

Office of the Town Clerk
116 Main Street, Room M11
South Hadley, MA 01075
(413) 538-5030 ext.6183

Sarah B. Gmeiner, Town Clerk
Zoe Ingram, Assistant Town Clerk

Legal Notice

The following Zoning By-law(s) and or General By-law(s) were voted and approved by South Hadley Town Meeting Members at the **November 5, 2025** Special Town Meeting. These By-laws were approved by the Attorney General on **February 17, 2026**.

ARTICLE 7 – CRYPTOCURRENCY ATM BYLAW

ARTICLE 9 – ZONING BYLAW AMENDMENT – NEW DISTRICTS – RESIDENTIAL CORE AND RESIDENTIAL MIXED USE

ARTICLE 10 – ZONING MAP AMENDMENT – NEW DISTRICTS – RESIDENTIAL CORE AND RESIDENTIAL MIXED USE

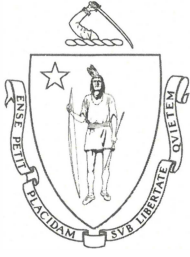
Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting requirements of that statute.

Claims of Invalidity by reason of any defect in the procedure of adoption or amendment may only be made within ninety days of such posting. Copies of such by-laws may be examined and obtained at the Town Clerk's Office.

The inhabitants of South Hadley were notified by posting of attested copies of the same at the following places on **February 18, 2026**:

Precinct A - Town Office Building 116 Main St.,
Precinct B - Main Library 2 Canal St.,
Precinct C - COA 45 Dayton St.,
Precinct D - Fire Station District #2 20 Woodbridge St.,
Precinct E - Water District #1 438 Granby Rd.

Signed: 
Sarah B. Gmeiner, Town Clerk



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL
CENTRAL MASSACHUSETTS DIVISION
10 MECHANIC STREET, SUITE 301
WORCESTER, MA 01608

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

(508) 792-7600
(508) 795-1991 fax
www.mass.gov/ago

February 17, 2026

Sarah B. Gmeiner, Town Clerk
Town of South Hadley
116 Main Street, Room M11
South Hadley, MA 01075

**Re: South Hadley Special Town Meeting of November 5, 2025 -- Case # 12104
Warrant Articles # 9 and 10 (Zoning)
Warrant Article # 7 (General)**

Dear Ms. Gmeiner:

Articles 7, 9, and 10 - We approve Articles 7, 9, and 10, and the map amendments voted under Article 10, from the South Hadley November 5, 2025 Special Town Meeting. We will return the approved map to you by regular mail. Our comments on Article 7 are provided below.

Article 7 – Under Article 7, the Town adopted a new Chapter 236, “Prohibition on Cryptocurrency Automated Teller Machines (ATMs),” that prohibits the operation of cryptocurrency ATMs in the Town. We approve the by-law’s ban on cryptocurrency ATMs because the ban is within the Town’s Home Rule authority and does not otherwise conflict with state law or the constitution. See *Amherst v. Attorney General*, 398 Mass. 793, 795-96, 798-99 (1986) (requiring inconsistency with state law or the constitution for the Attorney General to disapprove a by-law).

I. Description of Chapter 236

Under Article 7, the Town adopted a new Chapter 236 prohibiting cryptocurrency ATMs in the Town. Specifically, Section 236-3, “Prohibition of Cryptocurrency Automated Teller Machines,” provides as follows:

No person, business, or entity shall install, operate, maintain, or allow the installation or operation of a Cryptocurrency ATM within the geographic boundaries of the Town of South Hadley. All Cryptocurrency ATMs existing in the Town of South Hadley as of the Effective Date of this Bylaw must be removed within sixty (60) days after the Effective Date.

The purpose of the by-law is to “safeguard residents and preserve public safety” from the risks of scams and fraud associated with the use of cryptocurrency ATMs. Section 236-1, “Purpose

and Intent.” Section 236-2 defines “Cryptocurrency” and “Cryptocurrency ATMs” as follows:

Cryptocurrency: A digital or virtual currency that uses cryptography for security and operates independently of a central bank, including but not limited to Bitcoin, Bitcoin Cash, Coinhub, Dash, LiteCoin, Ripple, ZCash, Ethereum, and similar blockchain-based tokens. Cryptocurrency is a digital representation of value used as a medium of exchange, a unit of account, or a store of value, but does not have legal tender status as recognized by the United States Government.

Cryptocurrency Automated Teller Machine (Cryptocurrency ATM): Any self-service kiosk, machine, or device installed in a publicly accessible location that enables users to buy, sell, exchange, or transfer cryptocurrency through the machine using cash, debit card, credit card, or other means of payment.

The by-law imposes a fine of \$300 per day, per device, that is enforced pursuant to the non-criminal disposition method provided in G.L. c. 40, § 21D.

According to the information provided as part of the Town Meeting Warrant, funds deposited into cryptocurrency ATMs are hard to trace and it is hard to recover funds if a resident is scammed or defrauded. In addition, the Town Warrant states that cryptocurrency ATMs are not regulated at the federal or state level and many other communities have banned them in order to prevent ongoing theft and fraud.¹

II. Attorney General’s Standard of Review of General By-laws

Pursuant to G.L. c. 40, § 32, the Attorney General has a “limited power of disapproval,” and “[i]t is fundamental that every presumption is to be made in favor of the validity of municipal by-laws.” Amherst, 398 Mass. at 795-96. The Attorney General does not review the policy arguments for or against the enactment. Id. at 798-99 (“Neither we nor the Attorney General may comment on the wisdom of the town’s by-law.”) Rather, to disapprove a by-law (or any portion thereof), the Attorney General must cite an inconsistency between the by-law and the state Constitution or laws. Id. at 796. “As a general proposition the cases dealing with the repugnancy or inconsistency of local regulations with State statutes have given considerable latitude to municipalities, requiring a sharp conflict between the local and State provisions before the local regulation has been held invalid.” Bloom v. Worcester, 363 Mass. 136, 154 (1973). “The legislative intent to preclude local action must be clear.” Id. at 155. Massachusetts has the “strongest type of home rule and municipal action is presumed to be valid.” Connors v. City of Boston, 430 Mass. 31, 35 (1999) (internal quotations and citations omitted).

III. We Approve Article 7 Because it Does Not Conflict State Law

Based on our standard of review of town by-laws, we approve Article 7’s ban on cryptocurrency ATMs because the ban is within the Town’s Home Rule power and does not otherwise conflict with state law. As noted earlier, the Attorney General must disapprove a by-law

¹ We are aware that the Cities of Waltham (<https://ecode360.com/WA1697/laws/LF2586521.pdf>) and Gloucester (<https://www.gloucester-ma.gov/ArchiveCenter/ViewFile/Item/19044>) have passed similar ordinances banning cryptocurrency ATMs.

if it conflicts with state law. Amherst, 398 Mass. at 796. Because Municipalities have “considerable latitude” in legislating, there must be a “sharp conflict” with state law before a local enactment may be disapproved. Bloom, 363 Mass. at 154. “The legislative intent to preclude local action must be clear.” Id. at 155.

Currently there is no state statute or regulation that Article 7’s ban conflicts with. Moreover, towns regularly use their home rule powers to prohibit, within their borders, certain activities, including commercial activities, that are not otherwise prohibited at the state level. Amherst, 398 Mass. 793, at 798, n. 8 (the town’s by-law prohibiting the discharge of firearms within the town limits was not in conflict with the State’s hunting statutes). In this vein, we have over the years approved by-laws banning the sale of plastic water bottles; plastic straws; Styrofoam containers; plastic bags; soft drinks; and balloons.²

In addition, G.L. c. 40, § 21 specifically authorizes municipalities to adopt certain categories of local legislation, including “[f]or directing and managing their prudential affairs, preserving peace and good order...,” and “[c]onsiderable latitude is given to municipalities in enacting local by-laws.” Mad Maxine’s Watersports, Inc. v. Harbormaster of Provincetown, 67 Mass. App. Ct. 804, 807 (2006). The Attorney General has no power to disapprove a by-law merely because a town, in comparison to the rest of the state has chosen a novel, unusual, or experimental approach to a perceived problem. Indeed, the Supreme Judicial Court has upheld such by-laws and has overturned the Attorney General’s disapproval of them where they did not create any specific conflict with state law. Id.; see also Milton v. Attorney General, 372 Mass. 694, 695-96 (1977).

For the reasons discussed above, we cannot identify a basis to disapprove Article 7 and therefore we approve it.

IV. Conclusion

Article 7’s ban on cryptocurrency ATMs is within the Town’s Home Rule and statutory authority.³ On these grounds we approve Article 7.

² See, e.g., our decisions to the Towns of Concord dated September 5, 2012 (Case # 6273); Rockport dated September 17, 2018 (Case # 9140); Hamilton dated July 27, 2015 (Case # 7516); Marblehead dated August 14, 2014 (Case # 7178); West Tisbury dated October 4, 2019 (Case # 9358); and Nantucket dated August 5, 2015 (Case # 7525), respectively. These decisions can be found at www.mass.gov/ago/munilaw (decision lookup).

³ The Town may wish to discuss with Town Counsel whether the definition of Cryptocurrency ATMs is broad enough to apply to future variants of the ever changing technology and methods in this market sector.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute.

Very truly yours,

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

Kelli E. Gunagan

By: Kelli E. Gunagan
Assistant Attorney General
Director, Municipal Law Unit
10 Mechanic Street, Suite 301
Worcester, MA 01608
(774) 214-4406

cc: Town Counsel Lisa L. Mead

Article 7 copy of the final version of the by-law

Chapter 236 Prohibition on Cryptocurrency Automated Teller Machines (ATMs)

§ 236-1 Purpose and Intent

The Town, acting upon reports of the South Hadley Police Department, finds that unregulated cryptocurrency Automated Teller Machines (ATMs) pose risks to consumers, including financial fraud, money laundering, and lack of recourse for users. Virtual currency ATMs are able to convert currency into virtual currency instantaneously and irreversibly, which exposes the most vulnerable of our citizens to unnecessary risk. The Town further finds that the current absence of sufficient federal and state consumer protections and regulatory oversight for such devices necessitates a municipal prohibition to safeguard residents and preserve public safety. The purpose of this article is to prohibit Cryptocurrency ATMs within the Town in an effort to protect our citizens.

§236-2 Definitions

For purposes of this Bylaw, the following terms shall have the meanings indicated:

(a) **Cryptocurrency:** A digital or virtual currency that uses cryptography for security and operates independently of a central bank, including but not limited to Bitcoin, Bitcoin Cash, Coinhub, Dash, Litecoin, Ripple, ZCash, Ethereum, and similar blockchain-based tokens. Cryptocurrency is a digital representation of value used as a medium of exchange, a unit of account, or a store of value, but does not have legal tender status as recognized by the United States Government.

(b) **Cryptocurrency Automated Teller Machine (Cryptocurrency ATM):** Any self-service kiosk, machine, or device installed in a publicly accessible location that enables users to buy, sell, exchange, or transfer cryptocurrency through the machine using cash, debit card, credit card, or other means of payment.

§ 236-3 Prohibition of Cryptocurrency Automated Teller Machines

No person, business, or entity shall install, operate, maintain, or allow the installation or operation of a Cryptocurrency ATM within the geographic boundaries of the Town of South Hadley. All Cryptocurrency ATMs existing in the Town of South Hadley as of the Effective Date of this Bylaw must be removed within sixty (60) days after the Effective Date.

§236-4 Enforcement and Penalties

This Bylaw shall be enforced by the South Hadley Police Department, the Building Department or any other authorized designated agent of the Town Administrator. Any person or entity found to be in violation of this bylaw shall be subject to a fine of three hundred dollars (\$300.00) per day, per device, enforceable under the non-criminal disposition pursuant to G.L. c. 40, § 21 D.

Each day during which a violation continues shall constitute a separate offense.

§ 236-5 Severability

If any provision of this Bylaw is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

ATTACHMENT A

Route 202/33 Corridor Proposed Zoning FINAL FOR TOWN MEETING South Hadley Planning Board

Table of Contents

§ 255-10 Terms Defined
§ 255-11 Establishment of Districts
§ 255 Attachment 1 – Use Regulations Schedule
§ 255 Attachment 2 – Dimensional Regulations Schedule
§ 255-15 Overlay districts
§ 255-31 Flexible development
§ 255-47 Multifamily and multiple dwellings
§ 255-52 Route 202/33 Corridor Design Guidelines Overlay District

Article III Definitions

§ 255-10 Terms Defined

ADD Artistic/ Creative Production: Creation, production, distribution, publishing, rehearsal, performance, broadcast, selling, or teaching of the visual arts, performing arts, applied arts, literature, heritage, media, music, information technology, communications media, or digital content and applications.

ADD Brewery/ Cider/ Distillery/ Winery: A small, independently owned facility in which alcoholic beverages produced on-site are bottled and sold, typically in conjunction with a bar, tavern, or restaurant use.

ADD Co-Working Space: A building or portion thereof consisting of a shared office environment, which contains desks or other workspaces and facilities, including but not limited to dedicated workstations, office suites, meeting rooms, event space, resource libraries, and business or administrative support services, and is used by a recognized membership who share the site to interact and collaborate.

ADD Cottage Cluster Development: A grouping of small, detached houses, often called "cottages," close together on a parcel of land, organized around shared common open spaces and parking areas.

ADD Farmers Market: An outdoor market at a fixed location, operating on a regular schedule, open to the public, and operated by a governmental agency, a nonprofit corporation, or one or more producers, at which (a) at least 75 percent of the vendors sell Farm Products or Value added Farm Products and (b) at least 75 percent of the vendors are Producers, family members or employees of Producers, or individuals selling farm products or value-added farm products purchased or taken on consignment from Producers. The primary purpose of a farmers' market is to connect and mutually benefit Massachusetts farmers, communities, and shoppers while promoting and selling products grown and raised by participating farmers. Flea markets, yard sales and auctions are not Farmers' Markets.

Farm Product: Fruits, vegetables, mushrooms, herbs, grains, nuts, shell eggs, honey or other bee products, maple syrup, flowers, nursery stock, and livestock food products (including meat, milk, cheese, and other dairy products).

Producer: A person or entity that raises or produces Farm Products.

Value-Added Farm Product: Any product processed by a Producer from a Farm Product, such as but not limited to baked goods, jams, jellies, preserved vegetables and fruits, and beeswax candles.

Farmer's market vendors that sell food products and processed foods, shall be licensed as a retail food operation and inspected by the Local Board of Health (LBOH) in accordance with Massachusetts Regulation 105 CMR 590.000 - Minimum Sanitation Standards for Food Establishments - Chapter X.

ADD Maker Space/ Artisan Space-Studio: A building or portion thereof used for the on-site production of parts or finished products by individual or shared use of hand tools, mechanical tools, and electronic tools. Maker Spaces may include space for the design and prototyping of new materials, fabrication methodologies, and products, as well as space for packaging, incidental storage, sales, and distribution of such projects. Typical uses include but are not limited to electronic goods, printmaking, leather products, jewelry and clothing/apparel, metalwork, furniture, woodworking and cabinet shops, glass or ceramic production, and paper design and production. Maker Spaces may host classes or networking events which are open to the public. Maker Spaces may also include a membership component.

ADD Residential Mixed Use: A mixture of housing, in a building or on the same lot, with business uses.

Retail; Retail Sales: An establishment selling goods directly to the general public for personal and household consumption, including but not limited to an appliance store, bakery, delicatessen, drugstore, florist, grocer, hardware store, liquor store, newsstand, shoe store, stationery store, convenience store, and variety store, excluding a restaurant.

ADD Small (S): A retail establishment with a gross floor area of up to 2,500 square feet. Accommodates boutique shops and specialty stores.

ADD Medium (M): A retail establishment with a gross floor area greater than 2,500 square feet but not exceeding 5,000 square feet. Suitable for mid-sized stores, such as neighborhood grocery stores, pharmacies, or apparel stores.

ADD Large (L): A retail establishment with a gross floor area exceeding 5,000 square feet but not over 10,000 square feet. Intended for substantial retail operations, including supermarkets, department stores, or big-box retailers.

ADD Retail; Retail Outdoor Display: The sale or offering for sale of goods, merchandise, or commodities in an outdoor setting, on a permanent or a seasonal basis, as an accessory or principal use.

Restaurant: A commercial establishment in which the primary activity consists of the preparation and serving of food for consumption on the premises or as take-out, including a bar or pub or other establishment that sells food and alcoholic beverages for on-premises consumption, excluding catering businesses and retail uses that sell prepared food.

ADD Small (S): A restaurant establishment with a gross floor area of up to 1,500 square feet.

ADD Medium (M): A restaurant establishment with a gross floor area greater than 1,500 square feet but not exceeding 3,000 square feet.

ADD Large (L): A restaurant establishment with a gross floor area greater than 3,000 square feet.

ADD Restaurant – Outdoor Seating: A restaurant where food or refreshments are served or consumed outside of the main building on either private property or on the public right-of-way, immediately in front of or adjacent to the establishment. The term "restaurant" shall not include any "fast food eating establishment."

ADD Three-family dwellings: A building that is divided into three (3) dwelling units. Each unit has an independent entrance either directly from outside the building or through a common vestibule. Each unit must share a common wall or common floor/ceiling with at least one other unit.

ADD Story: That portion of a building that includes the space between the surface of any floor and the surface of the next floor above it, or, if no floor exists above it, the space between such floor and the ceiling next above it. Any portion of a story exceeding fourteen (14) feet in height shall be considered as an additional story for each fourteen (14) feet or fraction thereof. One-half (1/2) story means any story or space situated wholly or partly in the roof, so designed, arranged, or built to be used for storage or habitation.

MODIFY Height: The vertical distance between the highest point of the roof of a building and the average finished grade of land on which the building is located. Shall be measured as the vertical distance from the average finished grade of the structure to the highest point of the roof for flat roofs, to the deck line for mansurd roofs, and to the average height (midpoint) between the highest eaves and the ridge of the main body of the roof for gable, hip, shed, saltbox, and gambrel roofs, or combinations thereof.

For purposes of this bylaw, the term "height" shall not apply to chimneys, steeples, flag or radiopoles, antennas, aerators, required bulkheads, elevator penthouses, or other equipment appurtenances necessitated by the permitted use to which a building is put. In addition, the term "height" shall not apply to solar energy collectors and equipment used for the mounting or operation of such collectors; provided, however, that such collectors or equipment shall not impair solar access of other building or other solar installations.

Article IV Districts

§ 255-11 Establishment of Districts

ADD M. Residential Core RC. The purpose of this district is to preserve and prioritize the existing residential identity of the neighborhood while introducing a wider variety of housing options.

ADD N. Residential Mixed Use RMU. The purpose of this district is to integrate housing with business uses, either within the same building or on the same lot, to promote economic growth and support a vibrant and walkable neighborhood.

§ 255 Attachment 1 – Use Regulations Schedule

ADD Residential Core (RC) and Residential Mixed Use (RMU)

Residential Uses

Use Classifications	RC	RMU
Residential Uses		
Single-family dwellings	Y	SP
Single-family dwellings – flag lot	SP	N
Conversions of single-family to two-family dwellings	Y	Y
Conversions of single-family to three-family dwellings	SPR	Y
Two-family dwellings (new)	Y	Y
Three-family dwellings (new)	Y	Y
Multifamily dwellings for more than three families	SPR	SPR
Cottage Cluster Development	SPR	SPR
Home Occupation I	Y	Y
Home Occupation II	SPR	SPR
Mobile homes	N	N
Mobile home parks	N	N

Continuing care retirement communities	N	N
Bed-and-breakfasts	SPR	SPR
Flexible residential developments	SP	SP
Short-term rental – owner-occupied	SPR	SPR
Short-term rental – non-owner-occupied	SP	SP
Accessory dwelling unit – attached	Y	Y
Accessory dwelling unit – detached	SPR	SPR
Open Space Uses		
Agricultural, horticultural, or floricultural uses on parcels of five acres or more	Y	Y
Agricultural, horticultural, or floricultural uses on parcels of less than five acres, as provided in Article VII	SPR	N
Cemeteries, crematories situated with cemeteries	N	N
Portable woodworking mills for use on lots of less than five acres	N	N
Landing strips for private use of owner	N	N
Stables or riding academies, as provided in Article VII	Y/a/SPR	N
Public-private recreation, as provided in Article VII	N	N
Outdoor recreation facilities	N	N
Public and Institutional Uses		
Town buildings	SPR	SPR
Public and private nonprofit educational institutions/d/f	SPR	SPR
Structures used for religious purposes/e/f	SPR	SPR
Federal and state government buildings	N	Y
Public playgrounds and parks	Y	Y
Clubs, lodges, social and community center buildings	SPR	SPR
Hospitals, sanitariums, and charitable services	N	N
Business Uses		
Artistic/ Creative Production	N	SP
Brewery/ Cidery/ Distillery/ Winery	N	SP
Co-Working Space	N	Y
Maker Space/ Artisan Space-Studio	N	Y
Drive-in services	N	N
Retail sales (S, M, L)	N	Y/SPR/SP
Retail - Outdoor Display (accessory)	N	SP
Personal, business, and professional services	N	Y
Gasoline filling stations	N	N
Automotive repair and services	N	SP
Open-air parking for 25 vehicles or fewer	N	N
Public parking areas and garages (unrestricted capacity)	N	N
New and secondhand car dealers	N	SP
Marinas	N	N
Offices	N	SPR
Wholesale sales and warehousing	N	N
Telephone exchange buildings	N	N
Railroad or bus passenger stations or shelters and rights-of-way	SPR	SPR
Amusement parks, bowling alleys, roller skating rinks	N	N
Motels – hotels	N	SP

Open air theaters	N	N
Sale of farm products	SPR	SPR
Training or educational institutions operated for profit	N	SPR
Professional business (as provided in Article VII)	N	SPR
Restaurants (S,M,L)	N	Y/SPR/SP
Restaurants – Outdoor Seating (accessory)	N	SPR
Adult entertainment uses, as provided in Article VII	N	N
Flea markets	N	SP
Commercial kennels	N	N
Medical marijuana off-site dispensaries, (MMOSD), subject to § 255-46	N	N
Marijuana retailer	N	N
Marijuana testing facility	N	N
Solar photovoltaic, large-scale/q, r	SP	SP
Solar photovoltaic, medium-scale/s, t	SP	SP
Solar photovoltaic, small-scale/u	SP	SP

§ 255 Attachment 2 – Dimensional Regulations Schedule

ADD Residential Core (RC)

Zoning District	Minimum Lot Area (square feet)	Minimum Lot Frontage (feet)	Maximum Building Coverage (%)	Maximum Impervious Coverage (%)	Minimum Yard Setback (feet)			Maximum Height	
					Front	Side	Rear	Stories	Feet
Residential Core (RC)									
Basic Requirements				60					
Principal Uses	10,000	75	30 ¹		20	10	20	3	35
Accessory Uses	-	-	15 ¹		20	10	10	2	25
RC – Cottage Cluster									
Basic Requirements				60					
Principal Uses	20,000	100	30 ¹		20	10	20	1.5	20
Accessory Uses	-	-	15 ¹		20	10	10	1	17

NOTES:

¹ Total building coverage of principal and accessory structures shall not exceed the maximum lot coverage for principal structures.

ADD Residential Mixed Use (RMU)

Zoning District	Minimum Lot Area (square feet)	Minimum Lot Frontage (feet)	Maximum Building Coverage (%)	Maximum Impervious Coverage (%)	Minimum Yard Setback (feet)			Maximum Height ²	
					Front	Side	Rear	Stories	Feet
Residential Mixed Use (RMU)									
Basic Requirements				80 ¹					
Principal Uses	20,000	100	30 ³		10	10	20	3	35
Accessory Uses	-	-	15		10	10	20	3	35
RMU – Cottage Cluster									
Basic Requirements				80 ¹					
Principal Uses	20,000	100	30 ³		10	10	20	1.5	20
Accessory Uses	-	-	15		10	10	20	1	17
RMU – Multi-family									
Basic Requirements				80 ¹					
Principal Uses	20,000	100	30 ³		10	10	20	3 ⁴	40
Accessory Uses	-	-	15		10	10	20	3 ⁴	35
RMU – Mixed Use									
Basic Requirements				80 ¹					
Principal Uses	20,000	100	30 ³		10	10	20	3 ⁴	40 ⁵
Accessory Uses	-	-	15		10	10	20	3 ⁴	40 ⁵

NOTES:

¹ Maximum Impervious Coverage shall not exceed 80 percent. Any development or redevelopment resulting in impervious coverage in excess of 60 percent shall be subject to the requirements and performance standards set forth in Chapter 200, Stormwater Management.

² See 255-10 Terms Defined for definition of Height.

³ Total building coverage of principal and accessory structures shall not exceed the maximum lot coverage for principal structures.

⁴ For developments with greater than 50% deed restricted Affordable Housing units, the maximum height shall be four (4) stories and 50'.

⁵ Mixed Use buildings may modify maximum height standards via a Special Permit from the Planning Board.

§ 255-15 Overlay districts

ADD F. Route 202/33 Corridor Design Guidelines Overlay District. The Design Guidelines Overlay District is established to enhance the Route 202/33 corridor by promoting a walkable, pedestrian- and bicycle-friendly environment, mixed-use, and residential environment with diverse housing options.

§ 255-31. Flexible development

MODIFY B. Applicability by adding the following sentence to the end of the paragraph so it reads:

Applicability. The Planning Board may permit creation of a flexible development from any parcel or set of contiguous parcels held in common ownership and located entirely within the Town of South Hadley in accordance with the provisions of this section of the Zoning Bylaw. Creation of a flexible development requires approval of a special permit and definitive subdivision plan as specified herein. Three family dwellings and Cottage Cluster Developments in the RC and RMU Districts shall not be subject to the requirements within this § 255-31.

§ 255-47. Multifamily and multiple dwellings

MODIFY E. Exceptions by adding the following:

(3) Three-family dwellings and Cottage Cluster Development within the Residential Core and the Residential Mixed Use District shall not be subject to the density or open space restrictions within this § 255-47.

§ 255-34. Professional business uses.

ADD H. Within the Residential Mixed Use District, site plan review rather than a special permit shall be required for applicants wishing to operate a qualifying professional business

Article VII Supplemental District Regulations

ADD § 255-52 Route 202/33 Corridor Design Guidelines Overlay District

- A. Purpose.** The Route 202/33 Corridor Design Guidelines Overlay District is established to enhance the Route 202/33 Corridor by promoting good building and site design for applicable projects. The goal of design review is to encourage a walkable, pedestrian-and bicycle-friendly corridor that supports a mix of diverse housing options and supporting businesses. This district aims to:
- (1) Ensure that new development and redevelopment are consistent with the town's goals for sustainable growth and community character.
 - (2) Minimize visual and functional conflicts between residential and nonresidential uses within and abutting the corridor.
 - (3) Permit uses that promote conversion of existing buildings in a manner that maintains and enhances the visual character and scale of existing development
- B. Boundaries.** Boundaries of the Route 202/33 Corridor Design Overlay District (RCDOD) are depicted on an Overlay Districts Map dated **ADD DATE HERE** on file in the office of the Planning Board, Building Commissioner, and Town Clerk.
- C. Applicability.**
- (1) The provisions of the RCDOD are supplemental to any requirements or restrictions of the underlying zoning districts.
 - (2) All applications for projects within the RCDOD that are subject to Site Plan Review or Special Permit are subject to Design Review.
 - (3) Routine maintenance and repairs that do not alter the exterior appearance of structures are exempt from these provisions.
 - (4) Any lot under one acre with more than one principal structure need not file a Form H plan under the Subdivision Regulations. All other Design Standards herein apply.
 - (5) Design Review is not required when the Planning Board determines that specific actions under Section E do not result in substantial alterations to the form or appearance of a building or site, and when no new or additional Zoning Bylaw requirements apply to the proposed action.
- D. Design Guidelines.** The Planning Board may adopt and amend, by simple majority vote, design guidelines for use in the authorized to adopt and amend Design Guidelines for use in making discretionary decisions involving site plan review, special permits, and waivers of requirements in the underlying districts within the RCDOD.
- E. Design Review.** All new construction, substantial renovations, as defined by the Building Commissioner, and changes in use within the Design Overlay District are subject to design review by the Planning Board. Minor modifications and routine maintenance may be exempt, as determined by the Planning Board.
- F. Design Principles. Design should:**
- (1) Promote pedestrian access and safety by encouraging design strategies to reduce conflicts between drivers and pedestrians;
 - (2) Reduce negative impacts on the natural environment from stormwater overflow and lighting glare or overspill;

- (3) Support a consistent level of design for a complementary mix of uses along the corridor, including residential-only, commercial-only, and a mix of both, depending on the purpose of the subareas along the corridor; and
- (4) Reinforce the identity of the proposed subareas along the corridor while respecting the smaller-scale of the abutting neighborhoods and the central residential area on both sides of Granby Road between Lyman Street /Old Lyman Road and Easy Street/Leaping Well Reservoir.

G. Development Standards

Development standards are mandatory regulatory requirements that must be adhered to.

(1) Site Design.

- (a) The primary building shall have its principal façade and entrance facing the principal street.
- (b) Where feasible, entries shall be clearly defined and linked to a paved pedestrian network that includes the public sidewalk.
- (c) Sidewalks shall provide a direct connection from the building entrances to the public sidewalk (if applicable), bicycle storage, and parking.
- (d) Curb cuts shall be minimized in width and restricted to one (1) per Assessor's parcel or development (residential, commercial or mixed use). Shared driveways are encouraged. A Special Permit from the Planning Board shall be required for more than one curb cut. The Planning Board may only issue a second curb cut if the applicant can show that there is something unique about the property that would otherwise render flow to and from the property unsafe. If the Board finds that more than one curb cut is necessary for traffic safety purposes, then additional off-site traffic mitigation may be required by the Planning Board to address pedestrian safety within the abutting street network.
- (e) Parking shall be subordinate in design and location to the principal building façade.
- (f) Parking shall be located at the rear or side of the principal building. Parking shall not be located in the setback between the building and any lot line adjacent to the public right-of-way.
- (g) Surface parking adjacent to a public sidewalk shall be screened by a landscaped buffer of sufficient width to allow the healthy establishment of trees, shrubs, and perennials, but no less than 6 (six) feet. The buffer may include a fence or wall of no more than three feet in height unless there is a significant grade change between the parking and the sidewalk.
- (h) The parking surface may be concrete, asphalt, decomposed granite, bricks, or pavers, including pervious materials but not including grass or soil not contained within a paver or other structure.
- (i) Plantings shall include species that are native or adapted to the region. Plants on the Massachusetts Prohibited Plant List, as may be amended, shall be prohibited.
- (j) Side and rear parking lots shall be screened from adjacent parcels by a landscaped buffer of sufficient width to allow establishment of trees, shrubs, and perennials, but no less than 6' in width. Solid wood fencing may be incorporated into the landscaped buffer as part of visual screening from abutting parcels.
- (k) Light levels shall meet or exceed the minimum design guidelines defined by the Illuminating Engineering Society of North America (IESNA) and shall provide illumination necessary for safety and convenience while preventing glare and overspill onto adjoining properties and reducing the amount of skyglow.

- (l)** Mechanical equipment at ground level shall be screened by a combination of fencing and plantings. Rooftop mechanical equipment shall be screened if visible from a public right-of-way. Screening elements shall incorporate sound control devices or construction that mitigates equipment noise.
- (m)** Dumpsters shall be screened by fencing or plantings. Where possible, dumpsters or other trash and recycling collection points shall be located within the building.
- (n)** Stormwater management. The project must include strategies that demonstrate compliance of the construction activities and the proposed project with the most current versions of the Massachusetts Department of Environmental Protection Stormwater Management Standards, the Massachusetts Stormwater Handbook, Massachusetts Erosion Sediment and Control Guidelines, and, if applicable, additional requirements under the Town of South Hadley's MS4 Permit for projects that disturb more than one acre and discharge to the Town's municipal stormwater system, and an Operations and Management Plan for both the construction activities and ongoing post-construction maintenance and reporting requirements.
 - a. Prior to the issuance of any site plan approval, special permit, or development permit for any proposed development or redevelopment in the Residential Mixed Use (RMU) district exceeding the 60 percent impervious coverage threshold, a Stormwater Management Permit must be approved by the Planning Board or its designee under this bylaw. The applicant may request, and the South Hadley Planning Board or its designee may grant, a waiver from any information requirements it judges to be unnecessary to the review of a particular plan.
 - b. Upon the request of the Applicant and subject to overall compliance with the requirements of the Stormwater Management Permit, the South Hadley Planning Board or its designee may grant may waive certain requirements of the Stormwater Management Permit in the interests of design flexibility and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the RCDOD and the design principles in Section 255-52.D.

(2) Cottage Cluster Development.

- (a)** More than one principal building is allowed on a parcel subject to a Cottage Cluster Development.
- (b)** Parking and circulation on the site shall be organized to reduce the amount of impervious surface. Where possible, parking and loading areas shall be connected to minimize curb cuts onto public rights-of-way and the shared driveway for the Cluster Cottage Development.
- (c)** A paved pedestrian network shall connect parking to the entries to all buildings and the buildings to each other. Paving materials may include pervious surfaces.
- (d)** The orientation of multiple buildings on a lot should reinforce the relationships among the buildings. All building façades shall be treated with the same care and attention in terms of entries, fenestration, and materials.
- (e)** In the RC District, the setback between the driveway and the adjacent properties shall have a landscaped buffer of no less than ten (10) feet.
- (f)** In the RC District, a landscaped buffer between the street and the first cluster of buildings shall be provided.
- (g)** In the RMU District only, the building closest to the lot line may have a commercial use that is allowed within the RMU District. This building shall have a pedestrian entry facing the public

street. The height of that building is subject to the limitations on building heights within the RMU District.

- (h) In the RMU District only, parking may be shared between the commercial use and the cottages.
- (i) Common usable open space shall be provided within the development and may be used for agriculture, recreation, conservation, nature education, or other park purposes, or a combination of such uses. Public easement purposes may also be permitted to traverse portions of the common usable open space. Only structures commonly associated with and incidental to the permitted uses shall be permitted in the common usable open space areas, such as a play structure, garden shed, benches, or similar.

(3) Buildings: Mixed-use development.

- (a) In a mixed-use building, access to and egress from the residential component shall be clearly differentiated from access to other uses. Such differentiation may occur by using separate entrances or egresses from the building or within a lobby space shared among different uses.
- (b) Entries are to be clearly articulated with projecting canopies or recesses, for convenience, wayfinding, and to activate the street front and pedestrian spaces.
- (c) Retail and commercial entries will face a public sidewalk and are to be primarily transparent to reinforce the public nature of the ground floor uses.
- (d) Paved pedestrian access from the residential component shall be provided to residential parking and amenities and to the public sidewalk, as applicable.
- (e) Materials for non-residential uses shall be stored inside or under cover and shall not be accessible to residents of the development.
- (f) Parking and circulation on the site shall be organized to reduce the amount of impervious surface. Where possible, parking and loading areas shall be connected to minimize curb cuts onto public rights-of-way.
- (g) Rooftop mechanical equipment shall be set back from building facades so that it is not visible from street views, screened behind parapets, or enclosed within architectural elements designed as an integral part of the architecture to complement the building's mass and appearance. Screening elements shall incorporate sound control devices or construction that mitigates equipment noise.

(4) Buildings: Two-Family, Three-Family

- (a) A "New England style roof line" with pitched roofs, gable or parapets that have gable fronts are preferred to flat roofs.
- (b) Covered entries are encouraged.
- (c) Visually appealing facades are encouraged and blank walls are to be avoided through the use of windows, trellises, material changes, porches, or other features.
- (d) Reduce massing along the front façade by recessing portions of the building toward the back, and providing a variety of articulated roof forms.

(5) Buildings: Multifamily for more than three-families

- (a) A "New England style roof line" with pitched roofs, gable or parapets that have gable fronts are preferred to flat roofs.
 - (b) The ground level is to support the pedestrian experience. Blank walls are to be avoided through the use of windows, trellises, materials changes, arcades or other features that increase visual interest for people on the street.
 - (c) Projected bays, recesses, and cornices are encouraged at all floor levels. Building facades over 40 feet in length are required to have a change in plane articulated by projecting or recessed bays, balconies, or setbacks.
 - (d) Façade elements shall continue around to all sides of buildings visible from the street and other adjoining/nearby public spaces. Elements can be simplified at the rear of the buildings to clarify a front/back hierarchy.
 - (e) Rooftop mechanical equipment shall be set back from building facades so that it is not visible from street views, screened behind parapets, or enclosed within architectural elements designed as an integral part of the architecture to complement the building's mass and appearance. Screening elements shall incorporate sound control devices or construction that mitigates equipment noise.
 - (f) Distinctive building design that is trademarked or identified with a particular chain, franchise, or corporation and is generic in nature shall be minimized. Buildings shall not be branded using an architectural style of a company, if the Planning Board determines that such style is out of character with the neighborhood.
 - (g) Entries are to be clearly articulated with projecting canopies or recesses, for convenience, wayfinding, and to activate the street front and pedestrian spaces.
- (6) Buildings: Corner Lots. A building on a corner lot shall indicate a primary entrance either along one of the street-facing façades or on the primary corner as an entrance serving both streets.
- (a) Such entries shall be connected by a paved surface to the public sidewalk, if applicable.
 - (b) All façades visible from a public right-of-way shall be treated with similar care and attention in terms of entries, fenestration, and materials.
 - (c) Fire exits serving more than one story shall not be located on either of the street-facing façades.
- (7) Buildings: Infill Lots. If the adjacent buildings are set back at a distance that exceeds the minimum front yard requirements, infill buildings shall meet the requirements of § 255 Attachment 2 – Dimensional Regulations Schedule. Otherwise, infill buildings may match the setback line of either adjacent building, or an average of the setback of the two buildings to provide consistency along the street.

H. Procedures for Review.

- (1) **Design Review Process.** All projects subject to site plan review and special permit within the RCDOD are subject to the following process.

The Applicant shall provide the following additional information as part of the materials required under § 255-128 Application Procedure under Special Permit process and § 255-147 Procedures for review under the Site Plan Review process:

- (a) Statement of design intent. Which is a written narrative describing how the design of the proposed development incorporates the design guidelines in Sections 255-52 D, F, and G.
 1. The narrative shall include the current use of the site and its condition, the proposed use

of the site, and the name of the architect or designer.

2. The narrative shall address the overall design concept:

- a. the relationship of the proposed design to the context of the surrounding Corridor (including the architectural form and character, the natural environment, patterns of vehicular and pedestrian access and circulation);
- b. the proposed development's contribution to an inviting and safe public realm (including lighting, landscape, signage, and ground-level pedestrian experience);
- c. and, the contribution of the architectural design to the Corridor (including the contribution of building form and composition, façade form and composition and articulation, and materials, color, and lighting).

(b) Site plans, elevations, wall section(s), and three-dimensional views of the proposed site. For a project on a site with a grade change of 10% or more, a site section showing the relationship of the building(s) to existing buildings abutting the site shall be required. The relevant design elements specified in Section E(2) shall be identified in these documents.

(c) Palette with samples of materials, proposed color scheme, and cut sheets of lighting fixtures and other architectural elements.

(2) Waivers. Upon the request of the Applicant and subject to consistency with the Design Principles, the Planning Board may waive the requirements of Section 255-52G Development Standards, in the interests of design flexibility and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the RCDOD and the design principles in Section 255-52D.

**ARTICLE 10
ROUTE 202/33
CORRIDOR
REZONING MAP**

**FINAL
FOR
TOWN MEETING
September 16, 2025**

Legend

- Parcels
- Residential Core
- Residential Mixed Use

