

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

To Ms. Laurie Gibbons, Town Clerk of the Town of Ludlow 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**, 500 Chapin Street, Ludlow, Massachusetts on **MONDAY, OCTOBER 3, 2016** at 7:30 p.m. for the purpose of acting on the following articles in the warrant.

ARTICLE 1: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for **UNPAID BILLS AND/OR OVEREXPENDED ACCOUNTS OF PREVIOUS YEARS**; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 2: To see if the Town will vote to amend Article #41 of the Town Meeting of May 11, 2015 by changing the name of the school from Veterans Park Elementary School to Chapin Street Elementary School to allow the \$35,000 allocated for boiler repairs to be used at Chapin Street Elementary School for the same purposes; pass any vote or take any action relative thereto. Submitted by the School Committee.

ARTICLE 3: To see if the Town will accept M.G.L. Chapter 32B, § 9I an act of the legislature which shall consider an employee on military leave of absence because said employee is a member of the army national guard or air national guard or a reservist in the armed forces of the United States called to active service in the armed forces of the United States, for the purposes of this chapter, to be deemed to have been granted leave without pay, and subject to the rules and regulations of the appropriate public authority, said employee shall make payment of the portion of the total monthly premium or rate that would have otherwise been deducted from his salary, wages or other compensation. Pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 4: To see if the Town of Ludlow (the “Town”) will vote to appropriate and/or borrow an amount of money to be expended under the direction of the Chapin Street Elementary School Building Committee for a feasibility study for the Chapin Street Elementary School Building Project, 766 Chapin Street, Ludlow, Massachusetts, for which feasibility study the Town may be eligible for a grant from the Massachusetts School Building Authority (the “MSBA”). The MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the feasibility study in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Pass any vote or take any action relative thereto. Submitted by the Chapin Street Elementary School Building Committee.

ARTICLE 5: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be added to the Personal Services Account for the Board of Health Nurses for Fiscal Year 2017 to fund the negotiated retroactive pay increases of 2% including the Town’s contribution to employee benefits; 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 bond a sum of money not to exceed \$10,500,000, exempt from the provisions of Proposition Two and One Half, so called, thru a Debt Exclusion referendum for the construction of a new Ludlow Senior Center, including acquisition and clearing of land, prepare the site, design, prepare construction drawings and bid packages, development expenses, to also include necessary furnishings, equipment, landscaping, parking and other misc. building or structures for housing of vans, and snow removal equipment (snow blower and salt), and outdoor entertainment; pass any vote or take any action relative thereto. Submitted by the Council on Aging.

ARTICLE 7: To see if the Town will vote to approve the formation of a Ludlow Senior Center Building Committee consisting of seven (7) individuals to be appointed by the Moderator. The committee to consist of:

- Executive Director of the Senior Center
- Council on Aging designee (one)
- BPW designee (one)
- Finance Committee designee (one)
- Board of Selectmen designee (one)
- Taxpayer/member of community (two)

Said Committee to be responsible for approval of the design and construction of a new Ludlow Senior Center to be financed with funds raised pursuant to Article 6 of the October 3, 2016 Town Meeting Warrant; pass any vote or take any action relative thereto. Submitted by the Council on Aging.

ARTICLE 8: To see if the Town will vote to raise and/or transfer from available funds a sum of money not to exceed \$5,000 for any administrative and/or related expenses of the committee authorized by the preceding vote, regarding the construction of a new Ludlow Senior Center; pass any vote or take any action relative thereto. Submitted by the Council on Aging.

ARTICLE 9: 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 the final design for Improvements to Center Street during the fiscal year beginning July 1, 2016; pass any vote or take any action relative thereto. Submitted by the Board of Public Works.

ARTICLE 10: To see if the Town will authorize the Board of Selectmen to acquire the land parcels and/or rights in land parcels for the purposes of obtaining a secure and public right of way. This will allow for the construction of the Ludlow – Reconstruction of Center Street (Route 21), Mass DOT Project File 605011 project.

Further that the Selectmen may acquire these parcels or rights therein, or modification of these parcels or other required parcels through all legal means. This includes donations, purchase or eminent domain. Further, to raise and appropriate and/or transfer an amount not to exceed \$308,000.00 to defray any associated right of way expenses connected with this project which are not limited to temporary easements, permanent takings, appraisal fees, awards of damages and legal fees. Pass any vote or take any action relative thereto. Submitted by the Board of Public Works.

ARTICLE 11: To see if the Town will vote to establish a revolving fund for the Police Department, pursuant to Massachusetts General Laws Chapter 44, §53E 1/2, said fund to receive receipts from the sale of surplus decommissioned police vehicles, said fund to be deposited with the Town Treasurer and with payments from the fund to be expended by the Police Department, up to a limit to be established by the Town to pay the expenses of equipping police vehicles; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 12: To see if the Town will vote to declare as surplus a parcel of land formerly known as Sikes Street which was discontinued as a public way at the April 12, 1993 Annual Town Meeting, and described as follows;

A lot of land on Center Street known as Zabek Land containing 19,215 square feet and recorded in the Hampden County Registry of Deeds, Book 2730, Page 48.

And to further see if the Town will vote to transfer this land from the municipal purpose for which it was used to the purpose of sale, through the Board of Selectmen, to abutting property owners, as shown on a plan submitted to the Board of Selectmen by the Board of Public Works. And to further see if the Town will vote to authorize the Board of Selectmen to determine the price and procedure for said disposition, and to execute any deeds or other documents necessary to carry out said transfers; 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 declare as surplus a parcel of land formerly known as 0 Circuit Avenue, Assessor Map #30, Parcel #14, and described as follows;

A lot of land located on Circuit Avenue, Ludlow, MA, containing approximately 4,216 square feet, 10 and recorded in the Hampden County Registry of Deeds, Book 3759, Page 495

And to further see if the Town will vote to transfer this land from the municipal purpose for which it was used to the purpose of sale, through the Board of Selectmen; 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 declare as surplus a parcel of land formerly known as 0 West Street, Assessor Map #3, Parcel #5 and described as follows;

One certain tract or parcel of land situated in Ludlow and in the aforesaid School District and bounded as follows viz

Beginning on the south line of the highway which runs easterly and westerly by John Moody's and on the west line of the road which runs southerly from near said Moody's to David Baton's and in the angle made by the intersecting of said roads, from said angle of roads running southerly on the west line of the road which runs southerly eight rods, then westerly parallel to the road first mentioned five rods, then northerly parallel to the first line eight rods to the road, then easterly on the south line of the first mentioned highway five rods to the place of beginning containing one fourth part of an acre of land and no more.

And to further see if the Town will vote to transfer this land from the municipal purpose for which it was used to the purpose of sale, through the Board of Selectmen; 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 amend the Zoning Bylaws of the Town of Ludlow **SECTION X: DEFINITIONS** by adding **BREWERY: a large scale facility, licensed under the relevant state and federal statutes, with a capacity of producing more than fifteen thousand (15,000) barrels, (a barrel being equivalent to thirty-one (31) gallons per year), where malt, wine, or hard cider beverages are produced and packaged for retail or wholesale distribution, which may include a tap room, where beverages produced on the premises may be sold and consumed;** pass any vote or take any action relative thereto. Submitted by the Planning Board.

ARTICLE 16: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow **SECTION X: DEFINITIONS** by adding **MICRO-BREWERY: a facility, licensed under the relevant state and federal statutes, with a capacity of not more than fifteen thousand (15,000) barrels, (a barrel being equivalent to thirty-one (31) gallons a year), for production and packaging of malt, wine, or hard cider beverages for retail or wholesale distribution, on or off the premise, and which may include a tap room where beverages produced on the premises may be sold and consumed. May include other uses such as a restaurant and/or outdoor dining, if otherwise permitted in the zoning district;** pass any vote or take any action relative thereto. Submitted by the Planning Board.

ARTICLE 17: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow **SECTION X: DEFINITIONS** by adding **NANO-BREWERY: a facility, licensed under the relevant state and federal statutes, with a capacity of not more than six thousand (6,000) barrels, (a barrel being equivalent to thirty-one (31) gallons per year), for the small scale production of malt, wine, or hard cider beverages primarily for on premises consumption and sale with limited retail or wholesale distribution. May include other uses such as a restaurant and/or outdoor dining, if otherwise permitted in the zoning district;** pass any vote or take any action relative thereto. Submitted by the Planning Board.

ARTICLE 18: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow **SECTION X: DEFINITIONS** by adding **DISTILLERY: a facility, licensed under the relevant state and federal statutes, where distilled spirits are produced, manufactured or distilled;** pass any vote or take any action relative thereto. Submitted by the Planning Board.

ARTICLE 19: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow **SECTION X: DEFINITIONS** by adding **WINERY: a facility, licensed under the relevant state and federal statutes, where wine is produced, rectified, blended or fortified from fruits, flowers, herbs, or vegetables;** pass any vote or take any action relative thereto. Submitted by the Planning Board.

ARTICLE 20: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow **SECTION X: DEFINITIONS** by adding **MICRO-WINERY: a facility, licensed under the relevant state and federal statutes, with a capacity of not more than fifteen thousand (15,000) barrels, (a barrel being equivalent to thirty-one (31) gallons a year), for the production and packaging of wine beverages for retail and wholesale distribution, on or off premise, and may include a tap room where beverages produced on the premises may be sold and consumed. May include other uses such as a restaurant and/or outdoor dining, if otherwise permitted in the zoning district;** pass any vote or take any action relative thereto. Submitted by the Planning Board.

ARTICLE 21: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow **SECTION X: DEFINITIONS** by adding **NANO-WINERY: a facility, licensed under the relevant state and federal statutes, with a capacity of not more than six thousand (6,000) barrels, (a barrel being equivalent to thirty-one (31) gallons per year), for the small scale production of wine beverages primarily for on premises consumption and sales with limited retail and wholesale distribution. May include other uses such as a restaurant and/or outdoor dining, if otherwise permitted in the zoning district;** pass any vote or take any action relative thereto. Submitted by the Planning Board.

ARTICLE 22: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow **SECTION X: DEFINITIONS** by adding **MICRO-CIDERY: a facility, licensed under the relevant state and federal statutes, with a capacity of not more than fifteen thousand (15,000) barrels, (a barrel being equivalent to thirty-one (31) gallons a year), for the production and packaging of hard cider beverages for retail and wholesale distribution, on or off premise, and may include a tap room where beverages produced on the premises may be sold and consumed. May include other uses such as a restaurant and/or outdoor dining, if otherwise permitted in the zoning district;** pass any vote or take any action relative thereto. Submitted by the Planning Board.

ARTICLE 23: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow **SECTION X: DEFINITIONS** by adding **NANO-CIDERY: a facility, licensed under the relevant state and federal statutes, with a capacity of not more than six thousand (6,000) barrels, (a barrel being equivalent to thirty-one (31) gallons per year), for small scale production of hard cider beverages primarily for on premises consumption and sales with limited retail and wholesale distribution. May include other uses such as a restaurant and/or outdoor dining, if otherwise permitted in the zoning district;** pass any vote or take any 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 X: DEFINITIONS** by adding **BREW PUB: a restaurant, licensed under the relevant state and federal statutes, to produce and sell beer and/or ale at the location and whose primary business is the sale and preparation of food to be consumed on the premises;** pass any vote or take any 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 3.2.2 TABLE 1 LUDLOW TABLE OF PRINCIPAL USES**, by adding **BREWERY**, under **LAND USE CLASSIFICATION/BUSINESS USES**, allowing this use through Site Plan Approval (SPA) and Special Permit from the Planning Board (SPPB) in the following districts, **Industrial A and Industrial C** and by **Administrative Site Plan Approval (ASPA)** in the **Mill Redevelopment District** and to amend **Table 1** to reflect these changes, as follows:

LAND USE CLASSIFICATION	STANDARDS & CONDITIONS	RA-1	RA	RB	BA	BB	A	AMD	IA	IB	IC	MRD
BUSINESS USES												
BREWERY		N	N	N	N	N	N	N	SPA / SPPB	N	SPA / SPPB	ASPA

Pass any vote or take any 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 3.2.2 **TABLE 1 LUDLOW TABLE OF PRINCIPAL USES**, by adding **MICRO-BREWERY**, under **LAND USE CLASSIFICATION/BUSINESS USES**, allowing this use through Site Plan Approval (SPA) and Special Permit from the Planning Board (SPPB) in the following districts: Business A, Business B, Agriculture, Agriculture Moderate Density, Industrial A and Industrial C and by Administrative Site Plan Approval (ASPA) in the Mill Redevelopment District and to amend Table 1 to reflect these changes, as follows:

LAND USE CLASSIFICATION	STANDARDS & CONDITIONS	RA-1	RA	RB	BA	BB	A	AMD	IA	IB	IC	MRD
BUSINESS USES												
MICRO-BREWERY		N	N	N	SPA / SPPB	SPA / SPPB	SPA / SPPB	SPA / SPPB	SPA / SPPB	N	SPA / SPPB	ASPA

Pass any vote or take any 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 3.2.2 **TABLE 1 LUDLOW TABLE OF PRINCIPAL USES**, by adding **NANO-BREWERY**, under **LAND USE CLASSIFICATION/BUSINESS USES**, allowing this use through Site Plan Approval (SPA) and Special Permit from the Planning Board (SPPB) in the following districts: Business A, Business B, Agriculture, Agriculture Moderate Density, Industrial A and Industrial C and by Administrative Site Plan Approval (ASPA) in the Mill Redevelopment District and to amend Table 1 to reflect these changes, as follows:

LAND USE CLASSIFICATION	STANDARDS & CONDITIONS	RA-1	RA	RB	BA	BB	A	AMD	IA	IB	IC	MRD
BUSINESS USES												
NANO-BREWERY		N	N	N	SPA /SPP B	SPA /SPP B	SPA / SPP B	SPA/ SPPB	SPA / SPP B	N	SPA / SPP B	ASP A

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 3.2.2 TABLE 1 LUDLOW TABLE OF PRINCIPAL USES**, by adding **MICRO-CIDERY**, under **LAND USE CLASSIFICATION/BUSINESS USES**, allowing this use through Site Plan Approval (SPA) and Special Permit from the Planning Board (SPPB) in the following districts: Business A, Business B, Agriculture, Agriculture Moderate Density, Industrial A and Industrial C and by Administrative Site Plan Approval (ASPA) in the Mill Redevelopment District and to amend Table 1 to reflect these changes, as follows:

LAND USE CLASSIFICATION	STANDARDS & CONDITIONS	RA-1	RA	RB	BA	BB	A	AMD	IA	IB	IC	MRD
BUSINESS USES												
MICRO-CIDERY		N	N	N	SPA /SPP B	SPA /SPP B	SPA / SPP B	SPA/ SPPB	SPA / SPP B	N	SPA / SPP B	ASP A

Pass any vote or take any 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 3.2.2 TABLE 1 LUDLOW TABLE OF PRINCIPAL USES**, by adding **NANO-CIDERY**, under **LAND USE CLASSIFICATION/BUSINESS USES**, allowing this use through Site Plan Approval (SPA) and Special Permit from the Planning Board (SPPB) in the following districts: Business A, Business B, Agriculture, Agriculture Moderate Density, Industrial A and Industrial C and by Administrative Site Plan Approval (ASPA) in the Mill Redevelopment District and to amend Table 1 to reflect these changes, as follows:

LAND USE CLASSIFICATION	STANDARDS & CONDITIONS	RA-1	RA	RB	BA	BB	A	AMD	IA	IB	IC	MRD
BUSINESS USES												
NANO-CIDERY		N	N	N	SPA / SPPB	SPA / SPPB	SPA / SPPB	SPA/ SPPB	SPA / SPPB	N	SPA / SPPB	ASP A

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, **Section 3.2.2 TABLE 1 LUDLOW TABLE OF PRINCIPAL USES**, by adding **DISTILLERY**, under **LAND USE CLASSIFICATION/BUSINESS USES**, allowing this use through **Site Plan Approval (SPA)** and **Special Permit from the Planning Board (SPPB)** in the following districts: **Agriculture, Agriculture Moderate Density, Industrial A and Industrial C** and by **Administrative Site Plan Approval (ASPA)** in the **Mill Redevelopment District** and to amend **Table 1** to reflect these changes, as follows:

LAND USE CLASSIFICATION	STANDARDS & CONDITIONS	RA-1	RA	RB	BA	BB	A	AMD	IA	IB	IC	MRD
BUSINESS USES												
DISTILLERY		N	N	N	N	N	SPA / SPPB	SPA/ SPPB	SPA/ SPPB	N	SPA / SPPB	ASP A

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 Zoning Bylaws of the Town of Ludlow, **Section 3.2.2 TABLE 1 LUDLOW TABLE OF PRINCIPAL USES**, by adding **WINERY, MICRO-WINERY, and NANO-WINERY** under **LAND USE CLASSIFICATION/BUSINESS USES**, allowing this use through **Site Plan Approval (SPA)** in the following district: **Agriculture** and by **Site Plan Approval (SPA)** and **Special Permit from the Planning Board (SPPB)** in the following district: **Agriculture Moderate Density** and to amend **Table 1** to reflect these changes, as follows:

LAND USE CLASSIFICATION	STANDARDS & CONDITIONS	RA-1	RA	RB	BA	BB	A	AM D	IA	IB	IC	MR D
BUSINESS USES												
WINERY, MICRO- WINERY & NANO- WINERY		N	N	N	N	N	SPA	SPA/ SPP B	N	N	N	N

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

ARTICLE 32: 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**, by adding **BREW PUB**, under **LAND USE CLASSIFICATION/BUSINESS USES**, allowing this use through Site Plan Approval (SPA) and Special Permit from the Planning Board (SPPB) in the following districts: Business A, Business B, Agriculture, Agriculture Moderate Density, Industrial A and Industrial C and by Administrative Site Plan Approval (ASPA) in the Mill Redevelopment District and to amend Table 1 to reflect these changes, as follows:

LAND USE CLASSIFICATION	STANDARDS & CONDITIONS	RA-1	RA	RB	BA	BB	A	AM D	IA	IB	IC	MR D
BUSINESS USES												
BREW PUB		N	N	N	SPA/ SPP B	SPA/ SPP B	SPA/ SPP B	SPA/ SPP B	SPA/ SPP B	N	SPA / SPP B	ASP A

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

ARTICLE 33: To see if the Town will vote to rescind the amount authorized to be borrowed under Article 3 of the warrant for the Special Town Meeting held on May 14, 2007, but which was not required to be borrowed to complete the project for which it was approved. Pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 34: To see if the Town will vote to amend the motion accepted on Article 29 of the May 9, 2016 Annual Town Meeting Warrant by changing the transfer dollar amounts of seventy-five thousand dollars (\$75,000) from the Perpetual Care Account and two hundred twenty five thousand dollars (\$225,000) from the Cemetery Sale of Lots account to three hundred thousand dollars (\$300,000) entirely from the Cemetery Sale of Lots Account, said funds being used for the purchase of the new cemetery; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

And you are directed to serve this warrant by posting attested copies of the same in seven (7) public places in the Town fourteen (14) days at least before the time of holding said meeting.

A true copy,

ATTEST:

BRIAN M. MANNIX

CHAIRMAN

WILLIAM E. ROONEY

MANUEL D SILVA

CARMINA D. FERNANDES

DEREK G. DEBARGE

BOARD OF SELECTMEN

LUDLOW, MASSACHUSETTS
September 13, 2016

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

_____ **2016**

_____ **Town Clerk**