

COMMONWEALTH OF MASSACHUSETTS
HAMPDEN, SS

To Ms. Laurie Gibbons, Town Clerk of the Town of Ludlow, Massachusetts

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 **Exit 7 Theater**, Chestnut Street, Ludlow, Massachusetts on **Monday, May 13, 2013 at 7:30 p.m.** for the purpose of acting on the following articles in the warrant.

You are further directed to notify and warn the inhabitants of Precinct 1, Precinct 2, Precinct 3, Precinct 4, Precinct 5 and Precinct 6 of said Town qualified to vote in the elections to meet at the place designated in each precinct, viz: The voters of Precinct 1 shall vote at Chapin Elementary School on Chapin Street, voters of Precinct 2 shall vote at Christ the King Social Center on Warsaw Avenue, voters of Precinct 3 shall vote at the Ludlow High School, Chapin Street, voters of Precinct 4 shall vote at East Street School, East Street, voters of Precinct 5 shall vote at First Church of Ludlow, Center/Church Streets, and voters of Precinct 6 shall vote at Veteran's Park School, Chapin Street, March 25, 2013 at 10:00 o'clock in the forenoon to bring in their votes for **TWO MEMBERS OF THE BOARD OF SELECTMEN** for three year terms; **ONE MEMBER OF THE BOARD OF ASSESSORS** for a three year term; **ONE MEMBER OF THE BOARD OF HEALTH** for a three year term; **ONE LIBRARY TRUSTEE** for a three year term; **ONE MEMBER OF THE HOUSING AUTHORITY** for a five year term; **TWO MEMBERS OF THE SCHOOL COMMITTEE** for three year terms; **TWO MEMBERS OF THE BOARD OF PUBLIC WORKS** for three year terms; **ONE RECREATION COMMISSIONER** for a three year term; **ONE MEMBER OF THE PLANNING BOARD** for a five year term; **LIMITED TOWN MEETING MEMBERS** each from Precinct 1, Precinct 2, Precinct 3, Precinct 4, Precinct 5, and Precinct 6 as follows: **PRECINCT 1:** Five for three year terms; **PRECINCT 1:** One for a one year unexpired term; **PRECINCT 2:** Five for three year terms; **PRECINCT 2:** Two for two year unexpired terms; **PRECINCT 2:** Two for a one year unexpired term; **PRECINCT 3:** Five for three year terms; **PRECINCT 3:** One for a two year unexpired term; **PRECINCT 4:** Five for three year terms; **PRECINCT 4:** One for a one year unexpired term; **PRECINCT 5:** Five for three year terms; **PRECINCT 5:** One for one year unexpired term; **PRECINCT 6:** Five for three year terms; **PRECINCT 6:** One for two year unexpired term.

ARTICLE 1: To hear and act on the reports of the Town Officers; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 2: To hear and act on the reports of the outstanding committees appointed pursuant to prior warrants and continued at each succeeding meeting and to continue said committees further, unless discharged by vote of this body; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 3: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for the printing of the **ANNUAL TOWN REPORT** for the calendar year 2013 and **TOWN MEETING WARRANTS** and **RECOMMENDATIONS**; 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 raise and appropriate and/or transfer from available funds a sum of money for the **ANNUAL TOWN AUDIT** for the Fiscal Year ending June 30, 2013; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen

ARTICLE 5: To see if the Town will vote to raise and appropriate and/or otherwise provide such sums of money as may be necessary for Town purposes and charges during Fiscal Year 2014 and to fix the salary of all elected officials of the Town for the Fiscal Year beginning July 1, 2013; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen

ARTICLE 6: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for the removal of dangerous and abandoned buildings in accordance with **780 Commonwealth of Massachusetts Regulations, § 121.0 UNSAFE STRUCTURES**; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 7: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money, not to exceed \$5,000.00, to be expended by the Celebrate Ludlow Committee, with the approval of the Board of Selectmen, for fireworks and general expenses related to the annual Town-wide celebration and to further allow gifts and donations to be deposited in a previously established Special Revenue Fund to cover expenses related to this celebration; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 8: To see if the Town will vote to amend the Compensation Plan of the Personnel Policy By-Law 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 Non-union Personnel, including Custodians, Schedule V, Inspectors, Schedule XVI, Cable Television, Schedule XIV, Special Police, Finger Printer, Crossing Guards and Matrons, Schedule IV and Management, Schedule XIII, and replacing them with the following minimums and maximums and increment steps, and that those persons whose compensation is governed by the prior classification and compensation plan will receive an increase of two and one-half (2 ½) percent for Fiscal Year 2014; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

by deleting;

Custodian - Schedule V

Effective 7/1/2012

	MIN.	1	2	3	4	5
C-1	10.44	11.08	11.75	12.51		
C-2	11.25	11.77	12.12	12.81	13.43	
C-3	12.12	12.66	13.14	13.67	14.15	14.71
C-4	12.95	13.52	14.04	14.61	15.14	15.70

Inspectors- Schedule XVI

Effective 7/1/2012

	MIN.	1	2	3	4	5	6
I-1	20.46	21.28	22.12	23.01	23.92	24.89	25.89

Cable Television - Schedule XIV

Effective 7/1/2012

	MIN.	1	2	3	4	5
TV-1	13.46	13.98	14.49	15.01	15.53	16.05

Schedule IV 7/1/2012

SP-2	11.36	per hour
FP-1	779.25	per year
SG-1	16.70	per hour
PM-1	11.36	per hour

Management Schedule XIII

Effective 7/1/2012

	MIN.	1	2	3	4	5	6
GL II	34,957	37,870	40,784	43,697	46,609	49,523	52,436
GL III	46,609	49,523	52,436	55,349	58,262	61,175	64,089
GL IV	52,436	55,349	58,262	61,175	64,089	67,001	69,915
GL V	69,915	73,798	77,682	81,566	85,449	89,333	93,219
Elected	46,609	49,523	52,436	55,349	58,262	61,175	64,089

and by adding:

	MIN.	1	2	3	4	5
Custodian effective 7/1/2013						
C-1	10.70	11.36	12.05	12.82		
C-2	11.53	12.07	12.43	13.13	13.76	
C-3	12.43	12.97	13.47	14.01	14.50	15.07
C-4	13.27	13.86	14.40	14.97	15.52	16.09

	MIN.	1	2	3	4	5	6
Inspectors- Schedule XIV effective 7/1/2013							
I-1	20.97	21.81	22.68	23.59	24.51	25.51	26.54

	MIN.	1	2	3	4	5
Cable Television - Schedule XIV effective 7/1/2013						
TV-1	13.80	14.33	14.86	15.39	15.92	16.45

Police Department - Schedule IV effective 7/1/2013

SP-2	11.64	per hour
FP-1	798.73	per year
SG-1	17.11	per hour
PM-1	11.64	per hour

	MIN.	1	2	3	4	5	6
Management effective 7/1/2013							
GL II	35,831	38,816	41,804	44,790	47,775	50,761	53,747
GL III	47,775	50,761	53,747	56,733	59,718	62,704	65,691
GL IV	53,747	56,733	59,718	62,704	65,691	68,677	71,663
GL V	71,663	75,643	79,624	83,605	87,586	91,566	95,549
Elected	47,775	50,761	53,747	56,733	59,718	62,704	65,691

ARTICLE 9: To see if the Town will vote to amend the Personnel Policy Bylaws of the Town of Ludlow, **SICK LEAVE, Section 12.2** as authorized under Chapter 41, Sections 108A and 108C of the Massachusetts General Laws, by changing the current dollar amount per day payment for sick leave buyback from \$10.00 to \$20.00; 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 amend the Personnel Policy Bylaws of the Town of Ludlow, **Longevity, Section 19.1, Policy** as authorized under Chapter 41, Sections 108A and 108C of the Massachusetts General Laws, by adding to the current language under FULL TIME EMPLOYEES, as printed below which will allow for a longevity payment of \$1500.00 after twenty-five (25) years of service; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

by adding;

After twenty-five (25) years of continuous employment \$1500.00

ARTICLE 11: To see if the Town will vote to re-establish a revolving fund for the Board of Health, pursuant to Massachusetts General Laws Chapter 44, §53E ½, said fund to receive on-site sewage disposal fees, said fund to be deposited with the Town Treasurer and with payments from the fund to be expended by the Board of Health, up to the limit to be established by the Town to pay the sewage system inspectors and to pay other expenses of the inspection program; pass any vote or take any action relative thereto. Submitted by the Board of Health.

ARTICLE 12: To see if the Town will vote to re-establish a revolving fund for the Board of Health, pursuant to Massachusetts General Laws Chapter 44, §53E ½, said fund to receive vaccine fees, said fund to be deposited with the Town Treasurer and with payments from the fund to be expended by the Board of Health, up to the limit to be established by the Town to pay vaccine providers; pass any vote or take any action relative thereto. Submitted by the Board of Health.

ARTICLE 13: To see if the Town will vote to amend the Classification Plan, Schedule A, of the Personnel Policy Bylaws of the Town of Ludlow as authorized under Chapter 41, Sections 108A and 108C by deleting a portion of the current schedule PUBLIC LIBRARY and replacing it with a revised section as follows; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

by deleting:

BOARD OR DEPARTMENT	HOURS PER WEEK	GRADE NUMBER	NUMBER ASSIGNED
PUBLIC LIBRARY Children's/Youth Services Librarian	N/A	Level II	1

and by adding:

BOARD OR DEPARTMENT	HOURS PER WEEK	GRADE NUMBER	NUMBER ASSIGNED
PUBLIC LIBRARY Children's/Youth Services Librarian	N/A	Level III	1

ARTICLE 14: 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 Fiscal Year 2014 Hubbard Municipal Library Budget, Personal Services, to fund the previous article if approved; 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 Classification and Compensation Plan, Schedule A and Schedule 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 a portion of the current schedule BOARD OF SELECTMEN and replacing it with a revised portion which will read as follows;

by deleting:

BOARD OF SELECTMEN	HOURS PER WEEK	GRADE NUMBER	NUMBER ASSIGNED
Clerk	35	LATOS II	1

and by adding:

BOARD OF SELECTMEN	HOURS PER WEEK	GRADE NUMBER	NUMBER ASSIGNED
Senior Clerk	35	LATOS III	2

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

ARTICLE 16: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be added to the Fiscal Year 2014 BOARD OF SELECTMEN Budget, Personal Services, to fund the previous article if approved; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 17: To see if the Town will vote to re-establish a revolving fund for the Conservation Commission, pursuant to Massachusetts General Laws Chapter 44, § 53E 1/2, said fund to receive Wetland Fees collected by the Ludlow Conservation Commission per Chapter XV, § 6, of the Town of Ludlow Bylaws. Said fees to be submitted to the Town Treasurer for deposit and expended by the Conservation Commission, up to the limit to be established by the Town only for expenses attributable to the administration and enforcement of the Wetlands Protection Act, Ludlow Conservation Commission Bylaws and maintenance and improvements of Ludlow's natural resource areas; pass any vote or take any action relative thereto. Submitted by the Conservation Commission.

ARTICLE 18: To see if the Town will vote to re-establish a revolving fund for the Conservation Commission, pursuant to Massachusetts General Laws Chapter 44, § 53E 1/2, said fund to receive Consultant Fees collected by the Ludlow Conservation Commission per Chapter XV, § 6, of the Town of Ludlow Bylaws. Said fees to be submitted to the Town Treasurer for deposit and expended by the Conservation Commission, up to the limit to be established by the Town, only to pay independent consultants for services related to the specific project for which they were collected; pass any vote or take any action relative thereto. Submitted by the Conservation Commission.

ARTICLE 19: To see if the Town will vote to amend the Classification Plan, Schedule A, of the Personnel Policy Bylaws of the Town of Ludlow as authorized under Chapter 41, Sections 108A and 108C by deleting a portion of the current schedule COMPUTER SERVICES and replacing it with a revised section as follows:

by deleting:

BOARD OR DEPARTMENT	HOURS PER WEEK	GRADE NUMBER	NUMBER ASSIGNED
COMPUTER SERVICES Manager	N/A	Level IV	1

and by adding:

BOARD OR DEPARTMENT	HOURS PER WEEK	GRADE NUMBER	NUMBER ASSIGNED
COMPUTER SERVICES Manager	N/A	Level IV	1
Computer Tech	19	CS -1	1

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

ARTICLE 20: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be added to the Fiscal Year 2014 COMPUTER SERVICES, Personal Services Budget, to fund the previous article if approved; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 21: To see if the Town will vote to amend the Classification and Compensation Plan of the personnel Policy By-Law of the Town of Ludlow as authorized under Chapter 41, Sections 108A and 108C of the Massachusetts General Laws, effective July 1, 2013 as follows:

CLASSIFICATION PLAN – SCHEDULE A

TOWN COLLECTOR'S OFFICE

	<u>Hours Per Week</u>	<u>Grade Number</u>	<u>Number Assigned</u>
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By deleting:

Clerk	35	LATOS II	1
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By adding:

Senior Clerk	35	LATOS III	1
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Pass any vote or take any action relative thereto. Submitted by the Town Collector.

ARTICLE 22: To see if the Town will vote to amend the Classification and Compensation Plan, Schedule A and Schedule 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 adding a new section HUMAN RESOURCES which will read as follows;

by adding:

HUMAN RESOURCES	HOURS PER WEEK	GRADE NUMBER	NUMBER ASSIGNED
Director	N/A	Level IV	1

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

ARTICLE 23: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to be used to provide matching funds for a 50/50 State historical preservation grant, said funds to be used for general repairs, roof replacement and handicapped accessibility at the First Meeting House; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 24: To see if the Town will vote to amend the Classification and Compensation Plan of the Personnel Policy By-Law of the Town of Ludlow as authorized under Chapter 41, Sections 108A and 108C of the Massachusetts General Laws as follows:

CLASSIFICATION PLAN - SCHEDULE A

Recreation Department

	<u>Grade Number</u>	<u>Number Assigned</u>	<u>Hours Per Week</u>
by deleting:			
Counselors	D-1	48	37.5

and by adding:

Counselors	D-1	48	40.0
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Pass any vote or take any action relative thereto. Submitted by the Recreation Commission.

ARTICLE 25: 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 Fiscal Year 2014 Recreation Budget, Personal Services to fund the increase in hours for the Counselor positions.; pass any vote or take any action relative thereto. Submitted by the Recreation Commission.

ARTICLE 26: To see if the Town will vote to transfer from available funds a sum of money to purchase two (2) power ambulance stretchers including accessories and installation for use on two (2) of the town's ambulances; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 27: To see if the Town will vote to amend the Classification and 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 adding the position of Deputy Fire Chief as follows:

by adding:

**CLASSIFICATION PLAN – SCHEDULE A
FIRE DEPARTMENT**

	<u>Hours Per Week</u>	<u>Grade Number</u>	<u>Number Assigned</u>
Deputy Fire Chief	42	F-3	1

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

ARTICLE 28: To see if the town will vote to accept the provisions of Massachusetts General Laws Chapter 32B, Section 20 which provides for the establishment of an Other Post-Employment Benefits Liability Trust Fund; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 29: To see if the town will vote to raise and appropriate and/or transfer from available funds a sum of money to be deposited into the trust fund established by the previous article, these funds to be held, invested, reinvested and used in keeping with said Chapter 32B, Section 20; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 30: To see if the Town will vote to amend the Classification and 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 adding an additional Police Lieutenant position as follows:

by deleting:

CLASSIFICATION PLAN – SCHEDULE A

POLICE DEPARTMENT

	<u>Hours Per Week</u>	<u>Grade Number</u>	<u>Number Assigned</u>
Police Lieutenant	40	P-3	1

and by adding:

CLASSIFICATION PLAN – SCHEDULE A

POLICE DEPARTMENT

	<u>Hours Per Week</u>	<u>Grade Number</u>	<u>Number Assigned</u>
Police Lieutenant	40	P-3	2

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

ARTICLE 31: To see if the Town will vote to amend the Classification Plan of the Personnel Policy Bylaws of the Town of Ludlow as authorized under Chapter 41, Sections 108A and 108C of the Massachusetts General Laws, for the Police Department, by adding one (1) additional Patrolman to the number assigned; pass any vote or take action relative thereto. Submitted by the Board of Selectmen.

by deleting:

BOARD OR DEPARTMENT	HOURS PER WEEK	GRADE NUMBER	NUMBER ASSIGNED
POLICE DEPARTMENT			
Patrolmen	40	P-1	28

and by adding:

BOARD OR DEPARTMENT	HOURS PER WEEK	GRADE NUMBER	NUMBER ASSIGNED
POLICE DEPARTMENT			
Patrolmen	40	P-1	29

ARTICLE 32: 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 Fiscal Year 2014 Police Department Budget, Personal Services to fund previous article if approved; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 33: To see if the Town will vote to establish a revolving fund for the School Department, pursuant to Massachusetts General Laws Chapter 44, §53E ½, said fund to receive payments from the Massachusetts Math and Science Initiative Advanced Placement Grant, said fund to be deposited with the Town Treasurer and with payments from the fund to be expended by the School Department, up to the limit to be established by the Town to pay expenses for Advanced Placement teachers at Ludlow High School according to the terms of the grant; pass any vote or take any action relative thereto. Submitted by the School Department.

ARTICLE 34: To see if the Town will vote to amend the Town of Ludlow Bylaws, CHAPTER XV CONSERVATION COMMISSION BYLAW, 2.b. Flood Control: by deleting from the first paragraph, (currently Section 3107.0) and insert in its place “780CMR” and insert “State” between “Massachusetts” and “Building”. Also capitalized “C” in code. **Delete** the second paragraph and **insert** the following new paragraph.

Changes and new paragraph to read:

Any proposed work in the Floodplain of Isolated Areas or Bordering Land subject to Flooding may not begin without first filing a Notice of Intent with the Conservation Commission and must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws, and 310 CMR 10.57, and the Massachusetts State Building Code pertaining to construction in the floodplains (currently 780CMR).

The Floodplain District is delineated for the Town of Ludlow on the Hampden County Flood Insurance Rate Map (FIRM), dated July 16, 2013, as Zones A and AE to indicate the 100-year floodplain. The precise boundaries of the district are defined by the 100-year flood elevations shown on the FIRM and further defined by the Flood Profiles contained in the Flood Insurance Study (FIS) report, dated July 16, 2013. Within Zone A, where the 100 year flood elevation is not provided on the FIRM, the developer/applicant shall obtain any existing flood elevation data and it shall be reviewed by the Department of Public Works. If the data is sufficiently detailed and accurate it shall be relied upon to require compliance with this bylaw and the Massachusetts State Building Code.

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

ARTICLE 35: 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 **Automated Vending Kiosk (Exterior)**, under **LAND USE CLASSIFICATION/BUSINESS USES**, allowing this use through **Site Plan Approval (SPA)** in the following districts, **Business A, Business B, Industrial A, Industrial C, and 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												
Automated Vending Kiosk (Exterior)		N	N	N	SPA	SPA	N	N	SPA	N	SPA	SPA

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

ARTICLE 36: 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 **Accessory Apartment**, under **LAND USE CLASSIFICATION/RESIDENTIAL USES**, allowing this use through a **Special Permit (SPPB)** in the following districts, **Residential A-1, Residential A, Residential B, Agriculture, and the Agriculture Moderate Density Overlay** 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
RESIDENTIAL USES												
Accessory Apartment		SPPB	SPPB	SPPB	N	N	SPPB	SPPB	N	N	N	N

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

ARTICLE 37: 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 **Beauty Salon Booth Rentals**, under **LAND USE CLASSIFICATION/BUSINESS USES**, allowing this use in the following districts, **Business A, Business B, Agriculture Moderate Density Overlay, Industrial A, Industrial C and 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												
Beauty Salon Booth Rentals		N	N	N	CO	CO	N	CO	CO	N	CO	CO

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

ARTICLE 38: 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 under **KEY, PERMITTED USES: CO - Change of Occupancy** and to amend Table 1 to reflect this change.

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

ARTICLE 39: 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 **Automated Teller Machine (ATM) (Exterior)**, under **LAND USE CLASSIFICATION/BUSINESS USES**, allowing this use through **Site Plan Approval** in the following districts, **Business A, Business B, Agriculture Moderate Density Overlay, Industrial A, Industrial C and 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												
Automated Teller Machine (ATM) (Exterior)		N	N	N	SPA	SPA	N	SPA	SPA	N	SPA	SPA

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

ARTICLE 40: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow, **Section X DEFINITIONS**, by adding the following definitions:

Automated Vending Kiosk: a machine which dispenses retail and consumer products after the consumer inserts currency or credit into the machine. This does not include machines that are solely for the purpose of food and beverage.

Automated Teller Machine (ATM): an automated device that performs banking or financial functions.

Beauty Salon Booth Rental: occupancy of a booth in a beauty salon. A booth rental is also applicable to the following professions; hairstylist, barber, massage therapist, nail technician, colorist, acupuncturist, and any other profession associated with the cosmetology field.

Floodplain: a flood prone area where land is susceptible to being inundated by a water source.

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

ARTICLE 41: To see if the Town will vote to amend the Zoning Bylaws of the Town of Ludlow, **SECTION V: OVERLAY DISTRICT REGULATIONS. 5.0 FLOODPLAIN DISTRICT BYLAW** by **deleting** the following sections in their entirety, 5.0.2 District Delineation and 5.0.3 Use Regulations and **inserting** new sections. Also **add** the following sections to 5.0.5 Special Permits in Floodplain District, e., f., g., and h. New sections and additions to read, as follows:

5.0.2 District Delineation: The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Ludlow designated as Zone A and AE on the Hampden County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Hampden County FIRM that are wholly or partially within the Town of Ludlow are panel numbers 25013C0207E, 25013C0209E, 25013C0217E, 25013C0226E, 25013C0227E, 25013C0228E, 25013C0229E, 25013C0231E, 25013C0232E, 25013C0233E, 25013C0234E, 25013C0236E, 25013C0237E, 25013C0240E, 25013C0241E,

25013C0242E, and 25013C0245E dated July 16, 2013. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Hampden County Flood Insurance Study (FIS) report dated July 16, 2013. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Commissioner, Conservation Commission and the Department of Public Works.

5.0.3 Use Regulations:

The Floodplain District is established as an overlay district to all other districts. All development, including structural and non-structural activities, whether permitted as a right or by special permit, must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:

- Sections of the Massachusetts State Building Code (780 CMR) which address floodplain and coastal high hazard areas;
- Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
- Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
- Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

5.0.5 Special Permits in the Floodplain District: Add

- e. In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- f. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.
- g. All subdivision proposals must be designed to assure that:
 - i) such proposals minimize flood damage;
 - ii) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
 - iii) adequate drainage is provided to reduce exposure to flood hazards.

h. In a riverine situation, the Conservation Commission shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104
- NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

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

ARTICLE 42: To see if the Town will vote to endorse the 2011 Town of Ludlow Master Plan Implementation Strategies and to act fully thereon; pass any vote take any other action relative thereto. Submitted by the Planning Board.

ARTICLE 43: To see if the Town will vote to amend the Zoning By-Laws of the Town of Ludlow by changing from **Agriculture** to **Business A**, a parcel of land owned by David C. Midwood, located at 329 West Street (Assessors Map # 3 Parcel 1A) and described as follows:

A certain parcel of land in Ludlow, Hampden County, Massachusetts, bounded and described as follows: Beginning at the Southeasterly corner of the School House Lot, so-called, being land of the Town of Ludlow, one hundred thirty-two (132) feet Southerly of the intersection of the Westerly line of West Street and the Southerly line of Holyoke Street, and running thence South 29° 58'48" West by said West Street one hundred seventy-four and 88/100 (174.88) feet to land of Clarke and Richard, Scott and Quiney Bagg; thence North 84° 54'23" West by last named land two hundred ten and 84/100 (210.84) feet; thence North 22° 44'10" East by last named land two hundred thirty-eight and 88/100 (238.88) feet to land now or formerly of Peter Hamar et ux; thence South 61° 41'44" East by last named land one hundred twenty-one and 48/100 (121.48) feet; thence North 29° 58'48" East by last named land of eighteen (18) feet to the Southwesterly corner of the aforesaid School House Lot; thence South 61° 41'44" East by last named land one hundred (100) feet to the point of beginning.

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

ARTICLE 44: To see if the Town will vote to amend the Zoning By-Laws of the Town of Ludlow by changing from **Business A** to **Residence B**, a parcel of land owned by TMTG Property Management, LLC., located at 17-21 Lower Whitney Street (Assessors Map # 14B Parcel 74) and a parcel of land located on Lower Whitney Street (Assessors Map # 14B Parcel 75) and described as follows:

PARCEL 1: The land in said Ludlow, beginning at an iron bar in the Westerly line of Whitney Street, said iron bar being distant Northerly one hundred fifty-four (154) feet from an iron bar at the point of intersection of the Northerly line of East Street and said Westerly line of Whitney Street thence; turning an angle of 90° and running Westerly along land now or formerly of one Szloch, one hundred forty-eight (148) feet to an iron bar in the Easterly line of land now or formerly of the Ludlow Manufacturing Associates; thence turning an angle of 90° and running Northerly along the last named land, one hundred three and 14/100 (103.14) feet to an iron pin at land of Serafim Rebelo, et ux., thence turning an internal angle of 93° 07' 40" and running Easterly by the last named land, one hundred forty-eight and 22/100 (148.22) feet to a drill hole in said Westerly line of Whitney Street; thence turning an internal angle of 86° 52' 20" and running Southerly by said Whitney Street, one hundred eleven and 23/100 (111.23) feet to the iron bar at the point of beginning. Said Whitney Street is sometimes known as Lower Whitney Street.

Subject to possible rights of Ludlow Manufacturing Company for its water Mains, etc.

PARCEL 2: The land in said Ludlow, bounded and described as follows: Beginning at an iron pin in the Southeasterly corner of the land hereby described and the Northwesterly corner of land now or formerly of Victoria Szloch, said point of beginning also being at the Southwesterly corner of other land now or formerly of Robert R. St. Pierre, et ux., as conveyed to them by deed of Serafim H. Rebelo, et ux., dated August 12, 1965 and recorded in the Hampden County Registry of Deeds in Book 3132, Page 341; and from said point of beginning running Northwesterly by land now or formerly of Wilfred A. and Celina W. Landry, thirty-seven and 13/100 (37.13) feet to an iron pin in the Southeasterly corner of land now or formerly of Elizabeth A. Templeman; thence turning an internal angle of 120° 30' and running Northerly by said land now or formerly of Elizabeth A. Templeman and land now or formerly of Frank and Laura Mullarky seventy-five (75) feet, more or less, to land now or formerly of Arthur Ribeiro, et ux., as conveyed to them by deed of Serafim M. Rebelo, et ux., dated August 5, 1966 and recorded as aforesaid in Book 3205, Page 246; thence running Easterly by said Ribeiro land, thirty-five (35) feet, more or less, to the Northwest corner of said other land of Robert R. St. Pierre, et ux., as conveyed to them by said deed recorded as aforesaid in Book 3172, Page 341 and thence running Southerly by said last named land, one hundred three and 14/100 (103.14) feet more or less, to the point of beginning, the first and last described courses forming an internal angle of 59° 30'.

Being the same premises conveyed to the Grantors herein by deed of Rui Palatino, et ux., dated May 30, 1984 and recorded as aforesaid in Book 5622, Page 309.

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

ARTICLE 45: To see if the Town will vote to discontinue as a public way a portion of Salli Circle which was originally drawn on the plans but not developed and accepted as part of the Public Way;

Discontinuance of a portion of Salli Circle

Beginning at an iron pin found on the westerly line of Salli Circle at the southwesterly corner of Lot 48 as shown on a plan recorded in the Hampden County Registry of Deeds in Plan Book 125 Pages 110-113; Thence Northerly along the westerly line of Salli Circle by Lot 48 measured on a curve to the right having a radius of 75 feet an arc length of 148.05 feet to a concrete bound found; Thence South 21°- 52' – 47" West through the existing location of Salli Circle a distance of 125.16 feet to the point of beginning. The above described parcel of land is shown on a plan prepared by Paul S. Smith Land Surveying entitled Ludlow, MA Department of Public Works Discontinuance Plan of a portion of Salli Circle, Plan showing area of Salli Circle to be discontinued and to be conveyed to David & Anabela Fernandes, Dated September 6, 2012

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

ARTICLE 46: To see if the Town will vote to acquire by purchase or otherwise, the fee simple interest, and to raise and appropriate a sum of money therefor, and accept the following described First Avenue as a Public Way:

“First Avenue as shown as being part of Lot 18 and part of Lot 19 on a plan entitled “Subdivision of Land Court Plan 32795 A Lot 1 into Lot 18 and Lot 19” filed in the Hampden County Land Registration Office as Land Court Plan 32795G and also including so much of First Avenue which is shown as abutting Lot 13 as described in a deed from Ludlow Industrial Realities, Inc. to Walter Wood dated March 27, 1973 and filed as aforesaid as Document Number 47949 and noted on Certificate of Title 16103.”

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

ARTICLE 47: To see if the Town will vote to appropriate State Chapter 90 Highway Aid Funds for engineering, construction, reconstruction and/or repairs to Town roads and bridges; pass any vote or take any action relative thereto. Submitted by the Board of Public Works.

ARTICLE 48: To see if the Town will vote to authorize the Board of Public Works to enter into a contract with the Massachusetts Department of Transportation for the construction and maintenance of public roads for the ensuing years; pass any vote or take any action relative thereto. Submitted by the Board of Public Works.

ARTICLE 49: To see if the Town will vote to transfer a sum of money to establish a Fiscal Year 2014 budget for the Department of Public Works Enterprise Fund for the Closure of the Landfill; pass any vote or take any action relative thereto. Submitted by the Board of Public Works.

ARTICLE 50: To see if the Town will vote to raise and appropriate and/or transfer from available funds and/or borrow by the issuance of bonds or notes such sums of money as may be necessary for Town Capital Improvements during the fiscal year beginning July 1, 2013; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 51: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund the Building Infrastructure Article which was established at the October 1, 2012 Special Town Meeting, Article 17 and authorize the Board of Selectmen to expend such funds for the purpose of assessing and addressing the repairs, maintenance and construction of municipal buildings; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen

ARTICLE 52: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for the Fiscal Year 2014 Reserve Fund; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 53: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for deposit into the Stabilization Fund; pass any vote or take any action relative thereto. Submitted by the Board of Selectmen.

ARTICLE 54: To see if the Town will vote to transfer a sum of money from the Unreserved Fund Balance to be used by the Board of Assessors in determining the Fiscal 2014 tax levy; 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 seven (7) days at least before the time of holding said meeting.

A true copy,

ATTEST:

WILLIAM E. ROONEY_____
CHAIRMAN

AARON L. SAUNDERS_____

CARMINA D. FERNANDES_____

MANUEL D. SILVA_____

BRIAN M. MANNIX_____

BOARD OF SELECTMEN
LUDLOW, MASSACHUSETTS

April 2, 2013

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

_____**TOWN CLERK**

_____**2013**