

COMMONWEALTH OF MASSACHUSETTS
HAMPDEN, SS

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

RECEIVED
TOWN CLERK'S OFFICE

2025 APR 23 A 9:40

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 12, 2025 at 7:30 p.m.**, and 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: TOWN OFFICER REPORTS

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 1 Explanation: The Town Bylaws call for the Selectmen to print a report "For distribution at least seven days before the Annual Town Meeting" containing the records and reports of the Selectmen and all official boards, committees, commissions, town officers and librarians for the preceding year. This falls under Chapter II Section 3 of the Town Bylaws and the report must be presented to the Town Meeting and officially accepted by it.

ARTICLE 2: TOWN COMMITTEE REPORTS

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 2 Explanation: Chapter I, Section 33 of the Town Bylaws reads as follows: "A vote to accept a report of a committee shall, unless otherwise provided, discharge the committee: but it shall not operate as an adoption of the recommendation of such committee without an express vote duly passed to that effect."

ARTICLE 3: FY26 BUDGET

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 2026 and to fix the salary of all elected officials of the Town for the same Fiscal Year, beginning July 1, 2025.

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

Article 3 Explanation: This is the Omnibus Budget Article, which allows the Town to raise sufficient funds as it deems necessary to defray all charges and expenses that it will incur during the upcoming fiscal year. This Article eliminates the need for the printing and reading of a warrant article for each departmental budget, segregates each department's funds and provides a mechanism for Town Meeting members to be able to vote on each segregated budget. Also, Chapter 41, Section 108 of the Massachusetts General Laws provides that the salary and compensation of all officials of a town be fixed annually by a vote of the Town Meeting. See attached A.3.

ARTICLE 4: REVOLVING FUNDS

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
Vaccine	\$20,000
Consultants	\$50,000
Wetlands	\$80,000
Purple Bags	\$55,000
Dog Park	\$5,000

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

Article 4 Explanation: This article will be setting the expenditures for the already established revolving funds outlined in the General Bylaws, Chapter 2, Section 42: Departmental Revolving Funds.

ARTICLE 5: [REMOVED]

ARTICLE 6: COMMISSION ON DISABILITY

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 6 Explanation: This article will fund expenses, not to exceed \$4,900, expended by The Commission on Disability for training, marketing materials, supplies and other expenses.

ARTICLE 7: TERMINATE LANDFILL ENTERPRISE FUND

To see if the Town will vote, pursuant to provisions of Chapter 44, section 53F ½ of the Massachusetts General Laws, to revoke the Landfill Enterprise Fund with Fiscal Year 2026, beginning July 1, 2025.

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

Article 7 Explanation: This article will terminate the Landfill Enterprise Fund, which was established by Article 58 of the May 14, 2001 Town Meeting. The fund is no longer being used to fund or operate the landfill.

ARTICLE 8: CHAPTER 90 FUNDS

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 8 Explanation: This is a standard article that authorizes the Board of Selectmen to utilize funds made available from the State through the Chapter 90 programs for various road construction and maintenance projects directed by the Board of Selectmen. The estimated State Chapter 90 apportionment received for fiscal year 2026 is \$1,093,910. No Town funding is required for this article.

ARTICLE 9: MASS DOT CONTRACT

To see if the Town will vote to authorize the Board of Selectmen to enter into a contract, upon such terms and conditions as deemed necessary and appropriate by the Board of Selectmen and which may exceed three years, 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 9 Explanation: This article authorizes the Board of Selectmen to enter into a contract with the Massachusetts Department of Transportation to accept any and all Chapter 90 funds, allocated to the Town from the State for construction and maintenance of road projects. No Town funding is required for this article.

ARTICLE 10: FY26 CAPITAL IMPROVEMENTS

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, 2025 (Fiscal Year 2026).

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

Article 10 Explanation: This article appropriates funds as will be necessary for Town Capital Improvements during the fiscal year beginning July 1, 2025. See attached A.10.

ARTICLE 11: FY26 CAPITAL IMPROVEMENTS – WESTOVER GOLF COURSE

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, 2025 (Fiscal Year 2026).

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

Article 11 Explanation: This article appropriates funds as will be necessary for Westover Golf Course Capital Improvements during the fiscal year beginning July 1, 2025. See attached A.10.

ARTICLE 12: FINANCE COMMITTEE RESERVE FUND

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 2026 Reserve Fund.

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

Article 12 Explanation: Chapter 40, Section 6 of the Massachusetts General Laws allows towns to appropriate money into a Reserve Fund for "extraordinary or unforeseen circumstances." The amount so appropriated may not exceed five percent of the tax levy of the current fiscal year. Transfers from this fund may be authorized from time to time.

ARTICLE 13: BUILDING INFRASTRUCTURE FUND

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 13 Explanation: This article will appropriate \$100,000 for the Building Infrastructure Article, which was established at the October 1, 2012 Special Town Meeting 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.

ARTICLE 14: STABILIZATION FUND

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 14 Explanation: Chapter 40, Section 5B of the Massachusetts General Laws authorizes the establishment of a Stabilization Fund and is generally utilized for long-term capital projects. An appropriation into the Stabilization Fund requires a two-thirds vote of approval at an Annual or Special Town Meeting.

ARTICLE 15: LHS TURF FIELD REPLACEMENT

To see if the Town will vote to establish, pursuant to Chapter 40, Section 5B of the Massachusetts General Laws, a special purpose stabilization fund to be known as the "LHS Capital Stabilization Fund", the purpose of which shall be for the funding of a new turf field at the Ludlow High School; and to see if the Town vote to raise and appropriate and/or transfer from available funds a sum of money for deposit into the LHS Capital Stabilization Fund.

Article 15 Explanation: The new turf field at Ludlow High School has an estimated life expectancy of between 10-15 years depending on weather, wear-and-tear, and regular maintenance. Creating and funding this new stabilization fund will allow the town to replace the field in the future without incurring a large one-time capital expense.

ARTICLE 16: RADIO COMMUNICATIONS MAINTENANCE FUNDING

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for maintenance of the interdepartmental operational radio communications system.

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

Article 16 Explanation: Town Meeting approved this agreement at its May 10, 2021 meeting. This article would authorize the use of Free Cash to pay for the maintenance of the radio communications system. This is the first year that the town is responsible for this payment.

ARTICLE 17: FEASIBILITY STUDY FOR WESTOVER GOLF COURSE IRRIGATION SYSTEM USING RETAINED EARNINGS

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund the Westover Golf Course Irrigation Improvements Project Phase II – Conceptual Design and Permitting Assessment

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

Article 17 Explanation: The Westover Municipal Golf Course's current irrigation system is reaching the end of its serviceable lifespan. The pumps were originally installed in 2001 and the irrigation piping and sprinkler heads have been replaced over the years. This article would authorize the Westover Golf Commission to use \$34,800 in retained earnings to pay a consultant (Tighe & Bond) to assess the feasibility of replacing the pumps and irrigation system, improving or replacing the pump house building, and would also evaluate the existing drainage culverts. See Attachment A.17.

ARTICLE 18: HEROES ACT—ADJUSTED EXEMPTION AMOUNT (CLAUSE 22I)

To see if the Town will vote to accept General Laws Chapter 59, Section 5, Clause 22I, which authorizes an annual increase in the amount of the exemption granted under General Laws Chapter 59, Section 5, Clause 22, Clause 22A, Clause 22B, Clause 22C, Clause 22E and Clause 22F by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index (CPI) for the previous year as determined by the Commissioner of Revenue, to be effective for applicable exemptions granted for any fiscal year beginning on or after July 1, 2025.

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

Article 18 Explanation: Clause 22I of MGL chapter 59, section 5 increases the amount of tax exemption granted to veterans on their domiciles annually by the COLA determined by the Department of Revenue based on the Consumer Price Index (CPI).

ARTICLE 19: HEROES ACT—OPTIONAL ADDITIONAL VETERAN EXEMPTION AMOUNT (CLAUSE 22J)

To see if the Town will vote to accept General Laws Chapter 59, Section 5, Clause 22J, which authorizes an annual increase in the amount of the exemption granted under General Laws Chapter 59,

Section 5, Clause 22, Clause 22A, Clause 22B, Clause 22C, Clause 22E and Clause 22F by 50% of the personal exemption amount, subject to the conditions in Clause 22J, to be effective for applicable exemptions granted for any fiscal-year beginning on or after July 1, 2025.

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

Article 19 Explanation: Clause 22J provides an additional exemption up to 100% of the amount of the tax exemption granted to veterans on their domiciles under the relevant clauses. This article would increase the exemption by 50%. The current exemption is \$400; so the new exemption amount would be \$600 if this article is adopted. The total cost to the town for this additional exemption would be about \$33,000.

ARTICLE 20: HUBBARD MEMORIAL LIBRARY FACILITY PLANNING

To see if the Town will vote to raise and appropriate, borrow, and/or transfer from available funds a sum of money, not to exceed \$35,000 to be expended by Hubbard Memorial Library as matching funds to apply for Massachusetts Cultural Council *Cultural Facilities Fund Grant* to conduct a feasibility study and draft a facility plan for Hubbard Memorial Library.

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

Article 20 Explanation: This article will appropriate funds for the library to perform a feasibility study for further historic preservation and regular maintenance projects to the library building and to provide supporting documentation for the library's endeavors when applying for future funding for library projects.

ARTICLE 21: ADOPT THE PRUDENT INVESTMENT RULE

To see if the Town will vote to accept the provisions of G.L. c.44, secs. 54(b),(c), & (d) to allow town trust funds to be invested in accordance with G.L. c.203C, the so-called "Prudent Investment Rule."

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

Article 21 Explanation: Voting 'yes' for this article will allow our town to invest our trust funds, including scholarships & Cemetery Perpetual Care, unless otherwise provided or directed by the donor of the funds under the Prudent Investment Rule. Prudent investing allows for much greater investment diversification opportunities than currently allowed under the MA Legal List of Investments. Where appropriate, Prudent investing allows investment managers to use diversified mutual funds, ETFs, individual stocks, bonds, alternative investments, etc. Previously, these municipal funds had to adhere to a very short and restrictive list of stock and bond investments by law. Prudent investing does not inherently mean more risk in the investment portfolio, it simply means that there are greater investment options, which allows for reduced concentration risk and an overall more balanced portfolio allocation.

“Prudent” investing can be flexible and diverse in terms of its actual application. The key is that investment decisions are based on the specific intentions of the funds being invested. Essentially, Prudent investing means that the investment fiduciary understands the unique goals and objectives of the funds under management and chooses an investment strategy based on available relevant information. Essentially, prudent investing opens the doors to all different investment products, methods, and risk profiles – as long as those decisions were made with as much applicable information as possible.

Example: a community has \$100,000 that can't be touched for 3 months, but after those 3 months the investor is expecting all principal value back. In this case, you likely will not invest in one single high-risk stock. Instead, you may purchase a Treasury bond that matures in 3 months. On the flip side, a community has \$100,000 they won't touch for 10 years. A “Prudent” person might say that in this case, it could be perfectly acceptable to invest in a mix of stocks and bonds.

ARTICLE 22: CHANGE “BOARD OF SELECTMEN” TO “SELECT BOARD”

To see if the Town will vote to amend the town's bylaws by replacing all references to “Board of Selectmen” to “Select Board” and all references to “Selectman” to “Select Board Member.”

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

Article 23 Explanation: The term “selectmen” traces its history back to the early days of America. When English citizens colonized New England, they installed an open town meeting form of government where every citizen was invited to vote on town matters. However, at that time, citizens were only land-owning males. Soon the notion of calling every man in town together to decide daily matters provided too cumbersome and a group of men were selected to manage the details of town governance giving rise to the term “selectmen.” Many women have and will serve in leadership positions in town government, including the Board of Selectmen.

ARTICLE 23: CHANGE “BOARD OF PUBLIC WORKS” TO “SELECT BOARD”

To see if the Town will vote to amend the town's bylaws by replacing all references to “Board of Public Works” to “Select Board.”

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

Article 23 Explanation: At the March 2023 Annual Town Election, voters approved a ballot question to have the Board of Selectmen act as the Board of Public Works. This article will merely replace all references to the “Board of Public Works” with “Select Board.”

ARTICLE 24: ACCEPTANCE OF RIVERSIDE DRIVE FEE INTEREST

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, take by eminent domain or otherwise, the fee in Riverside Drive, and any appurtenant easements thereto, as previously laid out by the Board of Selectmen, as shown on a plan entitled "Definitive Subdivision Plan Riverside Drive, Ludlow Massachusetts" prepared for Westmass Area Development Corp. dated June 15, 2020, recorded in the Hampden County Registry of Deeds in Plan Book 390, Pages 51-56, and accepted as a public way at the October 8, 2022 Special Town Meeting, and also to so acquire any appurtenant drainage, utility or other easements related to said ways, and/or to accept grants thereof; and, further, to authorize the Board of Selectmen and other applicable Town of Ludlow boards and personnel to take all related actions necessary or appropriate to accomplish the purposes of this article, or take any other action related thereto.

Submitted by the Board of Selectmen.

Article 24 Explanation: Riverside Drive was laid out and accepted as the public way by the Town in 2022. The Town, however, did not acquire the fee interest within Riverside Drive at that time. The owner is now looking to convey the fee interest in Riverside Drive to the Town and has presented a deed to effectuate that conveyance. A Town Meeting vote is necessary to accept that interest. There is no cost associated with this conveyance.

ARTICLE 25: [REMOVED]

ARTICLE 26: HOME RULE PETITION

To see if the Town will vote to authorize the Select Board to file a petition within the General Court for special legislation, substantially as set forth below, authorizing the Town to pay a certain unpaid bill; to authorize the General Court to make clerical and editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court; and to authorize the Select Board to approve amendments which shall be within the scope of the general public objectives of the aforesaid petition, or take any action relative thereto.

AN ACT AUTHORIZING THE TOWN OF LUDLOW TO PAY A CERTAIN UNPAID BILL.

SECTION 1. Notwithstanding any general or special law to the contrary, the Town of Ludlow is hereby authorized to pay from any available funds during the current fiscal year a certain unpaid bill incurred by said Town totaling ninety-eight thousand six hundred twenty dollars and zero cents as set forth in an invoice on file in the office of the Town Administrator in the Town of Ludlow for goods supplied and services rendered to said Town during the year two thousand and twenty-four, which bill is legally unenforceable against said Town.

SECTION 2. No bill shall be approved by the Town or paid by said Town under the authority of this act, unless and until a certificate has been signed and filed with said Town stating, under penalties of perjury, that the goods or services for which said bill had been submitted were ordered by an official or an employee of said Town, and that such goods were delivered and actually received by said Town and that such services were rendered to such Town, or both.

SECTION 3. This act shall take effect upon its passage.

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

Article 26 Explanation: This article would allow the Town to make payment on an unpaid bill for work performed at the Public Safety Complex. Due to a ruling and interpretation by the Attorney General's Office, the town is currently prohibited from paying this bill.

ARTICLE 27: ZONE CHANGE – 0 WEST STREET

To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow by changing from Agriculture to Industrial C, a parcel of land owned by S and C Investors, LLC located at 0 West Street (Assessors' Map 9, Parcel 5) and described as follows:

First Tract: Commencing at the point of intersection of the Easterly line of the road leading from Moody corner to Ludlow City with the Northerly line of the road running Easterly therefrom to Town Street; thence running EASTERLY on said last-named road, about ten (10) rods to a stone wall and being the first stone wall Easterly from said first mentioned road; thence running NORTHERLY on said stone wall, some fifteen (15) or twenty (20) rods to its intersection with a stone wall, dividing the small mowing lot from the pasture lot; thence WESTERLY on said last-named stone wall some twelve (12) rods to said highway; thence SOUTHERLY on said highway first-mentioned bound, with a dwelling house thereon.

Second Tract: Lying opposite the first tract on the Westerly side of said highway first mentioned, and bounded as follows: Commencing on the said highway at land now or formerly of Lucius Simonds and running WESTERLY on Simonds to land now or formerly of Asahel Nash; thence NORTHWESTERLY on said Nash land; thence WESTERLY on said Nash land to a rail fence dividing the hill land from the plain land; thence NORTHERLY on said rail fence to land conveyed to James M. White by William Walker; thence EASTERLY on said Walker land to said highway; thence SOUTHERLY on said highway to first mentioned bound with the farm buildings thereon.

Third Tract: A certain tract of land situated in said Ludlow on both sides of the highway leading from Indian Orchard to South Hadley, bounded as follows: On the East by land now or formerly of Edwin E. Clark; and land now or formerly of Edward E. Chapman; on the South by land now or formerly of James O. Kendall, and one Nash; on the West by land now or formerly of James O. Kendall; and on the North

by land now or formerly of Franklin P. Tilley, land now or formerly of James M. White, and land now or formerly of Edwin E. Clark. Containing about thirty (30) acres of land, more or less.

Fourth Tract: A certain lot of land situated in said Ludlow, bounded and described as follows: Commencing on the East side of the road leading from Moody corner to Ludlow City at the Northwest corner of the home lot formerly of Edward E. Chapman, and running thence NORTHERLY on said road, forty (40) rods; thence EASTERLY on land now or formerly of James M. White, one hundred (100) rods, more or less, to land now or formerly of Chester W. Chapin's estate at a point forty (40) rods Northerly from land now or formerly of one Simonds, measured on a line between land hereby conveyed and land now or formerly of said Chapin; thence SOUTHERLY on land now or formerly of the said Chapin, forty (40) rods, to the land now or formerly of said Simonds; thence WESTERLY on said land, now or formerly of said Simonds to the road leading from the first-mentioned road to Fuller Street; thence WESTERLY on said last-mentioned road to the Southeast corner of the home lot formerly of said Edward E. Chapman; thence NORTHERLY on said home lot, about thirty-six (36) rods; thence EASTERLY on said home lot, about twenty-five (25) rods to said first-mentioned road at the point of beginning.

Excepting from the above-described premises are the following:

1. Deed to Theodore P. Buczoki and Sophie B. Buczoki dated September 22, 1949, and recorded in the Hampden County Registry of Deeds in Book 2011, Page 361.
2. Deed to the United States of America dated July 31, 1953, and recorded in the Hampden County Registry of Deeds in Book 2256, Page 127.
3. Taking by the Commonwealth of Massachusetts - Department of Public Works (for State Highway Construction) dated April 9, 1957, and recorded in the Hampden County Registry of Deeds in Book 2537, Page 493.
4. Taking by the Commonwealth of Massachusetts - Department of Public Works (for State Highway Construction) dated April 8, 1958, and recorded in the Hampden County Registry of Deeds in Book 2605, Page 94.
5. Deed to Theodore P. Buczoki and Sophie B. Buczoki dated January 19, 1961, recorded in the Hampden County Registry of Deeds in Book 2789, Page 338.
6. Deed to Richard C. Roach and Eleanor M. Roach dated May 24, 1966, and recorded in the Hampden County Registry of Deeds in Book 3187, Page 341.
7. Deed to Michael P. Lewison and Maribeth S. Lewison dated June 14, 1976, and recorded in the Hampden County Registry of Deeds in Book 4290, Page 29.
8. Taking by the Commonwealth of Massachusetts - Division of Capital Asset Management & Maintenance dated November 5, 1999, and recorded in the Hampden County Registry of Deeds in Book 10995, Page 23.

9. Land taken by the United States of America by eminent domain under instrument dated October 17, 1939, and recorded in the Hampden County Registry of Deeds in Book 1682, Page 481.

The above-described Tracts are subject to a taking for the relocation of West Road by the Hampden County Commissioners dated October 4, 1941, and recorded in the Hampden County Registry of Deeds in Book 1724, Page 141.

The above-described Tracts are subject to an order for the relocation of Route 21 by the Town of Ludlow dated December 1, 1992, and recorded in the Hampden County Registry of Deeds in Book 8262, Page 476.

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

Article 27 Explanation: The owner would like the parcel of land to be more conforming with surrounding land. At the Planning Board meeting of March 13, 2025, the Board voted 5-0 to recommend approval at Town Meeting.

ARTICLE 28: ACCESSORY DWELLING UNIT (ADU) BYLAW

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. Additional ADUs may only be allowed with the issuance of a Special Permit by the Planning Board.
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, 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 serve an ADU shall require a Special Permit from the Planning Board.

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 Site Plan Approval of this Zoning Bylaw, provided that the Site Plan Review criteria shall be limited to 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 sewer or septic service. A Sanitarian or Professional Engineer registered in the Commonwealth of Massachusetts has certified that the existing or proposed improvements to new or existing sewage disposal systems are adequate and in accordance with 310 CMR 15.00: The State Environmental Code, Title 5.
4. The ADU shall be serviced with a water supply adequate in both quantity and quality. For those serviced by a private well, a water quality test must be performed by a Certified Laboratory for Water Testing and a flow test must be conducted by a reputable Well Professional. Both the water quality and flow must be adequate and in accordance with Town of Ludlow Well Regulations.
5. 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.

6. 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.

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.

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

Article 28 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.

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:

A true copy,

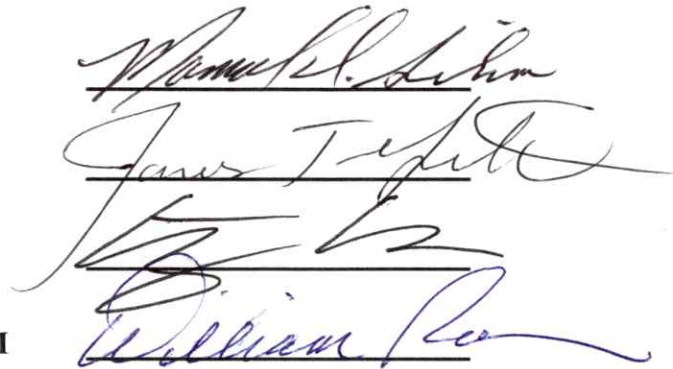
ATTEST:

MANUEL D. SILVA

JAMES T. GENNETTE

ANTHONY ALVES

WILLIAM P. ROSENBLUM




BOARD OF SELECTMEN

LUDLOW, MASSACHUSETTS

April 15, 2025

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

 Kim M. Batista TOWN CLERK
April 23, 2025