

**COMMONWEALTH OF MASSACHUSETTS**  
**HAMPDEN, SS**

To Ms. Kim Batista, Town Clerk of the Town of Ludlow, Massachusetts in said County:

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town qualified to vote on Town affairs to meet at the **Ludlow High School Auditorium**, 500 Chapin Street, Ludlow, Massachusetts on **Monday, May 8, 2023 at 7:30 p.m.**, if the Auditorium of the LUDLOW HIGH SCHOOL, shall not, in the opinion of the Moderator, be adequate to contain such inhabitants who shall meet, then to meet also in such other locations in the LUDLOW HIGH SCHOOL as the Moderator deems appropriate, at such time and place then and there for the purpose of acting on the following articles in the warrant.

**ARTICLE 1:** To hear and act on the reports of the Town Officers.

Pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 2:** To hear and act on the reports of the outstanding committees appointed pursuant to prior warrants and continued at each succeeding meeting and to continue said committees further, unless discharged by vote of this body.

Pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 3:** To see if the Town will vote to amend the CPR Training revolving fund, pursuant to Massachusetts General Laws Chapter 44, §53E ½, established in Section 42 of the Town By-laws By amending the table appearing Section 5 "Authorized Revolving Funds" as set forth in italics and underline below. Said fund to receive fees for CPR, Hands-Only CPR, 1<sup>st</sup> Aid Training, Mental Health 1<sup>st</sup> Aid, ServSafe, Narcan, and any other Health Department related trainings offered to both Town Employees and the public.

Pass any vote or take any action relative thereto. Submitted by the Board of Health.

CPR Training	Board of Health	<u>Fees charged for CPR training, Hands-only CPR and First Aid training, Mental Health First Aid training, ServSafe training, Narcan training, and any other Health Department related trainings</u>	Purchase of certification cards, manuals and supplies that will be needed for each participant		The balance in the revolving account shall not exceed the approved expenditure limit set at the Annual Town Meeting or subsequently approved by the Board of Selectmen in accordance with M.G. Laws Transfer end of year balance to subsequent fiscal year.	Fiscal Year 2024 and subsequent years.
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**ARTICLE 4:** To see if the Town will vote to establish the annual expenditure limits for each of the following already established revolving funds for the use by certain Town departments, boards, committees, agencies or officers pursuant to Massachusetts General Laws Chapter 44, § 53E ½ as outlined in the Town of Ludlow General Bylaws, **Chapter 2, Section 42: DEPARTMENTAL REVOLVING FUNDS** and printed below.

CPR Training	\$25,000
On-site Sewage System	\$0,000
Vaccine	\$20,000
Consultants	\$50,000
Wetlands	\$80,000
Purple Bags	\$26,000
Dog Park	\$5,000

Pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 5:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money, not to exceed \$5,000.00, to be expended by the Celebrate Ludlow Committee, with the approval of the Board of Selectmen, for fireworks and general expenses related to the annual Town-wide celebration and to further allow gifts and donations to be deposited in a previously established Special Revenue Fund to cover expenses related to this celebration.

Pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 6:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money, not to exceed \$4,900.00, to be expended by the Commission on Disability, with the approval of the Board of Selectmen, for trainings, marketing materials, supplies, and other expenses related to the Commission on Disability.

Pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 7:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money, not to exceed \$25,000.00, to be expended by the Board of Selectmen, to hire a municipal government expert to support the town's goal of creating a town charter.

Pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 8:** To see if the Town will vote to accept and appropriate any and all State Chapter 90 Highway Aid Funds for engineering, construction, reconstruction and/or repairs to Town roads and bridges.

Pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 9:** To see if the Town will vote to authorize the Board of Selectmen to enter into a contract with the Massachusetts Department of Transportation for the construction and maintenance of public roads for the ensuing years.

Pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 10:** To see if the Town will vote to raise and appropriate and/or transfer from available funds and/or borrow by the issuance of bonds or notes such sums of money as may be necessary for Town Capital Improvements during the Fiscal Year beginning July 1, 2023 (Fiscal Year 2024).

Pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 11:** To see if the Town will vote to raise and appropriate and/or transfer from available funds and/or borrow by the issuance of bonds or notes such sums of money as may be necessary for Westover Golf Course Capital Improvements during the Fiscal Year beginning July 1, 2023 (Fiscal Year 2024).

Pass any vote or take any action relative thereto. Submitted by the Westover Golf Commission.

**ARTICLE 12:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for the Fiscal Year 2023 Reserve Fund.

Pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 13:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund the Building Infrastructure Article which was established at the October 1, 2012 Special Town Meeting, Article 17 and authorize the Board of Selectmen to expend such funds for the purpose of assessing and addressing the repairs, maintenance and construction of municipal buildings.

Pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 14:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for deposit into the Stabilization Fund.

Pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 15:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for deposit into the Other Post-Employment Benefits (OPEB) fund.

Pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 16:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to purchase new firearms for the Police Department.

Pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 17:** To see if the Town will vote to authorize the Westover Golf Commission to enter into a four (4) year contract, commencing July 1, 2023 with a qualified vendor for the lease of golf carts.

Pass any vote or take any action relative thereto. Submitted by the Westover Golf Commission.

**ARTICLE 18:** To see if the Town will vote to raise and appropriate and/or otherwise provide such sums of money as may be necessary for Town purposes and charges during Fiscal Year 2024 and to fix the salary of all elected officials of the Town for the same Fiscal Year, beginning July 1, 2023.

Pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 19:** To see if the Town will vote to re-purpose \$644,748.58 (\$348,984.04 and \$295,764.54) of unexpended bond proceeds originally voted under Article 6 of the May 11, 2015 Special Town Meeting and under Article 3 of the May 9, 2016 Special Town Meeting and, further, to transfer the proceeds to make improvements, and to purchase fixtures and equipment, for the Town Hall, or act in any other manner relating thereto.

Pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 20:** To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money, to be expended under the direction of the Board of Selectmen, to make HVAC improvements to the Town's public safety facility located at 612 Chapin Street, including the payment of all costs incidental and related to the project.

Pass any vote or take any other action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 21:** To see if the Town will vote to authorize the Board of Selectmen to enter a ten (10) year contract, commencing immediately, to lease space for the Veterans Center located at 487 Holyoke Street, Suite 2, Ludlow, MA, upon such terms and conditions as the Board of Selectmen deem warranted and appropriate and for such consideration, including nominal consideration as the Board of Selectmen may determine appropriate. The new contract dates would be March 1, 2023 through February 28, 2033.

Pass any vote or take any other action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 22:** To see if the Town will vote to amend the General Bylaws of the Town of Ludlow, by removing Section 7. Prohibition on Marijuana Establishments from Chapter III, Regulating Certain Occupations:

Section 7. Prohibition on Marijuana Establishments (added 11/6/17 STM, Art 3) In accordance with Massachusetts General Laws Chapter 94G, Section 3(a)(2), all types of marijuana establishments, as defined in Massachusetts General Laws Chapter 94G, Section 1 and as may otherwise be defined by Massachusetts law or regulation, to include, without limitation, all marijuana cultivators, marijuana testing facilities, marijuana product manufacturers, marijuana retailers, on-site consumption at a business location, any other types of licensed marijuana-related businesses, and the conducting of any such activity for commercial purposes by whichever name used, shall be prohibited within the Town of Ludlow. This prohibition shall not be construed to affect the medical use of marijuana as expressly authorized by the provisions of Chapter 369 of the Acts of 2012 and 105 CMR 725.000 (as the same may be amended from time to time).

Pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 23:** To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow, **SECTION III: GENERAL USE REGULATIONS, 3.2.2 TABLE OF PRINCIPAL USES** by deleting the following land use classification entitled **"Medical Marijuana Treatment Center/Dispensary"** in the **GOVERNMENT, INSTITUTIONAL, & PUBLIC SERVICE** row of **TABLE I, LUDLOW TABLE OF PRINCIPAL USES** and adding a new row **SECTION III: GENERAL USE REGULATIONS: MARIJUANA / CANNABIS USES** and adding the following land use classifications **"Marijuana Cultivator," "Medical Marijuana Treatment Center (MMTC) /**

Registered Marijuana Dispensary (RMD),” “Recreational Marijuana Retail Establishment,” “Marijuana Testing Facility,” “Craft Marijuana Cultivator Cooperative,” “Independent Marijuana Testing Laboratory,” “Marijuana Product Manufacturer & Marijuana Microbusiness,” “Marijuana Transporter” and “Marijuana Research Facility” to the MARIJUANA / CANNABIS USES in TABLE 1, LUDLOW TABLE OF PRINCIPAL USES:

LAND USE CLASSIFICATION	STANDARDS & CONDITIONS	RA-1	RA	RB	BA	BB	A	AMD	IA	IC	MRD
<b>Marijuana/Cannabis Uses</b>											
Marijuana Cultivator		N	N	N	N	N	N	N	SPA/ SPPB	SPA/ SPPB	N
Medical Marijuana Treatment Center (MMTC) / Registered Marijuana Dispensary (RMD)		N	N	N	SPA/ SPPB	SPA/ SPPB	N	N	SPA/ SPPB	SPA/ SPPB	N
Recreational Marijuana Retail Establishment		N	N	N	SPA/ SPPB	SPA/ SPPB	N	N	SPA/ SPPB	SPA/ SPPB	N
Marijuana Testing Facility		N	N	N	SPA/ SPPB	SPA/ SPPB	N	N	SPA/ SPPB	SPA/ SPPB	N
Craft Marijuana Cultivator Cooperative		N	N	N	N	N	N	N	SPA/ SPPB	SPA/ SPPB	N
Independent Marijuana Testing Laboratory		N	N	N	N	N	N	N	SPA/ SPPB	SPA/ SPPB	N
LAND USE CLASSIFICATION	STANDARDS & CONDITIONS	RA-1	RA	RB	BA	BB	A	AMD	IA	IC	MRD
Marijuana Product Manufacturer & Marijuana Microbusiness		N	N	N	N	N	N	N	SPA/ SPPB	SPA/ SPPB	N

Marijuana Transporter		N	N	N	SPA/ SPPB	SPA/ SPPB	N	N	SPA/ SPPB	SPA/ SPPB	N
Marijuana Research Facility		N	N	N	N	N	N	N	SPA/ SPPB	SPA/ SPPB	N

Pass any vote or take any other action relative thereto. Submitted by the Planning Board

**ARTICLE 24:** To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow,  
**SECTION III: GENERAL USE REGULATIONS 3.0 GENERAL REGULATIONS 3.2**  
**PROHIBITED USES by deleting 3.2.3 Prohibition of Marijuana Establishments.**

**Section to be removed:**

**3.2.3 Prohibition on Marijuana Establishments (Added 11/6/17)**

In accordance with Massachusetts General Laws Chapter 94G, Section 3(a)(2), all types of marijuana establishments, as defined in Massachusetts General Laws Chapter 94G, Section 1 and as may otherwise be defined by Massachusetts law or regulation, to include, without limitation, all marijuana cultivators, marijuana business location, any other types of licensed marijuana-related businesses, and the conducting of any such activity for commercial purposes by whichever name used, shall be prohibited within the Town of Ludlow. This prohibition shall not be construed to affect the medical use of marijuana as expressly authorized by the provisions of Chapter 369 of the Acts of 2012 and 105 CMR 725.000 (as the same may be amended from time to time).

Pass any vote or take any other action relative thereto. Submitted by the Planning Board.

**ARTICLE 25:** To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow,  
**SECTION VI: SPECIAL LAND USE REGULATIONS, by deleting 6.11 Medical Marijuana Treatment Center/Dispensary and inserting in its place 6.11 ADULT USE MARIJUANA/CANNABIS ESTABLISHMENTS AND MEDICAL MARIJUANA TREATMENT CENTERS.**

**Section to be removed:**

**6.11 Medical Marijuana Treatment Center/Dispensary: (Added 5/12/14)**

Medical Marijuana Treatment Center/Dispensary: A non-profit facility or location that has been registered by the Department of Public Health where medical marijuana is grown, processed and/or made available to a qualifying patient or a personal caregiver, provided that:

6.11.1 A medical marijuana treatment center/dispensary shall not be located within 1,000 feet of an elementary school, middle school, high school, church, public library, day care, public park or

where children commonly congregate in existence at the time of enactment of the zoning bylaw amendment establishing this use.

- 6.11.2 All medical marijuana treatment centers/dispensaries need to provide a letter from the police and fire department that the centers/dispensaries meet all standards of security, fire code and public safety.
- 6.11.3 Medical marijuana treatment centers/dispensaries are allowed through site plan approval and a special permit from the Planning Board in the Industrial A and Industrial C zoning district.
- 6.11.4 A traffic study will be required.

**New Section to be added:**

**6.11 ADULT USE MARIJUANA/CANNABIS ESTABLISHMENTS AND MEDICAL MARIJUANA TREATMENT CENTERS**

**A. PURPOSE:**

To provide for the placement of Adult Use Marijuana Establishments and Medical Marijuana Treatment Centers in appropriate places and specific conditions in accordance with the Mass G. L. c. 94G, Regulations of the Use and Distribution of Marijuana Not Medically Prescribed, found at 935 CMR 500.00, and with Mass. G. L. c. 94I, Medical Use of Marijuana Regulations, found at 935 CMR 501.00. To minimize potential adverse impacts of Adult Use Marijuana Establishments and Medical Marijuana Treatment Centers on adjacent properties, dense or concentrated residential areas, schools, and other places where children congregate, and other sensitive land uses. To regulate the siting, design, placement, access, security, safety, monitoring, modification, and transfer of adult use marijuana establishments and Medical Marijuana Treatment Centers.

Subject to the provisions of the Town of Ludlow Zoning Bylaws, Massachusetts General Laws Chapter 40A, and 935 CMR 501.00, Adult Use Marijuana Establishments will be permitted to do business within the Town of Ludlow that meet or exceed state regulations as established by the Massachusetts Cannabis Control Commission.

**B. DEFINITIONS:**

**MARIJUANA ESTABLISHMENT:** A marijuana cultivator, craft cooperative, independent testing laboratory, marijuana transporter, marijuana product manufacturer, marijuana retailer, or any other type of licensed marijuana-related business registered, approved, and regulated in accordance with the regulations of the Massachusetts Cannabis Control Commission, and/or pursuant to all other applicable state and laws and regulations, other than a Medical Marijuana Treatment Center.

**MEDICAL MARIJUANA TREATMENT CENTER (MMTC)** also known as a **REGISTERED MARIJUANA DISPENSARY (RMD)** : A use operated by a not-for-profit entity registered and approved by the Massachusetts Cannabis Control Commission in accordance with 935 CMR 501.00, and pursuant to all other applicable state laws and regulations, also to be known as a Medical Marijuana Treatment Center, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, product containing marijuana, related supplies, or educational



materials to registered qualifying patients or their personal caregivers. An RMD shall explicitly include facilities which cultivates and processes medical marijuana, and which may also dispense and deliver medical marijuana, and related products. The cultivation and processing of medical marijuana in accordance with these regulations is considered to be a manufacturing use, and is not agriculturally exempt from zoning.

**RECREATIONAL MARIJUANA RETAIL ESTABLISHMENT (RMRE):** A use operated by an entity duly licensed by the Cannabis Control Commission in accordance with M.G.L. c. 94G, and pursuant to all other applicable state laws and regulations, that sells, distributes, dispenses, administers marijuana, products containing marijuana, or related supplies for retail sales for non-medical purposes. Retailers are prohibited from offering cannabis/marijuana products for the purpose of onsite social consumption on the premises of a marijuana/cannabis establishment.

**MARIJUANA TESTING FACILITY (MTF):** An entity duly licensed by the Cannabis Control Commission in accordance with M.G.L. c. 94G, and pursuant to all other applicable state laws and regulations, that tests marijuana and marijuana products, including certification for potency and the presence of contaminants.

**CRAFT MARIJUANA CULTIVATOR COOPERATIVE:** A marijuana cultivator comprised of residents of the commonwealth organized as a limited liability company, limited liability partnership, or cooperative corporation under the laws of the commonwealth, or an appropriate business structure as determined by the commission, and that is licensed to cultivate, obtain, manufacture, process, package, and brand marijuana and marijuana products to deliver marijuana to marijuana establishments, but not to consumers.

**INDEPENDENT TESTING LABORATORY:** A laboratory that is licensed by the Cannabis Control Commission and is: (i.) accredited to the most current International Organization for Standardization 17025 by a third-party accrediting body that is a signatory to the International Laboratory Accreditation Cooperation mutual recognition arrangement, or that is otherwise approved by the Cannabis Control Commission; (ii.) independent financially from any medical marijuana treatment center, or any licensee, or marijuana establishment for which it conducts a test; and (iii.) qualified to test marijuana in compliance with regulations promulgated by the Cannabis Control Commission.

**MARIJUANA:** All parts of any plant of the genus *Cannabis*, not excepted below and whether growing, or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin including tetrahydrocannabinol as defined in section 1 of chapter 94C; provided, however, that "marijuana" shall not include: (i.) the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, fiber, oil, or cake made from the seeds of the plant or the sterilized seed of the plant that is incapable of germination; (ii.) hemp; or (iii.) the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other products.

**MARIJUANA CULTIVATOR:** An entity licensed to cultivate, process, and package marijuana, and to transfer marijuana to other marijuana establishments, but not to consumers.

**MARIJUANA PRODUCT MANUFACTURER:** An entity licensed to obtain, manufacture, process, and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments, but not to consumers.

**MARIJUANA/CANNABIS PRODUCTS:** Products that have been manufactured and contain marijuana, or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils, and tinctures.

**MARIJUANA RETAILER:** an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments, and to deliver, sell, or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.

**MARIJUANA MICROBUSINESS:** A collocated Marijuana Establishment that can be either a Tier 1 Marijuana Cultivator (up to 5,000 square feet in accordance with 935 CMR 500.005, Cannabis Control Commission Regulations), or Product Manufacturer or both, in compliance with the operating procedures for each (Cannabis Control Commission) license. A Microbusiness that is a Marijuana Product manufacturer may purchase no more than 2,000 pounds of marijuana per year from other Marijuana Establishments.

**MARIJUANA RESEARCH FACILITY:** An entity licensed to engage in research projects by the Massachusetts Cannabis Control Commission.

**MARIJUANA TRANSPORTER:** An entity, not otherwise licensed by the Cannabis Control Commission, that is licensed to purchase, obtain, and possess marijuana and marijuana products solely for the purpose of transporting, temporary storage, sale, and distribution to marijuana establishments, not for sale to consumers.

### C. REQUIREMENTS:

6.11.1 No special permit shall be granted without first having an executed Community Host Agreement with the Town of Ludlow Board of Selectmen.

6.11.2 No special permit application shall be deemed complete by the Planning Board until a Community Outreach meeting has occurred in accordance with 935 CMR 500.

6.11.3 Marijuana Establishment operations shall conform at all times to G.L. Chapter 94G, and regulations issued thereunder. MMTC operations shall conform at all times to G.L. c. 94I, and regulations issued thereunder.

6.11.4 Marijuana Establishments and Medical Marijuana Treatment Centers (MMTC)s are allowed only through site plan approval and a special permit from the Planning Board in the districts set forth in Table 2 Ludlow Table of Principal Uses for all Marijuana related uses.

6.11.5 All Marijuana Establishments and MMTCs need to provide letters from both the police and fire departments stating that the centers/dispensaries meet all standards of security, fire code, and public safety. Proposed security measures for the marijuana establishment, include lighting, fencing, gates, and alarms, etc. to ensure the safety of persons and to protect the premises from theft.

6.11.6 A traffic study will be required for any Marijuana Establishment or MMTC where operations are open to the public.

6.11.7 No marijuana shall be smoked, eaten, or otherwise consumed, or ingested on the premises.

6.11.8 Odor: No Marijuana Establishment or MMTC shall allow the escape of noxious odors or gases. They shall incorporate odor control technology and provisions, and ensure that emissions do not violate MGL Chapter 111, Sec 31 C.

6.11.9 An operation plan, including a description of all activities to occur on site, adequate floor plans, and evidence to support the required findings of this bylaw and 7.0.4 Special Permit Criteria, and shall be submitted with the application. In the case where any other use is proposed within the Marijuana Establishment and/or the MMTC, plans shall demonstrate how any public marijuana distribution area is sufficiently segregated and secured from other use areas.

6.11.10 The site plan and special permit is non-transferrable and must be renewed upon a change of the party having control of the operation and/or facility. As long as an application for site plan and special permit is submitted within 90 days from the transfer of ownership, and pending the decision of said renewal application by the Planning Board, the use shall be allowed to continue under the existing permit.

6.11.11 No such facility shall be considered to be agricultural, greenhouse, or educational use for zoning purposes.

6.11.12 All operations are to be contained inside the building. No outside storage of marijuana, related supplies, or promotional materials is permitted.

6.11.13 Annual Reporting: Each Marijuana Establishment and MMTC shall file an annual report, providing copies of all applicable state licenses for the facility and/or its owners to the Planning Board no later than January 31 of each calendar year.

6.11.14 Discontinuance: Any Marijuana Establishment or MMTC will need to notify the Planning Board in writing, in the event operations will be discontinued. A minimum of 30 days notice is required for any change in ownership, management, or closure of a facility. At such time the establishment will need to remove all material, plants, equipment, and other paraphernalia.

6.11.15 Severability: If any provision of this Section 6.11 is found to be invalid by a court of competent jurisdiction, the remainder of Section 6.11 shall not be affected but shall remain in full force. The invalidity of any provision of this Section 6.11 shall not affect the validity of the remainder of this zoning bylaw.

Pass any vote or take any other action relative thereto. Submitted by the Planning Board

**ARTICLE 26:** To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow, **SECTION X: DEFINITIONS**, by deleting **MEDICAL MARIJUANA TREATMENT CENTER/DISPENSARY**.

**Definition to be removed:**

**MEDICAL MARIJUANA TREATMENT CENTER/DISPENSARY:** shall mean a not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health as a Registered Marijuana Dispensary, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers. (Added 5/12/14)

Pass any vote or take any other action relative thereto. Submitted by the Planning Board.

**ARTICLE 27:** To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow, **Section III. General Use Regulations, Section 3.2.2 TABLE 1 LUDLOW TABLE OF PRINCIPAL USES, LAND USE CLASSIFICATION/BUSINESS USES** by adding **SELF-SERVICE STORAGE FACILITIES** by site plan (SPA) and special permit (SPPB) approval from the Planning Board in **Industrial A and Industrial C** by site plan approval and from the **Administrative Review Committee (ASPA)** in the Mill Redevelopment District and to amend Table 1 to reflect this change, as follows:

LAND USE CLASSIFICATION	STANDARDS & CONDITIONS	RA-1	RA	RB	BA	BB	A	AMD	IA	IC	MRD
<b>BUSINESS USES</b>											
<b>SELF-SERVICE STORAGE FACILITIES</b>		N	N	N	N	N	N	N	SPA/ SPPB	SPA/ SPPB	ASPA

Pass any vote or take any action relative thereto. Submitted by the Planning Board.

**ARTICLE 28:** To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow **SECTION VI: Special Land Use Regulations. Section 6.4 Parking Requirements Section 6.4.2 Parking Guidelines**, by adding the following:

**Self-Service Storage Facility:** 1 parking space for each 2,000 square feet of gross floor area.

Pass any vote take any other action relative thereto. Submitted by the Planning Board.

**ARTICLE 29:** To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow  
**SECTION X: DEFINITIONS** by adding **SELF-SERVICE STORAGE FACILITIES:** Facilities also known as temporary storage or personal storage businesses which rent space, be it within a permanent building or in "cargo" boxes, for the temporary or long-term storage of personal items. These businesses generally have lease agreements with customers and have hours of operation during which customers may access their stored items.

Pass any vote or take any action relative thereto. Submitted by the Planning Board.

**ARTICLE 30:** To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow by changing from Residential B to Industrial A, a parcel of land owned by Manuel D. Silva and Joao Silva, located at 0 Russell Street (Assessors Map # 1A, Parcel 20J) and described as follows:

The land in Ludlow Hampden County, Massachusetts bounded and described as follows: Beginning at a point on the northerly sideline of Shawinigan Drive, said point being on the easterly line of land n/f Monsanto, thence running No-37-13e along n/f Monsanto for a distance of 218.94 feet to a point on the southerly sideline of land n/f Massachusetts Turnpike Authority; thence running N82-43-56E for a distance of 334.96 feet to a granite stone bound; thence running N60-13-56E for a distance of 43.10 feet to a granite stone bound; thence running N82-43-56E for a distance of 486.94 to a point; the last three courses running along the Southerly sideline of land n/f Massachusetts Turnpike Authority, thence running S7-13-56E for a distance of 4.86 feet to a point; thence running along a curve to the left the radius being 1,150.00 feet for a distance on 171.47 to a point; thence running S62-37-25W for a distance of 365.24 feet to a point; thence running along a curve to the right the radius being 950.00 feet for a distance of 390.81 feet to the point and place of beginning; the last four courses running along the northerly sideline of Shawinigan Drive. Said described parcel is subject to a drainage easement running partially through the westerly side of the above-described parcel. The portion of Shawinigan Drive referred to in this deed is now known as Russell Street. See plans Book 324 Page 73 Recorded March 19, 2002 Hampden County Registry of Deeds. SUBJECT to easements and restrictions of record, if any as the same may be in force and effect. Being the same premises conveyed Grantors by Deed Dated March 1, 2002 recorded in the Hampden County Registry of Deeds in Book 12217 Page 38.

Pass any vote or take any action relative thereto. Submitted by the Planning Board.

**ARTICLE 31:** To see if the Town will vote to amend the Bylaws of the Town of Ludlow, Chapter II, Section 24, Regulating the Conduct of Town Business, Capital Improvement Planning Committee, the first paragraph of which currently reads:

"1. The Board of Selectmen shall establish and appoint a committee to be known as the Capital Improvement Planning Committee, composed of one member of the Board of Selectmen, one member of the Board of Public Works, one member of the Finance Committee, one member of the Planning Board, the School Superintendent or his designee and two private citizens. The Board of Selectmen shall appoint one

administrative officer who shall be an ex-officio committee staff member without a right to vote. The committee shall choose its own officers.”

By deleting the words “one member of the Board of Public Works,” and by replacing the words “the School Superintendent or his designee” with “one member of the School Committee” and by replacing the words “two private citizens” with “one private citizen”.

Pass any vote or take any other action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 32:** To see if the Town will authorize the Board of Selectmen to acquire certain land and/or rights in such land known as Ludlow - Bridge Replacement, L-16-026, Piney Lane over Broad Brook, Mass DOT Project File 609120 for the purpose of obtaining a secure and public right of way upon an existing public way layout; and to authorize the Board of Selectmen to acquire such interests by purchase gift and/or eminent domain, upon such terms and conditions as the Board of Selectmen deem warranted and appropriate and for such consideration, including nominal consideration as the Board of Selectmen may determine appropriate, and to authorize the Select Board to enter into, accept and/or execute any offers, licenses, temporary or permanent easements, agreements or instruments as may be necessary for such acquisition, and to expend funds which may be necessary for professional engineering, architectural services, design, site investigation/testing, preparation and/or demolition, installation and all other incidental and related costs; and to raise and appropriate or borrow such funds as may be necessary in an amount not to exceed \$50,000.00 to defray any associated right-of-way expenses connected with the Piney Lane Bridge Project; and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen is authorized to borrow and issue bonds or notes therefore under Chapter 44 of the Massachusetts General Laws; that such bonds or notes shall be general obligations of the Town unless the Treasurer, with the approval of the Selectmen, determines that they should be issued as limited obligations and may be secured by local system revenues. This will allow for the construction and roadway safety improvements under a project known as Ludlow - Bridge Replacement, L-16-026, Piney Lane over Broad Brook, Mass DOT Project File 609120: (the "Project").

Pass any vote or take any other action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 33:** To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money, to be expended under the direction of the Board of Selectmen, to make repairs and improvements to the West Street Bridge and the Cottage Street Bridge, including the payment of all costs incidental and related to the project.

Pass any vote or take any other action relative thereto. Submitted by the Board of Selectmen.

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And you are directed to serve this warrant by posting attested copies of the same in seven (7) public places in the Town seven (7) days at least before the time of holding said meeting.

A true copy,

ATTEST:

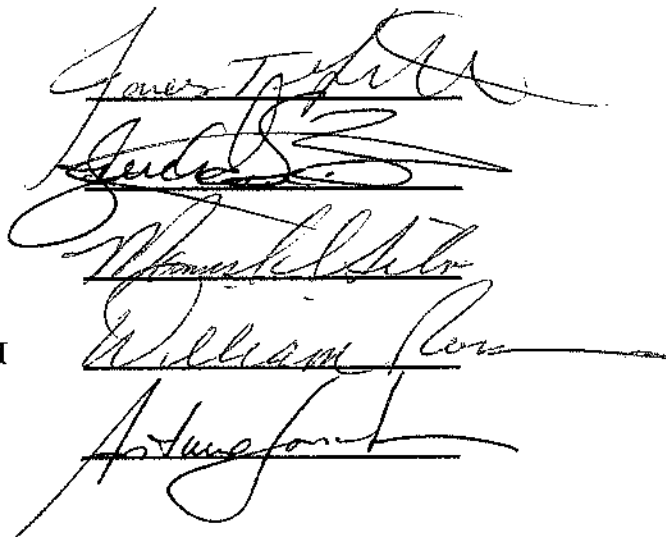
JAMES T. GENNETTE

DEREK G. DEBARGE

MANUEL D. SILVA

WILLIAM P. ROSENBLUM

ANTONIO GONCALVES



BOARD OF SELECTMEN

LUDLOW, MASSACHUSETTS

April 18, 2023

I hereby certify that I have posted the above warrant in seven (7) places in the Town of Ludlow.

\_\_\_\_\_ TOWN CLERK

\_\_\_\_\_ 2023