

OCTOBER 6, 2025 SPECIAL TOWN MEETING

Commonwealth of Massachusetts

Hampden, ss.

To Ms. Kim Batista, Town Clerk, in the Town of Ludlow, Greetings:

In the name of The Commonwealth you are hereby required to notify and warn the voters of said Town, qualified to vote in elections and Town affairs, to meet at the **LUDLOW HIGH SCHOOL** at 500 Chapel Street in said Town, on **MONDAY, OCTOBER 6, 2025, at 7:30PM** to act on the following articles in the warrant.

RECEIVED
TOWN CLERK'S OFFICE
2025 SEP 19 A 8 03
TOWN OF LUDLOW

ARTICLE 1: APPROPRIATE FUNDS FOR UNPAID BILLS FROM PREVIOUS FISCAL YEARS

To see if the Town will vote to raise and appropriate and/or transfer a sum of money for unpaid bills and/or over-expended accounts of previous fiscal years.

Pass any vote or take any action relative thereto. Submitted by the Select Board. A nine/tenths vote is required.

Article 1 Explanation: Unpaid bills prior years: Chapter 44, Section 64 of the Massachusetts General Laws authorizes towns to pay unpaid or over expended bills from a prior fiscal year as presented at the time for the warrant posting. There could be further bills added prior to the Town meeting. We will provide an update, if needed, at Town Meeting. See Attachment A.1.

~~~~~

|             |                                                      |                                                |
|-------------|------------------------------------------------------|------------------------------------------------|
| \$20,831.75 | 250 <sup>th</sup> Committee<br>Holiday Outdoor Decor | Holiday Decorations                            |
| \$130.00    | 250 <sup>th</sup> Committee<br>York St. Industries   | 40 x 144 Banner                                |
| \$2,470.00  | Treasurer/Collector<br>Atty Iris Leahy               | Legal Services                                 |
| \$3,300.00  | DPW<br>Tighe & Bond                                  | Engineering Services – Millside Drive Easement |
| \$3,200.00  | DPW<br>Tighe & Bond                                  | Engineering Services – Millside Drive Easement |
| \$799.00    | Select Board<br>John Guilfoil PR                     | Public Communications Services                 |
| \$224.17    | Town Clerk<br>Xerox Corp.                            | Printing Charges                               |
| \$3,540     | Assessors<br>Kapos & Assoc.                          | Assessing Services                             |
| \$2,360     | Assessors<br>Kapos & Assoc.                          | Assessing Services                             |

## OCTOBER 6, 2025 SPECIAL TOWN MEETING

---

|                           |                            |                                    |
|---------------------------|----------------------------|------------------------------------|
| \$1,365.08                | Town of Ludlow<br>Corcoran | Public Safety Complex HVAC Repairs |
| \$775.00                  | Police Dept.<br>ESI        | Employee Assistance                |
| \$15,329.93               | Town of Ludlow<br>JGPR     | Website Design and Hosting         |
| <b><u>\$54,324.93</u></b> | <b><u>TOTAL</u></b>        |                                    |

---

### **ARTICLE 2:**     **ACCEPTANCE OF MILLSIDE DRIVE AS A PUBLIC WAY**

To see if the Town will vote to authorize the Select Board to acquire by gift, purchase, take by eminent domain or otherwise acquire, the fee and/or easement in Millside Drive as a public way, and any appurtenant easements thereto, as previously laid out by the Select Board, as shown on a plan entitled "Definitive Subdivision Plan State and First Street, Ludlow Massachusetts" prepared for Westmass Area Development Corp. dated June 1, 2023, recorded in the Hampden County Registry of Deeds in Plan Book 399, Page 2, a copy of which is on file with the Town Clerk;

And further, to authorize the Select Board to acquire by gift, purchase, take by eminent domain or otherwise, easements in any land necessary for laying out and acceptance of said way, and any appurtenant drainage, utility or other easements related to said way, and/or to accept grants thereof; and further to authorize the Select Board 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 Select Board.

Article 2 Explanation: In 2023, the Town of Ludlow, in partnership with Westmass Area Development, was awarded a \$3,000,000 MassWorks grant to construct a new right of way to access the proposed Millside Drive Business Park. Millside Drive—as the right of way is now named—is located off Riverside Drive in Ludlow. The new road is 1,800 linear foot (LF) cul-de Sac that originates and ends at the eastern terminus of Riverside Drive near the intersection with First Avenue. Construction of Millside Drive was completed earlier this calendar year and created 4 new parcels to be sold and developed. Those parcels have all been sold and for construction to begin in earnest the town must accept Millside Drive as a public way to create the requisite frontage for the new parcels. See Attachment A.2.

---

### **ARTICLE 3:**     **ACCEPT DONATION OF LAND – 319 WEST STREET**

To see if the Town will vote to accept as a gift, take by eminent domain or otherwise acquire, a portion of the land located at 319 West Street shown as parcel D-1 on an Approval Not Required "Plan of Land 311 & 319 West Street" prepared by Smith Associates Surveyors, Inc., containing 6.39 acres, more or less, for general municipal purposes, to be under the care, custody and control of the Select Board, and to authorize the Select Board to execute any and all documents necessary to effectuate same, or pass any vote or take any action relative thereto.

## OCTOBER 6, 2025 SPECIAL TOWN MEETING

---

Submitted by the Select Board.

**Article 3 Explanation:** In recognition of the Town's ongoing obligations under its Landfill Closure Plan, the owners of 319 West Street have offered to give the Town of Ludlow the 6.39-acre parcel of land identified in the attached Map (See Attachment A.3). The subdivision of said parcel has been approved by the Planning and Zoning Commission of Ludlow through the granting of an ANR on March 27th, 2025 (See Attachment A.3).

The Town of Ludlow entered into a lease agreement with the previous property owner for the use of the subject parcel in its operation of the Ludlow Town Dump, which is now regulated under a Landfill Closure Plan as filed in Book 297, Page 52 of the Ludlow Land Records. After the closure of the landfill, the Town previously desired and attempted to acquire the subject property, and the prior owner was unwilling to part with said property. As part of the closure implementation, and in the spirit of cooperation and public interest, the current owners are now offering to donate a portion of their land to the Town to facilitate the Town's compliance with state and local environmental closure mandates, including, but not limited to the maintenance of the landfill cap and required monitoring and sampling of the property, as well as providing a more permanent and efficient long-term solution than that which currently exists. The Town has consulted with the Section Chief of Solid Waste Management of the Bureau of Air and Waste of the Massachusetts Department of Environmental Protection about the benefits of such an arrangement in the facilitation and compliance of the Town with its obligations under the Landfill Closure Plan.

This proposed donation would merge the ownership and control of the land with the operational requirements and legal obligations under the terms of the Record Landfill Closure Plan and eliminate the need for future negotiations regarding access and the accompanying complications associated with a divergence of ownership and control in the land versus the Town's obligations to comply with state and local environmental closure mandates.

---

### **ARTICLE 4:     ACCEPT MGL CHAPTER 43C SECTION 11; ESTABLISHMENT OF DEPARTMENT OF MUNICIPAL FINANCE**

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 43C, Section 11 to create a consolidated Department of Municipal Finance, and further, that the Town vote to amend the Town Bylaws by adding a new Sec. I-37 entitled, "Department of Municipal Finance" to Chapter I – REGULATING THE GOVERNMENT OF THE TOWN as follows, or take any other action relative thereto:

#### **Sec. I-37: Department of Municipal Finance**

1. *Department.* There shall be a department of municipal finance that shall be responsible for the coordination of all financial services and activities of the town, the maintenance of all accounting records and other financial statements, payment of all obligations, receipt of all funds due, monitoring of and reporting on all fiscal and financial activities of the town, supervision of all purchases of goods, materials and supplies and maintenance of inventory controls. The department shall include the offices and functions of the town accountant, town treasurer/collector, and board of assessors; provided, however, that although the office of elected board of assessors shall be part of the department of municipal finance, such officers shall continue to exercise their respective duties and responsibilities under the General Laws. The department shall have such additional powers, duties and responsibilities with respect to municipal finance-related functions and activities as the town may provide by town bylaw.

## OCTOBER 6, 2025 SPECIAL TOWN MEETING

---

2. *Finance Director.* The department of municipal finance shall be under the direct control and supervision of a director of municipal finance who shall be appointed by the Select Board, and whose salary shall be fixed annually within the amount appropriated by the town.

3. *Finance Director, Qualifications.* The director of finance shall be a person especially fitted with education, experience and training to perform the duties of the office. The educational qualifications shall consist of a master's degree in finance, accounting or public or business administration, granted by an accredited degree-granting college or university, and professional qualifications shall include not less than 3 years of prior full-time compensated service in accounting or business administration or 5 years or more of such professional experience and a bachelor's degree in an appropriate discipline. The select board may waive the education or experience requirements listed if the board determines that an applicant's qualifications provide an equivalent combination of education and experience and that such waiver is in the best interests of the town.

The salary, fringe benefits and other conditions of employment of the director of finance, including but not limited to, severance pay, relocation expenses, reimbursement for expenses incurred in the performance of the duties of office, liability insurance, conditions of discipline, termination, dismissal and reappointment, performance standards and leave may be established by contract.

4. *Finance Director, Duties and Responsibilities.* The director of finance shall be responsible for the supervision and coordination of all financial personnel, tasks and activities of the department under the General Laws, town bylaws and any applicable rules and regulations. The director of finance may serve as the town accountant and shall be responsible for coordinating the fiscal management procedures of the offices of the town treasurer, tax collector, and assessor and shall be the administrator of budgeting, including financial reporting, accountability and control, as well as an advisor to the select board, town administrator, finance committee and all other town departments, concerning financial and programmatic implications of current and future financial policies. The director of municipal finance shall provide such assistance to the town administrator as the town administrator shall request regarding the preparation of the town budget and capital plan.

Submitted by the Select Board.

Article 4 Explanation: The Division of Local Services (DLS) made recommendations for the town in its 2023 Financial Management Review. One of the top recommendations was to create a consolidated Municipal Finance Department, which would streamline communications between personnel and better coordinate the town's financial management objectives. The Finance Director position would support these efforts by monitoring the town's financial activity, develop annual and capital budgets, forecast long-range fiscal health, and coordinate financial policies and strategies with policymakers. This new department would include the town's accounting, assessing, treasurer and collector functions and the Finance Director would be an existing employee promoted from within and not a new hire.

---

## **ARTICLE 5: CREATE A CAPITAL STABILIZATION FUND**

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 "Capital Stabilization Fund", the purpose of which shall be for the funding capital improvement purchases and projects; 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 Capital Stabilization Fund.

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

## OCTOBER 6, 2025 SPECIAL TOWN MEETING

---

Article 5 Explanation: Historically, the town has funded capital projects with Free Cash. While that process has worked, creating a special stabilization fund for capital purchases would enhance transparency and predictability for short- and long-term capital planning purposes. A capital stabilization fund would also help the town more clearly define the amount of funds to be allocated for and spent on capital projects. If approved, the town administration would request the first deposit/allocation into this fund at the Annual Town Meeting in May 2026.

---

### **ARTICLE 6:     CREATE A PARKS & RECREATION CAPITAL STABILIZATION FUND**

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 "Parks & Recreation Stabilization Fund", the purpose of which shall be for the funding capital improvement purchases and projects; 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 Parks & Recreation Stabilization Fund.

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

Article 6 Explanation: The town's parks and open spaces need additional capital investment so that residents can enjoy them safely. This special stabilization fund would segregate capital funds for that purpose, which will increase transparency and predictability for investing in the town's parks and recreational spaces. If approved, the town administration would request the first deposit/allocation into this fund at the Annual Town Meeting in May 2026.

---

### **ARTICLE 7:     CREATE A DIF DEVELOPMENT PROGRAM FUND**

To see if the Town will vote to establish a Development Program Fund under the provisions of Massachusetts General Laws Chapter 40Q (District Improvement Financing) that consists of (a) a development sinking fund and (b) a project cost account and such other accounts as the Select Board deems necessary or appropriate or take any other action relative thereto.

Submitted by the Select Board.

Article 7 Explanation: In June 2020, Town Meeting approved the creation of a DIF district in and around the Ludlow Mills Complex. Later, in October 2023, Town Meeting voted to expand the district to include the East Street Corridor and parcels near the Hubbard Memorial Library. In May 2024, Town Meeting also approved a DIF financing program according to the provisions of Chapter 40Q of the General Laws. The parcels included in the DIF district have been appreciated in value enough to warrant consideration of the town's first DIF-funded infrastructure project. To do so, however, the town needs to create a Development Program Fund to segregate the additional property tax revenue associated with growth within the DIF district since January 1, 2023.

---

### **ARTICLE 8:     UNREASONABLE NOISE BYLAW**

## OCTOBER 6, 2025 SPECIAL TOWN MEETING

---

To see if the Town will vote to amend the Town Bylaws by adding section IV-36 – “Unreasonable Noise” as follows:

### **Sec. IV-36 – Unreasonable Noise**

#### **(1) Exterior Noise Standards**

It shall be unlawful for any person at any location with the Town of Ludlow to create any loud noise, or to allow the creation of a loud noise, on property owned, leased, occupied or otherwise controlled by such person.

#### **(2) Construction Noise Standards**

- (a) Noise associated with construction is permitted between 7am and 8pm on weekdays and Saturdays.
- (b) Between the hours of 8pm and 7am, noise associated with construction shall be limited by the provisions set forth in paragraph (1) of this section.
- (c) Construction activities are generally prohibited on Sundays.

#### **(3) Maintenance Noise Standards**

- (a) Noise associated with maintenance is permitted between 7am and 8pm on weekdays and Saturdays.
- (b) Between the hours of 8pm and 7am on weekdays and Saturdays, noise associated with maintenance shall be limited by the provisions set forth in paragraph (1) of this section.
- (c) Maintenance activities are generally prohibited on Sundays.

#### **(4) Definitions**

For the purposes of this section, these relevant terms are defined as follows:

- (a) *Exterior*—any location sited outside of any structure with weight-bearing walls and intended to provide shelter and protection from inclement weather or similar hazards.
- (b) *Construction*—the process involved with erecting buildings, structures, infrastructure, industrial facilities, and associated activities, including demolition, dismantling, or decommissioning of the same.
- (c) *Maintenance*—the process involved in maintaining or preserving a building, structure, infrastructure, industrial facilities, personal property, and associated activities.

#### **(5) Exceptions, Enforcement & Penalties**

Notwithstanding the provisions of this section, loud noises resulting from the following situations are excepted from enforcement: (1) town-approved events, (2) transportation infrastructure, (3) public utility work, (4) operations at Westover Air Base; (5) any other use or activity explicitly permitted by the Select Board. The Ludlow Police Department is responsible for enforcing this

## OCTOBER 6, 2025 SPECIAL TOWN MEETING

---

bylaw to the extent necessary. Furthermore, the Police Department may exercise reasonable discretion in enforcing this section in instances of, for example, emergencies or other special situations. This bylaw shall not prevent the Police Department from relying on M.G.L. chapter 272, section 53; M.G.L. chapter 90, section 16, or any other applicable state law or regulation to enforce unreasonable noise violations. However, any violations of this section of the Town Bylaws shall be punishable by a fine of no more than \$300 per violation.

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

**Article 8 Explanation:** The town routinely receives complaints of excessive noise related to loud music, trash pickups, construction, yard work, and the like. However, the town does not currently have any bylaw that regulates unreasonably loud noise. The Police Department relies on state laws to enforce these types of infractions. This bylaw would create standards for the purpose of protecting the quiet enjoyment of Ludlow residents.

---

### **ARTICLE 9: LOCAL OPTION TO CONVERT BEER & WINE ON-PREMISES LICENSES TO FULL ON-PREMISES**

To see if the Town will vote to accept the provisions of G.L. c.138, §12D, which, if accepted, would allow the Select Board as the local licensing authority of the Town, to approve a request from a licensee to convert an existing license to sell wines and malt beverages only for on-premises consumption to a license to sell all alcoholic beverages for on-site consumption, subject to all other provisions of G.L. c.138, including notice, publication, and certified mailing of, and a public hearing on, such conversion.

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

**Article 9 Explanation:** Section 51 of Chapter 9 of the Acts of 2025, the FY2026 State Budget Bill, inserted a new section into G.L. c.138 concerning alcoholic beverage licensing. Subject to local acceptance, this new provision, G.L. c.138, §12D, allows a local licensing authority to approve the conversion of an on-premises license to sell wine and malt beverages only to an on-premises license to sell all alcoholic beverages, even if the municipality does not have any all-alcoholic beverages licenses available. As discussed in further detail, below, this is a significant change in local licensing procedures, allowing the conversion to be accomplished without action of the General Court and regardless of whether such a license is available under an otherwise applicable quota. The Town of Ludlow has 5 on-premises wine and malt licenses.

**Local Acceptance.** To use the new statutory conversion process, G.L. c.138, §12D must first be accepted by a city or town in accordance with the provisions of G.L. c.4, §4. Thus, in a city, the statute must be accepted by vote of the city council, with the approval of the mayor, as applicable. In a town, the statute must be accepted by vote of town meeting. Subject to any referendum provision that may be imposed by charter or special act, the acceptance vote will take effect immediately and require no further approvals from the state.

**Eligibility.** Any holder of an on-premises license to sell wine and malt beverages only is eligible to seek conversion of that license to an on-premises license for sale of all alcoholic beverages. This is significant because, as previously discussed, without this new section, such a conversion could be made only if an on-premises license for sale of all alcoholic beverages was available under an existing quota or pursuant to special legislation. Note, however, that such a conversion will still require approval from both the local licensing authority and the ABCC.

## OCTOBER 6, 2025 SPECIAL TOWN MEETING

**Conversion Process.** To convert a license under G.L. c.138, §12D, a licensee holding an on-premises license for the sale of wine and malt beverages only may apply using the ABCC form. The local licensing authority may establish a reasonable fee for processing the conversion application and may adopt such additional requirements as the licensing authority deems appropriate. Note that the conversion application process must meet all the notice, publication, certified mailing and public hearing requirements set forth in G.L. c.138, §15A for any other license application. Once a license conversion has been approved by the local licensing authority, it must be submitted to the ABCC for approval, along with a fee of \$200.00.

**Restrictions.** Approval by the local licensing authority of a conversion will not create an additional license – the overall number of licenses for on-premises consumption of alcoholic beverages will remain the same. Accordingly, if a wine and malt beverage only license is converted, it will still count against the municipality's quota for that type of license. However, a converted license cannot be transferred, and, if it is no longer being used, must be returned to the local licensing authority. The converted license then reverts to its original status and can only be reissued as an on-premises license for the sale of wine and malt beverages only. The new licensee, however, would also be eligible to seek conversion of the license using the G.L. c.138, §12D process.

### **ARTICLE 10: ACCESSORY DWELLING UNITS (ADU) UPDATE**

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. SECTION 3.22 TABLE 1 LUDLOW TABLE OF PRINCIPAL USES: by removing land use classification Accessory Apartment and adding Accessory Dwelling Units (ADU) allowed through Site Plan Approval from the Planning Board (SPA) in RA-1, RA, RB, A, AMD zoning districts; adding Accessory Dwelling Units over 900 SQ FT, and Additional Accessory Dwelling Units allowed through Special Permit and Site Plan Approval from the Planning Board in RA-1, RA, RB, A, AMD zoning districts, and to amend Table 1 to reflect this change, as follows:

Current Section:

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

New Section to Read:

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



OCTOBER 6, 2025 SPECIAL TOWN MEETING

|                                     |  |              |              |              |   |   |              |              |   |   |
|-------------------------------------|--|--------------|--------------|--------------|---|---|--------------|--------------|---|---|
| Additional Accessory Dwelling Units |  | SPA/<br>SPPB | SPA/<br>SPPB | SPA/<br>SPPB | N | N | SPA/<br>SPPB | SPA/<br>SPPB | N | N |
|-------------------------------------|--|--------------|--------------|--------------|---|---|--------------|--------------|---|---|

\*If only a single ADU, no Special Permit is required.

Pass any vote or take any action relative thereto. Submitted by the Planning Board. A majority vote is required.

Article 10 Explanation: With the changes to the Accessory Dwelling Units Zoning Bylaw passed at the May 12, 2025 Annual Town Meeting, the Table of Uses will need to reflect the updated changes.

**ARTICLE 11: ZONING BYLAW REFERENCE CHANGES – “BOARD OF SELECTMEN” TO “SELECT BOARD”**

To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow by replacing all references of “Board of Selectmen” or “Selectmen” to “Select Board” or “Select Board Member,” as may be appropriate in context, throughout the entirety of the Zoning Bylaw.

Pass any vote or take any action relative thereto. Submitted by the Planning Board. A 2/3 vote is required.

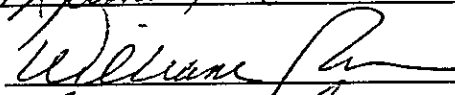
Article 11 Explanation: Following the approval at the May 12, 2025 Annual Town Meeting to update the Town’s General Bylaws by replacing all references to “Board of Selectmen” or “Selectmen” with “Select Board,” the proposed changes to the Zoning Bylaw aim to ensure consistency across all Town documents. This update will align the language in the Zoning Bylaw with the terminology now used in the General Bylaws.

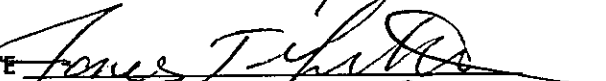
And you are directed to serve this warrant by posting attested copies of the same in seven (7) public places in the Town fourteen (14) days before the time of holding said meeting.

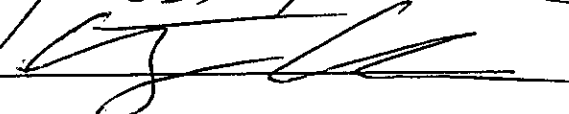
A true copy,

ATTEST:

MANUEL D. SILVA  CHAIRMAN

WILLIAM ROSENBLUM  VICE CHAIRMAN

JAMES T. GENNETTE 

ANTHONY ALVES 

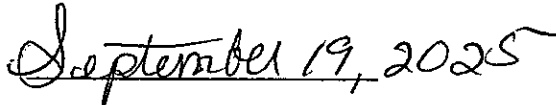
SELECT BOARD, LUDLOW, MASSACHUSETTS, SEPTEMBER 16, 2025

OCTOBER 6, 2025 SPECIAL TOWN MEETING

---

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

  
Kim Batista, Town Clerk

  
Date