

December 28, 2023

Ms. Andrea Miles, Chair
South Hadley Selectboard and
Ms. Lisa Wong, Town Administrator
116 Main Street, Room M18
South Hadley, MA 01075

Dear Ms. Miles and Ms. Wong,

This request is initiated pursuant to Massachusetts General Laws Chapter 40A, Section 5 which allows “an individual owning land to be affected by” enactment of a proposed zoning bylaw amendment to initiate proposals for adoption of an amendment to the Zoning Bylaw.

SAI Shyam, LLC owns the property at 506 Granby Road. I, Himanshu Patel, am the Managing Partner of SAI Shyam, LLC.

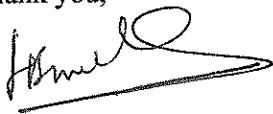
SAI Shyam, LLC as the owner of the property at 506 Granby Road has an interest in the use of the land and, therefore, the zoning regulations which apply to the property. This property is identified as parcel #52 on Assessors Map #32 and lies within the Business A-1 zoning district. Said Business A-1 zoning district as regulated in the Use Regulations Schedule of the Zoning Bylaw does not permit any residential uses. SAI Shyam, LLC would like to be able to apply for approval of a mixed-use development which would include multifamily dwellings. It is our desire to retain the business use of a portion of the property; thus, we do not seek an amendment to the Zoning Map at this time as none of the appropriate business zoning districts would allow our proposed development and a different business zone would be a form of “spot” zoning.

Therefore, SAI Shyam, LLC requests that the Town amend in its Zoning Bylaw the Business A-1 zoning district regarding use of property for multifamily residences and further amend in its Zoning Bylaw to establish rules and regulations to specify conditions for approval of such residential use as detailed in the attached proposed Zoning Bylaw amendment. SAI Shyam, LLC, owner of property in the Business A-1 zoning district would be beneficially affected by adoption of this proposed change.

It is my understanding that this amendment would require a 2/3's vote of Town Meeting since we do not believe all of the parcels in Town which would benefit from this amendment would qualify as being in an eligible location. However, we would defer to the Town Counsel's opinion on this matter.

We look forward to participating in the public hearing process upon your referral of this request to the Planning Board.

Thank you,



Himanshu Patel, Managing Partner
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To see if Town Meeting will vote to amend Chapter 255 Zoning Bylaw as follows:

1. In Attachment 1, Use Regulations Schedule in regard to “Residential Uses” as follows:

In the Business A-1 zoning district, change “Multifamily dwellings for more than three Families/g” from “N” (prohibited) to “SPR” (Site Plan Review by Planning Board) subject to footnote “h”.; and,

Insert the following footnote “h”:

- h. Multifamily development in the Business A-1 zoning district is subject to the provisions of Section 255-51 “Multifamily Residential Development in Business A-1 zoning district.”

2. In Section 255-10 “Terms Defined” insert the following:

Principal Roadways. Principal roadways shall mean State Route 33 (Lyman Street, portion of Willimansett Street, and Memorial Drive), State Route 47 (Hadley Street), State Route 116 (portions of Bridge Street, Lamb Street, Newton Street, College Street, and Amherst Road), and State Route 202 (Granby Road).

3. In Article VII Supplemental District Regulations”, insert a new section 255-51 “Multifamily Residential Development in Business A-1 zoning district” to read as follows:

§ 255-51 Multifamily Residential Development in Business A-1 zoning district

- A. Multifamily residential developments may only be approved if they conform to the review criteria for Site Plan Review (Section 255-148) and the provisions set forth in this § 255-51 as follows:

- (1) Character

- (a) The development must be part of a mixed-use development on the parcel.
- (b) There must be an existing commercial building within 200 feet of the principal road on which the property fronts.

- (2) Dimensional Requirements

- (a) The parcel must be a single parcel at time of permitting with a minimum area of not less than 112,120 square feet within the Business A-1 zoning district.
- (b) The parcel must have at least 125 continuous feet of frontage on a principal roadway.

- (c) Total building coverage of principal and accessory buildings in portions of the development containing first floor residential dwellings units shall not exceed 20%.
- (3) Landscaping and screening standards.
- (a) A 50-foot vegetated buffer must be provided adjoining any property which is developed as a single-family detached residence on a single parcel.
 - (b) All landscaped areas shall be properly maintained. Shrubs or trees which die shall be replaced within one growing season.
 - (c) There shall be provided and maintained common open space.
 - (i) The amount of open space required shall be determined as follows:
 - a. At least 50% of the portions of the development containing first floor residential dwellings units shall be devoted to open space uses, including
 - i. landscaping elements such as lawns, plantings, walks, and terraces; and
 - ii. recreational uses such as play area for children, swimming pools, tennis courts, and gardens.
 - (ii) Streets, drives, and off-street parking spaces are not to be interpreted as open space.
- (4) Design Review; architectural design standards.
- (a) Any multifamily development in the Business A-1 zoning district is subject to Design Review by the Planning Board.
 - (b) The Planning Board shall adopt such regulations as may be necessary to further specify design standards.
 - (c) Except as provided in § 255-51B, no Site Plan may be granted approval and no building permit may be issued for any dwelling units under this section unless and until the development has been approved under the Planning Board Design Review process.
 - (d) Architectural design shall be compatible with the character and scale of similarly used buildings in the area of the Town in which the multifamily dwellings are to be located.
 - (e) To the extent practicable and legal, a project's pedestrian and bicycle access routes shall be interconnected with adjoining and nearby pedestrian and bicycle infrastructure; however, nothing in this section may require an applicant to acquire additional land or easements to accomplish such interconnection.
 - (f) Landscaping elements should be integrated into the project site's natural terrain to the extent practical and appropriate.

- (g) Design standards promulgated by the Planning Board may provide for the use of appropriate building materials, façade treatments, screening, breaks in roof and wall lines and other architectural techniques to encourage compatibility and variability.
- (h) Design Review and associated standards should also encourage, where practicable and legally viable, the integration of the proposed development's circulatory network into that of adjoining and nearby developments.
- (i) The Planning Board may take into consideration whether exterior building facades and materials are consistent with South Hadley's character.

(5) Multifamily Dwellings - Locations

- (a) No first-floor residential dwelling unit may be located within 200 feet of the principal roadway on which the property fronts.
- (b) Multifamily residential development located 200 feet or more from the principal roadway on which the property fronts must conform to the density (lot area per dwelling unit) of the Residence C zoning district.
- (c) Multifamily dwelling units may be located within 200 feet of the principal roadway on which they are located; HOWEVER, the dwelling units may not be located on ground floors of any building and must be located in upper floors of commercial buildings.

(6) Commercial Buildings

- (a) In the case of proposed mixed-use building(s) within 200 feet of the principal roadway, the Board may approve an addition to or replacement of the commercial building to accommodate second and/or third floor dwelling units.
- (b) Any replacement or alteration of the commercial building shall not result in a reduction in the square footage of ground floor commercial floor space which existed as of the date at which an application for multifamily development was made pursuant to this § 255-51 for development on the subject parcel.

(7) Shared Use Parking

- (a) Parking needs for the residential dwelling units may be partially satisfied by the parking provided for the commercial building space if the Planning Board determines that the shared parking will be sufficient to meet the needs of the residential and commercial uses.

(8) Excluded Parcels

- (a) Multifamily developments under this section shall not be undertaken on any parcel located within any Smart Growth District enacted

pursuant to M.G.L. Chapter 40R and regulated by Section 255-23 of the Zoning Bylaw.

- (9) No dimensional requirements set forth in this § 255-51 may be relieved by a variance from the Zoning Board of Appeals.

B. Moratorium on submittal of Applications until March 1, 2025

- (1) To provide the Planning Board with reasonable and sufficient time to develop and adopt a separate Design Review process and associated rules and regulations as provided for in § 255-51(4)(b), no application for Site Plan Review under this § 255-51 is to be submitted or considered prior to March 1, 2025.
- (2) Whether or not the Planning Board has adopted a relevant Design Review process and associated rules and regulations pursuant to § 255-51(4)(b), after March 1, 2025, submission of, processing of, and taking action upon Site Plans submitted under this § 255-51 shall proceed absent Design Review, but compliant with all standards specified in this § 255-51.
- (3) After the Planning Board has adopted Design process and associated rules and regulations, all subsequently submitted applications for Site Plan Review under this § 255-51 shall be subject to said process and associated rules and regulations.