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# Town of South Hadley Board of Appeals

## Decision on Variance Petition

In accordance with the provisions of Chapter 40A of the Massachusetts General Laws, and the Town of South Hadley Zoning By-Laws, the Zoning Board of Appeals of South Hadley held a public hearing on February 19, 2026 at 4 pm in the Trustees Conference Room at the Main Public Library, South Hadley.

Prior to the hearing, all abutters and neighbors within 300 feet were notified by certified mail, return receipt requested, of the date and time of the hearing.

The legal notice of the public hearing was published in The Town Reminder on January 30, 2026 and February 6, 2026.

In order to grant a variance, The Zoning Board of Appeals must make all of the following specific statutory findings that must be related to the land or structure: (from *The Zoning Guidebook 2004*, pages 10.3-10.4 by Attorney Carol Rolf for the Massachusetts Federation of Planning and Appeals Boards) Failure to establish any one of the statutory requirements is fatal to this petition for the variance(s) requested.

**1. The land or structure that is the subject of the variance is especially (uniquely) and specifically impacted by one of the following circumstances:**

**Soil conditions (wetlands, ledge, etc.)**

**Shape (not self-created or simply undersized)**

**Topography**

The applicant wrote that the corner lot's "shape" is unique.

The Board did not make this finding that this corner lot is unique. There are many corner lots in this zoning District, Residential A-1.

**2. The circumstances do not generally affect other land or structures in the zoning district in which the property is located.**

Corner lots are found throughout Residential A-1. The circumstances of a corner lot generally affect other land in the zoning district in which this property is located, Residential A-1 and are commonplace.

**3. Due to circumstances related to the soil, shape, or topography of the land, the petitioner or appellant would suffer a hardship if the zoning is enforced as adopted.**

The Board did not make this finding. The appellant would not suffer a hardship if the zoning is enforced as adopted. The appellant has sufficient space to construct a house in the building envelope.

**4. The hardship may be financial or another hardship, but it may not be personal and must relate to the soil, shape, or topography of the land or structure.**

There is no hardship that relates to the soil, shape, or topography of the land under consideration.

**5. The owner cannot make reasonable use of the property under existing zoning.**

The owner can make reasonable use of the property under the existing zoning. The owner can build a house of up to 1850 square feet in the building envelope.

**6. The variance requested may be granted without substantial detriment to the public good.**

The variance requested would not be a substantial detriment to the public good.

**7. The variance requested may be granted without nullifying or substantially derogating from the intent or purpose of the zoning by law.**

The variance requested would substantially derogate from the intent or purpose of the zoning bylaw. A reduction from a 40-foot front setback to a 31-foot setback is a substantial amount.

**On the basis of these findings, the Zoning Board of Appeals voted to:**

**Grant the Variance**

**X   Deny the variance**

**This decision is subject to appeal in accordance with M.G.L. Ch. 40A section 17 within 20 days after this decision is filed with the Town Clerk.**

**The South Hadley Zoning Board of Appeals**

**S/**

**Martha R. Terry, Chair**

*Martha R. Terry*