

# 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 5, 2015** 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 the Compensation Plan of the Personnel Policy Bylaw of the Town of Ludlow as authorized under Chapter 41, Sections 108A and 108C of the Massachusetts General Laws, by deleting the current minimums and maximums and increment steps for the Fire Department, Schedule III and replacing them with a new Schedule III, to fund a negotiated settlement with the Ludlow Firefighters Association, Local 1840 I.A.F.F. – AFL-CIO; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

### by deleting;

#### Fire Department Schedule III Effective 7/1/12

Class	Min	1	2	3	4	5		
F1	785.51	813.55	841.62	869.57	897.58	924.52		
F2	981.89	1,016.94	1,052.03	1,086.96	1,121.97	1,155.65	125% X F-1	
F3	1,227.36	1,271.18	1,315.04	1,358.70	1,402.47	1,444.56	125% X F-2	
F4							200% X F-1 & HP	

Completion of Hazardous Materials Training  
 Fire Department Schedule III Effective 07/01/12

Class	Min	1	2	3	4	5		
F-1	825.10	854.55	884.02	913.39	942.81	971.11		
F-2	1,031.37	1,068.18	1,105.03	1,141.74	1,178.51	1,213.89	125% X F-1	
F-3	1,289.22	1,335.23	1,381.29	1,427.17	1,473.14	1,517.36	125% X F-2	
F-4	1,737.47	1,799.47	1,861.55	1,923.38	1,985.34	2,044.93	200% X F-1 & HP	

Fire Department Schedule III Effective 7/1/13

Class	Min	1	2	3	4	5		
F1	801.22	829.82	858.45	886.96	915.53	943.01		
F2	1,001.53	1,037.28	1,073.07	1,108.70	1,144.41	1,178.76	125% X F-1	
F3	1,251.91	1,296.60	1,341.34	1,385.88	1,430.52	1,473.45	125% X F-2	
F4							200% X F-1 & HP	

Completion of Hazardous Materials Training  
 Fire Department Schedule III Effective 07/01/13

Class	Min	1	2	3	4	5		
F-1	841.60	871.64	901.70	931.66	961.66	990.53		
F-2	1,052.00	1,089.55	1,127.13	1,164.57	1,202.08	1,238.17	125% X F-1	
F-3	1,315.00	1,361.93	1,408.91	1,455.71	1,502.60	1,547.71	125% X F-2	
F-4	1,772.22	1,835.46	1,898.78	1,961.85	2,025.04	2,085.83	200% X F-1 & HP	

Fire Department Schedule III Effective 7/1/14

Class	Min	1	2	3	4	5		
F1	817.25	846.42	875.62	904.70	933.84	961.87		
F2	1,021.56	1,058.02	1,094.53	1,130.88	1,167.30	1,202.34	125% X F-1	
F3	1,276.95	1,322.53	1,368.16	1,413.60	1,459.13	1,502.92	125% X F-2	
F4							200% X F-1 & HP	

Completion of Hazardous Materials Training  
 Fire Department Schedule III Effective 07/01/14

Class	Min	1	2	3	4	5		
F-1	858.43	889.07	919.74	950.29	980.90	1,010.34		
F-2	1,073.04	1,111.34	1,149.67	1,187.86	1,226.12	1,262.93	125% X F-1	
F-3	1,341.30	1,389.17	1,437.09	1,484.83	1,532.65	1,578.66	125% X F-2	
F-4	1,807.66	1,872.17	1,936.76	2,001.09	2,065.55	2,127.54	200% X F-1 & HP	

and replacing with;

**Fire Department Schedule III Effective 7/1/15**

Class	Min	1	2	3	4	5		
F1	843.45	873.20	902.99	932.65	962.37	990.90		

Completion of Hazardous Materials Training  
 Fire Department Schedule III Effective 07/01/15

Class	Min	1	2	3	4	5		
F-1	885.45	916.70	947.99	979.15	1,010.37	1,040.40		
F-2	1,106.81	1,145.88	1,184.99	1,223.94	1,262.96	1,300.50	125% X F-1	
F-3	1,383.52	1,432.34	1,481.23	1,529.92	1,578.70	1,625.63	125% X F-2	
F-4	1,859.89	1,925.54	1,991.25	2,056.71	2,122.29	2,185.36	200% X F-1 & HP	

**Fire Department Schedule III Effective 7/1/16**

Class	Min	1	2	3	4	5		
F1	870.17	900.52	930.90	961.15	991.47	1,020.57		

**Completion of Hazardous Materials Training**  
**Fire Department Schedule III Effective 07/01/16**

Class	Min	1	2	3	4	5		
F-1	913.01	944.89	976.80	1,008.59	1,040.43	1,071.06		
F-2	1,141.26	1,181.11	1,221.00	1,260.74	1,300.54	1,338.83	125% X F-1	
F-3	1,426.58	1,476.39	1,526.25	1,575.92	1,625.67	1,673.53	125% X F-2	
F-4	1,917.79	1,984.74	2,051.78	2,118.54	2,185.43	2,249.77	200% X F-1 & HP	

**Fire Department Schedule III Effective 7/1/17**

Class	Min	1	2	3	4	5		
F1	888.63	919.28	949.96	980.52	1,011.14	1,040.53		

**Completion of Hazardous Materials Training**  
**Fire Department Schedule III Effective 07/01/17**

Class	Min	1	2	3	4	5		
F-1	931.90	964.10	996.32	1,028.43	1,060.59	1,091.53		
F-2	1,164.88	1,205.13	1,245.40	1,285.54	1,325.74	1,364.41	125% X F-1	
F-3	1,456.09	1,506.41	1,556.75	1,606.92	1,657.17	1,705.52	125% X F-2	
F-4	1,957.45	2,025.09	2,092.78	2,160.23	2,227.78	2,292.76	200% X F-1 & HP	

**ARTICLE 3:** 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 Fire Department for Fiscal Year 2016 to fund the negotiated retroactive pay increases as set forth in the preceding article including the Town's contribution to employee benefits; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**ARTICLE 4:** To see if the Town will vote to amend the Compensation Plan of the Personnel Policy Bylaw of the Town of Ludlow as authorized under Chapter 41, Sections 108A and 108C of the Massachusetts General Laws, to reflect the most current contract with the Ludlow Library Technicians, by deleting the current minimums and maximums and increment steps for Library Department Personnel, Schedule VI, and replacing them with the following minimums, and maximums and increment steps; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

**by deleting;**

Library - Schedule VI		effective July 1, 2011					FY12
	Min	Step 1	Step 2	Step 3	Step 4	Step 5	
L -1	11.72	12.36	13.05	13.50	14.26		
L -2	12.72	13.47	13.93	14.61	15.32	16.05	
L -3	14.17	14.74	15.37	15.90	16.40	17.30	

Library - Schedule VI		effective July 1, 2012					FY13
	Step1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
L - 1	13.53	14.19	14.77	15.29	15.96	16.63	17.17
L - 2	14.62	15.38	16.00	16.73	17.48	18.25	19.03
L - 3	17.10	17.77	18.47	19.13	19.77	20.54	21.52

Library - Schedule VI		effective July 1, 2013					FY14
	Step1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
L - 1	15.33	16.01	16.49	17.07	17.66	18.20	18.45
L - 2	16.51	17.29	18.07	18.85	19.63	20.44	21.20
L - 3	20.03	20.80	21.57	22.35	23.14	23.78	24.86

Library - Schedule VI		effective July 1, 2014					FY15
	Step1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
L - 1	15.64	16.33	16.82	17.41	18.01	18.56	18.82
L - 2	16.84	17.64	18.43	19.23	20.02	20.85	21.62
L - 3	20.43	21.22	22.00	22.80	23.60	24.26	25.36

**and replacing with:**

Library - Schedule VI				effective July 1, 2015			FY16
	Step1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
L - 1	15.95	16.66	17.16	17.76	18.37	18.93	19.20
L - 2	17.18	17.99	18.80	19.62	20.42	21.27	22.05
L - 3	20.84	21.64	22.44	23.26	24.07	24.75	25.87

Library - Schedule VI				effective July 1, 2016			FY17
	Step1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
L - 1	16.27	16.99	17.50	18.12	18.74	19.31	19.58
L - 2	17.52	18.35	19.18	20.01	20.83	21.70	22.49
L - 3	21.26	22.07	22.89	23.73	24.55	25.25	26.39

Library - Schedule VI				effective July 1, 2017			FY18
	Step1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
L - 1	16.60	17.33	17.85	18.48	19.12	19.70	19.97
L - 2	17.87	18.72	19.56	20.41	21.25	22.13	22.94
L - 3	21.69	22.51	23.35	24.20	25.04	25.76	26.92

**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 Library for Fiscal Year 2016 to fund the negotiated retroactive pay increases for Fiscal Year 2016 as set forth in the preceding article, if approved, 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 amend the Bylaws of the Town of Ludlow CHAPTER IV, REGULATING THE CONDUCT OF CITIZENS, by deleting in its entirety Section 21, as purported to be amended by Article 14 on the warrant for the special town meeting on October 6, 2014, which amendment was subsequently disapproved by the Massachusetts Attorney General, and replacing it with the following new Section 21 which provides criteria to be utilized by the Board of Selectmen in making a determination on whether to grant permission for a parade or procession in the Town:

by deleting:

**SECTION 21:** No procession or parade shall be allowed on public streets or sidewalks of the Town without written permission of the Board of Selectmen. The Board of Selectmen are not required to give their written permission unless notice of said procession or parade showing the time, place, route, and duration of same is filed with the Board of Selectmen at least 48 hours prior to the starting time and date. The decision of the Board of Selectmen will be known at least 24 hours prior to the starting time and date of said procession or parade. Nothing in this section

will prohibit at any time the movement of troops or armed forces of either the Commonwealth of Massachusetts or the Government of the United States.

The purpose of this section is to prevent disorder and to allow the public streets and sidewalks of the Town to be open for the convenience of its citizens and to prevent interruption and interference with the known existing traffic conditions in the streets and sidewalks of the Town for which any permit is sought.

**and replacing with:**

**Section 21: No procession or parade shall be allowed on public streets or sidewalks of the Town without written permission of the Board of Selectmen. The Board of Selectmen is not required to give its written permission unless notice of that procession or parade showing the time, place, route and duration of the procession or parade is filed with the Board of Selectmen at least thirty (30) days prior to the starting time and date to allow enough time for proper review, as each request will be forwarded to the Police Department for review and comment. The Board of Selectmen shall issue its decision within thirty (30) days of its receipt of the notice of the procession or parade. A permit, if timely sought, shall be granted unless (a) the time, route and size of the parade or procession will disrupt to an unreasonable extent the movement of other traffic; (b) the parade or procession is of a size or nature that requires the diversion of so great a number of police officers of the Town to properly police the line of movement and the area contiguous thereto that allowing the parade or procession would deny reasonable police protection to the Town; (c) such parade or procession will interfere with another parade or procession for which a permit has been issued; or (d) by reason of disaster, public calamity, riot or other emergency, the Board of Selectmen determines that the safety of the public or property required such denial. Nothing in this Section will prohibit at any time the movement of troops or armed forces of either the Commonwealth of Massachusetts or the Government of the United States.**

**The purpose of this Section is to prevent disorder and to allow the public streets and sidewalks of the Town to be open for the convenience of its citizens and to prevent interruption and interference with the known existing traffic conditions in the streets and sidewalks of the Town for which any permit is sought.**

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 amend the Bylaws of the Town of Ludlow CHAPTER VIII, REGULATING UNREGISTERED VEHICLES, by deleting it in its entirety and replacing it with the following new CHAPTER VIII, REGULATING UNREGISTERED VEHICLES which allows for better descriptions of how to abide by the Bylaw, what actions constitute a violation and stricter enforcement regulations; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

by deleting;

This article shall not apply to off road recreational vehicles.

No person not licensed to do so, shall keep, store or park any unregistered, junked or dilapidated motor vehicle or vehicles, as defined in the General Laws which are required to be registered in order to be operated upon the ways of the Commonwealth, if said vehicles are unregistered, whether assembled or disassembled, on any premises within the Town unless stored within an enclosed building, without a permit from the Police Department. Said permits may be issued by the Police Department at its discretion for a period not to exceed ninety (90) days. No motor vehicle may be offered for sale on any premises except in accordance with a license granted under Ch.140, S. 57 of the General Laws; provided, however, a motor vehicle being the property of the owner or tenant of the premises, may be offered for sale after obtaining a permit from the Police Department. Said permit may be issued by the Police Department at its discretion for a period not to exceed thirty (30) days. For purposes of this bylaw a “junked or dilapidated motor vehicle” shall include a motor vehicle which is registered for which no current Massachusetts inspection sticker has been issued. No more than two (2) permits may be issued to the same premises within a twelve (12) month period. This Bylaw shall not apply to vehicles used for farming equipment purpose. Violations of this Bylaw shall be punished by a fine of not more than fifty (\$50.00) dollars for each day in violation and each day that a violation continues shall be treated as a separate offense. Notice of violation may be issued by any Police Officer or Zoning Enforcement Official, and as an alternative method of enforcement, violations may be subject to noncriminal disposition pursuant to Article XIII of the Ludlow General Bylaws.  
(amended 5/12/2008) deleted and added new

**and replacing with**

**This article shall not apply to off-road recreational vehicles. This Bylaw shall not apply to vehicles used for farming purposes.**

- 1. No person not licensed to do so, shall keep, store or park any unregistered, junked or dilapidated motor vehicle, as defined in the General Laws, which are required to be registered in order to be operated upon the ways of the Commonwealth.**
- 2. For the purposes of this bylaw a “junked or dilapidated motor vehicle” shall also include a motor vehicle which is registered for which no current Massachusetts inspection sticker has been issued.**
- 3. Motor vehicles that are unregistered, whether assembled or disassembled,**
  - a. Shall not be kept on any premises within the Town unless such vehicle(s) are either:**
    - i. Stored within a totally enclosed and lawfully permitted building with sidewalls and a roof.**



**ARTICLE 8:** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money not to exceed thirteen thousand dollars (\$13,000) for the replacement of the Police Department’s current Computer Aided Dispatch System; 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 amend the Classification and Compensation Plan, Schedule A and B of the Personnel Policy Bylaw of the Town of Ludlow as authorized under Chapter 41, Sections 108A and 108C of the Massachusetts General Laws by deleting the current schedule BOARD OF APPEALS( stipend clerical position) and by deleting a portion of the current schedule INSPECTIONAL SERVICES( senior clerk) which will allow for the combining of the two positions, and replacing them with a revised provision which will read as follows:

by deleting:

APPEALS, BOARD	Hours per week	Grade number	Number assigned
Department Asst. 1		Stipend	1

Inspectional Services	Hours per week	Grade number	Number assigned
Senior Clerk	35	LATOS III	1

**and replacing with:**

<b>Inspectional Services</b>	<b>Hours per week</b>	<b>Grade number</b>	<b>Number assigned</b>
<b>Administrative Assistant</b>	<b>35</b>	<b>LATOS IV</b>	<b>1</b>

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 transfer a sum of money from the Zoning Board of Appeals Personal Services budget, account number 011761 511256 to be added to the Fiscal Year 2016 Inspectional Services Personal Services budget, account number 012411

511156 to help fund the previous article if approved; 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 amend the Personnel Policy Bylaw of the Town of Ludlow as authorized under Chapter 41, Sections 108A and 108C of the Massachusetts General Laws by striking the following provisions in their entirety, Section 11, **VACATION**, Section 14, **GROUP INSURANCE BENEFITS**, Sections 15 **PERSONAL/EMERGENCY, LEGAL, OR BUSINESS LEAVE, LEAVE OF ABSENCE, JURY DUTY AND BEREAVEMENT LEAVE**, and Section 17 **THE SMALL NECESSITIES LEAVE ACT** and replacing them with the following. The following benefits are subject to policies for their implementation as approved by the Board of Selectmen.

### **Section 11 - Vacation**

**Employees shall be entitled to vacation time after successful completion of the appropriate probationary period. Vacation time is earned based on completion of continuous service and is accrued on the employee's anniversary date.**

**Coverage: All regular full-time and part-time employees.**

### **Section 14 – Health, Dental and Life Insurance**

**Group health and dental insurance benefits are provided to all eligible employees and their eligible dependents through a policy held by the Town of Ludlow.**

**Coverage: All regular full-time employees and part-time employees who work a minimum of twenty (20) hours per week.**

#### **Life Insurance:**

**Group life insurance coverage is provided to all eligible employees through a policy held by the Town of Ludlow.**

**Coverage: All regular full-time employees and part-time employees who work a minimum of twenty (20) hours per week.**

### **Section 15 – Personal Leave**

**Employees shall be eligible for three (3) paid personal leave days during the fiscal year.**

**Coverage: All regular full-time employees.**

**Leave of Absence:**

**Eligible employees may be granted a leave of absence without pay not to exceed sixty (60) days.**

**Coverage: All regular full-time and part-time employees.**

**Jury Duty:**

**Any employee who is called to jury duty shall be paid an amount equal to the difference between the compensation received for such service and his/her regular compensation.**

**Coverage: All regular full-time and part-time employees.**

**Bereavement Leave:**

**Bereavement leave shall be granted in the case of the death of a member of an employee's family.**

**Coverage: All regular full-time and part-time employees.**

**Domestic Violence Leave:**

**Pursuant to Chapter 260 of the Acts of 2014 – “An Act Relative to Domestic Violence”, all employees shall be permitted to take up to 15 days of leave from work in any 12 month period.**

**Coverage: All regular full-time and part-time employees.**

**Section 17 - The Small Necessities Leave Act**

**Under M.G.L. c. 149, s. 52D, eligible employees are permitted to take a total of 24 hours of unpaid leave during any 12-month period to attend to certain family obligations.**

**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 amend the Compensation Plan of the Personnel Policy Bylaw of the Town of Ludlow as authorized under Chapter 41, Sections 108A and 108C of the Massachusetts General Laws by deleting the current minimums for Special Police Officers, Fingerprinting, School Crossing Guards and Police Matron, Police Department,

Schedule IV, and replacing them with the following minimums to correct a clerical error in Article 9 of the May 11,2015 Annual Town Meeting Warrant; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

by deleting;

Police Department - Schedule IV effective 7/1/2015

SP-1	18.17	per hour
FP-1	818.70	per year
SG-1	17.46	per hour
PM-1	11.87	per hour

and replacing with;

Police Department - Schedule IV effective 7/1/2015

<b>SP-2</b>	<b>18.17</b>	<b>per hour</b>
<b>FP-1</b>	<b>839.17</b>	<b>per year</b>
<b>SG-1</b>	<b>17.90</b>	<b>per hour</b>
<b>PM-1</b>	<b>12.17</b>	<b>per hour</b>

**ARTICLE 13:** To see if the Town will vote to raise and appropriate and/or transfer funds for the repair, maintenance and/or improvements to the historical First Meeting House; pass any vote or take any action relative thereto. Submitted by the Board of Public Works.

**ARTICLE 14:** To see if the Town will vote to establish a revolving fund for the Board of Public Works, pursuant to Massachusetts General Laws Chapter 44, §53E ½, said fund to receive revenues from the sale of “Purple” Bags under the Sustainable Materials Recovery Program, said fund to be deposited with the Town Treasurer and with payments from the fund to be expended by the Board of Public Works, up to the limit to be established by the Town to pay for the “Purple” Bags, Recycling Bins and Recycling Decals; pass any vote or take any action relative thereto. Submitted by the Board of Public Works.

**ARTICLE 15:** To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow, **SECTION IV: DIMENSIONAL AND DENSITY REGULATIONS.**

**4.4 MILL REDEVELOPMENT DISTRICT (MRD) Bylaw** by inserting the following section to the bylaw.

**4.4.10 Site Plan Approval Process**

- a. 8. One member or designee of the Historical Commission.**

Pass any vote or take any other 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 VI: SPECIAL LAND USE REGULATIONS: by adding 6.13 CONSERVATION DEVELOPMENT BYLAW. New section to read.**

## **6.13 CONSERVATION DEVELOPMENT**

### **A. Purposes**

1. The purposes of this bylaw are to:
  - a. Promote compact development using flexible development standards;
  - b. Protect open space for use as farmland, forestry, recreation, or wildlife habitat;
  - c. Protect the town's rural character, natural resources, environmentally sensitive areas, or scenic views;
  - d. Increase use of sustainable or green energy sources in residential development; and
  - e. Preserve or enhance rural town character, including scenic roads and town centers.

### **B. Definitions**

**Conservation Development:** A form of residential development allowed in all districts by right with Site Plan Review, whereby the options of common driveways and flexible area and frontage requirements are utilized to create permanent open space and avoid standard Approval Not Required and subdivision development.

**Common Driveway:** A vehicular access from a road to more than one (1), but no more than six (6), residential units, built in accordance with the common driveway standards stated in Section 6.11(H.) of this bylaw.

**Existing Resources / Site Analysis Map:** A map which identifies, locates, and describes noteworthy features to be designed around through sensitive subdivision layouts, such as vegetation, wetlands, steep slopes, farmland soils, historic or cultural features, threatened or endangered species, unusual geological formations, and scenic views or viewsheds.

**Homeowners' Association:** A private non-profit organization (corporation, association, or other legal entity) established by the developer to manage, maintain, support, and finance the common facilities and common open space of a Conservation Development, and to enforce certain covenants and restrictions.

**Low Impact Development (LID):** A land-planning and engineering design approach to managing stormwater runoff which emphasizes use of on-site natural features to protect water quality. Low Impact Developments are designed to reflect natural hydrology, minimize impervious surfaces, treat stormwater in small decentralized

structures, preserve portions of the site in natural conditions, and use natural topography for drainageways and storage.

**Site Context Map:** A map that illustrates the proposed development in connection to its surrounding neighborhood and shows major natural resource areas or features that cross parcel lines.

**Title V Regulations:** 310 CMR 15.000

**Wetlands:** Areas characterized by vegetation described in Massachusetts General Laws, Chapter 131, Section 40.

**C. Conservation Development Allowed By Special Permit with Site Plan Review**

Conservation Development in accordance with this bylaw shall be allowed by Special Permit issued by the Planning Board with Site Plan Review in the Agricultural (A) and Residential B (RB) zoning districts. Any person creating two or more lots available for residential use, whether or not by subdivision, may apply for Conservation Development under this section. Conservation Development shall be encouraged within the town and shall be the preferred method of development wherever the purposes in Section 6.13(A.) would be served

1. **Segmentation:** In determining whether a project is a major residential development, the developer and the Planning Board shall consider the entirety of the development, including:

- a. any likely future expansion of the project on the subject property or on any property which is contiguous to the subject property or under related ownership or
- b. any past, related development on any property which is contiguous to the subject property or any property that was under related ownership with the subject property at the time that this bylaw was adopted.

A developer may not phase or segment a project or transfer ownership of contiguous properties to evade, defer or curtail the requirements set forth in this bylaw.

2. **Uses Permitted in the Developed Area of a Conservation Development.**

- a. Single Family Detached Dwelling Units;
- b. Condominium Duplex or Two-Family Dwelling Units;
- c. Condominium Multi-Family Dwelling Units provided that no building shall contain greater than four (4) dwelling units, and the percentage of multi-family dwelling units shall not exceed twenty (20) percent of the total number of units in the development.

3. **Uses Permitted in the Open Space of a Conservation Development.**

- a. Agricultural uses including horticultural, raising of crops, livestock, poultry, nurseries, orchards, hay, and building related to the same;
- b. Public park or recreation area;

- c. Woodlots, arboreta, and other similar silvicultural uses;
- d. Woodland preserve, game preserve, wildlife sanctuary, or other similar conservation use;
- e. Accessory uses customarily incidental to any permitted use.

4. Special Land Features. The Planning Board may request an applicant to use an OSRD subdivision design if the property possesses one or more of the following special features:
- a. Unfragmented open land as identified as a priority for protection in the town's Open Space and Recreation Plan, Master Plan or the Community Development Plan;
  - b. Agricultural land with soils designated as prime or of statewide significance by the U.S. Natural Resource Conservation Service soil surveys;
  - c. Rare, threatened, or endangered species or exemplary natural communities according to the Massachusetts BioMap Project developed by the Massachusetts Natural Heritage & Endangered Species Program;
  - d. Unique natural, cultural, and/or historical features as identified in the Master Plan or Community Development Plan.

#### **D. Criteria for Approval**

In addition to meeting the findings for a Special Permit under Section 7.0 and Site Plan Approval under Section 7.1, in reviewing applications for Conservation Developments, the Planning Board may consider whether the application complies substantially with the following Site Plan Review criteria. The Planning Board may impose reasonable conditions at the expense of the applicant, including performance guarantees, to promote these criteria.

1. All dwellings shall, to the greatest extent possible, be located out of view from any road, unless valuable natural resources or farmland located to the rear of the property render building in view of the road more desirable.
2. Conservation Development shall create permanently protected conservation land. All land within a Conservation Development not in use for building lots shall be placed in permanent conservation.
3. The portion of a parcel placed in conservation shall, to the greatest extent possible, be that which is most valuable or productive as a natural resource, wildlife habitat, farmland, or forestry land.
4. Conservation Development shall result in the creation of fewer curb cuts and vehicular access points to a public way than would occur under standard Approval Not Required or Subdivision Development.

5. Stormwater runoff generated from land development and land use conversion activities shall not be discharged directly to a wetland, local water body, municipal drainage system, or abutting property, without adequate treatment.
6. Conservation Development shall employ Low Impact Development techniques and Renewable Energy techniques to the maximum extent practicable, as described in Sections 6.13(G.) and 6.13(K.3) herein.
7. In Conservation Development, each structure shall be integrated into the existing landscape on the property, to the extent feasible, so as to minimize its visual impact through use of vegetative and structural screening, landscaping, grading, and placement on or into the surface of the lot.

#### **E. Application Procedure**

1. Any application for Conservation Development shall include all contents and follow all procedures in Section 7.0 Special Permit and 7.1 Site Plan Review.
2. Any application for Conservation Development shall clearly state the terms by which the development shall meet the criteria listed in Section 6.13(D.) of this zoning bylaw.
3. In addition to the Site Plan Review requirements listed in Section 7.1, a Site Context Map and Existing Resources/Site Analysis Map shall be submitted to the Planning Board. These maps shall be used by the applicant in the preparation of a preliminary design plan.
4. Prior to submission, the applicant is very strongly encouraged to request a concept meeting with the Town Planner, Building Commissioner, Director of Public Works, Fire Chief and Police Chief.
5. For developments involving the subdivision of land in accordance with the Ludlow Subdivision Rules and Regulations the following shall apply:
  - a. Preliminary Subdivision Plan
    - i. Submission - A Preliminary Subdivision Plan shall be submitted in conformance with the Ludlow Subdivision Rules and Regulations. Applicants shall submit the preliminary design to the Planning Board for review prior to development of a Definitive Plan.
    - ii. Review - In addition to the standards in the Ludlow Subdivision Rules and Regulations, the Planning Board shall review the Preliminary Subdivision Plan in accordance with the criteria contained in this bylaw and with other applicable regulations of the Town of Ludlow. The review shall informally advise the applicant to the extent to which the proposed subdivision or land development conforms to the relevant standards of this

bylaw and may suggest possible plan modifications that would increase its degree of conformance. The review shall include, but is not limited to:

- (1) The location of all areas proposed for land disturbance (streets, foundations, yards, septic disposal systems, storm water management areas, etc.) with respect to notable features of natural or cultural significance as identified on the applicants Existing Resources/Site Analysis Map;
- (2) The potential for street connections with existing streets, other proposed streets, or potential developments of adjoining parcels;
- (3) The location of proposed access points along existing road networks;
- (4) The proposed building density and areas of impervious surface.

b. Definitive Subdivision Plan Submission - A final Definitive Subdivision Plan shall be submitted in conformance with this section and the Ludlow Subdivision Rules and Regulations as applicable. Such Plans shall adequately address standards delineated in this bylaw. In addition, the Definitive Subdivision Plan shall address issues that have been previously discussed in the Existing Resources/Site Analysis Map.

## **F. Flexible Dimensional Standards**

Conservation Developments shall utilize the flexible area and frontage provisions of this bylaw for the purpose of minimizing the destruction of natural resources while maximizing availability of open space, farmland, and rural character.

### 1. Flexible Frontage in Conservation Developments

- a. Where feasible all ANR lots from the development shall be incorporated into the design of the Conservation Development with frontage on the new subdivision road leaving the land abutting the existing town way as Conservation Land.
- b. Provided that all other requirements of this bylaw are met, there shall be no frontage required for individual lots within a Conservation Development, with the exception described in Section 6.13(F.1.c.) below.
- c. Any building lot which fronts on an existing public road shall have 200 foot frontage. This provision shall not apply to permanent conservation land.

### 2. Flexible Area in Conservation Developments

- a. There is no minimum lot size for individual lots, provided the lot meets Title V standards.

- b. The total number of building lots which can be created from any parcel shall be determined by subtracting the area of all wetlands (as defined by the Ludlow Conservation Commission) from the total parcel area, and dividing the resulting area by the required minimum lot size in that district.
- c. All land not used for building lots shall be placed in permanent conservation in accordance with Section 6.13(J) of this bylaw, but not less than 50% of the total land area.
- d. To the extent feasible and practical, building lots shall be located out of view of town roads, while all protected open space shall be located along, or in view of, town roads.
- e. Increases in Permissible Density - The Planning Board may award a density bonus to increase the number of dwelling units beyond the Basic Maximum Number for a Conservation Development. The density bonus for the Conservation Development shall not, in the aggregate, exceed twenty percent (20%) of the Basic Maximum Number. Computations shall be rounded down to the next whole number. A density bonus may be awarded in the following circumstances:
  - i. For each additional ten percent (10%) of the site (over and above the required 50%) set aside as open space, a bonus of ten percent (10%) of the Basic Maximum Number may be awarded. Calculations shall be rounded down to the nearest integer when determining this bonus.
  - ii. For every historic structure preserved and subject to a historic preservation restriction, one (1) dwelling unit may be added to the Basic Maximum Number.

### 3. Flexible Setback Requirements

- a. Maximum front setback requirements are 150 feet from a public way or, for lots with no frontage on a public way, 25 feet from a common driveway and 150 feet from a public way.
- b. There are no minimum setback requirements for rear or side yard setbacks.

## **G. Additional Development Standards**

### 1. Stormwater Management

The design and development of a Conservation Development shall minimize off-site stormwater runoff, promote on-site infiltration, and minimize the discharge of pollutants to ground and surface water. Natural topography and existing land cover should be maintained and protected to the maximum extent practicable. A Conservation Development shall meet the following requirements:

- a. Untreated, direct stormwater discharges to wetlands and surface waters are not allowed;
- b. Post-development peak discharge rates should not exceed pre-development peak rates;
- c. Erosion and sediment controls must be implemented to remove eighty percent (80%) of the average annual load of total suspended solids;
- d. All stormwater treatment systems or Best Management Practices must have operation and maintenance plans to ensure that systems function as designed.

## 2. Low Impact Development

All Conservation Developments shall employ the following Low Impact Development techniques to the maximum extent practicable:

- a. Vegetated Swales - shallow drainage channels with thick grasses or vegetation that slow runoff, filter it, trap pollutants and promote infiltration into the ground;
- b. Cisterns and Rain Barrels – water tanks that store rainwater for landscaping and gardens;
- c. Bioretention Areas or Rain Gardens – bioretention “cells” are shallow depressions filled with sandy soil, topped with mulch and planted with dense vegetation, that collect, treat and infiltrate rainwater;
- d. Low Impact Roadways – narrow roadways to reduce impervious cover, which employ open-section layouts without curbs and gutters, flanked by grass filter strips and swales for stormwater infiltration;
- e. Permeable Paving – paving surfaces used for driveways, parking, walkways and patios that allow rainwater to percolate into the ground, including porous asphalt or concrete, paving stones and manufactured “grass pavers” made of concrete or plastic;
- f. Green Roofs – vegetated roof systems that capture and store rainfall in a lightweight engineered soil medium, where water is taken up by plants and returned to the atmosphere.

## **H. Common Driveways**

- 1. Common Driveways shall be in accordance with the provisions of this section. Where applicable, under the Subdivision Regulations, Common Driveways may be allowed in place of a subdivision road.

2. No more than six (6) lots shall be served by a Common Driveway. The driveway shall lie entirely within the lots being served.
3. Frontage along the length of any Common Driveway shall in no way be used to satisfy frontage requirements as specified in the Zoning Bylaw; furthermore, no Common Driveway shall be accepted as a public road; nor shall the Town under any circumstances be held liable for construction, reconstruction, maintenance, or snow removal on any Common Driveway, unless by contract duly entered into by the Town and all landowners served by the Common Driveway.
4. The landowners of all residences served by a Common Driveway shall be granted a Right-of-Way for the use of the Common Driveway. Such Right-of-Way shall be recorded in the Hampden County Registry of Deeds prior to the recording and the deeding out of any of the lots within the Conservation Development, together with a statement of covenants as follows:
  - a. The Common Driveway shall at no time be used to satisfy frontage requirements under the Zoning Bylaw;
  - b. The Common Driveway shall at no time become the responsibility or liability of the town;
  - c. Each landowner served by the Common Driveway shall be liable and responsible for the repair and maintenance of any portion of the Common Driveway to which they have the exclusive Right-of-Way (such as a spur serving solely one parcel);
  - d. Each landowner served by the Common Driveway shall be responsible and liable for the repair and maintenance of all portions of the Common Driveway to which more than one landowner holds a Right-of-Way. Such responsibility shall be in accordance with the Maintenance and Repair Agreement in Section H.5;
  - e. Parking shall not be allowed on any portion of the Common Driveway to prevent the obstruction of emergency vehicles. NO PARKING signs shall be placed along the Common Driveway.
5. The applicant shall prepare a Maintenance and Repair Agreement that will provide provisions for services, maintenance, and enforcement for the common driveway and shall be entered into by the affected property owners. Such Agreement shall be recorded in the Hampden County Registry of Deeds prior to the recording and the deeding out of any of the lots within the Conservation Development.

6. Common Driveway Standards

- a. A common driveway shall have a minimum roadway width of sixteen (16) feet and a maximum of twenty (20) feet, in addition to an easement of sufficient width to assure proper drainage and maintenance.
- b. A common driveway shall not be longer than six hundred (600) feet in length.
- c. The slope or grade of a Common Driveway shall in no place exceed eight percent (8%) if unpaved or twelve percent (12%) if paved.
- d. The common drive shall intersect a public way at an angle of not less than ninety (90) degrees.
- e. The minimum curvature of a common driveway shall be sufficient for a fire engine to negotiate, generally no less than a radius of fifty (50) feet.
- f. There shall be a turnaround area at the end of the Common Driveway; such turnaround shall accommodate safe and convenient turning by fire trucks and other emergency vehicles. Design of the turnaround area shall also be approved by the town's Fire Department.
- g. The common driveway shall be constructed of a minimum 15" gravel base, with a surface layer consisting of three successive layers of ¾"-size crushed traprock stone, ½"-size crushed traprock stone, and ¼"-size crushed traprock stone, with a crown sufficient for drainage.
- h. Drainage shall be adequate to dispose of surface runoff. Low Impact Development standards for stormwater management are preferred, but culverts shall be installed if deemed necessary by the Planning Board.
- i. These standards may be waived when, in the opinion of the Planning Board, such action is in the public interest and not inconsistent with the purpose and intent of the Ludlow Zoning Bylaw.
- j. Other standards may be set based on site configurations, including requirements for drainage.

## **I. Utility Requirements**

### **1. On-site Sewage Disposal**

The following standards shall apply to developments requiring on-site sewage disposal:

- a. The applicant shall submit a septic system design prepared by a certified engineer and approved by the Board of Health and a plan illustrating the location of water supply wells with the application.

- b. All Conservation Developments must meet the minimum state Environmental Code (Title V) requirements for minimum setbacks between private water supply wells and septic tanks or soil absorption systems (310 CMR 15.211).
- c. All Conservation Developments must meet the minimum state Environmental Code (Title V) requirements for nitrogen loading limitations (310 CMR 15.214-15.217). For Conservation Developments with individual lot sizes less than 40,000 square feet, applicants must meet the following standards:
  - i. Applicants must designate, on a plan, specific areas of common open space as "nitrogen credit land", based on the following equation:
 
$$\begin{aligned} & (40,000 \text{ square feet} \times \text{number of Conservation Development lots}) \\ & - (\text{total square feet in proposed Conservation Development lots}) \\ & = \text{square feet of required nitrogen credit land in common conservation lands} \end{aligned}$$
  - ii. Nitrogen credit land must meet DEP qualifications contained in "Guidelines for Title 5 Aggregation of Flows and Nitrogen Loading 310CMR15.216"
  - iii. All designated nitrogen credit land must be permanently restricted from further development under a "Grant of Title V Nitrogen Loading Restriction and Easement on Nitrogen Credit Land".
 

After approval of the Conservation Development Plan, applicants must apply to the Board of Health and the Mass. Department of Environmental Protection (DEP) for an aggregate determination of nitrogen loading under 310 CMR 15.216.
- d. Septic tanks must be installed on individually-owned lots. Nitrogen Credit Land must be at least 100 feet from all private wells.

## 2. Water Supply

In order to meet state Title V requirements for separation distances between drinking water wells and septic systems, private drinking water supply wells may be located in the common open space for a Conservation Development, provided that the provisions of Section 6.13(L.) for a homeowners' association are met.

## J. **Conservation Land**

### 1. Conservation Land Requirements

- a. A minimum of fifty percent (50%) of the total development parcel must be permanently protected as conservation land. At least seventy percent (70%) of the conservation land shall be retained in contiguous areas.

- b. Watercourses, lakes, ponds, wetlands, floodplains, and steep slopes over twenty-five percent (25%) may be included in conservation land calculations, but shall not exceed twenty-five percent (25%) of the total protected conservation lands.
- c. The Planning Board may allow up to three percent (3%) of the conservation land to be paved or built upon for structures accessory to the dedicated use of open space (i.e. pedestrian walks, bicycle paths, playgrounds, farm-related structures).
- d. All recreational facilities, common areas, and conservation land shall be reasonably accessible to all residents of the development.

## 2. Land Protection Methods for Conservation Land

- a. All land not devoted to buildings, lots, roads and other development shall be permanently protected as conservation land for recreation, open space, forestry or agricultural uses which preserve the land in its natural condition.
- b. The final owner of the conservation land and the conservation restriction are strongly recommended to develop a conservation management plan that will address proper management and future maintenance of this natural resource.
- c. Further subdivision of conservation land, except for easements for underground utilities or drinking water supply wells, shall be prohibited.
- d. If the land is not donated to the Town or conservation organization duly recognized as such pursuant to M.G.L. c. 180 and IRC Section 170(h) for conservation purposes, then a permanent conservation restriction is required in accordance with the provisions of M.G.L. c.184 §§ 31-33, as amended. The conservation restriction must be held by the Town or a non-profit organization dedicated to conserving open space.

## 3. Maintenance of Conservation Land

- a. Prior to final approval of the Conservation Development, all required covenants, grants of easements, or conveyance for the conservation land must be submitted to the Planning Board and Town Counsel for review and approval prior to the recording and the deeding out of any of the lots within the Conservation Development.
- b. Where applicable, if any portion of the conservation land is conveyed to a non-profit homeowners' association or trust of the homeowners of the dwelling units in the Conservation Development, then the following shall be required. In order to ensure that the grantee will properly maintain the land deeded to it

under this section, the applicant shall cause to be recorded in the appropriate Registry of Deeds, a Declaration of Covenants and Restrictions which shall, at a minimum, provide for:

- (1) Mandatory membership in an established homeowners association or trust, as a requirement of ownership of any residential unit or lot in the Conservation Development;
  - (2) Provisions for maintenance assessments of all owners of residential units or lots in order to ensure that the conservation land is maintained in a condition suitable for the approved uses; failure to pay such assessment shall create an automatic lien upon written notice to any property owner failing to pay the assessment on the property assessed, enforceable by the association or trust;
  - (3) Provision which, so far as possible under the existing law, will ensure that the restrictions placed on the use of the conservation land will not terminate by operation of law. The developer of the Conservation Development shall be responsible for the maintenance of the common land and any other facilities to be held in common until such time as the grantee is capable of assuming said responsibility.
- c. Prior to the issuance of a building permit for an approved Conservation Development, proposed conservation land shall be clearly marked, and all efforts shall be taken by the developer to prohibit any disturbance of the delineated conservation lands during the construction process.

#### **K. Additional Considerations**

1. Trails. Where there is an existing local or regional trail network on land adjacent to a proposed Conservation Development, the applicant may be required to preserve or enhance the existing trail network with trail corridors through the site.
2. Enhancing Conservation Land Connectivity  
Where there is existing conservation land adjacent to a proposed Conservation Development, the applicant may be required to locate the development's conservation land so that it expands or enhances the connectivity of such lands, where feasible.
3. Renewable Energy  
Conservation Developments may employ the following Renewable Energy techniques to the maximum extent practicable:
  - a. Streets, roads and common driveways shall be laid out primarily on an east-west axis to maximize solar gain;

- b. Homes and buildings shall be oriented to maximize passive solar gain, by having the longest side of the structure facing south, while maximizing windows facing south;
- c. Solar access should be maintained for all buildings. New structures shall not cast shadows that reduce solar access for other structures;
- d. Homes and buildings should use renewable energy sources as feasible.

#### **L. Homeowners' Association**

1. A qualified homeowners' association shall be created prior to the conveyance of any lot in Conservation Development for which such an association is required.
2. The association shall be responsible for the permanent maintenance of all commonly-owned amenities, (e.g. common conservation lands, stormwater facilities, recreational facilities, utility easements), except where such responsibility is assumed by another owner of the amenities.
3. A homeowners' association agreement or covenant shall be submitted with the Conservation Development application guaranteeing continuing maintenance of and the development of a capital expense fund for such commonly-owned amenities, and assessing each lot a share of maintenance expenses. The articles of formation of the qualified homeowners' association shall be prepared by a licensed attorney. Such agreement shall be subject to the review and approval of Town Counsel and the Planning Board, and shall be recorded in the Hampden County Registry of Deeds. The Planning Board may commission further legal review of any documents submitted, the cost of which shall be borne by the applicant.
4. Such agreements or covenants shall provide that in the event that the homeowners' association fails to maintain the commonly-owned amenities reasonable order and condition, in accordance with the agreements or covenants, the Town of Ludlow may, after notice to the homeowners association enter upon such land and maintain it in order to preserve the taxable values of the properties within the development and to prevent the commonly-owned amenities from becoming a public nuisance. The costs of such maintenance by the Town of Ludlow shall be assessing each lot a share of maintenance expenses within the Conservation Development.

#### **M. Waivers**

1. The Planning Board may waive strict compliance with the requirements of Sections 6.13 G. (Additional Development Standards), H. (Common Driveways), I (Utility Requirements) and J.1. (Conservation Lands) of this bylaw where they find all of the following, that such action:

- a. is allowed by federal, state and local statutes and/or regulations;
  - b. is in the public interest;
  - c. would result in a better project;
  - d. is not inconsistent with the purpose and intent of this bylaw.
2. Any applicant may submit a written request to be granted such a waiver. Such a request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that strict application of the bylaws does not further the purposes or objectives of this bylaw and why it is believed that the waiver meets the criteria in section 6.13.M.(1.).
  3. All waiver requests shall be discussed at the public hearing for the project.
  4. If in the Planning Board's opinion, additional time or information is required for review of a waiver request, the Planning Board may continue the hearing to a date announced at the meeting. In the event the applicant objects to a continuance, or fails to provide requested information, the waiver request shall be denied.
  - 5.

**N. Conflict with Other Laws**

The provisions of this bylaw shall be considered supplemental of existing zoning bylaws. To the extent that a conflict exists between this bylaw and others, the more restrictive bylaw or provision thereof shall apply.

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 by changing from **Agriculture** to **Residential A**, a parcel of land owned by Marco M. Vieira and Jessica R. Fernandes, located at 18 Chapin Street (Assessors Map # 29 Parcel 30) and described as follows:

**The land in Ludlow, Hampden County, Massachusetts designated as Lot 1, on a plan known as "Plan of Division of Land, owned by Albino and Bernice Batista" recorded in the Hampden County Registry of Deeds in Book of Plans 347, at page 68. Said Lot being more particularly bounded and described as follows: Beginning at an iron pipe on the northerly side of Chapin Street, said pipe being located one hundred eighty one and 46/100 (181.46) from the westerly line of Batista Circle, as shown on said plan, thence running: N 83 30' 00" E three hundred forty and 32/100 (340.32) feet, as shown on said plan to a point, thence running; S 85 04' 00" E one hundred two and 19/100 (102.19) feet, as shown on said plan to a point, thence running; Along five courses, in an arc, with a total length of two hundred forty and 72/100 (240.72) feet, as shown on said plan to a point, thence running; S 11 00' 30" W thirty (30.0) feet, as shown on said plan to a point, thence running; S 0 25' 55" W one hundred ninety two and 84/100 (192.84) feet, as shown on said plan to a point, thence running; N 83 30' 00" W three hundred (300.00) feet, along the northerly side of Chapin**

Street, as shown on said plan, to the point of beginning. For Grantor's title to property refer to Hampden County Probate and Family Court Case number 13P1197EA and deed to Albino F. Batista and Bernice Batista recorded in the Hampden County Registry of Deeds in Book 2206 at page 56. Albino F. Batista having passed away on February 8, 2001.

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 by changing from **Agriculture** to **Residential A**, a parcel of land owned by Gilbert D. Palatino, located at 79 Lawton Street (Assessors Map # 3 Parcel 13) and described as follows:

The land in Ludlow, Hampden County, Massachusetts, more particularly bounded and described as follows: Beginning at a stone bound in the Westerly line of Lawton Street in Ludlow, said stone bound also being on the division line between land of the City of Chicopee Water Shed, and land formerly of Stanislaw Muszenski, and running thence NORTH 82° 40' WEST along said division line, Six Hundred Thirty-Eight and 16/100 (638.16) feet to an iron rod; thence SOUTH 7° 20' WEST, along land formerly of one Paulk, now supposed to be one Buckart. One Hundred Thirty-One and 7/100 (131.07) feet to an iron rod; thence SOUTH 82° 40' EAST along other land of the grantor, Six Hundred Eighty-Seven and 69/100 (687.69) feet to an iron rod in the Westerly line of Lawton Street; thence NORTH 13° 22' WEST along said Westerly line of said Lawton Street, One Hundred Forty and 12/1002 (140.12) feet to a stone bound at the point of beginning. The above described parcel of land contains 1.995 acres and all as shown on a plan made by Durkee, White & Towne, Engineers, to be recorded herewith. Being the same premises conveyed to Alfred M. Wolfe and Dorothy A. Wolfe by deed of Stanislaw Muszenski, et ux dated June 17, 1946, recorded with the Hampden County Registry of Deeds, Book 1827, Page 459. Also see corrective deed dated August 31, 1948, and recorded in the Hampden County Registry of Deeds, Book 1958, Pages 64 and 65.

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 by changing from **Residential A** to **Business A**, a portion of a parcel of land owned by Hilario Q. Pereira & Natalina R. Pereira, located at Lot # 160, 0 Amherst Street (Assessors Map # 15D Parcel 141) and described as follows:

BEING known and designated as Lot number one hundred and sixty (160) as shown on a Plan of Land for Michael J. Kogut by Smith Associates and recorded in the Hampden County Registry of Deeds Book of Plans 197 page 38, said lots being bounded and described as follows: NORTHERLY: by lot #161 (one hundred sixty-one) one hundred (100) feet; EASTERLY: by Amherst Street, Fifty (50) feet; SOUTHERLY: by lot #158

**(one-hundred fifty-eight) and #159 (one-hundred fifty-nine) one hundred (100) feet; and WESTERLY: by lot #134 (one hundred thirty-four) Fifty (50) feet to the point of beginning. Containing five thousand 5,000 square feet. Subject to restriction of recorded if any and applicable. Being the same premises conveyed to Grantor herein by Deed dated June 1, 1981 and recorded with the Hampden County Registry of Deeds Book 5117, Page 209.**

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

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:**

**CARMINA D FERNANDES**

\_\_\_\_\_  
**CHAIRMAN**

**AARON L SAUNDERS**

\_\_\_\_\_

**MANUEL D SILVA**

\_\_\_\_\_

**WILLIAM E ROONEY**

\_\_\_\_\_

**BRIAN M MANNIX**

\_\_\_\_\_

**BOARD OF SELECTMEN**

**LUDLOW, MASSACHUSETTS  
September 1, 2015**

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

\_\_\_\_\_  
**2015**

**Town Clerk**

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