION/RESIDENTIAL USES** by removing land use classification Accessory Apartment and replace with Accessory Dwelling Units (ADU) allowed through Site Plan Approval from the Planning Board (SPA) in RA-1, RA, RB, A, AMD and to add Accessory Dwelling Unit over 900 SQ FT and Additional Accessory Dwelling Unit with Site Plan Approval and Special Permit Approval from the Planning Board in the following zoning districts RA-1, RA, RB, A, AMD to amend Table 1 to reflect this change, as follows:

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Current Section:

LAND USE CLASSIFICATION	STANDARDS & CONDITIONS	RA-1	RA	RB	BA	BB	A	AMD	IA	IC	MRD
RESIDENTIAL USES											
Accessory Apartments		SPPB	SPPB	SPPB	N	N	SPPB	SPPB	N	N	N

New Section to Read:

LAND USE CLASSIFICATION	STANDARDS & CONDITIONS	RA-1	RA	RB	BA	BB	A	AMD	IA	IC	MRD
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RESIDENTIAL USES												
Accessory Dwelling Units (ADU)		SPA	SPA	SPA	N	N	SPA	SPA	N	N	N	
LAND USE CLASSIFICATION	STANDARDS & CONDITIONS	RA-1	RA	RB	BA	BB	A	AMD	IA	IC	MRD	
RESIDENTIAL USES												
Accessory Dwelling Units over 900 SQ FT		SPA/ SPPB	SPA/ SPPB	SPA/ SPPB	N	N	SPA/ SPPB	SPA/ SPPB	N	N	N	

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LAND USE CLASSIFICATION	STANDARDS & CONDITIONS	RA-1	RA	RB	BA	BB	A	AMD	IA	IC	MRD	
Additional Accessory Dwelling Units		SPA/ SPPB	SPA/ SPPB	SPA/ SPPB	N	N	SPA/ SPPB	SPA/ SPPB	N	N	N	

Explanation: With the changes to the Accessory Dwelling Units zoning bylaw the Table of Uses will need to reflect the updated changes.

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