



Town of Ludlow

Office of the Planning Board

ludlow.ma.us/planning
488 Chapin St., Ludlow, MA 01056

Phone: (413) 583-5624, ext. 1280 / Fax: (413) 583-5603

Information Sheet

Special Permit / Estate Lot

What is the purpose of a Special Permit?

Special Permits are intended to provide detailed review of certain uses and structures which may have substantial impact upon traffic, utility systems, and the character of the Town, among other things. The Special Permit review process is intended to ensure a harmonious relationship between the proposed development and its surroundings and ensure that proposals are consistent with the purpose and intent of the Zoning Bylaw. (7.0.1)

Does this require a public hearing?

Yes. This is not waivable.

How long can I expect this to take?

A public hearing must be held within 65 days from the date of filing. The Planning Board must take action on the Special Permit within 90 days of the last session of the hearing. These time limits allow the Board to receive input from various other boards and committees as called out in the Bylaw.

(7.0.3.a) Once the Board's decision has been filed, there is a 20 day appeal period before the Special Permit can be finalized.

What is required for this Special Permit?

The full list of requirements is available in the Bylaw. (7.0.4)

What do I have to submit and where?

You must bring two complete application forms to the Town Clerk's office to be stamped in. The Clerk's office will retain one copy. The other copy of the application must be brought to the Planning Board office along with the fee in force at the time of filing, a copy of the deed & property card for the property, and a list of abutters (acquired from the Assessors' office). (7.0.3)

What else do I need to know?

Once your Special Permit is ready for pick up, you must get it recorded at the Registry of Deeds.

Failure to get it recorded will result in you needing to start the process all over again. The permit will expire after one year if substantial use has not commenced without good cause. (7.0.5)

This information sheet is meant to apply to the vast majority of applications. It is not meant to be an exhaustive explanation of the Planning process of the Town. The definitive source for all information regarding Massachusetts General Laws as well as the Bylaws and Subdivision Rules and Regulations of the Town of Ludlow, are the documents themselves and no part of this document may alter or supersede them.



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Master Application

Date submitted to Planning Board: ___ / ___ / _____

Location of Property: (address) _____, Assessors' Map ___, Parcel _____

Zoning of Property: _____

Is this property in the East Street Revitalization Overlay District? YES / NO

Is this property in the Aircraft Overlay? YES / NO

Name of Business (if any): _____

Type Of Application (Check All That Apply):

* denotes supplemental application sheet required

Site Plan Control:

- Change of Occupancy
- Site Sketch
- Site Plan Approval

Subdivision Control:

- ANR *3
- Preliminary Subdivision Plan *3
- Definitive Subdivision Plan *3
- Waiver of Frontage *4

Special Permitting:

- Special Permit
- Home Occupation *1
- Home Professional Office
- Accessory Apartment *2
- Comprehensive Plan (MRD)
- Estate Lot

Other:

- Zone Change *5

Please note that incomplete submittals are subject to denial without any further review and any fee paid will be considered forfeit. Completeness is the responsibility of the applicant. Please check all forms and plans for completeness prior to submission. Signing this application indicates your understanding of this policy.

Contact Information:

Applicant:

Name: _____
Address: _____
Phone: _____
Fax: _____
E-Mail: _____
Signature: _____

I have read the above statement and have personally verified both the completeness of this entire application and all supporting documents.

Contact Person (if different):

Name: _____
Address: _____
Phone: _____
Fax: _____
E-Mail: _____
Signature: _____

Property Owner (if different):

Name: _____
Address: _____
Phone: _____
Fax: _____
E-Mail: _____
Signature: _____

Building Owner (if different):

Name: _____
Address: _____
Phone: _____
Fax: _____
E-Mail: _____
Signature: _____

Detailed Description of Proposal: _____

**All applications require a completed certificate of ownership / authority.
Publication cost for any public hearings required is the responsibility of the applicant.**

All applications requiring a public hearing with newspaper publication and notification of abutters (all special permits, site plans and sketches, zone changes, waivers of frontage, and definitive subdivision plans, unless waived) must be received and reviewed for completeness by the Planning Board or its agent by the fourth Thursday prior to a hearing date.

Applications NOT requiring a public hearing (all changes of occupancy, ANRs, preliminary subdivision plans) must be received and reviewed for completeness by the Planning Board or its agent at least 10 days prior to a meeting date.

Persons wishing to discuss issues with the Planning Board outside the application process must submit a letter of explanation at least seven (7) days in advance of a meeting date.

The Planning Board or its agent shall determine the actual completeness of an application and reserves the right to schedule applications based on the Planning Board's workload within the obligations of the Ludlow Zoning Bylaw, Subdivision Rules and Regulations, and MGL Chapter 40A (State Zoning Act.)

For Office Use Only:

Application #: _____
Special Permit #: _____
Date Received: _____

Fee Amount Received: _____
Supporting Documents? YES / NO
Verified By: _____



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Certification of Ownership / Authority

If the applicant is not the owner (such as a tenant)

The undersigned certifies that it has the authority to seek the permit or approval which is the subject of this application and the undersigned further agrees to indemnify and hold harmless the Town of Ludlow for any claims brought by any third parties against the Town or its Planning Board as a result of the Planning Board granting the application sought by the undersigned.

Dated: _____

For individual applicant:	For corporation/LLC:
_____ Signature	_____ Name of Entity By: _____ Signature Title: _____

The undersigned owner consents to the issuance of the permit or approval being sought by the above tenant or other occupant.

Dated: _____

For individual owner:	For corporation/LLC:
_____ Signature	_____ Name of Entity By: _____ Signature Title: _____



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Certification of Ownership / Authority

If the applicant is the owner

The undersigned represents that the undersigned is the owner of the property which is the subject of this application and has the authority to seek the permit or approval being requested in this application. The undersigned further agrees to indemnify and hold harmless the Town of Ludlow for any claims brought by third parties against the Town or its Planning Board as a result of the Planning Board granting the application sought by the undersigned.

Dated: _____

For individual owner:	For corporation/LLC:
_____ Signature	_____ Name of Entity By: _____ Signature Title: _____

Name: _____

SINGLE FAMILY DWELLINGS ON ESTATE LOTS CRITERIA CHECKLIST

The purpose of this regulation is to allow for the creation of lots for single-family dwelling units only, with less than the required frontage, in exchange for increased square footage, for the purpose of preservation of open space and decreasing density in given areas.

Single-family dwellings on estate lots shall be permitted in the Agriculture and Residential A districts only upon the issuance of a Special Permit from the Planning Board as specified in Section 7.0 of this bylaw, and in accordance with the additional requirement specified herein, unless waived by the Planning Board.

1. No more than two consecutive estate lots shall be located on a public way.
2. The estate lot(s) shall have a minimum street frontage of not less than 50 feet and access width of not less than 50 feet from the front lot line to the principal structure. The front lot shall meet all the zoning dimensional requirements normally required in the district.
3. An estate lot(s) shall be double the minimum lot area normally required for that district inclusive of the access strip.
4. An access strip that is accessible having a maximum length not exceeding four hundred (400) feet.
5. The width of the lot where the principal building is to be constructed shall be equal to or exceed the distance normally required for street frontage in the district.
6. Front, rear and side yards must equal or exceed those normally required in the district.
7. The Planning Board may require that there be maintained or kept a naturally occurring or a planted vegetated buffer strip between estate lot(s) and adjacent lots to provide effective visual screening between the buildings at grade level.
8. The estate lot entrance/driveway shall be clearly designated with a house number sign. Mailboxes shall not suffice.
9. The driveway is to be located, constructed, and maintained a distance of no closer than ten (10) feet to any abutting property line.
10. Plan submitted shall include the statement, " Lot (fill in the Lot #) is an Estate Lot; building is permitted only in accordance with the Special Permit Estate Lot provisions of the Ludlow Zoning Bylaw."
11. Permit shall run with the property and not with the applicant.

I have read and understand the above Estate Lot Criteria.

Signature: _____

SPECIAL PERMIT CRITERIA

- a. The proposal is suitably located in the neighborhood in which it is proposed and/or the total town, as deemed appropriate by the Special Permit Granting Authority;
- b. The proposal is compatible with existing uses and other uses permitted by right in the same district;
- c. The proposal would not constitute a nuisance due to air and water pollution, flood, noise, dust, vibrations, lights, or visually offensive structures and accessories;
- d. The proposal would not be a substantial inconvenience or hazard to abutters, vehicles, or pedestrians;
- e. Adequate and appropriate facilities would be provided for the proper operation of the proposed use;
- f. The proposal reasonably protects the adjoining premises against any possible detrimental or offensive uses on the site, including unsightly or obnoxious appearance;
- g. The proposal ensures that it is in conformance with the sign regulations of the bylaw. (See Section 6.5)
- h. The proposal provides convenient and safe vehicular and pedestrian movement within the site, and in relation to adjacent streets, property or improvements;
- i. The proposal ensures adequate space for the off-street loading and unloading of vehicles, goods, products, materials, and equipment incidental to the normal operation of the establishment or use;
- j. The proposal provides adequate methods of disposal and/or storage for sewage, refuse, and other wastes resulting from the uses permitted or permissible on the site, and methods of drainage for surface water;
- k. The proposal ensures protection from flood hazards, considering such factors as the following: elevation of buildings; drainage, adequacy of sewage disposal; erosion and sedimentation control; equipment location; refuse disposal; storage of buoyant materials; extent of paving; effect of fill, roadways or other encroachments on flood runoff and flow;
- l. The proposal is in general harmony with the general purpose and intent of this bylaw;
- m. The proposed use complies with any and all additional Special Permit Criteria or special use regulations imposed on individual uses in Section VI of this bylaw.

I have read and understand the above Special Permit Criteria.

Signature: _____